



Jackson County Board of Commissioners

December 19, 2022 at 6:00 PM
Jury Assembly Room - County Courthouse

MINUTES

1. Call to Order - Chairman Tom Crow

Chairman Tom Crow called the meeting to order at 06:00 PM.

Commissioners	Chairman Tom Crow
Present:	Commissioner Jim Hix, District 1
	Commissioner Chas Hardy, District 2
	Commissioner Ralph Richardson, District 3
	Commissioner Marty Seagraves, District 4

Staff Present:	Kevin Poe, County Manager
	Gina Roy, Assistant County Manager
	Jamie Dove, Public Development Manager
	Ericka Johnson, Deputy Clerk

Press:	Mike Buffington, Mainstreet News/Jackson Herald
--------	---

2. Invocation - Kevin Poe, County Manager

Kevin Poe, County Manager, gave the invocation.

3. Pledge of Allegiance - Commissioner Jim Hix

Commissioner Jim Hix gave the invocation.

4. Approval of Minutes

- A. To consider approval of the minutes for December 5, 2022**
To approve the minutes for December 5, 2022

Commissioner Hix made the motion to approve the minutes for December 5, 2022. Commissioner Hardy seconded the motion. The vote was taken and the motion passed unanimously. (Vote 5 – 0)

5. Citizen Input

Each speaker is provided up to four (4) minutes to address the board on any item that is not listed on this agenda.

There were no comments.

6. Reports

Chairman Crow reported this was Commissioner Ralph Richardson's last meeting as his term ends on December 31, 2022. Commissioner Richardson served for eight years. The audience applauded him for his service. Commissioner Richardson said he was happy and thankful for all that was accomplished in the past year.

7. Recognitions, Appointments, and Special Items

A. Update on Economic Development Activity

John Scott, Director of Economic Development at the Jackson County Chamber of Commerce, will report on current activities.

John Scott, Economic Development Director, gave a brief report. Project activity was high and a lot of the projects were related to the electric vehicle industry, green-based projects, the food industry, and the residential housing industry. He informed members that Stephenson would be located in the former LP Plant. They had invested \$100 million and would hire 170 employees. Requests for Information (RFI) were received almost daily. He expected industrial real estate with speculative buildings to continue. He told members with higher interest rates it was harder to obtain financing. Water and sewer were noted as the biggest challenges.

B. Jackson County Airport Authority - 3 Year Term

To nominate an individual to serve a three-year term as the District 5 representative to the Jackson County Airport Authority.

- John Peebles - District 5 (Term expires December 31, 2022)

Chairman Crow moved to reappoint John Peebles to the Jackson County Airport. Commissioner Seagraves seconded the motion. The vote was taken and the motion passed unanimously. (Vote 5 – 0)

C. Jackson County Industrial Development Authority - 5 Year Term

To nominate individuals to serve as the District 1 and District 5 representative to the Jackson County I.D.A.

- Matt Benson - District 1 (Term expires December 31, 2022)
- Scott Martin - District 5 (Term expires December 31, 2023)

District 5:

Chairman Crow moved to appoint Steve Wittry as the District 5 representative to the Jackson County Industrial Development Authority. Commissioner Richardson seconded the motion. The vote was taken and the motion passed unanimously. (Vote 5 – 0)

District 1:

Commissioner Hix moved to reappoint Matt Benson as the District 1 representative to the Jackson County Industrial Development Authority. Chairman Crow seconded the motion. The vote was taken and the motion passed unanimously. (Vote 5 - 0)

D. Jackson County Parks & Recreation Advisory Board - 1 Year Term

To nominate individuals to serve a 1-year term on the Jackson County Parks & Recreation Advisory Board

- Roger Brock - District 1 (Term expires December 31, 2022)
- Josh Huskins - District 2 (Term expires December 31, 2022)
- Jimmy Peck - District 4 (Term expires December 31, 2022)
- Bucky Sorrow - District 5 (Term expires December 31, 2022)

District 1:

Commissioner Hix moved to reappoint Roger Brock to the Parks & Recreation Advisory Board. Chairman Crow seconded the motion. The vote was taken and the motion passed unanimously. (Vote 5 - 0)

District 2:

Commissioner Hardy moved to reappoint Josh Huskins to the Parks & Recreation Advisory Board. Chairman Crow seconded the motion. The vote was taken and the motion passed unanimously. (Vote 5 - 0)

District 4:

Commissioner Seagraves moved to reappoint Jimmy Peck to the Parks & Recreation Advisory Board. Chairman Tom Crow seconded the motion. The vote was taken and the motion passed unanimously. (Vote 5 - 0)

District 5:

Chairman Crow moved to reappoint Bucky Sorrow to the Parks & Recreation Advisory Board. Commissioner Seagraves seconded the motion. The vote was taken and the motion passed unanimously. (Vote 5 - 0)

E. Northeast Georgia Area Agency on Aging - 2 Year Term

To nominate an individual to serve a 2-year term on the Northeast Georgia Area Agency on Aging

- Brenda J Smith - (Term expires December 31, 2022)

Chairman Crow moved to reappoint Brenda J. Smith to the Northeast Georgia Area on Aging. Commissioner Richardson seconded the motion. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 5 - 0)

8. Consent Agenda

Commissioner Richardson moved to approve the Consent Agenda as presented. Chairman Crow seconded the motion. The vote was taken and the motion passed unanimously. (Vote 5 - 0)

A. Designate Wheeler Lane and Wheeler Cemetery Road as "No Thru Trucks"
Designate Wheeler Lane and Wheeler Cemetery Road as "No Thru Trucks"

B. 2023 Vehicles Purchase

To approve the purchase of vehicles to low bidder, Jefferson Motor, on bid #220029

C. Request to Add Custodian Position

To consider adding a Custodial position to the Facilities Maintenance staff

9. **Unfinished Business**

10. **New Business**

A. Language Access Plan (LAP) for the CDBG Senior Center Project

To consider the Chairman to sign the Language Access Plan (LAP) required by the Georgia Department of Community Affairs in conjunction with the Award of Community Development Block Grant (CDBG) Funds for the expansion of the Senior Center.

Gina Roy, Assistant County Manager, said this coincided with the Community Development Block Grant (CDBG) to expand the Senior Center. Part of the approval process for acceptance by the Georgia Department of Community Affairs required a Language Access Plan (LAP) and a contact person. The Chairman's signature was required on the document and Ms. Roy advised that she was the contact person. There were no questions. Chairman Crow moved to approve the Language Access Plan. Commissioner Hardy seconded the motion. The vote was taken and the motion passed unanimously. (Vote 5 – 0)

B. Land Donation Agreement - Fairview Community Center & Property

To approve Land Donation Agreement for the Fairview Community Center and Property

Kevin Poe, County Manager, reminded members that the board previously approved the acceptance of an offer from the Fairview Community Improvement Club to accept the donation of their existing community center and two (2) acres of property located at 102 Fairview Road. Mr. Poe explained this was a formal land donation agreement for approval in order to complete the transaction. The agreement noted the County would accept the property as-is. It also included the conditions that were included in the letter the Fairview Community Improvement Club provided to the board. The agreement will be contingent on the County completing its due-diligence on the property, to include a title opinion, a survey, and a Phase I environmental assessment. Mr. Poe recommended approval of the agreement and to authorize the Chairman to sign the agreement.

Chairman Crow moved to accept the land donation from the Fairview Community Center contingent upon that the due-diligence was satisfactory. Commissioner Richardson seconded the motion. The vote was taken and the motion passed unanimously. (Vote 5 - 0)

C. Local Option Sales Tax Certificate of Distribution - January 1, 2023 thru December 31, 2032

To consider approval of a new Local Option Sales Tax Certificate of Distribution for the time period January 1, 2023 - December 31, 2032

Kevin Poe, County Manager, reviewed a proposed Certificate of Distribution of the 1% Local Option Sales Tax for the time period January 1, 2023 to December 31, 2032. The certificate was a phased-in approach to the final formula for distribution. In the first year, the percentage of the tax to be distributed was 58% to the County and 42% to the various cities. In 2024, the County's percentage will be reduced to 56% and the rate for the cities will be 44%. In the years 2025-2032, the County's share will be 55% and the cities will receive 45%.. Mr. Poe had a certificate signed by all nine (9) cities. Staff recommended approval of the certificate as presented.

Chairman Crow moved to approve the LOST Certificate of Distribution as presented. Commissioner Richardson seconded the motion. The vote was taken and the motion passed unanimously. (Vote 5 - 0)

D. Memorandum of Understanding for Relocation of Right of Way and Guaranty

To consider approval of a MOU for Relocation of Right of Way and Guaranty between Jackson County and Jackson 337, LLC.

Kevin Poe, County Manager, presented the staff report for a request to approve a Memorandum of Understanding (MOU) with Jackson 337, LLC. He explained Jackson 337 LLC, had requested the partial abandonment, closing, upgrading, and realignment of Bill Wright Road in order to accommodate the concerns on a proposed warehouse distribution in the Valentine Business Center. Mr. Poe further explained the intent of the MOU was to confirm the County's agreement to close, abandon, and deed the abandoned road to the developer. The developer will provide the County with its written commitment to guarantee that the road will be relocated, improved, and reconstructed and then deed the new right-of-way to the County so the developer may proceed with closing on the property. Staff recommended approval.

Jamie Dove, Public Development Director, addressed the board to explain the next agenda item regarding Bill Wright Road. She said this was a request for a preliminary decision from the board to initiate staff to begin the road abandonment process. She reviewed Exhibit A, which was highlighted in red and indicated the existing portion of Bill Wright Road to be abandoned. The highlighted portion in green would be the newly proposed Bill Wright Road. She reiterated this would begin the process.

Chairman Crow moved to approve the MOU for the relocation of right-of-way. Commissioner Hix seconded the motion. The vote was taken and the motion passed unanimously. (5 – 0)

E. Request to Determine if a Portion of Bill Wright Road meets Criteria for Abandonment

A determination from the Jackson County BOC on whether or not a portion of Bill Wright Road meets criteria for abandonment. The subject portion of Bill Wright Road comes off of Valentine Industrial Parkway. The portion of the roadway has varying right-of-way. Please see the attached Exhibit "A" for visuals of the abandonment proposal. The proposed abandonment is shown highlighted in red.

Chairman Crow moved to start the process of abandoning the existing location of Bill Wright Road. Commissioner Hix seconded the motion. The vote was taken

and the motion passed unanimously.
(Vote 5 -0)

11. Zoning Related Business

A. New Business

1. SU-22-0043 – Shannon Skelton:

Shannon Skelton, 2564 Gum Springs Church Road, Jefferson, GA; 10.963 acres; special use permit for a wedding venue. (Map 107/Parcel 009R) Jamie Dove, Public Development Director, presented the staff report. The applicant requested approval of a special use to be able to operate a wedding/event venue. Staff recommended approval with six (6) conditions.

1. There shall be no more than 225 guests on the property for an event.
2. Only one event shall be in operation at any given time.
3. Hours of operation shall be Sunday through Thursday no earlier than 9 a.m. and no later than 9 p.m.; Friday and Saturday no earlier than 9 a.m. and no later than 10:30 p.m.
4. Any structure that will be used in relation to the events must be inspected by Jackson County Building Department, or designee, to assure compliancy for assembly and use, before any event is held.
5. Site plan is to be submitted prior to any events occurring to highlight parking (including handicap).
6. If Special Use is approved, applicant must go through non-residential driveway permit review with Jackson County Government.

The Planning Commission recommended denial of the request. Christopher Hamilton, County Attorney, explained the public hearing rules for all of the scheduled public hearings on the agenda. He then opened the public hearing for comment. Stanton Porter, 73 Church Street, Winder, GA spoke in support of the application. He told how the applicant desired to use their eleven (11) acres as a wedding/event venue. He believed there was ample property and this would be a good project and appropriate with the recommended conditions. He reserved the balance of his time for rebuttal.

Mr. Hamilton called for individuals who wished to speak in favor of the request. Shannon Skelton, 2564 Gum Springs Church Road, spoke and noted they purchased the property in 2020. She told how they had received inquiries about whether their property was a wedding venue, after posting their personal wedding photos that were taken on the property. She asked the board for approval of the request. Mr. Hamilton called for opposition. Phil Page, 2681 Gum Springs Church Road, spoke in opposition. He urged the board to consider the impact to adjoining property owners. Phil Cashin, 251 Stephanie Lane,

reported this project was not a community necessity. Berchal Francis, 2616 Gum Spring Church Road, was also opposed to the request. Stella Page, 65 Stephanie Lane, was also opposed to the request. Mr. Porter used his remaining time to speak in rebuttal to address concerns. The public hearing was closed and the request submitted to the board for consideration.

Commissioner Richardson was inclined to follow the recommendation of the Planning Commission. He then moved to deny SU-22-0043. Commissioner Seagraves seconded the motion. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 5 – 0)

2. RZ-22-0139 – Chris Martin:

Chris Martin, 1725 Lebanon Church Road, Jefferson, GA; 7.43 acres; rezone from NRC to AR due to not requiring a commercial zoning for current use of the property. (Map 057/Parcel 003D)

Jamie Dove, Public Development Director, presented the staff report for RZ-22-0139. The applicant requested a rezone from NRC to A-R, which was agricultural/residential on Lebanon Church Road. Ms. Dove said this property was zoned NRC and was not being used for that purpose. She also reported that individuals with a commercial zoning were unable to refinance their homes with banks due to the designated zoning. The Planning Staff and Planning Commission recommended approval. Christopher Hamilton, County Attorney, opened the public hearing for comment. Chris Martin, 1725 Lebanon Church Road, did not have anything to add to the presentation. There was no opposition to the request and the public hearing was closed.

Commissioner Seagraves moved to approve RZ-22-0139. Commissioner Richardson seconded the motion. The vote was taken and the motion passed unanimously. (Vote 5 – 0)

3. RZ-22-0154 – Elizabeth Waldrop:

Elizabeth Waldrop, 888 Johnson Mill Road, Jefferson, GA; 7.16 acres; rezone from A-2 to MH in order to subdivide into three tracts and have a manufactured home. (Map 070/Parcel 015)

Jamie Dove, Public Development Director, presented the staff report for RZ-22-0154. She reported the applicant requested a rezoning from A-2 to MH to split the property into three (3) tracts and put a mobile home on one of the tracts. The Planning Staff and Planning Commission recommended approval. Christopher Hamilton, County Attorney, opened the public hearing for comment. Elizabeth Waldrop, 854 Johnson Mill Road, requested approval of the request. Mr. Hamilton called for opposition. Thomas Cassell, 789 Johnson Mill Road, was opposed to the request. He believed the mobile home would significantly decrease the value of his home.

Ms. Waldrop spoke in rebuttal. She added there were several mobile homes in the area. There were no other comments and the public hearing was closed. Commissioner Seagraves moved to approve RZ-0154. Commissioner Hix seconded the motion. The vote was taken and the motion passed unanimously. (Vote 5 – 0)

4. RZ-22-0155 – David and Aleksandr Danilchuk:

David and Aleksandr Danilchuk, 252 Cecil Clark Road, Braselton, GA; 3.86 acres; rezone from PCFD to AR in order to subdivide into two tracts. (Map 118/Parcel 047F1B)

Jamie Dove, Public Development Director, presented the staff report for RZ-22-0155. The applicant requested a rezoning from PCFD to A-R in order to split the property into two (2) tracts. The Planning Staff and Planning Commission recommended approval. Christopher Hamilton, County Attorney, opened the public hearing for comment. The applicant was not present. There was no opposition and the public hearing was closed. Commissioner Richardson moved to approve RZ-22-0155. Commissioner Seagraves seconded the motion. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 5 - 0)

5. RZ-22-0156 – Tammy McBerry and Martha Threat:

Tammy McBerry & Martha Threatt, 46 Wilson Garage Road, Commerce, GA; 3.02 acres; rezone from A-2 to R-1 in order to subdivide into two tracts. (Map 034/Parcel 033B)

Jamie Dove, Public Development Director, presented the staff report for RZ-22-0156. The applicant requested approval of a rezoning from A-2 to R-1 to split the property into two (2) lots. The Planning Staff and Planning Commission recommended approval. Christopher Hamilton, County Attorney, opened the public hearing for comment. Tammy McBerry, 46 Wilson Garage Road, Commerce, GA and Martha Threatt, 136 Wrights Mill Road, Commerce, GA addressed the board in support of the application. Mr. Hamilton called for opposition. There was no opposition and the public hearing was closed.

Commissioner Hardy moved to approve RZ-22-0156 to rezone from A-2 to R-1 in order to subdivide the property into two (2) tracts. Commissioner Hix seconded the motion. The vote was taken and the motion passed unanimously. (Vote 5 - 0)

6. RZ-22-0157 – Danny Nash:

Danny Nash, 1227 McNeal Road, Hoschton, GA; 7.5 acres; rezone from A-2 to R-1 in order to subdivide into four tracts. (Map 103/Parcel 010)

Jamie Dove, Public Development Director, presented the staff report for RZ-22-157. She said the applicant was Tonya Wood, who requested a rezoning from A-2 to R-1 in order to subdivide the property into four (4) tracts. The Planning Staff and Planning Commission recommended approval with one (1) condition.

1. All driveways must be approved by Jackson County Road Department. Due to the amount of road frontage, there needs to be a total of 2 shared driveways instead of 4 separate driveways.

Christopher Hamilton, County Attorney, opened the public hearing for comment. Tonya Woods, with Thomas and Hutton, located at 5074 Bristol Industrial Way, Buford, GA. She was with the civil engineering firm and addressed the board in support of the application. She was amenable to the condition for the shared driveway. Mr. Hamilton called for opposition. There was no opposition and the public hearing was closed.

Commissioner Richardson said he was not a fan of shared driveways, but because of the traffic that existed on McNeal Road, he made the motion to approve RZ-22-0157 with one (1) condition as recommended by the Planning Staff and Planning Commission.

1. All driveways must be approved by Jackson County Road Department. Due to the amount of road frontage, there needs to be a total of 2 shared driveways instead of 4 separate driveways.

Commissioner Seagraves seconded the motion. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 5 - 0)

7. MA-22-0115 – William Conzales-Salinas:

Willian Gonzalez-Salinas, 1658 Hwy 124 W, Jefferson, GA; 2.51 acres; change the Character Area Map from "Rural" to "Suburban". (Map 094/Parcel 018A)
Jamie Dove, Public Development Director, presented the staff report for MA-22-01156. She reported the applicant requested approval of a map amendment to change the Character Area Map from rural to suburban. If approved, the applicant would most likely seek an R-1 zoning to be able to split the property. The Planning Staff and Planning Commission recommended denial of the request.

Christopher Hamilton, County Attorney, opened the public hearing for comment. William Gonzales-Salinas, 3988 Hwy. 124, addressed the board in support of the application. He said if approved, he would apply for a rezoning and would agree to any recommended conditions. Mr. Hamilton called for opposition. There was no opposition and the public hearing was closed.

Commissioner Hix moved to deny MA-22-0115. Commissioner Hardy seconded the motion. The vote was taken and the motion passed unanimously. (Vote 5 - 0)

8. MA-22-0116 – Young Lee:

Young Lee, 106 Boone Road, Hoschton, GA; 21.16 acres; change the Future Land Use Map from "Agricultural/Forestry" to "Residential". (Map 112/Parcel 044A)

Jamie Dove, Public Development Director, addressed the board and presented the staff report for MA-22-0116. She explained the applicant requested approval of a map amendment to the Future Land Use Map from agricultural/forestry to agricultural in order to construct a single-family residential subdivision. The Planning Staff recommended denial and the Planning Commission recommended approval. Christopher Hamilton, County Attorney, opened the public hearing for comment. Ben Kim, 4001 Poplar Grove Place, Duluth, GA addressed the board on behalf of the property owner. He requested approval of the request. He said the intent was to change the property to R-1 and split the property into twenty (20) parcels for single-family housing with septic tanks. There were no questions for the applicant.

Mr. Hamilton called for opposition. There was no opposition to the request and the public hearing was closed.

Commissioner Richardson moved to deny MA-22-0116. Commissioner Seagraves seconded the motion. The vote was taken and the motion passed. Commissioners Hix, Hardy, Seagraves, and Richardson voted in favor of the motion. Chairman Crow voted nay. (Vote 4 – 1)

9. MA-22-0117 – Will White:

Will White, Woods Bridge Road & Hwy. 82 Spur Commerce, GA; 9.47 acres; change the Character Area Map from "Rural" to "Suburban". (Map 048/Parcel 021A)

Jamie Dove, Public Development Director, addressed the board and presented the staff report from MA-22-0117. She said the property owner and applicant requested approval of the map amendment change to the Character Area Map to go from rural to suburban in order to go to an R-1 zoning, if approved. Both the Planning Staff and the Planning Commission recommended approval. Christopher Hamilton, County Attorney, opened the public hearing for comment. Will White, 425 Spring Street, Gainesville, GA addressed the board in support of the application. He said if approved, he would come back before the board with an R-1 proposal.

Mr. Hamilton called for opposition. Gerald Jones, 832 Duncan Road, was opposed to the request. He told the board about all of the agricultural activities in the area. He did not think people would want to live near the nearby chicken houses. Paul McClain, 5678 Hwy. 82 Spur, was also opposed to the request. He also owned 5688 Hwy. 82 Spur. and both properties bordered the entire left side of the tract the applicant desired to develop. He stated this was not the right location for a subdivision. Gerald Jones, 832 Duncan Road, spoke again and told the board that many people had tried to purchase the property, but they wanted too much for it. Mr. White spoke in rebuttal to the concerns mentioned. There was no other comment and the public hearing was closed. Commissioner Hardy moved to deny MA-22-0117. Commissioner Hix seconded the motion. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 5 - 0)

12. **Executive Session**

A. There is a need for an Executive Session for Real Estate Acquisition and Personnel.

To meet in closed session to discuss real estate acquisition and personnel.

There was a consensus of the board to enter into closed session to discuss real estate acquisition and personnel. After meeting in closed session for twenty (20) minutes, the board exited the closed session with no action to report.

13. **Adjournment**

Chairman Crow declared the meeting adjourned at 8:20 p.m.

Minutes Approved: January 23, 2023

Jackson County Board of Commissioners



Attest: Ericka Johnson
Ericka Johnson, Deputy Clerk

Tom Crow

Tom Crow, Chairman

Jim Hix

Jim Hix, District 1 Commissioner

Chas Hardy

Chas Hardy, District 2 Commissioner

Chad Bingham

Chad Bingham, District 3 Commissioner

Marty Seagraves

Marty Seagraves, District 4 Commissioner

Marty Clark

Marty Clark, District 5 Commissioner

