

**Minutes of Public Hearing  
Elbert County Board of Commissioners  
Tuesday, October 15, 2019**

- 1) A Public Hearing was held to hear a request from Sonny Solar, LLC for Conditional Use to use approximately 473 acres for a proposed Solar Energy Farm to produce electricity for Georgia Power Company. The property is located between Longstreet Road and State Route 79, Map 073-parcel #058 and 053.  
Rachel Donahue, Development Manager with Heelstone Renewable Energy stated this is a 40 mega-watt project located on the 2 parcels mentioned with no plan to expand the project. The solar panels are non-hazardous and contains no liquid components and will be placed within the 50 ft setback from the property line and surrounded by a 20 ft perimeter road and fenced. There is also an existing vegetation buffer with supplemental planted vegetation as needed. The project will not produce no odors or emissions and no noise beyond the property boundaries. Sonny Solar reached out to neighbors and held a community meeting with property owners. The Planning Commission approved this application.  
Robin Smith spoke against the project. She brought up the issue of “spot zoning” as it relates to the “Conditional Use” permit for this project. She also has concerns about the recyclability of the solar panels in case of abandonment of the project; how the panels and equipment will be disposed of.
- 2) A Public Hearing was held to hear a request from Midland Investments for Preliminary Plat approval to divide 80 acres of property on Limo Road into 5-acre tracts. No new roads will be proposed. Mr. Thomas stated the Planning Commission approved this request with the following conditions: Lots may not be less than 5 acres and no restrictive covenants may be applied to these plats.

There being no further comments, Chairman Lee Vaughn called the meeting to a close.

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Chairman Lee Vaughn called the meeting to order. Present were Chairman Vaughn, Vice Chairman Chris Alexander, Commissioner Horace Harper, Commissioner Casey Freeman, Commissioner Kenneth Ashworth, Commissioner Freddie Jones, County Administrator Bob Thomas, County Attorney Bill Daughtry, County Clerk Tamara Butler. CFO Phil Pitts was absent.

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 move item 12) Public Comments to item 4a) and remove item 10) Discussion and approval of a state contract for a new pickup truck for the Road Department. Replacing item 10 with Discussion and Approval of a “Non-Discrimination Policy Statement and Management Commitment to Title VI Plan for the Elbert County Transit. Commissioner Ashworth made the motion to approve the agenda and

approve the agenda as amended. Commissioner Alexander seconded the motion. Upon voting the motion carried 5-0.

**Adoption of the Minutes of the Regular Meeting on September 9, 2019 and the Called Meeting and September 26, 2019.** Commissioner Freeman made a motion to approve the Regular Meeting minutes as read. Commissioner Alexander seconded the motion. Upon voting the motion carried 5-0. Commissioner made a motion to adopt the Minutes of the Called Meeting as read. Commissioner Alexander seconded the motion. Upon voting the motion carried 5-0.

**Public Comments.** Chairman Vaughn asked if there were any comments on the items on the agenda. There were no public comments.

**Presentation by ACCG to Representative Tom McCall for the coveted 2019 Legislative Service Award for supporting legislation that supports sound public policy that benefits home rule, local governments and taxpayer's objectives.** Debra Nesbitt, Associate Legislative Director with ACCG presented the award to Representative McCall thanking him for everything he had done working with local governments. Two (2) key bills that Mr. McCall helped with were 1) raising the procurement requirements from \$10,000 to \$100,000 reducing administrative overhead; and 2) authorizing local governments to extend utility contracts from 10 years to 20 years which will go a long way in helping with the broadband issues.

**Discussion and approval of a Second Reading to amend Chapter 7.15 of the Elbert County Zoning Ordinance to limit the circumstances under which a submittal of a site plan shall be required.** This amendment eliminates the requirement of a site plan under \$200,000 for residential and conditional use permits. County Attorney Bill Daughtry stated the new language of the ordinance states any alteration or construction that increases the value of the property by \$200,000 or more shall require a site plan and include a plat. If any alteration or construction increases the value of the property between \$50,000 and \$200,000, then only a plat signed by a registered surveyor shall be required. No site plan or plat shall be required if value of property is increased less than \$50,000. Commissioner Harper made a motion to approve the amendment to the Zoning Ordinance. Commissioner Ashworth seconded the motion. Upon voting the motion carried 5-0.

**Discussion and approval of a Conditional Use permit request from Sonny Solar, LLC for a proposed solar energy farm located on approximately 473 acres located between Longstreet Road and State Route 79, map 073, parcel # 058 and 053.** This proposal will be required to meet all Solar Ordinance objectives. The Planning Commission recommended approval of this application. Rachel Donahue, Development Manager with Heelstone Renewable Energy discussed details of the project at the public hearing held prior to the meeting. Robin Smith spoke out against the project. Commissioner Ashworth made a motion to approve the Conditional Use permit request from Sonny Solar, LLC for a proposed energy farm. Commissioner Freeman seconded the motion. Upon voting the motion carried 5-0.

**Discussion and approval of a request from Midland Investments for preliminary plat approval to divide 80 acres on Limo Road into 5-acre tracts for residential use.** The Planning Commission recommended approval of this application provided no lot shall be less than 5 acres and no restrictive covenants may be applied to this property. A Public Hearing was held prior to the meeting with no one speaking for or against this application. Commissioner Freeman made a motion to approve this request with the conditions set forth by the Planning Commission. Commissioner Ashworth seconded the motion. Upon voting the motion carried 5-0.

**Request from landowners of Savannah Landings Subdivision to speak to the Commission regarding issues in the subdivision.** Mrs. Louise Decker was first to speak. She asked if any commissioner had been to Savannah Landings to see the problems they are facing. She asked Mr. Daughtry what makes Savannah Landings Subdivision a “gated community”; which Mr. Daughtry replied that the developer applied for permission to operate a gated community, to make it a private road and filed the covenants with the Clerk of Court’s office. Mr. Daughtry stated the County does not get involved in private real estate transactions. Mrs. Decker provided a handout to the commissioners describing what defines a “gated community”. She complained about a “Declaration of Gated Community” for the subdivision being approved and signed off on by county officials in 2007 and the developer’s letter of credit referenced in the declaration was later withdrawn by the bank and claimed that fraud was committed. She also claimed that a land surveyor told her that the subdivision did not meet the legal definition of a subdivision. Mrs. Decker also commented on the county’s support of the hospital “that the county doesn’t even own”.

Mr. Anthony Smith and Mr. Michael Dove also came before the commissioners with the same concerns as Mrs. Decker both stating that property values are way “over assessed”. They both implored commissioners for their help and asked them to ride out and look at the area.

**Discussion and approval of 2020 Title VI/Non-discrimination Policy Statement and Management Commitment to Title VI Plan of the Elbert County Transit.** This plan has already been approved by the Georgia Department of Transportation. Commissioner Alexander made a motion to approve the Non-discrimination policy for Elbert County Transit. Commissioner Freeman seconded the motion. Upon voting the motion carried 5-0.

**Finance Report.** Mr. Pitts was absent from the meeting, therefore; Mr. Thomas gave a brief summary stating General Fund expenditures were .76% under budget; Sales Tax revenues for September were \$177,463 and T-SPLOST revenues were \$117,694 which was a little above what was projected.

**Adjournment.** Commissioner Harper made a motion to adjourn. Commissioner Alexander seconded the motion. Upon voting the motion carried 5-0.