

Minutes of Public Hearing

Elbert County Board of Commissioners

September 8, 2025

- 1) Discussion and consideration of a request by Frank Landreth to rezone from RR (Rural Residential) to R1 (Single Family Residential) on Deep Creek Rd., Bowman, GA. Map and Parcel 002 062A. This request is to allow for the parcel to be split. Planning and Zoning recommended approval by a 7-0 vote. There were no public comments.
- 2) Discussion and consideration of a request by Michael Gaines to rezone 1.5-acres at 1567 Lonesome Dove Rd., Elberton, GA, from A (Agricultural) to R1 (Single Family Residential). Map and Parcel 037 055A. Planning and Zoning recommended approval by a 7-0 vote. There were no public comments.
- 3) Discussion and consideration of a request by Aaron Coley, Compassion Outreach, Inc., to rezone approximately 6-acres at 3030 Bowman Hwy., Bowman, GA. From A (Agricultural) to R1(Single Family Residential) and the remainder from A (Agricultural) to GB (General Business). This request is to allow for a portion to be split for staff help. Map and Parcel 011 037 and 011 037A. Planning and Zoning recommended approval by a 7-0 vote. There were no public comments.
- 4) Discussion and consideration of a request by Michael King and Elizabeth Henderson to rezone 1.5-acres at 3010 Ruckersville Rd., Elberton, GA, from A (Agricultural) to R1 (Single Family Residential). This request is to allow for a portion to be split out around an existing home. Map and Parcel 060 048. Planning and Zoning recommended approval by a 7-0 vote. There were no public comments.
- 5) Discussion and consideration of a Variance request by Chad Singleton 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 on Brewers Mill Rd., Elberton, GA. Map and Parcel 030 014 and 030 042. Planning and Zoning recommended approval by a 6-0 vote. Mr. Charles Cecchini recused himself as he is an adjoining landowner. Chairman Vaughn stated we had a letter from the soil scientist stating that at least 1-acre on each of the lots has good soil; the roads are graded but no gravel on them yet. There were no 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 Mr. Daughtry.
- 3) Adoption of the Agenda. Chairman Vaughn asked for a motion to adopt the agenda; Commissioner Freeman stated he would like to amend the agenda to add the reappointment of Mr. Johnny Lutz to the Planning and Zoning board. Chairman Vaughn responded that he could not make that amendment as it is not his appointment to make. After much discussion, Mr. Daughtry discussed the difference between a "vacancy" and an "expired term" of a board member and also explained the procedures of having our ordinances uploaded to Municode, where the public can view the ordinances online. He also stated that each commissioner selects a member for his district and the Chairman selects two (2) at large and they do not have to be voted on by the board; it has been simply done as a formality. Commissioner Scoggins made a motion to adopt the agenda. Commissioner Jones seconded the motion. The motion passed 3-2, with Commissioner Freeman and Commissioner Alexander voting against adopting the agenda.
- 4) Adoption of the Minutes of August 11, 2025. Commissioner Alexander made a motion to adopt the minutes of August 11, 2025. Commissioner Hunt seconded the motion. The motion passed 5-0.
- 5) Public Comments. Members from the audience; Denise Rucker, Donna Wood, Angela Jones, Diane Culpepper and Max Black all voiced their concerns about the treatment of Mr. Johnny Lutz of the Planning and Zoning board. All were concerned about the way the situation was handled and questioned the discrepancies in our ordinance that governs the Planning and Zoning Board.
- 6) Discussion and consideration of a request by Frank Landreth to rezone from RR (Rural Residential) to R1 (Single Family Residential) on Deep Creek Rd., Bowman, GA. Map and Parcel 002 062A. This request is to allow for the parcel to be split. 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 Michael Gaines to rezone 1.5-acres at 1567 Lonesome Dove Rd., Elberton, GA, from A (Agricultural) to R1 (Single Family Residential). Map and Parcel 037 055A. Planning and Zoning recommended approval by a 7-0 vote. Commissioner Alexander made a motion to approve this rezone request. Commissioner Scoggins seconded the motion. The motion passed 5-0.
- 8) Discussion and consideration of a request by Aaron Coley, Compassion Outreach, Inc., to rezone approximately 6-acres at 3030 Bowman Hwy., Bowman, GA. From A (Agricultural) to R1(Single Family Residential) and the remainder from A (Agricultural) to GB (General Business). This request is to allow for a portion to be split for staff help. Map and Parcel 011 037 and 011 037A. 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.
- 9) Discussion and consideration of a request by Michael King and Elizabeth Henderson to rezone 1.5-acres at 3010 Ruckersville Rd., Elberton, GA, from A (Agricultural) to R1 (Single Family Residential). This request is to allow for a portion to be split out around an existing home. Map and Parcel 060 048. Planning and Zoning recommended approval by a 7-0 vote. Commissioner Alexander made a motion to approve this rezone request. Commissioner Scoggins seconded the motion. The motion passed 5-0.
- 10) Discussion and consideration of a Variance request by Chad Singleton 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 on Brewers Mill Rd., Elberton, GA. Map and Parcel 030 014 and 030 042. Planning and Zoning recommended approval by a 6-0 vote. Mr. Charles Cecchini recused himself as he is an adjoining landowner. Commissioner Alexander made a motion to approve this request for a Variance. Commissioner Freeman seconded the motion. The motion passed 5-0.
- 11) Discussion and consideration to move the October Board of Commissioners meeting from Monday, October 13th to Tuesday, October 14th, due to the Columbus Day holiday. Commissioner Hunt made a motion to approve the change of meeting date. Commissioner Freeman seconded the motion. The motion passed 5-0. Commissioner Freeman made a motion to table items 12 thru 14 until we can get this issue straightened out. He suggested that we contact Mr. Brandon Bowen, our Zoning Attorney to weigh in on this. Mr. Daughtry stated that Mr. Bowen specializes in land use law and the issue at hand regarding the definition of a "vacancy" is not a land use issue. The motion was seconded by Commissioner Scoggins. The motion passed 5-0. Commissioner Alexander then asked how long could the items be tabled and Commissioner Freeman interjected that had Mr. Daughtry not opposed adopting "Roberts Rule of Order" for governing our meetings we may not be in this situation. Also, Commissioner Alexander asked if the items are tabled then could the members of the Planning and Zoning Board continue to serve; and Mr. Daughtry replied they could.
- 12) Discussion and consideration to reappoint Mr. Thomas Jackson to the Planning and Zoning Board. Tabled
- 13) Discussion and consideration to reappoint Mr. Otho Graham to the Planning and Zoning Board. Tabled
- 14) Discussion and consideration to appoint Mr. Bruce Brown to the Planning and Zoning Board. Tabled
- 15) Discussion and consideration of issuing a letter to seek bids for a TAN (Tax Anticipation Note). Mr. Hulme stated we have had to borrow money for the last several years in order for the county to operate until property tax revenues come in. Commissioner Freeman made the motion to approve seeking bids for the TAN. Commissioner Hunt seconded the motion. The motion passed 5-0.
- 16) Discussion and consideration of approving the quote from Mobile Communications for our radio communications upgrade with microwave replacement in the amount of \$216,785.94. Mr. Hulme stated this amount would be reduced by \$45,000.00 as the City of Elberton has verbally agreed to pay \$10,000 and the Board of Education \$35,000. Commissioner Alexander made a motion to approve the quote of Mobile Communications for communications upgrade. Commissioner Scoggins seconded the motion. The motion passed 5-0.
- 17) Discussion and consideration to surplus a patient compartment currently affixed to a 2016 ambulance (M-6) with VIN # 1FDRF3GT5GEB19484; chassis to be retained. Funds to be retained for Elbert County EMS Special Uses Fund. Commissioner Alexander made a motion to approve this item as surplus. Commissioner Freeman seconded the motion. The motion passed 5-0.
- 18) Discussion and consideration of the FY2027 DOT Grant Application. This is the annual grant application for Elbert County Transit. The total grant amount is \$384,475 with 50% being federally funded and a 50% local share. Commissioner Alexander made a motion to approve the FY2027 DOT Grant Application. Commissioner Hunt seconded the motion. The motion passed 5-0.
- 19) Discussion and consideration of a bid for playground equipment at McWilliams Park. Mr. Hulme stated after reviewing the bids received it is his recommendation to go with Kor Kat Playgrounds in the amount of \$50,000. They were the only company that fit exactly what we requested. Commissioner Freeman made the motion to approve the bid from Kor Kat Playgrounds. Commissioner Hunt seconded the motion. The motion passed 5-0.

- 20) Discussion and consideration of an Ordinance Amending Purchasing Policy by Incorporating Federal Conflict of Interest provision. This is for first reading; no vote is required. Mr. Daughtry stated this has been recommended by our auditors that we include in our purchasing policy the federal "Conflict of Interest" law; it also requires that we come up with written standards on conflicts of interest.
- 21) Finance Report. Ms. Witcher reported that the General Fund was under budget thru August. Expenditures were about \$380,000 more than this time last year. SPLOST has a cash balance of \$1.86 million and TSPLOST has a cash balance of \$2.28 million. Hotel/Motel tax has a balance of \$19,786 to use for local projects.
- 22) Adjournment. Commissioner Scoggins made a motion to adjourn; seconded by Commissioner Alexander. The motion passed 5-0.