

**Minutes of Public Hearing
Elbert County Board of Commissioners
July 15, 2024**

- 1) Discussion and consideration of request by Michael Baston to rezone 5-acres from A(Agricultural) to RR (Rural Residential). Located on Balchin Road, Elberton, Ga. Map and parcel 075 015. **Planning and Zoning recommended approval by a 5-0 vote.** There were no public comments.
- 2) Discussion and consideration of a request by Emily Spruill to rezone from RR (Rural Residential) to R1- (Single Family Residential). Located at 1552 Triple T Dr., Dewy Rose, GA. This request is to allow for an additional home to be placed on the property. Map and parcel 028 027M. **Planning and zoning recommended approval by a 5-0 vote.** There were no public comments.
- 3) Discussion and consideration of a request by Phil Wilson to rezone 3.2 acres from A (Agricultural) to R1- (Single Family Residential). Located on Amberly Rd., Elberton, Ga. This request is to allow for the property to be split and a home to be placed on the property. Map and parcel 050 056. **Planning and zoning recommended approval by a 5-0 vote.** There were no public comments.
- 4) Discussion and consideration of a request by Steve Gaines to rezone 1.5 acres from A (Agricultural) to R1 (Single Family Residential). Located at 1993 Coldwater Rd., Elberton, GA. This request is to allow for the property to be split and a home to be placed on the property. **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, guests 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 16) Public Comments to the beginning of the meeting, add 11a) Discussion and Consideration of a contract for a new Auditor 11b) Discussion and Consideration of the purchase of body cameras for the Sheriffs Department, and an Executive Session for the purpose of discussing personnel. Commissioner Freeman made a motion to approve the agenda as amended. Commissioner Hunt seconded the motion. The motion passed 5-0.

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Public Comments. Many residents were in attendance, most of them to voice their concerns about poultry houses in their neighborhood or the possibility that they could be built in their neighborhoods. Donna Wood, Angela Jones, Daniel Roebuck, Reverend Willie Downer, Denise Rucker and Mr. John Clark voiced concerns for their health, safety, and welfare of the public. Donnie Hudson, Mandy Williams and Phil Wilson spoke in favor, stating there was a lot of misinformation concerning poultry houses. Ms. Williams stated family poultry houses can coexist with residential neighborhoods. Mr. Hudson stated poultry house owners have to follow strict state regulations.

Adoption of the Minutes of the regular meeting of June 10, 2024 and the Called Meeting on June 27, 2024. Commissioner Alexander made a motion to adopt the minutes. Commissioner Freeman seconded the motion. The motion passed 5-0.

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Discussion and consideration of a request by Steve Gaines to rezone 1.5 acres from A (Agricultural) to R1 (Single Family Residential). Located at 1993 Coldwater Rd., Elberton, GA. This request is to allow for the property to be split and a home to be placed on the property. Planning and zoning recommended approval by a 5-0 vote. Commissioner Hunt made a motion to approve the rezone request. Commissioner Scoggins seconded the motion. The motion passed 5-0.

Discussion and consideration to Amend Chapters 9.13.01 and 9.13.04 of the Elbert County Zoning Ordinance to amend the placement and setback requirements of Solar Energy Facilities and to address issues of wildlife habitat, security, maintenance and upkeep, and agricultural integrity. Mr. Daughtry stated a public hearing was held June 10th, and this proposal comes as a

result of a number of complaints by citizens which were referred to Planning and Zoning and they have recommended additional steps, such as no solar facility within 2 miles of a municipal boundary, if there is a facility within 5 miles of an airport, there has to be a review process with the FAA, there has to be a wildlife mitigation plan and wildlife corridor. Increase setbacks from neighboring properties. The solar facility has to be limited to one tax parcel, cannot be spread over multiple tax parcels, the developer has to protect the agricultural integrity. There has to be an emergency response plan and testing for heavy metals. Mr. Daughtry stated that some or all of the conditions can be required, it is up to the commissioners. Commissioner Freeman made a motion to approve all of the conditions as recommended by Planning & Zoning. Commissioner Jones seconded the motion. The motion passed 3-2, with Commissioner Alexander and Commissioner Hunt opposing.

Discussion and consideration to amend Chapters 3.01, 6.04, and 7.14 of the Elbert County Zoning Ordinance to require Conditional Use Permits for Commercial Poultry Houses, to amend the setback requirements of commercial poultry houses and to clarify the treatment of existing commercial poultry facilities. There are no changes to the setback requirements. This amendment to the ordinance would require that new construction of poultry houses undergo a “Conditional Use” process that would go before Planning and Zoning and an evaluation process consisting of nine (9) factors to consider. Also, Mr. Daughtry suggested a change to the grandfathering clause if damaged or destroyed houses were rebuilt on same footprint the size would include anything from 66-by-600 feet, which is the current standard as long as it’s no closer to the closest property line or road. Commissioner Alexander made a motion to approve the amendments. Commissioner Hunt seconded the motion. The motion passed 4-1 with Commissioner Scoggins opposing. Commissioner Alexander made a recommendation to increase fees for conditional use permits, which will be brought up at the next board meeting.

Discussion and consideration to amend Article VI of Chapter 18 of the Code of Ordinances of Elbert County, titled “Commercial Poultry Houses” to require Conditional Use Permits for Commercial Poultry Houses, to amend the setback requirements of commercial poultry houses and to clarify the treatment of existing commercial poultry facilities. Mr. Daughtry stated this article of Chapter 18 of the Code of Ordinances is amended to be consistent with and identical to the standards and requirements contained in an Ordinance to amend the standards and requirements of its Zoning Ordinance as they pertain to Commercial Poultry Houses. Commissioner Freeman made a motion to approve the amendment. Commissioner Alexander seconded the motion. The motion passed 5-0

Discussion and consideration of a new auditor. Mr. Hulme stated our current auditor was understaffed and felt they couldn’t provide us with the same services as in previous years. It is their recommendation for us to seek another auditor. He said he has reached out to other counties and Bill Twomey with ACCG, who recommended Symphona. He said he and Ms. Witcher have been in contact with them and were pleased with what they have to offer; therefore, it is his recommendation to use the services of Sypmphona. Also, they will waive the audit fee with a 3-year commitment. Commissioner Hunt made the motion to approve the contract with Symphona. Commissioner Scoggins seconded the motion. The motion passed 5-0.

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Discussion and consideration of the purchase of body cameras for the Sheriff's Department.

Mr. Hulme stated this purchase was included in the FY2025 budget. This is a proposal of \$109,000 with Motorola for a 5-year contract. These funds will come from the General Fund. Commissioner Freeman made a motion to approve the contract. Commissioner Alexander seconded the motion. The motion passed 5-0.

Discussion and consideration of a Resolution Approving and Adopting State-Mandated Fee Increases by the Elbert County Health Department for Residential Septic Tank Inspections, Food Service Inspections, Tourist Accommodations Inspections and Swimming Pool Inspections pursuant to Environmental Health Regulations.

Mr. Daughtry stated when the Board of Health increases their fees, the law requires that the Board of Commissioners have to approve the increases, even though we do not set the fees or collect the money. There was an increase in their septic tank planning and inspections. Commissioner Hunt made a motion to approve the fees. Commissioner Freeman seconded the motion. The motion passed 5-0.

Discussion and approval of the annual Tourism Contract with the Chamber of Commerce for distribution of hotel-motel taxes.

Mr. Daughtry stated this is an annual contract with the Chamber of Commerce taking the proceeds from the Hotel/Motel tax and provide a certain percentage to the Chamber for the services they provide; we use the remaining funds for special projects. Their share is 50%, and we do provide them free office space and utilities. Commissioner Freeman made a motion to approve the Tourism Contract with the Chamber of Commerce. Commissioner Hunt seconded the motion. The motion passed 5-0.

Discussion and consideration to solicit bids for a State Court Public Defender beginning

January 1, 2025. Mr. Daughtry stated our State Court Public Defender is running unopposed for Solicitor General, therefore, January 1, 2025 we will need a new State Court Public Defender; therefore, we will need to solicit proposals. Commissioner Freeman made a motion to approve soliciting bids. Commissioner Hunt seconded the motion. The motion passed 5-0.

Finance Report.

Ms. Witcher stated we ended FY2024 under budget. There were 5 departments over budget. General Fund budget expenditures were approximately \$340,000 more in FY2024 than in FY2023, General Fund revenues were approximately \$500,000 more than in FY2023. The 2023 SPLOST fund has a cash balance of \$1.45 million. The TSPLOST fund has a cash balance of \$1.99 million. Hotel/Motel tax fund has a balance of \$12,488 that is available for local projects thru June.

Executive Session.

Commissioner Freeman 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 Hunt seconded the motion. The motion passed 5-0.

Chairman Vaughn stated no action taken.

Adjournment.

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

