



Jackson County Board of Commissioners

Meeting Minutes

Monday, August 15, 2022 • 6:00 P.M.

The Jackson County Board of Commissioners met on Monday, August 15, 2022 at 6:00 p.m. in the Jury Assembly Room at the Jackson County Courthouse, 5000 Jackson Parkway, Jefferson, Georgia.

Commissioners Present: Tom Crow, Chairman
Jim Hix, District 1
Chas Hardy, District 2
Marty Seagraves, District 4

Staff Present: Kevin Poe, County Manager
Gina Roy, Assistant County Manager
Alisha Gamble, Finance Director
Jamie Dove, Public Development Manager

Press: Mike Buffington, Jackson Herald/Mainstreet News

A. CALL TO ORDER:

Chairman Tom Crow called the meeting to order at 6:00 p.m.

B. INVOCATION:

Commissioner Jim Hix gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Chairman Tom Crow led the Pledge of Allegiance.

D. APPROVAL OF MINUTES:

Commissioner Hix made a motion, seconded by Commissioner Hardy, to approve the minutes for August 1, 2022. Hearing no discussion, the vote was taken and the motion carried unanimously. (Vote 4 – 0)

E. CITIZEN INPUT:

- **William Carlyle, 193 Murphy Road, Pendergrass, GA** addressed the board regarding the Fairview Community Center. He was opposed to the County and Parks & Recreation's ownership of the facility. He had concerns about the location, proposed increased traffic, and how it will negatively impact his property.

F. **REPORTS:**

There were no reports.

G. **APPOINTMENTS:**

1a) **Jackson County Board of Adjustment – 3 Year Term:**

- **Vacant – (District 4 – Term expires December 31, 2024)**

Commissioner Seagraves made the motion, seconded by Chairman Crow, to nominate Walter Barnett, 184 Stapler Bridge Road, Nicholson, GA to serve a three-year term on the Jackson County Board of Adjustment to expire on December 31, 2024. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 4 – 0)

H. **CONSENT AGENDA:**

- 1) **Purchase of New Vans:** (Kevin Poe)
Award bid for three (3) vans to Jefferson Motor Company, for a total of \$145,517, and authorize the County Manager to sign the purchase orders for these vehicles
- 2) **Updated GDOT Speed Zone Ordinance:** (Gina Roy)
To approve an update to the Speed Zone ordinance as required by Georgia DOT
- 3) **Updates to Article VII. Hotel/Motel Occupancy Tax to comply with House Bill 317 Passed and Effective July 1, 2021, Adding Short-Term Vacation Rentals:** (Kevin Poe)
Approve and authorize changes to the Hotel Motel ordinance to comply with House Bill 317, adding short-term rentals as a collection source. This allows Jackson County to collect hotel motel excise tax for short-term rentals through third parties such as Expedia, VRBO, Booking, HomeAway.com, etc.
- 4) **Bid Award Triple Surface Contract for 2022:** (Kevin Poe)
Award the bid for triple surface treatment for 10.85 miles of dirt road to Epps Brothers, Inc. in the amount of \$887,964
- 5) **Intergovernmental Treatment Capacity Lease:** (Kevin Poe)
Approve the Intergovernmental Capacity Lease Agreement between Upper Oconee Basin Water Authority, Oconee County, Barrow County, and Jackson County
- 6) **Incentive Leave Policy and Amended Sick Leave Policy:** (Kevin Poe)
Adopt the Jackson County Government Incentive Leave Policy and the Amended Sick Leave Policy effective January 1, 2023

- 7) **Longevity Pay Policy:** (Kevin Poe)
Adopt the Jackson County Government Longevity Pay Policy to recognize an employee's length of service with Jackson County

Consent Agenda Action:

Commissioner Hix made the motion, seconded by Commissioner Hardy, to approve the Consent Agenda as presented. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 4 – 0)

I. **NEW BUSINESS:**

- 8) **Presentation of FY 2021 Comprehensive Annual Financial Report: (Josh Carroll, Director, Mauldin & Jenkins)**

Kevin Poe, County Manager, introduced Josh Carroll, Director at Mauldin & Jenkins to give a presentation on the FY 2021 audit. Mr. Carroll addressed the board and announced the audit was complete and will be delivered next week. He reported the county was issued an unmodified or clean opinion. The county's Fund Balance was healthy and currently over 30%. He noted a finding in that some elected officials were operating on a cash basis; however, it was not significant. He also reported a finding in that there were capital assets that were not recorded which was attributed to absence of a finance director. Mr. Carroll shared this was corrected with the hiring of the new finance director.

- 9) **(2nd Public Hearing) – Approve Capital Improvement Element (CIE) Adoption Resolution, Adopt the CIE, and Adopt the Impact Fee Ordinance:** (Gina Roy)

Gina Roy, Assistant County Manager, advised this will be second public hearing on the Capital Improvement Element (CIE), the resolution to adopt the CIE, and to adopt the Impact Fee Ordinance. She gave a brief overview of the entire process and the work performed by the Impact Fee Committee over the last ten months. There were no changes since the last public hearing. The residential fees in the Impact Fee Ordinance were \$3,049.79. The Capital Improvement Element was reviewed by the Georgia Department of Community Affairs and it was approved.

Chris Hamilton, County Attorney, opened the public hearing for comment. Keith Hayes, 5108 Winder Highway, asked the board to consider the recommended amount and the CIE as recommended by the committee. There was no other comment. There was no opposition and the public hearing was closed.

Capital Improvement Element:

Commissioner Hix made the motion, seconded by Commissioner Hardy, to adopt the Capital Improvement Element. Hearing no discussion, the vote was taken and the motion passed. Commissioners Hardy, Hix, and Seagraves voted in favor of the motion. Chairman Crow opposed. (Vote 3 – 1)

Impact Fee Ordinance:

Commissioner Hardy made the motion, seconded by Commissioner Hardy, to approve the Impact Fee Ordinance and accept the fee recommended by the committee in the amount of \$3,049.79. Hearing no discussion, the vote was taken and the motion passed. Commissioners Hardy, Hix, and Seagraves voted in favor of the motion. Chairman Crow opposed. (Vote 3 – 1)

I. ZONING RELATED BUSINESS:

New Business:

- 10) **RZ-22-0119 - Intown Home Builders (Randall Wallis), 48 Wildflower Rd., Braselton, GA; 3.01 acres; rezone from A-2 (Agricultural Rural Farm District) to A-R (Agricultural Residential District) to divide property into 2 tracts. (Map 117/Parcel 019T)**

Planning Staff Recommendation:

Approval w/ 1 condition

Planning Commission Recommendation:

Approval w/ 1 condition

Jamie Dove, Public Development Director, advised this case was tabled from the previous meeting with the hope that the applicant would resolve a matter with the adjacent property owner. Staff recommended approval with one (1) condition.

- 1) If the applicant wishes to have the new lots driveway accessing Wildflower Lane, which is a private road, he will have to provide an easement agreement to the Public Development Office from the property owner (Tax Map & Parcel 117 019C) of Wildflower Lane stating that they will allow the new driveway. Or, the new lot will have to share the existing Davenport Road entrance.

A public hearing was previously held; therefore, one was not required at this time. Chairman Crow made the motion, seconded by Commissioner Hix, to approve RZ-22-0119 with staff's recommendation as mentioned above. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 4 – 0)

- 11) **RZ-22-0125 – MainStreet Building Group, Inc. (Chuck Rigdon), White Hill School Road, Commerce, GA; 13.78 acres; rezone from A-2 (Agricultural Rural Farm District) to A-R (Agricultural Residential District) to divide property into 6 tracts. (Map 023/Parcel 002F1)**

Planning Staff Recommendation:

Approval w/ 1 condition

Planning Commission Recommendation:

Approval w/ 1 condition

Jamie Dove, Public Development Director, advised the applicant requested approval to rezone, approximately 13.78 acres from A-2 to A-R to split the property into six (6) lots. Staff recommended approval with one (1) condition.

- 1) All driveways must be approved by the Jackson County Road Department. Due to amount of proposed lots (that would not be fronting on an internal roadway), there needs to be a total of 3 shared driveways instead of 6 separate driveways.

Christopher Hamilton, County Attorney, opened the hearing for comment. Barry Lord, 437 Sam Brown Blvd, Commerce, GA addressed the board on behalf of the applicant. He requested a rezoning of the property from A-2 to A-R for six (6), individual, building lots. There was a brief discussion on the shared driveway. There was no other comment and there was no opposition. The public hearing was closed.

Commissioner Hardy made the motion, seconded by Commissioner Hix, to approve RZ-22-125 with one (1) condition.

- 1) All driveways must be approved by the Jackson County Road Department. Due to amount of proposed lots (that would not be fronting on an internal roadway), there needs to be a total of 3 shared driveways instead of 6 separate driveways.

Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 4 – 0)

- 12) **MA-22-0107 – Premier Construction Systems, Inc. (Scott Philips), Hwy. 129/Old Gainesville Hwy., Talmo, GA; 17.15 acres; change the Future Land Use Map from “Residential” to “Commercial” for 2 climate controlled self-storage facilities. (Map 101/Parcel 007 3)**

Planning Staff Recommendation: Denial
Planning Commission Recommendation: Denial

Jamie Dove, Public Development Manager, reported the applicant had submitted a request to table the application for further review. Commissioner Hix made the motion, seconded by Commissioner Seagraves, to table the request. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 4 – 0)

- 13) **MA-22-0108 – Valiant Services (David Elder), New Kings Bridge Rd., Athens, GA; 112.24 acres; change the Character Area Map from “Suburban” to “Agricultural” for a 8+ acre lot subdivision. (Map 028/Parcel 001)**

Planning Staff Recommendation: Approval
Planning Commission Recommendation: Approval

Jamie Dove, Public Development Director, presented the staff report. The applicant requested a map amendment from "Suburban" to "Agricultural" for larger acre splits. Staff and the Planning Commission recommended approval of the request. Christopher Hamilton, County Attorney, opened the public hearing for comment. David Elder, 123 Bear Creek Lane, spoke in support of the application. He noted this was a solid project and there were no additional impacts on New Kings Bridge Road. If approved, he planned to apply for an A-2 rezoning.

There was no opposition and the public hearing was closed. Commissioner Seagraves made the motion, seconded by Commissioner Hix, to approve MA-22-0108. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 4 – 0)

- 14) **MA-22-0109 – Valiant Services (David Elder), Corner of Hwy. 129/Tyler Way, Jefferson, GA; 6.427 acres; change the Future Land Use Map from "Residential" to "Commercial" for development of a commercial center. (Map 055/Parcel 002F1)**

Planning Staff Recommendation: Denial
Planning Commission Recommendation: Denial

Jamie Dove, Public Development Director, asked if the board wanted to combine MA-22-109 and MA-22-110 as they were from the same applicant and it was the same project. There was a consensus of the board to combine the public hearings. Ms. Dove explained the applicant requested approval to change the Future Land Use Map from Residential to Commercial for a future commercial rezoning. The Planning Staff and Planning Commission recommended denial.

Christopher Hamilton, County Attorney, opened the combined public hearing for comment. David Elder, 123 Bear Creek Lane, spoke and asked the board to table the request to allow time to reconfigure the project to allow for a vegetative buffer to separate the residential area from the proposed commercial development. There was no opposition and the public hearing was closed. Commissioner Seagraves made a motion, seconded by Chairman Crow, to table MA-22-0109 until the September. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 4 – 0)

- 15) **MA-22-0110 – Valiant Services (David Elder), Tyler Way/Tyra Lane, Jefferson, GA; 0.236 acre; change the Future Land Use Map from "Residential" to "Commercial" for development of a commercial center. (Map 055/Parcel 002F)**

Planning Staff Recommendation: Denial
Planning Commission Recommendation: Denial

Commissioner Seagraves made a motion, seconded by Chairman Crow, to table MA-22-0110 until the third Monday in September. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 4 – 0)

- 16) **Text Amendment – Amendments within Article 12 of the Unified Development Code pertaining to tree protection, tree canopy compliance, and tree replacement.**

Planning Staff Recommendation:

Approval

Planning Commission Recommendation:

Approval

Jamie Dove, Public Development Director, presented a proposed text amendment for Article 12 regarding trees to include buffers, tree protection, landscaping, etc. She explained the County currently allowed for tree density units and this text amendment would change the code to allow for tree canopy. Ms. Dove further explained that 20% of the canopy across a property uses would have to be retained on site. She further explained if pasture land was developed and there were no trees, then 20% of trees would need to be planted.

Lastly, Ms. Dove said if a developer claimed a property consisted of too much rock and trees would not survive, then the County would appoint an arborist to make the determination. If it was determined trees would not survive, then 20% could be donated to a public park. Planning Staff and Planning Commission recommended approval.

Christopher Hamilton, County Attorney, opened the public hearing for comment. No one spoke in support of the request. There was no opposition and the public hearing was closed. Chairman Crow made the motion, seconded by Commissioner Seagraves, to approve the text amendment. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 4 – 0)

- 17) **Cancellation of Development Moratorium:** **(Gina Roy)**
To consider approving the early cancellation of the one-year moratorium regarding development within unincorporated Jackson County that was enacted on September 20, 2021. The release date would be August 16, 2022.

Gina Roy, Assistant County Manager, advised a public hearing was not required for this item. She reminded members the commission tasked staff with updating the Unified Development Code and completing an Impact Study. Both were finalized. She asked for consideration to lift the moratorium that was set to expire on September 20, 2022. If approved, the release date would be August 16, 2022.

Commissioner Hix made a motion, seconded by Commissioner Hardy, to approve the release date of August 16, 2022 regarding the moratorium. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 4 – 0)

J. **EXECUTIVE SESSION:**

18) **There is a need for an executive session for land acquisition.**

Chairman Crow made a motion, seconded by Commissioner Hix, to enter into executive session for land acquisition. After meeting in closed for fifteen (15) minutes, there was a consensus to adjourn the closed session.

Kevin Poe, County Manager, made a recommendation to amend the agenda for board discussion to consider approval of a resolution to condemn 0.032 acres in fee simple from Parcel 3 for public improvements to Skelton Road now or formerly vested in Betty Timms Capes and the Estate of James Randolph Capes estimated just and adequate compensation by independent appraiser of \$1,500.00.

Commissioner Hix made the motion, seconded by Chairman Crow, to add Parcel 3 and Parcel 6 to the agenda. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 4 – 0)

Commissioner Hix moved to approve the recommendation for Parcel 3. Chairman Crow seconded the motion. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 4 – 0)

Kevin Poe, County Manager, requested approval of resolution to condemn 0.108 acres in fee simple from Parcel 6 for public improvements to Skelton Road now or formerly vested in Nicu Costache estimated just and adequate compensation by independent appraiser of \$5,700.00. Commissioner Hix moved to approve the recommendation for Parcel 6. Commissioner Seagraves seconded the motion. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 4 – 0)

K. **ADJOURNMENT:**

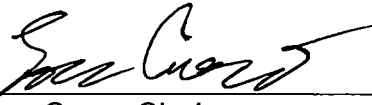
Chairman Crow declared the meeting adjourned at 7:13 pm.

All printed material/documentation presented is filed in Board Minute Addendum Book No. 13-R and hereby becomes a part of the official minutes.


Minutes Approved: Monday, September 19, 2022

Jackson County Board of Commissioners

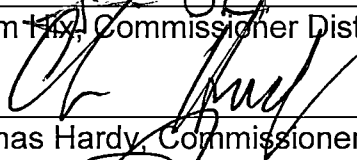




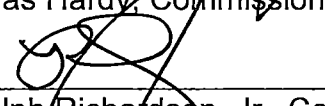
Tom Crow, Chairman



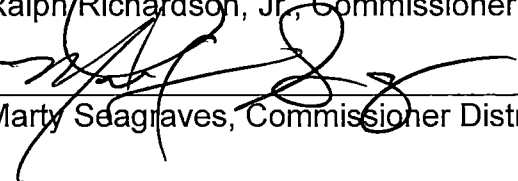
Jim Hardy, Commissioner District 1



Chas Hardy, Commissioner District 2



Ralph Richardson, Jr., Commissioner District 3



Marty Seagraves, Commissioner District 4

Attest: 

Ericka Johnson Deputy Clerk