

**Minutes of Public Hearing  
Elbert County Board of Commissioners  
Monday July 9, 2018**

A Public Hearing was held to hear the following:

- 1) The proposed FY2019 Budget. CFO Phil Pitts presented the Board with a 2019 proposed budget of \$11,667,100. He did state that the property tax digest is showing real growth.

Keith Madden wanted to know if he needed to appeal the evaluation of his property tax based on the notice he received to stay at last year's value. Mr. Thomas stated that the budget we are proposing does not include any increase in the current millage rate. Mr. Pitts then stated that we are anticipating a slight decrease in the millage rate compared to last year.

- 2) Rezoning request from Ronald and CJ Burk to change zoning from R1 (Residential) to RR (Rural Residential) on a 5-acre tract of land located at 1637 Dewy Rose Road. The Planning Commission voted to approve this application.
- 3) Rezoning request from George C. Thornton to change zoning from A (Agricultural) to I (Industrial) on a 263 tract of land at 2164 Lincolnton Highway. The Planning Commission voted to approve this application with the condition that he has until July 2, 2019 to complete paperwork to keep the land in conservation. Patrick Hopp, Administrator of the Planning Commission stated that six property owners attended the Planning Commission meeting and none voiced any major concerns since the condition was placed on the application.

There were no 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 Chairman Lyon.

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

Chairman Lyon asked for a motion to amend the agenda to add 11B) Executive Session for litigation. Commissioner Ashworth made the motion. Commissioner Vaughn seconded the motion. Upon voting the motion carried 5-0.

**Adoption of the Minutes of the Regular Meeting on June 11, 2018 and the Called Meeting on June 28, 2018.** Commissioner Alexander made a motion to adopt the minutes as read. Commissioner Vaughn seconded the motion. Upon voting the motion carried 5-0.

**Discussion and approval of a TAN (Tax Anticipation Note) also known as a ‘Line of Credit’ for the calendar year January 1, 2018 to December 31, 2018.** Mr. Thomas stated that all banking institutions have not presented proposals, therefore he recommends that we table this item until a later date. Chairman Lyon asked for a motion to table this item. Commissioner Ashworth made the motion. Commissioner Alexander seconded the motion. Upon voting the motion carried 5-0.

**General discussion to review and consider rental fees at the Civic Center.** Mr. Thomas stated that we have had several discussions regarding the rental fees and seem to be in line with other rental facilities. But he recommends increasing the security deposit required to allow for additional cleanup and repairs, as we’ve had several incidents recently and, also in the past that the facility was damaged and a lot of clean up was necessary. Therefore, he recommends increasing the security deposit from \$150 to \$300 in the event there is damage or extra clean up necessary. Commissioner Vaughn made a motion to approve increasing the security deposit. Commissioner Jones seconded the motion. Upon voting the motion carried 5-0.

**Discussion and approval of a rezoning request from Ronald and CJ Burk to change zoning from R1 (Residential) to RR (Rural Residential) on a 5-acre tract of land located at 1637 Dewy Rose Road.** The Planning Commission recommended approval of this application. Commissioner Ashworth made a motion to approve this request. Commissioner Alexander seconded the motion. Upon voting the motion carried 5-0.

**Discussion and approval of a rezoning request from George C. Thornton to change zoning from A (Agricultural) to I (Industrial) on a 263.4 tract of land at 2164 Lincolnton Highway.** The Planning Commission recommended approval of this application with the following condition: Mr. Thornton has 1 year (until July 2, 2019) to complete the paperwork to allow the entire tract of land to be placed into conservation. There was much discussion on this rezoning request. Commissioner Ashworth made a recommendation that when a request is made for rezoning such as this, that all adjoining landowners sign an agreement. Commissioner Vaughn asked Mr. Daughtry if that can be done, since our current zoning ordinance does not require it. Mr. Daughtry said that we could on a case-by-case basis, and he does not know of an immediate reason why we couldn’t make that an additional requirement. For industrial use the potential for traffic and noise makes this different than a typical rezoning request. Commissioner Vaughn asked Mr. Hopp how many landowners there were. Mr. Hopp stated that he sent letters to six and five were at the Planning Commission meeting. Commissioner Vaughn said that we would be setting a precedent for future rezoning request applications. Mr. Daughtry said that we would not be legally bound to do so. It was brought up about a previous application similar to this; but in that case the surrounding landowners were against it. In this case, no one come forward with a complaint. At this time, Monty Dixon came before the Board and stated he lived on Brad Dixon Road and his son has just built a home on Brad Dixon Road which is in close proximity to the land of Mr. Thornton. He considers Mr. Thornton to be an honorable man. After some discussion, Commissioner Vaughn made a motion to approve the rezoning request per the conditions of the Planning Commission. Commissioner Ashworth seconded the motion. Upon voting the motion carried 4-1, with Commissioner Alexander opposing.

**Discussion and approval of a proposed project by ABM Solutions to upgrade certain county buildings with energy improvements.** Chairman Lyon asked for a motion to table this item until a later date. Commissioner Ashworth made the motion. Commissioner Alexander seconded the motion. Upon voting the motion carried 5-0.

**Discussion and approval of bids for items that were declared as surplus property.**

A bid of \$100.56 was received for a 9 ft stainless steel sink. A bid of \$120.00 was received for a 13 ft stainless steel sink. A bid of \$150.00 was received for a stainless- steel hood system. A bid of \$100.00 was received for a commercial deep fryer. Commissioner Harper made a motion to accept the bids for these surplus items. Commissioner Ashworth seconded the motion. Upon voting the motion carried 5-0.

A bid of \$601.00 was received for a 1977 Ford F800 Fire Truck, VIN# F82FVY700S8. A bid of \$2250.00 was received for a 2002 Ford Passenger Van, VIN# 1FDWE35F82HA40370. A bid of \$2533.00 was received for a 2002 Ford Passenger Van, VIN# 1FDWE35F62HA40366. Commissioner Ashworth made a motion to accept the bids for surplus items. Commissioner Harper seconded the motion. Upon voting the motion carried 5-0.

**Finance Report.** Mr. Pitts stated as of this date we are operating somewhat efficiently. General Fund expenditures are slightly over for the year.

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

**Executive Session for Litigation.** Chairman Lyon asked for a motion to enter Executive Session for litigation. Commissioner Vaughn made the motion. Commissioner Ashworth seconded the motion. Upon voting the motion carried 5-0.

Upon returning, Chairman Lyon asked for a motion to enter General Session. Commissioner Ashworth made the motion. Commissioner Vaughn seconded the motion. Upon voting the motion carried 5-0.

Chairman Lyon then asked for a motion to assign the law firm of Jenkins and Bowen as attorneys for litigation in the Sweet City Landfill lawsuit. Commissioner Ashworth made a motion to approve Jenkins and Bowen. Commissioner Harper seconded the motion. Upon voting the motion carried 5-0.

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