

**Minutes of Public Hearing
Elbert County Board of Commissioners
Monday, May 13, 2024**

- 1) Discussion and consideration of a request by Barry Moon to rezone from GB (General Business) to R1 (Single Family Residential). This request is to allow for a home to be built on parcel located at 1031 Guidestones Road. Map and Parcel 027 018. **Planning and Zoning recommended approval by a 5-0 vote.** There were no public comments.
- 2) Discussion and consideration of a request by Gregory Ruff to rezone 5.0-acres from A(Agricultural) to RR (Rural Residential). This request is to allow for a home to be built on parcel located at 1682 Nickville Road, Dewy Rose. Map and parcel 014 021. **Planning and Zoning recommended approval by a 5-0 vote.** There were no public comments
- 3) Discussion and consideration of a request by Bill Breiner to rezone approximately 9.4-acres from A (Agricultural) to R1(Single Family Residential). Located on Heardmont Road. **Planning and Zoning recommended approval by a 5-0 vote.** There were no public comments.
- 4) Discussion and consideration of a request by Gander Mattox to rezone 1.5-acres from A (Agricultural) to R1 (Single Family Residential). Located at 2940 Sand Hill Road, Bowman, GA. Map and parcel 008 014. **Planning and Zoning recommended approval by a 5-0 vote.** There were no public comments.
- 5) **Discussion and consideration of a Resolution Establishing a Moratorium on the acceptance of any applications related to the construction of new commercial poultry houses.** Mr. Daughtry stated this was adopted at the regular meeting in April, a limited moratorium up thru our regular July meeting unless or until we terminate it sooner; or if it is not ratified this afternoon. Basically, this is for any application for any permits, rezoning actions, or other actions in regards to commercial poultry houses. Ms. Donna Wood, a resident of the Goss community, asked the Board to confirm and ratify this decision at least until the July meeting; because the regulations are now in the process of being revised and they need a lot of consideration and discussion. Mr. Phil Wilson, a land broker that covers this area, stated he understands the citizens complaints, but with where we are now from the market standpoint is we will have to go towards industrial, residential or Ag. We have to decide which way we want to go as a county.

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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. Commissioner Alexander made a motion to adopt the agenda. Commissioner Hunt seconded the motion. The motion passed 5-0.

Adoption of the Minutes of April 8, 2024 and April 15, 2024. Commissioner Freeman made a motion to adopt the minutes of April 8th and April 15th. Commissioner Hunt seconded the motion. The motion passed 5-0.

Discussion and consideration of a request by Barry Moon to rezone from GB (General Business) to R1 (Single Family Residential). This request is to allow for a home to be built on parcel located at 1031 Guidestones Road. Map and Parcel 027 018. *Planning and Zoning recommended approval by a 5-0 vote.* Commissioner Freeman made a motion to approve this rezone request. Commissioner Scoggins seconded the motion. The motion passed 5-0.

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Discussion and consideration of a request by Gander Mattox to rezone 1.5-acres from A (Agricultural) to R1 (Single Family Residential). Located at 2940 Sand Hill Road, Bowman, GA. Map and parcel 008 014. *Planning and Zoning recommended approval by a 5-0 vote.* Commissioner Scoggins made a motion to approve this rezone request. Commissioner Freeman seconded the motion. The motion passed 5-0.

Discussion and consideration of a Resolution Establishing a Moratorium on the acceptance of any applications related to the construction of new commercial poultry houses. Chairman Vaughn stated this is what we approved at last month's meeting; this motion will be to ratify it. Commissioner Scoggins made the motion to ratify establishing a Moratorium. Commissioner Hunt seconded the motion. The motion passed 5-0.

Discussion and consideration of a Resolution approving the Amendments to the By Laws of the Elbert County Board of Elections and Registration. Mr. Daughtry stated there was some conflict between local legislation that was adopted by the General Assembly, and the initial by-laws of the Board of Elections and Registration. This resolution is to make them coincide. Commissioner Freeman made a motion to approve the amendments to the By-Laws of the Elbert County Board of Elections and Registration. Commissioner Hunt seconded the motion. The motion passed 5-0.

Discussion and consideration of the reappointment of Donna Wood as the Democratic Representative to the Board of Elections. Commissioner Hunt made a motion to approve the reappointment of Ms. Donna Wood. Commissioner Jones seconded the motion. The motion passed 5-0.

Discussion and consideration of the reappointment of Dustin Ayers as the Republican Representative to the Board of Elections. Commissioner Freeman made a motion to approve the reappointment of Mr. Dustin Ayers. Commissioner Hunt seconded the motion. The motion passed 5-0.

Reading of a Proclamation of the Elbert County Board of Commissioners proclaiming the month of May as Mental Health Awareness Month in Elbert County to increase public understanding of the importance of mental health and to promote identification and treatment of mental illness. Mr. Daughtry stated this Proclamation had already been presented at the Mental Health Awareness Walk in Elberton; but he read the Proclamation for the record. Commissioner Freeman made a motion to proclaim May as Mental Health Awareness Month. Commissioner Alexander seconded the motion. The motion passed 5-0.

Discussion and consideration of the FY 2025 DFCS (Department of Family and Children Services) budget. Mr. Hulme stated that DFCS has requested \$33,590.04, the same amount as last year, which will be paid to them monthly in the amount of \$2799.17. Commissioner Freeman made a motion to approve the FY2024 DFCS budget. Commissioner Hunt seconded the motion. The motion passed 5-0.

Discussion and consideration of a Resolution approving the Indigent Defense Agreement for the Northern Judicial Circuit for FY 2025. Mr. Daughtry stated every year we have to approve the budget for the Public Defenders office which serves all five (5) counties in our circuit. This year the only increase is the 5% cost of living (COLA) that was granted by the General Assembly. Our share will go up from roughly \$70,000 to \$80,328.50, which is less than the other counties; based on case load and population. Commissioner Hunt made a motion to approve the Indigent Defense budget. Commissioner Scoggins seconded the motion. The motion passed 5-0.

Discussion and consideration of a Resolution Requesting the Election Superintendent of Elbert County to issue the call for an election submitting the question of Sales of Distilled Spirits or Alcoholic Beverages for By the Drink on Sundays in Elbert County by Certain Retailers. Chairman Vaughn stated we have discussed this several times in the past. Mr. Daughtry added the seller has to be a licensed restaurant that receives at least 50% of its gross sales from the sell of meals or a licensed innkeeper who gets at least 50% of its gross income from the rental of rooms. Commissioner Alexander asked the time frame of getting it on the ballot for November. Mr. Daughtry stated that Ms. Melissa Shead, Elections Superintendent, said it needs to be approved as soon as possible. Commissioner Alexander also stated that we haven't had citizens input and would like to table the item for at least a month. Commissioner Freeman added other stakeholders need to be involved and would also like to have more time to study it. Commissioner Alexander made the motion to table this until the June meeting and a Public Hearing before the meeting; with Chairman Vaughn encouraging input from the

citizens about putting this on the ballot. Commissioner Freeman seconded the motion. The motion passed 5-0.

Discussion and consideration of a Resolution Requesting the Election Superintendent of Elbert County to issue the call for an election submitting the question of Package Sales of Malt Beverages and Wine on Sundays in Elbert County. Commissioner Alexander made a motion to table this item until the June meeting. Commissioner Freeman seconded the motion. The motion passed 5-0.

Discussion and consideration of bids on paving the following roads: Pulliam Mill Rd., Whiteside Dr., Lincoln Ave., Bakers Ferry Rd., and Marion Rd. Mr. Howell stated bids were sent out, with 2 companies returning bids. The low bid was from Stratton & Sons for \$1,843,109.25. Commissioner Alexander made a motion to approve the bid from Stratton & Sons. Commissioner Freeman seconded the motion. The motion passed 5-0.

Discussion and consideration of a request from Kyle Ashworth to use the land located at 1490 Bowman Highway (parcels 030020 and 030021) for high school cross country events. Mr. Daughtry stated if we wanted to pursue this, it would be subject to an Intergovernmental Agreement where the School Board would be responsible for all safety and security at the site and the School Board to indemnify us of accidents and possibly have a member of the School Resource Officers there at the events. Mr. Daughtry added this would be 2-part. First would be to proceed with the request and then at next month's meeting would be to vote to approve the IGA with the School Board. Commissioner Freeman made a motion to proceed with the IGA. Commissioner Hunt seconded the motion. The motion passed 5-0.

Finance Report. Ms. Witcher reported that we are under budget thru April. General Fund expenditures are about \$33,000 more than this time last year; revenues are still looking ok. The 2023 SPLOST are continuing to build up and also TSPLOST. The Hotel/Motel tax fund is still looking ok with a slightly lower balance due to funds paid out for recent projects.

Public Comments. There were no public comments.

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