

**Minutes of Public Hearing
Elbert County Board of Commissioners
Monday, February 8, 2021**

Discussion and approval of a rezoning request from Reynaldo Moreno to rezone from GB (General Business) to RR (Rural Residential) a 5.36-acre tract of land at 1348 Mineral Springs Road. The Planning Commission recommended approval of this application. There was no one in attendance to speak for or against this rezoning request.

Discussion and approval of a Conditional Use permit from Dale Lyman for a Winery to be located at 2401 Pine Ridge Drive. The Planning Commission recommended approval with attached conditions. Mr. Lyman was in attendance; but made no comment. There were no other comments.

Discussion and approval of a rezoning request from Adam Thomasson to rezone 12.62 acres from RR (Rural Residential) to AG (Agricultural) on Calhoun Falls Highway. They are also requesting a Conditional Use to allow multiple campers at this location. The Planning Commission recommended approval with attached conditions. Mr. John Lutz, Jr., spoke against this request stating he had a petition of 50 property owners, business owners and residents of District 2 and 3 that were adamantly against this. He stated several reasons, such as a blight on the community with decreasing property values and negatively impacting Elbert County due to its prominent and highly visible location. Mr. Adam Thomasson spoke as the owner of this property stating that he has done everything that the Planning and Zoning Commission asked and thought everything was good.

Discussion and approval of a Conditional Use permit from Marvin Blalock at 1781 Harpers Ferry Road to allow multiple campers on 35.14 acres that is zoned AG. The Planning Commission recommended approval with attached conditions. There was no one in attendance to speak for or against this Conditional Use application.

Discussion and approval of a Conditional Use permit from Jessie Lingerfelt at 3262 Moore Road to allow multiple campers on property that is zoned AG. The Planning Commission recommended approval with attached conditions. Mr. Mike Case, owner of Sunset Ridge campground questioned if they have not been required to follow the same requirements that he had to, then it shouldn't be allowed. Brett Auer stated the Planning & Zoning Commission came up with seven (7) conditions necessary to allow for this. Chairman Vaughn did also state this was not a "for rent" campground.

**Minutes
Elbert County Board of Commissioners
Monday, February 8, 2021**

Chairman Lee Vaughn called the meeting to order. Present were Chairman Vaughn, Vice Chairman Kenneth Ashworth, Commissioner Horace Harper, Commissioner Chris Alexander, Commissioner Casey Freeman, Jr., Commissioner Freddie Jones, 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 Commissioner Jones.

Adoption of the Agenda. Chairman Vaughn asked for a motion to amend the agenda to add 14a) Discussion and approval of the Airport Task Order. Commissioner Freeman made the motion to approve the agenda as amended. Commissioner Ashworth seconded the motion. The motion passed 5-0.

Adoption of the Minutes of January 11, 2021. Commissioner Alexander made a motion to approve the minutes as read. Commissioner Freeman seconded the motion. The motion passed 5-0.

Request from Mrs. Dorothy Lamont to address the Board concerning some issues with the Animal Control Department. Mrs. Lamont addressed the Board at the Work Session regarding issues with Animal Control. Mr. Thomas stated he had passed along Mrs. Lamont's concerns to the Sheriff's Office.

Discussion and approval of a rezoning request from Reynaldo Moreno to rezone from GB (General Business) to RR (Rural Residential) a 5.36-acre tract of land at 1348 Mineral Springs Road. The Planning Commission recommended approval of this application. Chairman Vaughn stated this was discussed at the Work Session and there were no concerns; and it was recommended for approval by the Planning Commission. Commissioner Freeman made a motion to approve this rezoning request. Commissioner Ashworth seconded the motion. The motion passed 5-0.

Discussion and approval of a Conditional Use permit from Dale Lyman for a Winery to be located at 2401 Pine Ridge Drive. The Planning Commission recommended approval with the following conditions: 1) All Local, State and Federal alcohol licenses will be kept up to date. 2) Property Owner will meet all Elbert County Ordinances regarding Farm Wineries. 3) Special Event Applications will be submitted to Code Enforcement for each event on the property. 4) A signed and notarized form stating conditions for the property from property owner after approval by BOC. Commissioner Alexander made a motion to approve the Conditional Use permit with conditions. Commissioner Freeman seconded the motion. The motion passed 5-0.

Discussion and approval of a rezoning request from Adam Thomasson to rezone 12.62 acres from RR (Rural Residential) to AG (Agricultural) on Calhoun Falls Highway. They are also requesting a Conditional Use to allow multiple campers at this location. The Planning Commission recommended approval with attached conditions. Commissioner Freeman made a motion to **not accept** the Planning Commission's recommendation to rezone this property. Commissioner Jones seconded the motion. The motion passed 5-0.

Discussion and approval of a Conditional Use permit from Marvin Blalock at 1781 Harpers Ferry Road to allow multiple campers on 35.14 acres that is zoned AG. The Planning Commission recommended approval with the following conditions. 1) All Campers will meet the setback guidelines of the Elbert County Ordinance. 2) Campers can only be used for family use; no rental sites are allowed. 3) Septic Systems need to be in place and approve the Elbert County Health Department. 4) No more than three (3) campers are allowed on the Agricultural property. 5) All permanent campers must have a permit from the Code Enforcement office. 6) No discharge of firearms or other loud noise creating items shall be used between 7pm Saturdays and 1pm Sundays. 7) A signed and notarized form stating conditions for the property from property owner after approval by BOC. Commissioner Alexander made a motion to approve the Conditional Use permit with conditions and no more than three (3) campers on the property. Commissioner Ashworth seconded the motion. The motion passed 5-0.

Discussion and approval of a Conditional Use permit from Jessie Lingerfelt at 3262 Moore Road to allow multiple campers on property that is zoned AG. The Planning Commission recommended approval with the same conditions as listed above. Commissioner Alexander made a motion to approve this Conditional Use permit with conditions **with the exception** that only two (2) campers will be allowed on the property as this was the original request of the landowner. Commissioner Freeman seconded the motion. The motion passed 5-0.

Discussion and approval of Second Reading to amend the Elbert County Zoning Ordinance, Chapter 6, to add “Hemp Processing Facilities” in Industrial and Agricultural Zones as a Conditional Use and to add “Hemp Growing” operations in the Agricultural Zones as a Conditional Use. Mr. Daughtry stated the State of Georgia through the Department of Agriculture is in the process of permitting individuals and farmers to operate as hemp growers and hemp processors; we wanted to get ahead of the curve and have an ordinance in place when applications start to come in. Commissioner Ashworth made a motion to approve. Commissioner Jones seconded the motion. The motion passed 5-0.

Discussion and approval of Second Reading to amend Article IV Chapter 58 of the Code of Ordinances to comply with the Georgia Timber Harvesting Requirements and Establish Operational Requirements for Commercial Vehicles in Elbert County that was approved by the Georgia Legislature last year. Mr. Daughtry stated we have had a Timber Harvesting ordinance in place for a number of years, but at the last legislature session the Georgia General Assembly amended that to set “maximum standards”. This is to be in line with the new Georgia law and certain aspects will be regulated by the Georgia Department of Agriculture and certain aspects will be regulated by us. Commissioner Ashworth made a motion to approve. Commissioner Harper seconded the motion. The motion passed 5-0.

Discussion and approval of Second Reading to amend Article I of Chapter 58 of the Code of Ordinances to establish operations requirements for commercial vehicles in Elbert County. Mr. Daughtry stated that one aspect of our former Timber Harvesting Ordinance had to do with heavy commercial trucks being driven on county roads and anticipating any possible damage that would come from that. In light of the changed state law; we are adopting a new code section for operational requirements for commercial vehicles; which is similar to what we had in place for logging trucks. An addition since first reading is the provision that commercial vehicles cannot park on the public right of way; except for vehicles operated by public utility vehicles while performing public utility work. Commissioner Ashworth made a motion to approve. Commissioner Freeman seconded the motion. The motion passed 5-0.

Discussion and approval to declare the following EMS item as surplus property: Type 1 ambulance box; remounted in 2012 and cannot be remounted again. It is 15 years old. ID# 120F15270. Commissioner Alexander made a motion to declare this EMS item as surplus. Commissioner Harper seconded the motion. The motion passed 5-0.

Discussion of Notification that Justin Young has applied for a Temporary Special Event permit for a 4-wheeler event on property owned by Ben Maxwell at 2641 Quill Road. The event will be held March 20, 2021 from 10 am until 7 pm. Mr. Thomas stated this is a “notification” only and not to be voted on. Chairman Vaughn stated that any comments on this agenda item will be heard during the “Public Comments” section of the agenda.

Discussion and approval of the Airport Task Order. This task order entered into, by and between Elbert County and Lead Edge Design Group sets forth the project description, project schedule, and

engineering fees related to the preparation of a 3-year DBE (Disadvantaged Business Enterprise) at the Elbert County Airport. Some improvements include new lighting, new weather tower and removal of lines to be placed underground. Commissioner Harper made a motion to approve this task order. Commissioner Alexander seconded the motion. The motion passed 5-0.

Finance Report. Mr. Pitts stated revenues continue to be good. Hotel/Motel Tax fund is in good shape for any upcoming projects. General Fund is under budget through seven months.

Public Comments. Mr. Adam Thomasson made a comment in reference to Mr. John Lutz's statement from the public hearing as to why in his statement he made no mention of the auction yard across the road with old campers and tractors.

Emily Jones, a resident of Quill Road and representative for residents of Quill Road that have signed a "Petition for the Cease and Desist of Timberland Falls 4 x 4 Park". She spoke of increased noise, danger to water and soil supply due to poorly maintained vehicles, littering, etc. Her husband also spoke as to the many calls they have had to make to law enforcement.

Cheryl Case, co-owner of Sunset Ridge Campground is concerned of the overall appearance of the county if campers are allowed on people's property; whether there is a requirement for age and condition of campers.

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