

Minutes
Elbert County Board of Commissioners
Public Hearing
June 12, 2017

The Elbert County Board of Commissioners held a public hearing to present the proposed budget for FY 2018. Mr. Bob Thomas stated to the Board that we were \$407,000 short of where we needed to be for a balanced budget. The proposed budget is \$11,537,066. We are continuing to work with the departments to see where we can reduce expenses. The law requires that a balanced budget be passed by July 1st, or it will revert back to the previous year's budget. There were no public comments.

The Elbert County Board of Commissioners held a public hearing to hear a request from New Hope Church for a Conditional Use Permit to build a gym and convert part of a residential home into a church. Charles Cecchini representing the Cecchini family including Pat Moon, Amelia, Colton and Carson Moon, stated his family owns approximately 300 acres that he and his family hunt on. His concerns are that restrictions placed on the surrounding property will possibly lower the value the property; He is mostly concerned with the ordinance restricting the discharge of firearms within 1,320 feet of a church during certain hours. Next, Jamaine and Kim Rucker of New Hope Church spoke of the many services they provide to both young and old in the community. Janeesha Allen also spoke of the counseling and daycare provided for her and her family by the church. Patrick Hopp, Code Enforcement Officer showed a diagram of the radius surrounding the church of 800 feet in regards to the building of poultry houses and 1320 feet in regards to the discharge of firearms in proximity to a church. Commissioner Lee Vaughn asked when the ordinance was put in place and if there had been any issues. Mr. Hopp stated that none had been reported to him. Commissioner Vaughn then asked if the Planning and Zoning Commission could revisit the regulation and possibly consider changing the distance restrictions for discharge of firearms. Mr. Hopp said, yes if the Board wanted to make that recommendation they would. There were no other public comments.

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Chairman Tommy Lyon called the meeting to order. Present were Chairman Lyon, Vice Chairman Horace Harper, Commissioner Lee Vaughn, Commissioner Chris Alexander, Commissioner Kenneth Ashworth, Commissioner Freddie Jones, County Administrator Bob Thomas, County Attorney Bill Daughtry, County Clerk Tamara Butler, CFO Phil Pitts.

After the pledge to the United States flag, the invocation was given by Commissioner Ashworth.

Adoption of Agenda. Commissioner Alexander made a motion to adopt the agenda. Commissioner Vaughn seconded the motion. Upon voting the motion carried 5-0.

Chairman Lyon asked for a motion to amend the agenda to add (9a) Public Defenders Annual Agreement. Commissioner Vaughn made the motion. Commissioner Ashworth seconded the motion. Upon voting the motion carried 5-0.

Chairman Lyon then asked for a motion to amend the agenda to add (9b) Recommendation of the Board to ask the Planning and Zoning Commission to revisit the firearm regulation. Commissioner Vaughn made the motion. Commissioner Ashworth seconded the motion. Upon voting the motion carried 5-0.

Adoption of the Minutes of the Regular Meeting on May 8, 2017. Commissioner Alexander made a motion to adopt the minutes as read. Commissioner Harper seconded the motion. Upon voting the motion carried 5-0.

Discussion and approval of a request from the Chamber of Commerce for a \$1,000 donation to help with expenses for the July 4th Fireworks at Richard B. Russell State Park. The fireworks show is planned for June 30th. Mr. Thomas stated that we have made larger donations in the past, but they have received other donations, therefore they are asking for \$1,000 to help with expenses. Commissioner Ashworth made a motion to approve the donation of \$1,000. Commissioner Vaughn seconded the motion. Upon voting the motion carried 5-0.

Discussion and approval of a request from the Planning and Zoning Commission for a Conditional Use permit submitted by New Hope Church to build a gym and convert part of a residential home into a church at 1423 Brewers Bridge Road. The property is 5.43 acres in size. The Planning and Zoning Commission had voted 3-2 not to approve the Conditional Use permit. According to Mr. Hopp the items of concern were the distance restrictions for discharging of firearms on surrounding property and poultry houses. Mainly the restrictions placed on owners of surrounding property. Commissioner Alexander asked if moving the distance to 800 feet is feasible. Mr. Hopp stated he and the Planning and Zoning Commission could discuss that at next months' meeting and see what surrounding communities are doing. They would have to consider sub-divisions and high density populated areas. Chairman Lyon asked for a motion to grant the request contingent upon the approval of changing the distance for discharging firearms. Since this would be a change to an ordinance, there will have to be a first and second reading. Considering the Board has the final say in approving the change, they will make an exception and allow the church to proceed without having to wait the 60- 90 days. Commissioner Vaughn made a motion to grant the approval and to let them start immediately but with the understanding that the Planning and Zoning will bring back before the Board the recommended changes. Commissioner Ashworth seconded the motion. The motion carried 4-1, with Commissioner Harper voting against.

Discussion and approval of a request for a Variance for Setback and Height Restrictions at 1479 Crosstie Drive adjacent the Airport. This item was brought before the Board at the March meeting and at that time was postponed until Mr. Thomas had heard from the FAA regarding any restrictions to measurements and dimensions of the building. He has received notice from the FAA that it would not be in violation of any future grant funding that we may seek for the airport. Also, there has been no opposition from any citizens. Commissioner Vaughn made a motion to approve the request. Commissioner Alexander seconded the motion. Commissioner Harper abstained. Upon voting the motion carried 4-0.

Discussion and approval of an RFP proposal to be advertised for wood grinding at the transfer site on Hulmes Chapel Road. Mr. Thomas stated that it had been about 2 years since the last time we did this. There are wood and pallets that have accumulated. Commissioner Ashworth made a motion to

approve the proposal to advertise for bids for wood grinding. Commissioner Harper seconded the motion. Upon voting the motion carried 5-0.

Discussion and approval of the acceptance of a donation of two acres of land from Mrs. Patricia Parson on Nickville Road. The property is across the road from the existing Deep Creek Fire Station. Mrs. Parson has graciously donated the land in memory of her husband Mr. Nelson Parson. She stated that her husband loved the community and when he passed away the support from the community was overwhelming. She said that he felt such a part of that community and the hard working people had the same values he had and that two acres was nothing compared to what the community had given to them. The old Deep Creek fire station is one that was targeted to be replaced since the building was old and not large enough to accommodate the new fire equipment. Commissioner Ashworth made a motion to accept the donation. Commissioner Jones seconded the motion. Upon voting the motion carried 5-0.

Discussion and approval of the Public Defenders Annual Agreement. This is a Resolution of the Elbert County Board of Commissioners approving the indigent defense agreement for the Northern Judicial Circuit for the coming fiscal year. This is basically the same agreement we've had every year. Rather than appointing attorneys on a per case basis we have a Public Defenders office that we share the cost with Hart, Franklin, Madison, and Oglethorpe counties. Now the Public Defender's office is dropping Elbert County State Court and we will have to hire an attorney and public defender to handle State Court. Mr. Daughtry said there are two motions that he needs to be made. One is to approve this Resolution which approves the Public Defenders budget ; (our share is \$55,374.67). Commissioner Vaughn made a motion to approve this resolution. Commissioner Jones seconded the motion. Upon voting the motion carried 5-0.

The second is to authorize Mr. Thomas along with the State Court Judge to issue a request for bids for the Public Defenders services for State Court. We are currently paying \$12,000 per year. Commissioner Vaughn made a motion to authorize the request for bids. Commissioner Alexander seconded the motion. Upon voting the motion carried 5-0.

Discussion and approval to have the Planning and Zoning Commission reconsider the regulations regarding discharge of firearms near a church. Commissioner Alexander made the motion to have the Planning Commission reconsider the distance restrictions for discharge of firearms. Commissioner Vaughn seconded the motion. Upon voting the motion carried 5-0.

Discussion of the FY2018 proposed budget. Mr. Thomas reiterated what he discussed at the Public Hearing; we are \$407,000 short of where we need to be to reach a balanced budget. We are meeting with the departments on Wednesday morning to see where expenditures can be reduced.

Finance Report. Mr. Pitts stated that General Fund is 3.7% under budget through May. Ten departments are over budget. Revenues are \$48,856 less than this time last year. There is \$1,647 in the Hotel/Motel fund. Solid Waste fund is showing a profit of \$49,448 thru 11 months.

Adjournment. Commissioner Harper made a motion to adjourn. Commissioner Jones seconded the motion. Upon voting the motion carried 5-0.