

**Minutes of Public Hearing
Elbert County Board of Commissioners
Monday, December 13, 2021**

Request from Charles Fleming to rezone one (1) acre from R1 (Single Family) to A (Agricultural) to combine with his existing parcel of land. Property is located adjacent to 1928 Fork Creek Road.

Mr. Charles Fleming was in attendance and stated this was a request to rezone 1 acre to agricultural to combine with his existing parcel of land. Planning and Zoning recommended approval of this application.

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

After the pledge to the United States flag the invocation was given by Commissioner Ashworth.

Adoption of the Agenda. Chairman Vaughn asked for a motion to move Public Comments up to 4B, after the Adoption of the Minutes. Commissioner Freeman made a motion to approve the amendment and approve the agenda as amended. Commissioner Alexander seconded the motion. The motion passed 4-0.

Adoption of the Minutes of November 8, 2021 and the Called Meeting of November 17, 2021.

Commissioner Ashworth made a motion to adopt the minutes as read. Commissioner Alexander seconded the motion. The motion passed 4-0.

Public Comments. Lanie Simmons, Chief Magistrate spoke about the Magistrate changes and asked why no one made her aware of the change. She stated that she had served Elbert County for 32 years. Chairman Vaughn stated it was an oversight not making her aware. Mr. Daughtry stated that she told him she was retiring; but she said that she was “working towards retirement” and that she did not say she wasn’t seeking reelection. She also said that she would like it to be left as “separate offices”. Tina Scoggins, Assistant Magistrate stated that her hope and dream was to become the next Chief Magistrate; that was what she has been working towards. She said there was talk about their salaries, but stated they are state mandated. She asked that they vote to not combine the offices.

Discussion and approval of a request from Charles Fleming to rezone a one-acre parcel of land from R1 (Single Family) to A (Agricultural). Property is located adjacent to 1928 Fork Creek Road.

Commissioner Freeman made a motion to approve this rezone request. Commissioner Ashworth seconded the motion. The motion passed 4-0.

Discussion of two (2) vacancies on the Planning Commission board. Mr. Thomas stated Mr. Quinn Floyd and Mr. Corey Bott had been contacted about serving and they have agreed to accept the positions starting January 1, 2022. Commissioner Freeman made a motion to approve both appointments. Commissioner Alexander seconded the motion. The motion passed 4-0.

Discussion and approval to pay members of the Planning Commission board \$50 per meeting. Chairman Vaughn stated most counties do pay their board members as the time they put in to attending meetings, looking at property, etc. and he thinks it's the right thing to do. Commissioner Ashworth made a motion to approve the payment of \$50 per meeting to the board members. Commissioner Freeman seconded the motion. The motion passed 4-0.

Discussion and approval of a gift of .232 tenths of an acre of land from the Elberton Housing Authority located on Mahoney Street, adjoining property owned by the county. Elbert County paid for the survey and will record the property at the courthouse. Mr. Daughtry stated this is a Resolution authorizing the acceptance of a tract of land from the Housing Authority. There was small encroachment at one of the fire department buildings, and this would square up the land and cure the encroachment issue. Commissioner Alexander made a motion to approve the gift of land. Commissioner Freeman seconded the motion. The motion passed 4-0.

Discussion and approval of a Resolution requesting Georgia State Representative Robert F. Leverett to introduce in the General Assembly a bill to provide that the Judge of the Probate Court shall also serve as Chief Magistrate Judge of the Magistrate Court of Elbert County. Chairman Vaughn stated this was strictly a cost-saving measure as many counties are doing this now. Commissioner Alexander asked if there would be any loss of jobs which Mr. Daughtry replied would be left to the discretion of Probate Judge Stephanie Hewell. Commissioner Ashworth made a motion to approve the request to combine the Magistrate Court and the Probate Court. Commissioner Jones seconded the motion. The motion passed 4-0.

First Reading of an Ordinance titled "Alcoholic Beverages" clarifying the maximum alcohol license fees that may be charged certain wholesalers and applicants who sell alcoholic beverages solely on certain state-owned properties to be consistent with state law. This is first reading only. No vote is required.

Discussion and approval of the "Local Redistricting Technical Certification" form for the redistricting for the Elbert County Board of Commissioners and the Elbert County Board of Education. The map has received the technical review necessary to ensure to the best of our ability the accuracy of its' content. The map receiving certification is identified as "Elbert CC-Import2-2021". This map will be approved by the State Legislature during the 2022 Session. Commissioner Ashworth made a motion to approve the Local Redistricting Technical Certification. Commissioner Freeman seconded the motion. The motion passed 4-0.

Discussion and approval to revise Chapter 10, Article III of the Elbert County Code of Ordinances regarding Rabies Control of animals. The State has requested that we revise these regulations to be in compliance with the revisions made by the State. This is first reading only. No vote is required.

Discussion and approval to finalize a bond resolution for the Board of Education that was approved with the last SPLOST. This is the General Obligation Bond Series 2021 Tax Levy Resolution. The bond is for \$10 million and will be for 10 years. Commissioner Freeman made a motion to approve the bond

resolution for the Board of Education. Commissioner Ashworth seconded the motion. The motion passed 4-0.

Discussion and approval of a request from the Tax Assessors Board to reappoint Cosby Smith to the board for a 3-year term ending December 31, 2024. Commissioner Freeman made a motion to table this request until further discussion. Commissioner Ashworth seconded the motion. The motion passed 4-0.

Discussion and approval of the Scope of Work for the Off-System Safety Project for Signs, Striping, and Stop Bars for roads in Elbert County. This project is 100% funded by Federal Funds. This is the 4th project we have been able to secure in Elbert County. The project is for approximately 66 miles along county roads. Commissioner Alexander made a motion to approve the Scope of Work for the Off-System Safety Project. Commissioner Jones seconded the motion. The motion passed 4-0.

Discussion and approval to move the Animal Control office from the supervision of the Sheriff's office to Code Enforcement. The motion died for lack of a motion.

Discussion and approval to set a "Special Event" fee of \$100 for Farm Wineries. Mr. Daughtry stated a special event fee was not set at the time the Ordinance was adopted; therefore, we need to establish a fee for special events. Commissioner Alexander made a motion to approve this fee. Commissioner Freeman seconded the motion. The motion passed 4-0.

Discussion and approval of a request from Harriett Haston to rent three (3) vacant spaces to travel trailers in a Mobile Home Park. Chairman Vaughn clarified she is asking to rent out one (1) vacant space, not three (3). Commissioner Freeman made a motion to approve this request under the assumption that it is a "hardship case" as the rent goes to Mrs. Haston's mother who is on a fixed income. Commissioner Ashworth seconded the motion. The motion passed 4-0.

Discussion and approval of a contract for the Procurement, Handling, and Accountability of Drugs, Intravenous Fluids, and Supplies between Elbert County and Elberton-Elbert County Hospital Authority. Mr. Daughtry stated for years EMS has a pharmacy and linen contract with the hospital. This contract just "memorializes" what we are already doing in accordance with state regulations. Commissioner Freeman made a motion to approve the contract. Commissioner Ashworth seconded the motion. The motion passed 4-0.

Discussion and approval of the purchase of twenty (20) two-way radios with accessories from Mobile Communications of America for \$17,800.00. Funds to come from the American Rescue Plan (ARP) fund. Chairman Vaughn made an amendment to the amount of radios to be purchased to 26. Twenty (20) for EMS and six (6) for the Fire Department; which changes the amount to \$25,000. Commissioner Ashworth made a motion to approve the purchase. Commissioner Alexander seconded the motion. The motion passed 4-0.

Discussion and approval of the following applications for 2022 Beer and Wine Licenses:

**72 Marine Sales
Sahai and Saral LLC, DBA- One Stop Shop
Ingles Markets
Leon Farmer & Company**

**Shree Sai Sai LLC, Quick Mart & Café
Pyramid Petro
Scenic View Country Club
JTG & Pawar LLC
New Junction LLC
R & R Quick Stop
Arrowhead Pointe Golf
Tony's
Beaverdam Marina LLC
Ain't if Guud
Vineyard Winery**

Commissioner Freeman made a motion to approve the 2022 Beer and Wine Licenses applications. Commissioner Ashworth seconded the motion. The motion passed 4-0.

Discussion and approval to declare the following vehicles as surplus property:

Ford Crown Vics

**2FAFP71V48X112411
2FAFP71W56X145438
2FAFP71W36X145437
2FAFP71W07X116284**

Dodge Chargers

**2B3AA4CT0AH193361
2B3CL1CT48H588873
2B3KA43H07H789479
2B3KA43H77H789544
2B3AA4CT4AH304512
2B3AA4CT9AH148175
2B3AA4CT4AH304560
2B3KA43H87H817643
2B3AA4CT9AH288484**

Mr. Thomas stated that two (2) buses, two (2) semi-trucks, and a 1996 Ford Explorer needs to be added to the list. Commissioner Ashworth made a motion to approve the list of surplus property. Commissioner Alexander seconded the motion. The motion passed 4-0.

Discussion and approval of bids for the County Fire Department for 58 self-contained breathing apparatus', 116 cylinders, and 22 additional faceplates. Commissioner Ashworth made a motion to approve the low bid from North American Fire Equipment for \$313,400. Commissioner Freeman seconded the motion. The motion passed 4-0.

Discussion and approval of bids for the county Fire Department to make three (3) additions to the department building on Mahoney Street. Addition (A) is 40' x 52', Addition (B) is 48' x 50', and Addition

(C) is 36' x 48'. Commissioner Freeman made a motion to approve the low bid from Danny Craft Construction for \$218,300. Commissioner Alexander seconded the motion. The motion passed 4-0.

Discussion and approval of a request from the County Administrator to establish and utilize an additional budget line item in our Budget Department 90. The line item would be 100-90-1500-522200-0000 and the recommended additional budget would be \$25,000 to come from Reserved Funds. Commissioner Freeman made a motion to approve this additional line item to the budget. Commissioner Alexander seconded the motion. The motion passed 4-0.

Finance Report. Mr. Pitts stated we are in “pretty good shape”; but a little behind in revenues.

Public Comments. Linton Johnson, with WSGC Radio asked what the cost savings would be to combine the Magistrate Court and Probate Court. Chairman Vaughn stated that he and Mr. Pitts did some quick math and determined around \$70,000 - \$80,000. He also asked would they have changed their minds if they knew Lanie would rerun. Chairman Vaughn stated the outcome would have been the same.

Executive Session for litigation. Commissioner Ashworth made a motion enter Executive Session. Commissioner Freeman seconded the motion. The motion passed 4-0.

Commissioner Freeman made a motion to enter General Session. Commissioner Ashworth seconded the motion. The motion passed 4-0.

Chairman Vaughn asked for a motion to accept the DA’s proposal to split the proceeds from the sale of property on Plantation Road. Commissioner Jones made a motion to approve the DA’s proposal. Commissioner Freeman seconded the motion. The motion passed 4-0.

Adjournment. Commissioner Ashworth made a motion to adjourn. Commissioner Freeman seconded the motion. The motion passed 4-0.