

**Minutes of Public Hearing  
Elbert County Board of Commissioners  
December 11, 2023**

**Discussion and approval of a request by Phillip Bragg to rezone 4.59 acres from RR (Rural Residential) to R1 (Single Family Residential). Property located at 2251 Nickville Rd., Bowman, GA. Map and Parcel: 006 118D. Planning and Zoning recommended *approval* by a 5-0 vote. There were no public comments.**

**Discussion and approval of a request by Mason Hilley to rezone 2 acres from A (Agricultural) to R1 (Single Family Residential) and 5.02 acres from A (Agricultural) to RR (Rural Residential). Property located at 1955 Lincolnton Hwy., Elberton, GA. Map and Parcel: 081 008B. In addition, 2.98 acres from A (Agricultural) to RR (Rural Residential), Map and Parcel 081 008. This request is to allow for a small tract to be split out and a property line adjustment. Planning and Zoning recommended *approval* by a 5-0 vote. There were no public comments.**

**Discussion and approval of a rezone request by Mark Wade from R1 (Single Family Residential) to R2 (Single and Two-Family Residential). Property located at 1614 Dickerson Rd., Elberton, GA. Map and Parcel 030B 053. Planning and Zoning recommended *denial* by a 5-0 vote. Mr. Hulme stated a letter was received from Mr. Wade requesting not to change to R2, but the property he is purchasing from Donna Wood which is zoned R2, and he is requesting that property to be rezoned to R1 to combine the properties. Chairman Vaughn recommended this be sent back to Planning and Zoning for approval.**

**Discussion and approval of a rezone request by George Dunn, Jr. from RR (Rural Residential) to R1 (Single Family Residential), located on Nickville Rd., Elberton, GA. Map and Parcel 014 060. Planning and Zoning recommended *approval* by a 5-0 vote. There were no public comments.**

**Discussion and approval of a request by Anthony Tyson to rezone .87-acres from A (Agricultural) to R1 (Single Family Residential). Property located on Bryant Dr., Bowman, GA. Map and Parcel 002 020H. Planning and Zoning recommended *approval* by a 5-0 vote. There were no public comments.**

**First Reading of an amendment to Chapter 9.13.04 "Solar Energy Facility or Solar Farm", to change setback requirements to a minimum of 200 feet from all property lines and 250 feet from any residence. Planning and Zoning recommended *approval* by a 3-2 vote. Mr. Mark McCall stated he had filed a civil rights complaint against the Board of Commissioners and suggested waiting to proceed. There were several other members from the audience to speak against the solar farm that is planned in the area of Balchin Road and River Road.**

**First Reading of an amendment to Chapter 7.17 "Farm Wineries", to change operating hours Sunday 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. Planning and Zoning recommended *approval* by a 5-0 vote. There were no public comments.**

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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) Discussion and approval of the reappointment of Laura Evans to the Advantage Behavioral Board and move Public Comments to the beginning of the meeting, and add an Executive Session. Commissioner Alexander made a motion to adopt the agenda as amended. Commissioner Scoggins seconded the motion. The motion passed 5-0.

**Adoption of the Minutes of November 13, 2023.** Commissioner Freeman made a motion to adopt the minutes. Commissioner Hunt seconded the motion. The motion passed 5-0.

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

**Discussion and approval of a request by Phillip Bragg to rezone 4.59 acres from RR (Rural Residential) to R1 (Single Family Residential). Property located at 2251 Nickville Rd., Bowman, GA. Map and Parcel: 006 118D. Planning and Zoning recommended *approval* by a 5-0 vote.** Commissioner Scoggins made a motion to approve the request. Commissioner Hunt seconded the motion. The motion passed 5-0.

**Discussion and approval of a request by Mason Hilley to rezone 2 acres from A (Agricultural) to R1 (Single Family Residential) and 5.02 acres from A (Agricultural) to RR (Rural Residential). Property located at 1955 Lincolnton Hwy., Elberton, GA. Map and Parcel: 081 008B. In addition, 2.98 acres from A (Agricultural) to RR (Rural Residential), Map and Parcel 081 008. This request is to allow for a small tract to be split out and a property line adjustment. Planning and Zoning recommended *approval* by a 5-0 vote.** Commissioner Freeman made a motion to approve the request. Commissioner Hunt seconded the motion. The motion passed 5-0.

**Discussion and approval of a rezone request by Mark Wade from R1 (Single Family Residential) to R2 (Single and Two-Family Residential). Property located at 1614 Dickerson Rd., Elberton, GA. Map and Parcel 030B 053. Planning and Zoning recommended *denial* by a 5-0 vote.** Chairman Vaughn recommended this request be sent back to Planning and Zoning for approval after changes were made to the application. Commissioner Alexander made a motion

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to approve sending this back to Planning & Zoning. Commissioner Freeman seconded the motion. The motion passed 5-0.

**Discussion and approval of a rezone request by George Dunn, Jr. from RR (Rural Residential) to R1 (Single Family Residential), located on Nickville Rd., Elberton, GA. Map and Parcel 014 060. Planning and Zoning recommended *approval* by a 5-0 vote.** Commissioner Scoggins made a motion to approve the request. Commissioner Hunt seconded the motion. The motion passed 5-0.

**Discussion and approval of a request by Anthony Tyson to rezone .87-acres from A (Agricultural) to R1 (Single Family Residential). Property located on Bryant Dr., Bowman, GA. Map and Parcel 002 020H. Planning and Zoning recommended *approval* by a 5-0 vote.** Commissioner Scoggins made a motion to approve the request. Commissioner Freeman seconded the motion. The motion passed 5-0.

**First Reading of an amendment to Chapter 9.13.04 "Solar Energy Facility or Solar Farm", to change setback requirements to a minimum of 200 feet from all property lines and 250 feet from any residence. Planning and Zoning recommended *approval* by a 3-2 vote.** Mr. Daughtry stated this is to amend the ordinance of setback requirements from 50 feet to 200 feet from property lines and 250 feet from any residence. This is first reading only. No vote required.

**First Reading 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. Planning and Zoning recommended *approval* by a 5-0 vote.** Commissioner Alexander was asked if he had received any noise complaints about the winery in his district; he said he gets a few complaints of noise when there are bands. Commissioner Alexander also requested that letters be sent out to adjoining property owners advising them of this change. Mr. Daughtry stated we would have another public hearing in January before it is voted on. This was for first reading only.

**Discussion and approval of Retention Bonuses for county employees.** Mr. Hulme stated the retention bonus is for \$500 to full-time employees that have been employed at least 6 months and \$250 for part-time employees that have been employed at least 6 months. The total amount would be approximately \$120,000 and come from the General Fund budget. Commissioner Jones made a motion to approve the retention bonuses for employees. Commissioner Scoggins seconded the motion. The motion passed 5-0.

**Discussion and approval of the Reappointment of Horace Baker to the Board of Tax Assessors for a 3-year term. Term will be from January 1, 2024 and will expire December 31, 2026.** Commissioner Freeman made a motion to approve the reappointment of Mr. Horace Baker. Commissioner Hunt seconded the motion. The motion passed 5-0.

**Second Reading for Discussion and approval to Amend Chapter 58 of the Code of Ordinances to create a new section 58-8 to “Prohibit Camping on Public Road Rights-of-Way” or other property owned by the State or County Government.** Mr. Daughtry stated this was a request

made by the Sheriff’s office as an enforcement tool to have in place. Commissioner Scoggins made a motion to approve this request. Commissioner Freeman seconded the motion. The motion passed 5-0.

Discussion and approval of the following Beer and Wine Applications.

- 1) 72 Marine Sales
- 2) Sahai and Saral, LLC- D/B/A- One Stop Shop
- 3) Ingles Market
- 4) Leon Farmer & Company
- 5) Shree Sai Sai, LLC- D/B/A- Quick Mart & Café’
- 6) Pyramid Petro
- 7) Scenic View Country Club
- 8) JTG & Pawar, LLC
- 9) Elberton Food Mart, LLC
- 10) 2379 A&K Enterprise, LLC
- 11) Ain’t It Guud
- 12) Blue Cielo Farms
- 13) BMAC, LLC

In addition, Blue Cielo Farms has applied for their wholesale license. Commissioner Freeman made a motion to approve the Beer and Wine applications. Commissioner Scoggins seconded the motion. The motion passed 5-0.

**Discussion and approval of the reappointment of Laura Evans to the Advantage Behavioral Advisory Board.** Commissioner Freeman made a motion to approve the reappointment of Mrs. Evans. Commissioner Alexander seconded the motion. The motion passed 5-0.

**Finance Report.** Ms. Witcher stated General Fund budget expenditures are under budget thru November. General Fund revenues are starting to come in. 2023 SPLOST taxes are coming in and starting to build up, with a balance of \$549,000. TSPLOST is starting to build up as well. Hotel/Motel tax fund is in good shape. Also, we have not had to borrow from the line-of-credit since October.

Max Black commented that there needs to be more to the finance report. He said that it should be displayed for each department whether they are under or over budget, or unplanned expenses. He commented this information should be on the website. Also, Diane Culpepper asked about the information on the website. Mr. Hulme stated we hired a company to upload everything on the website, but it is a long process.

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**Executive Session for Real Estate and potential litigation.** Commissioner Scoggins made a motion to enter Executive Session. Commissioner Alexander seconded the motion. The motion passed 5-0.

Upon returning, Commissioner Alexander made a motion to enter General Session. Commissioner Freeman seconded the motion.

Chairman Vaughn stated no action was taken.

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