

Minutes of Public Hearing
Elbert County Board of Commissioners
December 9, 2024

- 1) Discussion and consideration of a request by Kenneth Dennis to rezone 1.50 acres from RR (Rural Residential) to R1 (Single Family Residential). Property located at 2100 Anderson Hwy, Elberton, GA. Map and parcel 039 047. ***Planning and Zoning recommended approval by a 5-0 vote.*** There were no public comments.
- 2) Discussion and consideration of a request by Van Trinh, Tinkers Farm, LLC, for a Conditional Use permit to allow for four (4) breeder houses to be built on the property at 2169 Deep Creek Rd., Dewy Rose, GA. Map and parcel 013 065. ***Planning and Zoning recommended approval by a 3-2 vote.*** Mr. Trinh stated setbacks have been met and more so than required.
- 3) Discussion and consideration of a request by Tony and Amy Nguyen for a Conditional Use permit to allow for six (6) broiler houses to be built on the property at 1712 Brewers Mill Rd., Elberton, GA. Map and parcel 030 014. ***Planning and Zoning recommended denial by a 5-0 vote.*** Mr. Daniel Moore requested that this item be tabled until the January 2025 meeting.

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Chairman Lee Vaughn called the meeting to order. Present were Commissioner David Hunt, Commissioner Casey Freeman, Commissioner Chris Alexander, Commissioner Mike Scoggins, Commissioner Freddie Jones, County Administrator Allen Hulme, CFO Macie Witcher, County Attorney Bill Daughtry, County Clerk Tamara Butler and media.

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

Adoption of the Agenda. Chairman Vaughn asked for a motion to amend the agenda to add 15b) First Reading of Sunday Alcohol Sales. Commissioner Freeman made the motion to adopt the agenda as amended. Commissioner Alexander seconded the motion. The motion passed 5-0.

Adoption of the Minutes of November 12, 2024. Commissioner Hunt made a motion to adopt the minutes of November 12, 2024. Commissioner Alexander seconded the motion. The motion passed 5-0.

Public Comments. Several residents on Eliam Road spoke against the proposed bridge project on their road stating they did not want the bridge replaced and that it would be a waste of taxpayer money. Residents were told if the project was turned down, GDOT would require that the bridge be torn down for safety reasons and the county would abandon the gravel section of the road and it would not be maintained. One resident said it would be no benefit to them if the bridge was fixed.

Discussion and consideration of a request by Kenneth Dennis to rezone 1.50 acres from RR (Rural Residential) to R1 (Single Family Residential). Property located at 2100 Anderson Hwy, Elberton, GA. Map and parcel 039 047. ***Planning and Zoning recommended approval by a 5-0 vote.*** Commissioner Alexander made a motion to approve this rezone request. Commissioner Scoggins seconded the motion. The motion passed 5-0.

Discussion and consideration of a request by Van Trinh, Tinkers Farm, LLC, for a Conditional Use permit to allow for four (4) breeder houses to be built on the property at 2169 Deep Creek Rd., Dewy Rose, GA. Map and parcel 013 065. ***Planning and Zoning recommended approval by a 3-2 vote.*** Commissioner Scoggins made a motion to deny this Conditional Use permit application. Commissioner Jones seconded the motion. The motion to deny passed by a 4-1 vote, with Commissioner Alexander voting in favor.

Discussion and consideration of a request by Tony and Amy Nguyen for a Conditional Use permit to allow for six (6) broiler houses to be built on the property at 1712 Brewers Mill Rd., Elberton, GA. Map and parcel 030 014. ***Planning and Zoning recommended denial by a 5-0 vote.*** The applicant asked for this to be tabled. Commissioner Freeman made the motion to table this item. Commissioner Hunt seconded the motion. The motion passed 5-0.

Discussion and consideration to recommit \$70,248.84 from original Airport ARPA funds to McWilliams Park. Chairman Vaughn stated there were multiple projects at the airport and after all were completed there are leftover ARPA funds. The Recreation Department (McWilliams Park) did not receive any ARPA funds and there are a lot of projects that need to be done, like lighting, fencing, septic systems and repairs to the tennis courts. Mr. Hulme stated this will not be enough to cover all of the expenses, but will certainly help. Commissioner Alexander made the motion to recommit the ARPA funds, with the septic system repairs being the top priority. Commissioner Freeman seconded the motion. The motion passed 5-0.

Discussion and consideration of the purchase of a new ambulance for EMS. Chairman Vaughn stated that one ambulance that was ordered in 2022 has not been delivered as of yet; ARPA funds are set aside for this one. Because of the backlog of ambulances needed, it is his recommendation to go ahead and order two (2) that will be paid from SPLOST funds. Mr. Howell stated he received a quote of \$229,874 each from Emergency Vehicle Sales. Commissioner Alexander made a motion to purchase two (2) ambulances at the price of \$229,874 each from SPLOST funds. Commissioner Freeman seconded the motion. The motion passed 5-0.

Discussion and consideration of interest, need and future willingness to financially support two (2) GDOT bridge projects in Elbert County; Eliam Road over Wahachee Creek and Brown Brothers Road over Little Beaverdam Creek. Chairman Vaughn stated there will be two (2) motions. First, is the GDOT bridge project on Eliam Road. Commissioner Freeman made a motion to deny this GDOT bridge project. Commissioner Scoggins seconded the motion. The motion passed 4-1, with Commissioner Alexander voting against denying the bridge project. Second, the GDOT bridge project on Brown Brothers Road. Commissioner Scoggins made a motion to approve this GDOT bridge project. Commissioner Hunt seconded the motion. The motion passed 5-0.

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Discussion and consideration of an Ordinance adopting and enacting Elbert County Code published by Civic Plus, LLC, Municode. Mr. Daughtry stated Municode is a company that publishes cities and counties Code of Ordinances on-line, which streamlines the Open Records Request process. The attorneys for Municode have been going through our ordinances and made minor clarifications and reorganization and deletions of obsolete provisions, etc. They are asking that we adopt an ordinance with their final product. This is for First Reading. No vote required.

Discussion and consideration of funding the Juvenile Court Prosecutor in the amount of \$10,000 for calendar year 2025. Mr. Daughtry stated it is his recommendation to fund the Juvenile Court Prosecutor for \$10,000 for CY2025. Commissioner Freeman made a motion to approve. Commissioner Hunt seconded the motion. The motion passed 5-0.

Discussion and consideration of ARPA fund obligations by the December 31, 2024, deadline. Mr. Hulme stated this is strictly an accounting measure as recommended from our auditors. Commissioner Hunt made a motion to approve. Commissioner Scoggins seconded the motion. The motion passed 5-0.

Discussion and consideration of Beer and Wine applications for the following businesses:

- 1) Shree Sai Sai, LLC
- 2) Pyramid Petro
- 3) 72 Marine Sales
- 4) Scenic View Country Club
- 5) JTG & Pawar LLC
- 6) Blue Cielo Farms (retail and wholesale)
- 7) Ingles Market Inc
- 8) Leon Farmer & Co
- 9) 2379 A&K Enterprises LLC
- 10) Sajai & Saral LLC, DBA One Stop Shop
- 11) Elberton Food Mart LLC
- 12) BMAC LLC

Commissioner Freeman made a motion to approve the Beer and Wine applications. Commissioner Scoggins seconded the motion. The motion passed 5-0.

First Reading of Discussion and consideration of Sunday Sales of Alcohol. Mr. Daughtry stated two (2) referendums were approved by voters in the November 5th election. (1) Authorize the sell of beer and wine on Sundays by retailers; (2) Authorize the sell of beer and wine by restaurants and innkeepers. This is to incorporate these into our Code of Ordinances. This is for first reading. No vote is required.

Finance Report. Ms. Witcher stated we are under budget thru November. General Fund revenues are \$211,000 less than this time last year. SPLOST has a balance of 1.73 million; TSPLOST has a balance of 1.9 million; hotel/motel tax fund as a balance of around \$20,000; RBR account has a balance of around \$70,000.

Adjournment. Commissioner Alexander made a motion to adjourn, seconded by Commissioner Scoggins. The motion passed unanimously.

