

Minutes of Public Hearing
Elbert County Board of Commissioners
August 11, 2025

- 1) Discussion and consideration of a request by Roger Merrill Franklin to rezone from R1(Single Family Residential) to RR (Rural Residential) at 1516 Franklin Drive, Elberton. This request is to allow the parcels to be combined. Map and parcels 043C 040 and 043F 083B. Planning and Zoning recommended approval by a 6-0 vote. There were no public comments.
- 2) Discussion and consideration of a request by Joseph Melchior to rezone four (4) parcels from A (Agricultural) to R1(Single Family Residential) at 2233 Bennett Road, Bowman. This request is to allow for the property to be split and placed into a family trust. Map and parcel 012 004E. Planning and Zoning recommended approval by a 6-0 vote. Mr. Melchior stated this request is to split the property and put in a family trust. There were no other comments.
- 3) Discussion and consideration of a request by Johnathan Evans to rezone 4.7-acres from A(Agricultural) to R1(Single Family Residential) at 1062 Jones Ferry Road, Elberton. This request is to allow for a tract to be split out around an existing home. In addition, a tract to be split out and a home to be placed on it. Map and parcel 032D 001. Planning and Zoning recommended approval by a 6-0 vote. There were no public comments.
- 4) Discussion and consideration of a request by James Lavere to rezone 1.50-acres from Mixed Use to R1(Single Family Residential) and 25.59-acres from Mixed Use to A(Agricultural) at 1002 Sam Paul Road, Elberton. This request is to allow for a portion to be split out around an existing home. Map and parcel 016 015. Planning and Zoning recommended approval by a 6-0 vote. There were no public comments.
- 5) Discussion and consideration of a request by Lisa Blackmon to rezone from A(Agricultural) to R1(Single Family Residential) on Kohl Road, Elberton. Map and parcels 048 002B, 048 002C, 048 002D and 048 002E. Planning and Zoning recommended approval by a 6-0 vote. There were no public comments.
- 6) Discussion and consideration of a Variance request by 377 Elbert Georgia 25, LLC to accept a letter from the soil scientist stating they have performed soil tests on each lot. In addition, this is for a final plat review. Located at Cedar Creek Road, Elberton. Map and parcel 024 053. Planning and Zoning recommended approval by a 6-0 vote. Mr. Rob Leverette, Attorney spoke on behalf of the applicant, stated perk tests have been done on each lot and the soil will perk, but the lots are larger tracts, so they don't know where houses will sit. Also, confirming that roads are not completed yet, but they want to post a cash bond that will be deposited to the county and to allow the administrator to set the amount. They have received bids for getting the roadwork completed.
- 7) Discussion and consideration of a request by Frank Poma for a preliminary plat review in order to subdivide parcels back to the original subdivision plan. Located at Mere Cole Road, Carter Lane and Hornets Bridge Drive, Elberton. Map and parcels 059A 007U, 059A 006J and 059A 007H. Planning and Zoning recommended approval by a 6-0 vote. Mr. Poma stated he is looking to subdivide the parcels. There were no other public comments.

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- 1) 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, County Attorney Bill Daughtry, CFO Macie Witcher, County Clerk Tamara Butler and media.
- 2) After the pledge to the United States flag the invocation was given by Commissioner Jones
- 3) Adoption of the Agenda. Chairman Vaughn asked for a motion to amend the agenda to add 23A) Discussion and Consideration to approve a bid for a generator for the Fire Department. Commissioner Alexander made the motion to adopt the agenda as amended. Commissioner Scoggins seconded the motion. The motion passed 5-0.
- 4) Adoption of the Minutes of July 14, 2025. Commissioner Alexander made a motion to adopt the minutes of July 14, 2025. Commissioner Freeman seconded the motion. The motion passed 5-0.
- 5) Public Comments. Ms. Donna Wood said in looking at the 2010 Ordinance governing Planning and Zoning, we are badly out of compliance and asked that we update the ordinance because it is too important to have so much confusion about it. Tony and Jennifer Downer spoke about what they are experiencing on Limo

Road, such as, increased truck traffic, noise at 4 a.m., also the road is narrow and difficult to pass and the persistent odor from the poultry houses. Ms. Angela Jones discussed the actions of the Chairman regarding vetoing votes; and removing a member of the Planning and Zoning board without justification, expenditures not approved by the Board. Ms. Denise Moon Rucker discussed the removal of Mr. Johnny Lutz from the Planning and Zoning board, saying that he and other members stood up for their community when they were trying to be bombarded with chicken houses. Mr. John Clark said we are facing corruption and our county does not need that. Reverend Thomas Jackson stated he has been on the Planning and Zoning board for many years and there are things trying to come into our county that shouldn't be here. He also voiced his displeasure of the removal of Mr. Johnny Lutz from the Planning and Zoning board, saying to seek God about what is done and the decisions that need to be made. Ms. Jennifer Morrison and Ms. Joetta Partlow Walton spoke on the condition of North Rainbow Drive. Ann Craft, Kevin Lewis, Jimmy Barker and Joyce Davis, who all reside on Grady Cleveland discussed the proposed plan that would reroute traffic from Limo Road to Grady Cleveland saying there should be a solution. Mr. Barker and Mr. Lewis made suggestions about what could be done to help with the problems. Mr. Johnny Lutz first said that he appreciated the opportunity to serve on the Planning and Zoning board, that he has served on three (3) boards in Elbert County. He stated the project on Limo Road and Grady Cleveland Road never came before Planning and Zoning and if it had, it would not be there now. He said there are criteria and guidelines to go by and they work within those parameters. He said that he doesn't have a personal agenda and can not be bought. He stated when asked to serve again, he said yes; but Chairman Vaughn called later and said he planned to go in a different direction.

- 6) Discussion and consideration of a request by Roger Merrill Franklin to rezone from R1(Single Family Residential) to RR (Rural Residential) at 1516 Franklin Drive, Elberton. This request is to allow the parcels to be combined. Map and parcels 043C 040 and 043F 083B. Planning and Zoning recommended approval by a 6-0 vote. Commissioner Freeman made a motion to approve this rezone request. Commissioner Jones seconded the motion. The motion passed 5-0.
- 7) Discussion and consideration of a request by Joseph Melchior to rezone four (4) parcels from A (Agricultural) to R1(Single Family Residential) at 2233 Bennett Road, Bowman. This request is to allow for the property to be split and placed into a family trust. Map and parcel 012 004E. Planning and Zoning recommended approval by a 6-0 vote. Commissioner Hunt made a motion to approve this rezone request. Commissioner Alexander seconded the motion. The motion passed 5-0.
- 8) Discussion and consideration of a request by Johnathan Evans to rezone 4.7-acres from A(Agricultural) to R1(Single Family Residential) at 1062 Jones Ferry Road, Elberton. This request is to allow for a tract to be split out around an existing home. In addition, a tract to be split out and a home to be placed on it. Map and parcel 032D 001. Planning and Zoning recommended approval by a 6-0 vote. Commissioner Freeman made a motion to approve this rezone request. Commissioner Scoggins seconded the motion. The motion passed 5-0.
- 9) Discussion and consideration of a request by James Lavere to rezone 1.50-acres from Mixed Use to R1(Single Family Residential) and 25.59-acres from Mixed Use to A(Agricultural) at 1002 Sam Paul Road, Elberton. This request is to allow for a portion to be split out around an existing home. Map and parcel 016 015. Planning and Zoning recommended approval by a 6-0 vote. Commissioner Scoggins made a motion to approve this rezone request. Commissioner Hunt seconded the motion. The motion passed 5-0.
- 10) Discussion and consideration of a request by Lisa Blackmon to rezone from A(Agricultural) to R1(Single Family Residential) on Kohl Road, Elberton. Map and parcels 048 002B, 048 002C, 048 002D and 048 002E. Planning and Zoning recommended approval by a 6-0 vote. Commissioner Alexander made a motion to approve this rezone request. Commissioner Scoggins seconded the motion. The motion passed 5-0.
- 11) Discussion and consideration of a Variance request by 377 Elbert Georgia 25, LLC to accept a letter from the soil scientist stating they have performed soil tests on each lot. In addition, this is for a final plat review. Located at Cedar Creek Road, Elberton. Map and parcel 024 053. Planning and Zoning recommended approval by a 6-0 vote. Commissioner Scoggins made a motion to approve this request for a Variance. Commissioner Freeman seconded the motion. The motion passed 5-0.
- 12) Discussion and consideration of a request by Frank Poma for a preliminary plat review in order to subdivide parcels back to the original subdivision plan. Located at Mere Cole Road, Carter Lane and Hornets Bridge Drive, Elberton. Map and parcels 059A 007U, 059A 006J and 059A 007H. Planning and Zoning recommended approval by a 6-0 vote. Commissioner Alexander made a motion to approve this request for a preliminary plat review. Commissioner Hunt seconded the motion. The motion passed 5-0.
- 13) Mr. Checo Stowers to address the Board regarding the condition of North Rainbow Drive. Mr. Stowers represents Greater Heights in Christ Church located at 1463 North Rainbow Drive. Mr. Stowers stated that he understands this is a private drive; but he has bought gravel himself for the road and has done some repairs on the road; but asked if there was something the county could do. Mr. Daughtry stated they would have to

get in touch with whoever sold them the property and have it turned over to the county. But Mr. Stowers stated that person has passed away. Chairman Vaughn told Mr. Stowers there is a process to take in roads and to meet with the County Administrator in the coming week to discuss the process. Commissioner Jones commented that we need to do something about the condition of the road. Mr. Hulme said that Mr. Stowers had already met with him and he explained the process in which to take in a private road; and the reason Mr. Stowers wanted to address the Board tonight is to see if there was something that could be done in the meantime until they are able to get in touch with the owner.

- 14) Discussion and consideration of allotting up to \$80,000 to purchase a used paver and roller for the Road Department. Mr. Hulme stated currently the cost of leasing the equipment is around \$4,500 per day and recommends purchasing the equipment to save money. Commissioner Alexander made the motion to purchase a used paver and roller from regular SPLOST funds. Commissioner Freeman seconded the motion. The motion passed 5-0.
- 15) Discussion and consideration of addressing issues with Limo Road. Chairman Vaughn stated we have been dealing with this issue for a couple of years, but wanted to remind the public that no one on the board voted for it; when the poultry farm submitted their permit, there was no way to deny it; they were grandfathered in under the old zoning ordinance. The ordinance has since changed and it will not happen again. He went on to say that we are trying our best to come up with a solution to address the issues with Limo Road. Commissioner Hunt made a motion to explore other options, rather than using Limo Road or rerouting traffic on Grady Cleveland Road. Chairman Vaughn stated this motion then is to table this for 90 days as we will possibly be working with other entities to help with this and to explore other options. Commissioner Freeman seconded the motion. The motion passed 5-0.
- 16) Discussion and consideration of an unnamed, non-county road in Elbert County off of Dan Tucker Cemetery Drive. The request is to name this section of road to Dan Tucker Cemetery Extension. Mr. Daughtry stated there is a private road that shoots off of Dan Tucker Cemetery Drive and there are no houses on the road, but we just got a first request for a driveway permit and realized we would need to name this section of road to Dan Tucker Cemetery Extension for emergency purposes only; this does not mean it will be a public road; it will still remain a private road and the maintenance will be the responsibility of the people that live along there. Commissioner Scoggins made the motion to approve Dan Tucker Cemetery Extension. Commissioner Alexander seconded the motion. The motion passed 5-0.
- 17) Discussion and consideration to appoint Chairman Lee Vaughn as the Voting Delegate for Elbert County at the ACCG Legislative Leadership Conference in October. Commissioner Freeman made a motion to appoint Chairman Vaughn as the Voting Delegate for Elbert County. Commissioner Hunt seconded the motion. The motion passed 5-0.
- 18) Discussion and consideration to use new ARPA funding received by the Northern Judicial Circuit to upgrade the audio- visual systems in our courtrooms. Chairman Vaughn explained that we will basically be loaning this money to the circuit and when they receive funding, they will pay it back to us. This will be for both courtrooms. Commissioner Freeman made the motion to approve the use of ARPA funds for upgrades to the courtrooms. Commissioner Alexander seconded the motion. The motion passed 5-0.
- 19) Discussion and consideration of providing DATE funds to the City of Elberton Police Department. Mr. Daughtry stated DATE funds are fines and fees generated from criminal cases, some come from arrest by the City of Elberton police and some from Elbert County Sheriff's office. Also, some come from the DOT or Department of Public Safety. The funds collected have to be spent on Drug Education. In the past funds have been used for the CHAMPS program at the middle school and other Drug Education programs at the high school. The City of Elberton is requesting funds to purchase a Side-by-Side ATV for \$21,544. Chairman Vaughn stated from FY 2021 until 2025, the City of Elberton has contributed \$4,724.35 and Elbert County has contributed \$89,202.90. Commissioner Alexander made a motion to deny the request from the City of Elberton for these funds. Commissioner Jones seconded the motion. The motion to deny passed by a 4-0 vote. Commissioner Scoggins recused himself as his wife works for the City of Elberton.
- 20) Discussion and consideration to reappoint Mr. Quinn Floyd to the Planning and Zoning Board. Mr. Daughtry explained that under our Ordinance section 54-27, there are to be seven (7) members of the Planning and Zoning board and each commissioner appoints one (1) member from their district and the Chairman appoints two (2) members. We have four (4) members whose terms have expired. There was a lot of discussion about the irregularities in our ordinance governing Planning and Zoning and regarding the reappointment of Johnny Lutz to the Planning and Zoning board. Some questions were raised as to why Mr. Lutz was not reappointed by Chairman Vaughn, which Mr. Daughtry explained that Mr. Lutz's term had ended and someone else agreed to serve. He stated that Mr. Lutz had made serious allegations against Commissioner Jones and a previous Planning and Zoning board member; which were unsubstantiated. Commissioner Freeman stated that we need to "right our ship" and to "clean our act up"; therefore, he made a motion to table the

appointments of Mr. Quinn Floyd, Mr. Thomas Jackson, Mr. Otho Graham and Mr. Bruce Brown until September. Commissioner Jones seconded the motion. The motion passed 5-0.

- 21) Discussion and consideration to reappoint Mr. Thomas Jackson to the Planning and Zoning Board. This item was tabled until the September meeting.
- 22) Discussion and consideration to reappoint Mr. Otho Graham to the Planning and Zoning Board. This item was tabled until the September meeting.
- 23) Discussion and consideration to appoint Mr. Bruce Brown to the Planning and Zoning Board. This item was tabled until the September meeting.
- 23A)** Discussion and consideration of a bid approval for a generator for the Fire Department. Mr. Hulme stated the lowest bid received was by Tony's Electric Service for \$39,415.48. Commissioner Scoggins made a motion to approve the bid from Tony's Electric Service. Commissioner Alexander seconded the motion. The motion passed 5-0.
- 24) Finance Report. Ms. Witcher reported that General Fund expenditures are under budget by \$82,777; General Fund revenues are \$232,000 more than this time last year. \$191,000 has been collected in SPLOST revenues; \$195,000 has been collected in TSPLOST revenues. Hotel/Motel tax fund has a balance of \$19,156 for local projects.
- 25) Adjournment. Commissioner Scoggins made a motion to adjourn; seconded by Commissioner Alexander. The motion passed unanimously.