

**Minutes of Public Hearing
Elbert County Board of Commissioners
Monday, September 13, 2021**

- 1) Vincent Gardner request to rezone property on Calhoun Falls Hwy from R1 to GB for an outdoor storage of boats and recreational vehicles. Property is approximately 1.96 acres.
- 2) David Mohimani request to rezone property at 2753 Calhoun Falls Hwy from A to R1. Current property is to be subdivided into 4 lots for single family homes.
- 3) Timothy Scoggins request for a variance to allow two campers to be in use on property where setback requirements cannot be met. Property is located at 3026 Deep Creek Road. One camper is for her mother-in-law and the other camper would be used by another relative who will care for her mother-in-law if Mrs. Scoggins is out of town.
- 4) Gary Simerly request to rezone a tract of land at 1806 Lincoln Hwy from A to RR to give to his daughter so that they both can build single family homes. This property is approximately 5 acres.
- 5) Steven Veal and Marlee Ray request to rezone property located at 3031 Cornell Dairy Road from RR to A. Two parcels of property are to be combined into one parcel.
- 6) David Faulkner, on behalf of The Ridge on Lake Russell LLC, located on Old Middleton Road request to rezone from A to R1 Single Family Residential to meet requirements of the Elbert County Zoning Ordinance for Single Family category.
- 7) David Faulkner, on behalf of The Ridge on Lake Russell LLC, located on Old Middleton Road request to rezone property from A to R1 Single Family Residential to meet requirements of the Elbert County Zoning Ordinance for Single Family category.

There were no public comments on the rezoning items

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

After the Pledge to the United States flag the invocation was given by Bill Daughtry.

Adoption of the Agenda. Chairman Vaughn asked for a motion to remove item 18 (Discussion and approval of a request from Alysia Poon of the Elbert Partners for Health to provide Drug Education and Safety to the Elbert County School system from grades 2 through 12). Commissioner Alexander made a motion to approve the agenda as amended. Commissioner Ashworth seconded the motion. The motion passed 5-0.

Adoption of the Minutes of August 5, August 9, August 18, and August 26, 2021 meetings. Commissioner Alexander made a motion to adopt the minutes as read. Commissioner Ashworth seconded the motion. The motion passed 5-0.

Discussion and approval of a request from Vincent Gardner to rezone property on Calhoun Falls Hwy from R1 to GB for an outdoor storage of boats and recreational vehicles. Property is approximately 1.96 acres. The Planning Commission recommended approval of this request by a 3-2 vote. Commissioner Freeman made a motion to **NOT** approve Planning & Zoning's recommendation to approve this rezoning request. Commissioner Ashworth seconded the motion. The motion passed 5-0.

Discussion and approval of a request from David Mohimani to rezone property at 2753 Calhoun Falls Hwy from A to R1. Current property is to be subdivided into 4 lots for single family homes. The Planning Commission recommended approval of this request by a 4-1 vote. Commissioner Alexander made a motion approve this rezoning request. Commissioner Freeman seconded the motion. The motion passed 5-0.

Discussion and approval of a request from Timothy Scoggins for a variance to allow two campers to be in use on property where setback requirements cannot be met. Property is located at 3026 Deep Creek Road. One camper is for her mother-in-law and the other camper would be used by another relative who will care for her mother-in-law if Mrs. Scoggins is out of town. The Planning Commission recommended approval of this request by a 5-0 vote. Commissioner Ashworth made a motion approve this rezoning request. Commissioner Harper seconded the motion. The motion passed 5-0.

Discussion and approval of a request from Gary Simerly to rezone a tract of land at 1806 Lincolnton Hwy from A to RR to give to his daughter so that they both can build single family homes. This property is approximately 5 acres. The Planning Commission recommended approval of this request by a 5-0 vote. Commissioner Freeman made a motion to approve this rezoning request. Commissioner Alexander seconded the motion. The motion passed 5-0.

Discussion and approval of a request from Steven Veal and Marlee Ray to rezone property located at 3031 Cornell Dairy Road from RR to A. Two parcels of property are to be combined into one parcel. The Planning Commission recommended approval of this request by a 5-0 vote. Commissioner Ashworth made a motion to approve this rezoning request. Commissioner Freeman seconded the motion. The motion passed 5-0.

Discussion and approval of a request from David Faulkner, on behalf of The Ridge on Lake Russell LLC, located on Old Middleton Road to rezone from A to R1 Single Family Residential to meet requirements of the Elbert County Zoning Ordinance for Single Family category. The Planning Commission recommended approval of this request by a 5-0 vote. Commissioner Alexander made a motion to approve this rezoning request. Commissioner Harper seconded the motion. The motion passed 5-0.

Discussion and approval of a request from David Faulkner, on behalf of The Ridge on Lake Russell LLC, located on Old Middleton Road to rezone property from A to R1 Single Family Residential to meet requirements of the Elbert County Zoning Ordinance for Single Family category. The Planning Commission recommended approval of this request by a 5-0 vote. Commissioner Alexander made a motion to approve this rezoning request. Commissioner Freeman seconded the motion. The motion passed 5-0.

Mary Clark with the Martin Luther King/Elbert County Planning Committee to address the board regarding upcoming activities. Mrs. Mary Clark and Mrs. Becky David asked for financial assistance in the amount of \$5,000 for student scholarships. Chairman Vaughn stated the Hotel/Motel Tax fund is the fund we use for donations for tourism projects. Any donation made would need to be used for the Martin Luther King banquet and activities. Commissioner Ashworth made a motion to donate \$2,000 for this event. Commissioner Freeman seconded the motion. The motion passed 5-0.

Discussion and approval of a request from the EMS Department to purchase a 2022 F-350 ambulance from AEV using funds from the American Rescue Plan Act. The purchase price is \$188,583. This price will include a Stryker Power Pro cot. Commissioner Alexander made a motion to approve the purchase of an ambulance from Emergency Vehicle Sales. Commissioner Freeman seconded the motion. The motion passed 5-0.

Discussion and approval of a request from the EMS Department to purchase two (2) radios from Mobile Communications for the new ambulance. The purchase price of the radios will be \$1,804. Funds for the radios to come from the American Rescue Plan Act. Commissioner Alexander made a motion approve the purchase of radios from Mobile Communications. Commissioner Freeman seconded the motion. The motion passed 5-0.

Discussion and approval of a grant from the Department of Homeland Security in the amount of \$445,714.29 for firefighting equipment from the 2020 Assistance to Firefighters Grant Fund. The grant is to be matched with local funds of 5% (\$22,285.71) for a total of \$468,000. Commissioner Freeman made a motion to approve this grant for firefighting equipment with a local fund match of 5%. Commissioner Ashworth seconded the motion. The motion passed 5-0.

Discussion and approval of up to \$150,000 for a used fire engine/tanker truck for the Fire Department. Commissioner Ashworth made a motion to go ahead with the search for a used fire engine/tanker. Commissioner Freeman seconded the motion. The motion passed 5-0.

Discussion and approval to request bids for an addition to the Fire Department building on Mahoney Drive. Commissioner Alexander made a motion to approve seeking bids for an addition to the fire department building. Commissioner Harper seconded the motion. The motion passed 5-0.

Discussion and approval of bids for resurfacing tennis courts at McWilliams Park. One (1) bid was received for resurfacing the tennis courts at McWilliams Park. That bid was from Matchpoint Tennis for \$32,000. The funds will come from the ARP fund. Commissioner Harper made a motion to approve the bid from Matchpoint Tennis. Commissioner Alexander seconded the motion. The motion passed 5-0.

Discussion and approval of a request to adjust the State Health Department budget for FY2022.

Chairman Vaughn stated during the budget process the Health Department's budget was cut to \$12,000 annually; he asked that it be restored to \$80,000 annually. He stated he had received a call from Mike Fernandez from the Health Department's board who said they used those funds to pay a nurse's salary; and they would hate to lose a nurse at this time. Commissioner Harper made the motion. The motion died for lack of a second motion. Commissioner Alexander stated he would like to see a financial statement or budget from the Health Department before any determination is made. Mr. Pitts stated he would request that from them.

Discussion and approval regarding the ARP funding. Chairman Vaughn asked for a motion to table this item for up to 90 days in order to receive more information and to see how other counties are handling this funding. Commissioner Freeman made a motion to table this item. Commissioner Ashworth seconded the motion. The motion passed 5-0.

Discussion and approval to set the regular October meeting of the Board of Commissioners to Tuesday, October 12, 2021, due to the Columbus Day holiday falling on October 11th. Commissioner Freeman made a motion to approve changing the October meeting date. Commissioner Harper seconded the motion. The motion passed 5-0.

Discussion and approval of a bid from Municode, Inc. to recodify our county ordinances and provide updates and hosting services online. This has not been done since 2007. The initial cost is \$13,500 to update previous years and then \$550 for each year thereafter. Commissioner Freeman made a motion to approve the bid from Municode to recodify our ordinances and to make available online. Commissioner Ashworth seconded the motion. The motion passed 5-0.

Finance Report. Mr. Pitts stated we are under budget through August. Revenues are better than last year. SPLOST revenues are \$586,000 and TPLOST revenues are \$1,282,000.

Executive Session for potential real estate purchase. Commissioner Harper made a motion to enter Executive Session. Commissioner Ashworth seconded the motion. The motion passed 5-0.

Upon returning, Commissioner Ashworth made a motion to enter General Session. Commissioner Freeman seconded the motion. The motion passed 5-0.

Chairman Vaughn asked for a motion to enter into a contract to purchase 24.94 acres off of Athens Hwy across from Athens Technical College for \$250,000. A building will be put on this site for our County Extension office. Commissioner Freeman made a motion to approve this purchase. Commissioner Harper seconded the motion. The motion passed 5-0.

Public Comments. There were no public comments.

Adjournment. Commissioner Harper made a motion to adjourn. Commissioner Alexander seconded the motion. The motion passed 5-0.