

Minutes of Public Hearing
Elbert County Board of Commissioners
Monday, January 8, 2024

- 1) Discussion and approval of a request by Miles Barker to rezone from R1(Single Family Residential) to GB (General Business). Property located at 1230 Athens Hwy., Elberton. Map and Parcel 031H014. Planning and Zoning recommended **approval** by a 4-0 vote. There were no public comments
- 2) Discussion and Approval of a request by Joyce Madden to rezone from Mixed Use to R1 (Single Family Residential). Property located on Athens Hwy, Elberton. Map and Parcel 016015A. Planning and Zoning recommended **approval** by a 4-0 vote. There were no public comments.
- 3) Discussion and Approval of a request by John Ritchie to rezone 1.50-acres from A(Agricultural) to R1 (Single Family Residential). Property located at 1910 Massey Rd., Bowman. Map and Parcel 006033. Planning and Zoning recommended **approval** by a 4-0 vote. There were no public comments.
- 4) Discussion and Approval of a request by Ronald Bunner to rezone from RR (Rural Residential) to R1 (Single Family Residential). Property located at 3087 Rock Branch Rd., Elberton. This request is to allow for the property to be split into smaller parcels. Map and Parcel 048022. Planning and Zoning recommended **approval** by a 4-0 vote. There were no public comments.
- 5) Discussion and Approval of a request by Julie Weeks to rezone 4.34-acres from A (Agricultural) to R1 (Single Family Residential). Property located at 1817 Bakers Ferry Rd., Elberton. This request is to allow for the house and a small tract of property to be split out. Map and Parcel 066002. Planning and Zoning recommended **approval** by a 4-0 vote. There were no public comments.
- 6) Discussion and Approval of a request by Mark Wade to rezone 1.08-acres from R2(Single and Two Family Residential) to R1 (Single Family Residential). This request is to allow for the property to be combines with his existing tract. Map and Parcel 030B053. Planning and Zoning recommended **approval** by a 4-0 vote. There were no public comments.
- 7) Discussion and Approval of a request by Nathan Williford to rezone from R1 (Single Family Residential) to GB (General Business). Property located on Jess Guest Rd., Dewy Rose, GA. Map and Parcel 011015P. Planning and Zoning recommended **approval** by a 3-1 vote. There were no public comments.
- 8) Second Reading – Discussion and Approval of an amendment to Chapter 7.17 “Farm Wineries”, to change operating hours Monday through Wednesday for activities and events ceasing by 9:00 PM, and to change operating hours Thursday through Saturday for activities and events ceasing by 10:00 PM. Sunday activities and events shall begin no sooner than 1:00 PM and cease by 9:00 PM. Fourteen (14) people from the audience spoke; and it was about even as to those opposed as to those in favor of changing the hours of operation. Several neighbors that live close to the winery complained of the loud music, noise, and the increase in traffic. Those in favor commented mostly about what the winery had to offer the citizens of Elbert County and

beyond; stating it has become a great attraction to the area. Mr. Wiseman, owner of the winery stated allowing them to extend the hours is detrimental to his business, if not they would probably have to close it.

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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 move the Finance Report to the beginning of the meeting. Commissioner Freeman made a motion to adopt the agenda as amended. Commissioner Hunt seconded the motion. The motion passed 5-0.

Adoption of the Minutes of December 11, 2024. Commissioner Alexander made a motion to adopt the minutes of December 11, 2024. Commissioner Freeman seconded the motion. The motion passed 5-0.

Finance Report. Ms. Witcher stated we are still operating under budget thru December. General Fund expenditures are \$17,303 less than this time last year, and revenues are up \$1.6 million. Approximately 89.5% of property taxes have been collected. The 2023 SPLOST fund is starting to build for up for upcoming projects, with a balance of \$694,972. TSPLOST balance thru December is \$955,680. Hotel/Motel fund is still in good shape.

Discussion and approval of a request by Miles Barker to rezone from R1(Single Family Residential) to GB (General Business). Property located at 1230 Athens Hwy., Elberton. Map and Parcel 031H014. Planning and Zoning recommended **approval** by a 4-0 vote. Commissioner Freeman made a motion to approve the rezone request. Commissioner Hunt seconded the motion. The motion passed 5-0.

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Parcel 006033. Planning and Zoning recommended **approval** by a 4-0 vote. Commissioner Scoggins made a motion to approve the rezone request. Commissioner Hunt seconded the motion. The motion passed 5-0.

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Discussion and Approval of a request by Mark Wade to rezone 1.08-acres from R2(Single and Two Family Residential) to R1 (Single Family Residential). This request is to allow for the property to be combines with his existing tract. Map and Parcel 030B053. Planning and Zoning recommended **approval** by a 4-0 vote. Commissioner Scoggins made a motion to approve the rezone request. Commissioner Freeman seconded the motion. The motion passed 5-0.

Discussion and Approval of a request by Nathan Williford to rezone from R1 (Single Family Residential) to GB (General Business). Property located on Jess Guest Rd., Dewy Rose, GA. Map and Parcel 011015P. Planning and Zoning recommended **approval** by a 3-1 vote. Commissioner Scoggins made a motion to approve the rezone request. Commissioner Hunt seconded the motion. The motion passed 5-0.

Second Reading – Discussion and Approval of an amendment to Chapter 7.17 “Farm Wineries”, to change operating hours Monday through Wednesday for activities and events ceasing by 9:00 PM, and to change operating hours Thursday through Saturday for activities and events ceasing by 10:00 PM. Sunday activities and events shall begin no sooner than 1:00 PM and cease by 9:00 PM. Commissioner Alexander made a motion to approve the amendment to change the operating hours of Farm Wineries. Commissioner Freeman seconded the motion. The motion passed 5-0.

Second Reading- Discussion and approval to amend Chapter 9.13.04 of the Elbert County Zoning Ordinance to Amend the Setback Requirements of Solar Energy Facilities/ Solar Farms as follows: Section 1, Chapter 9.13.04 of the Zoning Ordinance is amended by deleting subsection (b) in its entirety and replacing it with the following: (b) Setbacks. A solar energy facility and its appurtenant components and structures shall be set back a minimum of 200 feet from all property lines and 250 feet from any residence. Section 2, Chapter 9.13.04 of the Zoning

Ordinance is amended by deleting subsection (d) in its entirety and replacing it with the following: (d) Screening. The facility shall be fully screened from adjoining properties and adjacent roads using the natural vegetation and by the planting of an evergreen buffer capable of reaching a height of six feet within three years of planting, with at least 75 percent opacity at the time of planting. The entire setback area specified in subsection (b) of this Chapter shall be screened. Commissioner Alexander made a motion to approve the amendment of the Setback Requirements of Solar Energy Facility/Solar Farms. Commissioner Freeman seconded the motion. The motion passed 5-0.

Mr. Everette Worley, with Total Insurance to address the Board to discuss a Medical Reimbursement Plan. Mr. Worley was unable to attend; he asked to reschedule.

Mr. Dennis Bellew, with the Sons of the American Revolution to address the Board to discuss maintenance of Daniel Tucker's road-sign and gravesite. Mr. Bellew asked for Commissioners support of the SAR to "adopt" the Dan Tucker gravesite, signs and monument. They will keep the site and pathway presentable for the public. The Corps of Engineers gave their blessing to the SAR to keep the site maintained. Chairman Vaughn and the Commissioners gave their support.

Mr. Max Black to address the Board regarding finances/property tax exemptions. He stated that "fixed income senior property tax relief" is vital to improving quality of life for seniors. He's asking that the three (3) tax exemptions on the agenda be tabled and to get with the Board of Education and add "eligibility for the exemptions are limited to property owners with a gross income of \$30,000 or less, adjusted annually for the social security cost of living".

Discussion and Approval of a contract with EagleView. It is a six-year contract for three (3) flights capturing low-level aerial imagery. These three (3) flights are billed at a rate of \$25,861.50 annually. The price for each flight is \$51,723. Commissioner Hunt made a motion to approve the contract with EagleView. Commissioner Jones seconded the motion. The motion passed 5-0.

Discussion and Approval of a Resolution Establishing the Rate of Compensation for Hearing Officers in Property Tax Appeals in Elbert County. The rate of compensation for hearing officers will be \$100 per hour for the first hour and \$25 per hour for each hour thereafter. Doug Kirkpatrick stated the compensation is not for the Board of Assessors or Board of Equalization, but hearing officers and basically for commercial property. Since 2016, there has only been five (5) of this type of appeal. These are licensed appraisers who serve as the judge, more or less. Commissioner Scoggins made a motion to approve the rate of compensation. Commissioner Freeman seconded the motion. The motion passed 5-0.

Discussion and Approval of sealed bids for seven (7) Panasonic Toughbooks for EMS (patient medical records reporting). Mr. Bobby Howell stated four (4) bids were received. Mobile Communications of America was the low bid, but they did not meet the specifications. Next lowest bid was from Prologic ITS for \$29,438.50. Commissioner Hunt made a motion to approve the bid from Prologic ITS. Commissioner Alexander seconded the motion. The motion passed 5-0.

Discussion and Approval of a request from Chuck Almond, EMS Director for the following:

- 1) Surplus 2013 Type 1 ambulance patient box MID# 13OF16267
- 2) Surplus and sell 1989 Chevy 3500 VIN# 1GBHR34N7KF3018 with approximately 36,000 miles (funds to be used to replace equipment)

Commissioner Freman made a motion to approve this request. Commissioner Alexander seconded the motion. The motion passed 5-0.

Discussion and Approval of a Resolution requesting Georgia State Representative Robert F. Leverette introduce local legislation to provide for a floating exemption from Elbert County ad valorem taxation for county maintenance and operation purposes for individuals aged 65 years or older. Mr. Daughtry stated that the Property Tax Exemption Committee has met several times and a number of hours have been invested. This is an exemption for individuals aged 65 years or older whose homestead, including property values, is \$250,000 or less can apply for this exemption. After review by the committee, this is their recommendation. This is the recommendation that Rob Leverette will introduce to legislation to be put on the ballot to be voted on by Elbert County voters. This is the first step in the process. Commissioner Freeman made a motion to approve the floating exemption for Elbert County. Commissioner Hunt seconded the motion. The motion passed 5-0.

Discussion and Approval of a Resolution requesting Georgia State Representative Robert F. Leverette introduce local legislation to provide for a floating exemption from Elbert County School District ad valorem taxation for educational purposes for individuals aged 65 years or older. Commissioner Scoggins made a motion to approve the floating exemption for Elbert County School District that they have already approved. Commissioner Jones seconded the motion. The motion passed 5-0.

Discussion and Approval of a Resolution requesting Georgia State Representative Robert F. Leverette introduce local legislation to provide for a replacement exemption from Elbert County School District ad valorem taxation for educational purposes for individuals aged 65 years or older. This is a \$25,000 replacement exemption. Commissioner Freeman made a motion to approve the replacement exemption for Elbert County School District. Commissioner Hunt seconded the motion. The motion passed 5-0.

Discussion and Approval of a Resolution Setting Qualifying Fees for the 2024 Election and Authorizing Publication of Same. Qualifying fees as follows:

a) Sheriff	\$2122.59
b) Clerk of Superior Court	1778.88
c) Tax Commissioner	1778.88
d) Magistrate Judge	1798.04
e) Coroner	510.00
f) Solicitor General	1170.00
g) Judge- State Court	1170.00
h) Board of Commissioners, District 1	110.89

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i) Board of Commissioners, District 3	110.89
j) Board of Education, District 1	72.00
k) Board of Education, District 4	72.00

Commissioner Freeman made a motion to approve the 2024 Qualifying fees. Commissioner Hunt seconded the motion. The motion passed 5-0.

Scott Harpold to address the Board regarding a potential IGA (Intergovernmental Agreement) between the City of Bowman and Elbert County. Chairman Vaughn stated that he and Mr. Daughtry discussed this, but was not ready to act on it at this time. He also asked that he and Mr. Hulme discuss this further. Commissioner Alexander made a motion to table this item until a later date. Commissioner Freeman seconded the motion. The motion passed 5-0.

Public Comments. Mr. Max Black addressed the exemptions that was discussed. One being on the state floating exemption, it does have a caveat of \$30,000 gross income limit. Also, on the school exemption, some people are going to get only a \$15,000 exemption, not \$25,000.

Adjournment. Commissioner Hunt made a motion to adjourn. Commissioner Jones seconded the motion. The motion passed unanimously.