

**Minutes  
Public Hearing  
July 10, 2017**

The Elbert County Board of Commissioners held a public hearing to hear Zoning Change Request as follows:

- 1) 2252 Fork Creek Road; Property owned by Tran Pham. Change from Mixed Use to General Business. Property is 4 acres. AND;  
2253 Fork Creek Road; also owned by Tran Pham. Change from Mixed Use to AG. Property is 16 acres.  
This property was formerly Bennett's Sporting Goods. The owner would like to use the building for a church; and the old homestead on the property as a nursery/daycare for the church. Mr. Ed Fickey, realtor; representing the group stated they had been using facilities at the Bowman Baptist Church and had been looking for a place for an independent church and this property suited their needs.
- 2) Zoning change to combine Parcel No. 001-067 and 001-067B owned by Rusty Bell. Change from R1 to AG. Property is 18.79 acres.
- 3) Zoning change to combine Parcel No. 029-025B, 1.82 ac, 029-025K, 3 ac, and 030-005, 56.09 ac. , owned by Richard Hatcher. Change from R1 to AG. Total combined property is 60.91 acres.
- 4) The Elbert County Planning Commission has recommended that Chapter 46 Section 23(1) be changed from 1320 to 800 feet. This is the distance of discharging a firearm in proximity of a church.

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 Freddie Jones, County Administrator Bob Thomas, County Attorney Bill Daughtry, County Clerk Tamara Butler, CFO Phil Pitts. Commissioner Kenneth Ashworth was absent.

After the pledge to the United States flag, the invocation was given by Mr. Daughtry.

**Adoption of Agenda.** Commissioner Jones made a motion to adopt the agenda. Commissioner Harper seconded the motion. Upon voting the motion carried 4-0.

**Chairman Lyon asked for a motion to amend the agenda to add 8a) Open bids for Public Defender services for State Court.** Commissioner Vaughn made the motion. Commissioner Jones seconded the motion. Upon voting the motion carried 4-0.

**Adoption of the Minutes of the Called Meeting on June 8, 2017 and June 29, 2017 and the Regular Meeting on June 12, 2017.** Commissioner Harper made a motion to adopt the minutes as read. Commissioner Vaughn seconded the motion. Upon voting the motion carried 4-0.

**Request from the Elbert County Library to name two individuals to the Library Board.** Rob Leverett and Susan Fricks have agreed to serve 3-year appointments to fill expired or expiring terms. One vacant seat expired May 31, 2017 and the 2<sup>nd</sup> seat will expire July 31, 2017. Commissioner Vaughn made a motion to approve the appointments. Commissioner Harper seconded the motion. Upon voting the motion carried 4-0.

**Discussion and approval of the Elbert County Planning Commission's recommendations as follows:**

- 1) Zoning Change Request at 2252 Fork Creek Road; owned by Tran Pham. Requested change from Mixed Use to General Business; to be used as a church. Property is 4 acres. Commissioner Harper made a motion to approve the change request. Commissioner Jones seconded the motion. Upon voting the motion carried 4-0.
- 2) Zoning Change Request at 2253 Fork Creek Road; owned by Tran Pham. Requested change from Mixed Use to Agricultural. Property is 16 acres. Commissioner Vaughn made a motion to approve the change request. Commissioner Jones seconded the motion. Upon voting the motion carried 4-0.
- 3) Zoning Change Request from Rusty Bell combining two tracts (001-067 and 001-067B) and changing from R1 to Agricultural. Property is 18.79 acres. Commissioner Harper made a motion to approve the change request. Commissioner Alexander seconded the motion. Upon voting the motion carried 4-0.
- 4) Zoning Change Request from Richard Hatcher combining 3 tracts (029-025B, 029-025K, 030-005) and changing from R1 to Agricultural. Property is 60.91 acres. Commissioner Vaughn made a motion to approve the change request. Commissioner Jones seconded the motion. Upon voting the motion carried 4-0.
- 5) Recommendation to change Chapter 46 Section 23 (1) in the Code of Ordinances from 1320 to 800 feet. This change is the distance of discharging a firearm in proximity to a church. Commissioner Alexander made a motion to approve the change request. Commissioner Vaughn seconded the motion. Upon voting the motion carried 4-0.

**Discussion and approval of bids for Bobby Brown Park for a small tractor and lawnmower.** Three sealed bids were received and opened at the Work Session. P&J Small Engines, Palmer Equipment Company, and Ag-Pro (John Deere). P & J Small Engines bid on the lawnmower only. In looking over the bids, Mr. Thomas made the recommendation to purchase the equipment from Palmer. The total price for the Kubota lawnmower and Kubota tractor is \$46,849. The funds will come from SPLOST. Commissioner Vaughn made a motion to approve the purchase. Commissioner Harper seconded the motion. Upon voting the motion carried 4-0.

**Discussion and approval of a Fire Grant for the purchase of a new truck in the amount of \$172,500.** Elbert County will match 15% from SPLOST. Fire Chief Rick Mewborne stated that two grants had been applied for. One grant has been approved; but it was for a Mini-Pumper and Mr. Mewborne stated that he really needed a brush truck. The Mini-Pumper will really help with structure fires and can be used in places that the bigger trucks can't get to. He is looking for a 4WD brush truck and hopefully will receive another grant; but has not heard anything yet.

Commissioner Vaughn made a motion to approve the grant for the purchase of the Mini-Pumper truck. Commissioner Jones seconded the motion. Upon voting the motion carried 4-0.

**Discussion of the opening of bids for the State Court Indigent Defense Attorney services.**

Three bids were received;

- 1) E.E. Montgomery Law for \$18,000 per year.
- 2) David Walker for \$21,600 per year.
- 3) David (Matt) Easom for \$1,250 per month.

The bids will be shown to the State Court Judge and a determination will be made at next month's meeting.

**Financial Report.** Mr. Pitts gave board members a comparison of revenues for the last four fiscal years. Also included were the expenditures for those periods. This June, the General Fund is 4.3% under budget. Thru June, nine departments are over budget totaling \$161,148. Tax revenues are \$101,566 less than this time last year. Total revenues are \$273,374 less than last year.

**Public Comments.** There were no public comments.

**Adjournment.** Commissioner Harper made a motion to adjourn. Commissioner Alexander seconded the motion. Upon voting the motion carried 4-0.