

Minutes of Public Hearing

Elbert County Board of Commissioners

October 14, 2025

- 1) Discussion and consideration of a request by Bruce and Kristine Clayton to rezone 1.50-acres at 1334 Henry Moon Drive, Elberton, from A (Agricultural) to GB (General Business). Map and Parcel 030 007. This request is to allow for a small tract to be split out and the remainder to be enrolled into tax conservation. Planning and Zoning recommended approval by a 7-0 vote. There were no public comments.
- 2) Discussion and consideration of a request by Mark and Katy Harper to rezone 3-acres at 1928 Lexington Hwy., Elberton, from A (Agricultural) to R1 (Single Family Residential). Map and Parcel 044 026. This request is to allow for a portion to be split out and a home to be built on the new tract. Planning and Zoning recommended approval by a 7-0 vote. There were no public comments.
- 3) Discussion and consideration of a request by Noah D. Baker, Sr., Edgewater Village, Inc. to rezone from A (Agricultural) to R1 (Single Family Residential) on Anderson Hwy., Elberton. Map and Parcel 059 015A. In addition, this is a preliminary plat review for a major subdivision. Planning and Zoning recommended denial by a 7-0 vote. Mr. Baker stated it is his intention for homes to be built on the lots. No RV's on the sites unless temporarily until the home is built. Robin Smith commented on who will oversee how long RV's are allowed to stay on the site.
- 4) Discussion and consideration of a Variance request by Joseph Melchior 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. Property located at 2233 Bennett Rd., Bowman, Ga. Map and Parcel 012 004E. Planning and Zoning recommended approval by a 7-0 vote. There were no public comments.
- 5) Discussion and consideration of a Variance request by Frank Poma 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. Property located at Mere Cole Rd., Carter Lane and Hornets Bridge Drive, Elberton. Map and Parcels 059A 007U, 059A 0061, 059 007H. Planning and Zoning recommended approval by a 7-0 vote. Mr. Poma stated that all lots perked; and the lots are back to the original plan of 48 to 49 lots. Roads into subdivision are all private.
- 6) Discussion and consideration of a Conditional Use request by Pat Hutchinson to allow for a 975k W, ground mounted solar facility to be built on Hulmes Chapel Road, Elberton. Map and Parcel 063 003. Planning and Zoning recommended denial by a 6-1 vote. Attorney Rob Leverette, representing Mr. Hutchinson stated he believes the project meets all the requirements of the ordinance. The applicant is not requesting any type of abatement. Only four (4) acres of the 36- acre property will be used. Mr. Jamie Porges stated he and his wife were business partners of Mr. Hutchinson and have been in the solar business for 20 years. He said the energy will be sold to Green Power EMC, owned by the EMC's in Georgia. Mr. David Ellison speaking on behalf of the applicant stating that his client has satisfied all requirements and a denial of the application cannot be justified. Mr. Robert Johnson, who owns adjoining property stated he is concerned about the run-off of any contamination, even if not intentional. He went on to say that he has a substantial investment in a 100-acre tract and asked the Board to look at what's in the best interest of the county. Robin Smith also spoke against this rezone request.

Minutes

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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 Mr. Daughtry.
- 3) Adoption of the agenda. Chairman Vaughn asked for a motion to amend the agenda to remove item 17- (Discussion of soliciting bids for a county attorney) and add an Executive Session. Commissioner Freeman made the motion to adopt the agenda as amended. Commissioner Hunt seconded the motion. The motion passed 5-0.
- 4) Adoption of the Minutes of September 8, 2025. Commissioner Alexander made a motion to adopt the minutes of September 8, 2025. Commissioner Hunt seconded the motion. The motion passed 5-0.
- 5) Public Comments. Mr. Hulme stated there was a clean-up effort on Bobby Brown Park Road and he wanted to thank KECB, Bobby Brown Park staff and volunteers that cleaned up 1,760 pounds of trash.
- 6) Discussion and consideration of a request by Bruce and Kristine Clayton to rezone 1.50-acres at 1334 Henry Moon Drive, Elberton, from A (Agricultural) to GB (General Business). Map and Parcel 030 007. This request is to allow for a small tract to be split out and the remainder to be enrolled into tax conservation. Planning and Zoning recommended approval by a 7-0 vote. Commissioner Scoggins made a motion to approve this rezone request. Commissioner Hunt seconded the motion. The motion passed 5-0.
- 7) Discussion and consideration of a request by Mark and Katy Harper to rezone 3-acres at 1928 Lexington Hwy., Elberton, from A (Agricultural) to R1 (Single Family Residential). Map and Parcel 044 026. This request is to allow for a portion to be split out and a home to be built on the new tract. Planning and Zoning recommended approval by a 7-0 vote. Commissioner Freeman 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 Noah D. Baker, Sr., Edgewater Village, Inc. to rezone from A (Agricultural) to R1 (Single Family Residential) on Anderson Hwy., Elberton. Map and Parcel 059 015A. In addition, this is a preliminary plat review for a major subdivision. Planning and Zoning recommended denial by a 7-0 vote. Commissioner Alexander made a motion to deny this application due to size restrictions. Commissioner Scoggins seconded the motion. The motion passed 5-0.
- 9) Discussion and consideration of a Variance request by Joseph Melchior 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. Property located at 2233 Bennett Rd., Bowman, Ga. Map and Parcel 012 004E. Planning and Zoning recommended approval by a 7-0 vote. Commissioner Scoggins made a motion to approve this request for a Variance. Commissioner Hunt seconded the motion. The motion passed 5-0.
- 10) Discussion and consideration of a Variance request by Frank Poma 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. Property located at Mere Cole Rd., Carter Lane and Hornets Bridge Drive, Elberton. Map and Parcels 059A 007U, 059A 0061, 059 007H. Planning and Zoning recommended approval by a 7-0 vote. Commissioner Alexander made a motion to approve this request for a Variance. Commissioner Hunt seconded the motion. The motion passed 5-0.
- 11) Discussion and consideration of a Conditional Use request by Pat Hutchinson to allow for a 975k W, ground mounted solar facility to be built on Hulmes Chapel Road, Elberton. Map and Parcel 063 003. Planning and Zoning recommended denial by a 6-1 vote. Commissioner Scoggins made a motion to deny this Conditional Use request. Commissioner Freeman seconded the motion. The motion passed 5-0.
- 12) Discussion and consideration of a request by Mrs. Mary Clark speaking on behalf of the Martin Luther King Committee for support for their annual MLK Unity Weekend. Mrs. Clark asked for support in the amount of

\$2,000 to help defray the cost of hosting this event to be held January 18, 2026. Commissioner Freeman made the motion to approve the amount of \$2,000 to come from Hotel/Motel tax; Commissioner Alexander seconded the motion. The motion passed 5-0.

- 13) Discussion and consideration to surplus garbage/trash compactors. Commissioner Alexander made the motion to surplus the trash compactors. Commissioner Hunt seconded the motion. The motion passed 5-0.
- 14) Discussion and consideration to either buy out or seek bids for a new lease for the 620G Motor Grader for the Road Department. The lease ends November 15, 2025. Mr. Hulme stated the purchase price for the current Motor Grader is \$130, 379.20. He recommends to seek bids to see what a new lease would be and to see what the best option is. Commissioner Freeman made a motion to seek bids; seconded by Commissioner Alexander. The motion passed 5-0.
- 15) Discussion and consideration of approving a bid for the Tax Anticipation Note (TAN). Mr. Hulme stated it is his recommendation to accept the bid from Pinnacle Bank at a 4% interest rate. Commissioner Alexander made a motion to approve Pinnacle Bank for the TAN. Commissioner Freeman seconded the motion. The motion passed 5-0.
- 16) Discussion and consideration of the 2025 Seed Grant Application for the Georgia Upper Savannah Strategic Planning concept as outlined in the Northeast Georgia Regional Commission's application. Mr. Daughtry stated this was requested to protect the river that runs through Elbert County. The Resolution does not call for a specific contribution at this time, but there may be financial needs at some point. Mr. Hulme recommended the minimum amount of \$1,200. Commissioner Scoggins made a motion to approve Mr. Hulme's recommendation. Commissioner Freeman seconded the motion. The motion passed 5-0.
- 17) Discussion and consideration of a request by the County Attorney for the Board of Commissioners to solicit bids for the County Attorney position. This item was removed.
- 18) Second Reading for Discussion and consideration of an Ordinance Amending the Purchasing Policy by Incorporating a Federal Conflict of Interest provision. Mr. Daughtry stated this was a change we were directed to do by our auditors because we have federal aid projects that flow through us, specifically our Transit program. Commissioner Freeman made a motion to approve this amendment. Commissioner Hunt seconded the motion. The motion passed 5-0.
- 19) Discussion and consideration of a Resolution establishing Standards of Conduct for the Purchase of Goods or Services. The amendment to our purchasing policy, which came from federal regulations, requires that we have a written conflict-of-interest policy. Mr. Daughtry stated this is related to item 18; Federal guidelines require that we have a written policy in place that defines "conflict of interest" and provides for penalties and exceptions. This is a formality, and does not apply just to federal aid projects, but any expenditure of county funds. Commissioner Freeman made a motion to adopt the Resolution. Commissioner Alexander seconded the motion. The motion passed 5-0.
- 20) Reading of a Proclamation of the Elbert County Board of Commissioners in Recognition of the Distinguished Service of Joe Johnson to Elbert County. Chairman Vaughn lauded the many relief missions that Mr. Johnson has been involved in and the many ways that he has served our community. Commissioner Alexander made a motion recognizing the service of Mr. Johnson. Commissioner Scoggins seconded the motion. The motion passed unanimously.
- 21) Executive Session. Commissioner Freeman made a motion to enter Executive Session for personnel; seconded by Commissioner Alexander. The motion passed 5-0. Upon returning; Commissioner Freeman made a motion to enter General Session; seconded by Commissioner Alexander. The motion passed 5-0. Chairman Vaughn stated that Mr. Daughtry has been our attorney for 20 years and has never increased his price and we haven't sought bids for other attorney services. He said that Mr. Daughtry asked that we put the item on the agenda; as it has come to a point that he needs to increase his prices. Chairman Vaughn went on to say that we did not want to seek other attorney's services; that Mr. Daughtry has done a great job for us and if we had to start over with another attorney it would put us behind. He said he and others inquired with other counties to see what they were paying. It is his recommendation to increase Mr. Daughtry's hourly rate from \$125 to \$200 per hour. Commissioner Freeman made the motion to approve the increase from \$125 to \$200 for Mr. Daughtry. Commissioner Alexander seconded the motion. The motion passed 5-0.

- 22)** Finance Report. Ms. Witcher stated the General Fund is operating under budget through September. General Fund budget expenditures are \$543,585 more than in the prior year. SPLOST fund has a balance of \$1.8 million and TSPLOST has a balance of 2.47 million for road projects. Hotel/Motel has a balance of just under \$22,000.
- 23)** Adjournment. Commissioner Alexander made a motion to adjourn; seconded by Commissioner Freeman. The motion passed unanimously.