



Jackson County Board of Commissioners

February 20, 2023 at 6:00 PM
Jury Assembly Room - County Courthouse

MINUTES

1. Call to Order – Vice-Chairman Hix

Vice-Chairman Jim Hix called the meeting to order at 06:00 PM.

Commissioners Present: Jim Hix, Vice-Chairman and District 1 Commissioner
Chas Hardy, District 2 Commissioner
Chad Bingham, District 3 Commissioner
Marty Seagraves, District 4 Commissioner
Marty Clark, District 5 Commissioner

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 Chad Bingham

Commissioner Bingham led the Pledge of Allegiance.

4. Approval of Minutes

A. Minutes for February 6, 2023

To approve the minutes for February 6, 2023

Commissioner Bingham moved to approve the minutes for February 6, 2023. 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

From Commissioner Chad Bingham:

Commissioner Bingham reported BraseltonTec, a private-public initiative in partnership with the Advanced Technology Development Center (ATDC) headquartered at Georgia-Tech, was bringing in organizations and funding to work with entrepreneurs to help accelerate their businesses. The group from Georgia Tech had raised over \$3 billion dollars in the past several years. Commissioner Bingham reported their next meeting would be on March 9, 2023 at 7:00 p.m. at the Braselton Civic Center.

7. Recognitions, Appointments, and Special Items

A. Jackson County Planning Commission - 3 Year Term:

To nominate an individual to serve the unexpired term as the District 1 representative to the Jackson County Planning Commission.

- **Vacant - District 1 (Term expires December 31, 2024)**

Commissioner Hix moved to appoint Phil Page to the Jackson County Planning Commission. Commissioner Clark seconded the motion. The vote was taken and the motion passed unanimously. (Vote 5 – 0)

8. Consent Agenda

Commissioner Hardy moved to approve the Consent Agenda as presented. Commissioner Bingham seconded the motion. The vote was taken and the motion passed unanimously. (Vote 5 – 0)

A. Encroachment and Indemnification Agreement Between Traditions of Braselton and Jackson County

To request that the Board of Commissioners approve an Encroachment and Indemnification Agreement with Traditions of Braselton related to the installation and maintenance of landscaping, wayfinding signage, and structures within the County's right-of-way.

B. Approve additional roads to be paved in FY2023

To request that the Board of Commissioners approve the attached list of roads for paving in 2023

9. Unfinished Business

A. Consider request from City of Jefferson for Economic Development Bond funding

To consider a request from the City of Jefferson to amend the list of projects to be funded by Economic Development Bond funds in order to provide funding for the construction of the new Gateway Road.

Commissioner Clark moved to table the request until the board can meet with the IDA to discuss it. Commissioner Seagraves seconded the motion. The vote was taken and the motion passed unanimously. (Vote 5 – 0)

10. New Business

A. Equipment trailer for Road Dept.

To approve order of equipment trailer for the Road Dept.

Kevin Poe, County Manager, presented the staff report for the purchase of an equipment trailer for the Road Department. Four (4) bids were received, and the low bidder was Tractor & Trailer Equipment Co. Commissioner Hardy moved to award the bid to Tractor & Trailer Equipment Co. Commissioner Clark seconded the motion. The vote was taken and the motion passed unanimously. (Vote 5 – 0)

B. Creation of a Street Light Special Tax District for The Estates at Brockton Loop Subdivision

To authorize the Chairperson to establish a special tax district for street lights for “The Estates at Brockton Loop” Subdivision. An application has been submitted by Samantha Voda as authorized representative.

Jamie Dove, Public Development Director, presented the staff report for the request. She explained this was an application for streetlights for a built-out subdivision. The citizens wanted this to be a part of their tax bill rather than paying it out of the Homeowner's Association. Christopher Hamilton, County Attorney, opened the public hearing for comment. There was no comments and the public hearing was closed.

Commissioner Seagraves moved to approve the request. Commissioner Clark seconded the motion. The vote was taken and the motion passed unanimously. (Vote 5 – 0)

C. Creation of a Street Light Special Tax District for The Oaks at Belmont Subdivision

To authorize the Chairperson to establish a special tax district for street lights for “The Oaks at Belmont” Subdivision. An application has been submitted by Danny Nash as authorized representative.

Jamie Dove, Public Development Director, presented the staff report. She explained this was required before plat approval. The subdivision will have 23 lots and 14 total lights. Christopher Hamilton, County Attorney, opened the public hearing for comment. There were no comments and the public hearing was closed. Commissioner Clark moved to approve the request. Commissioner Hardy seconded the motion. The vote was taken and the motion passed unanimously. (Vote 5 – 0)

11. Zoning Related Business

A. New Business

Commissioner Hardy moved to approve moving Item #16 to Item #1 on the Zoning Related Business Agenda. Commissioner Seagraves seconded the motion. The vote was taken and the motion passed. (Vote 5 – 0)

16. MA-22-0118 – 8384 Holly Springs Road, Maysville, 71.9 acres; (Map 87/Parcel 016)

Change the character area map from “agricultural” to “rural”

Jamie Dove, Public Development Director, advised the applicant had submitted a letter of withdrawal. Commissioner Clark moved to accept the withdrawal without prejudice for MA-22-0118. Commissioner Seagraves seconded the motion. The vote was taken and the motion passed unanimously. (Vote 5 – 0)

1. RZ-22-0158 – Willian Gonzalez-Salinas, 3988 Highway 124 West, Jefferson, GA (Map 105/Parcel 025A)

Rezone from A-2 (Agricultural Rural Farm District) to R-1 (Single-family Detached) in order to subdivide into 2 tracts and add the remaining acreage to an adjacent parcel

Jamie Dove, Public Development Director, presented the staff report for RZ-22-0158. She reported that the Planning Staff recommended approval with one (1) condition that 1) All driveways must be approved by the Georgia Department of Transportation. There needs to be a total of 1 shared driveway instead of 2 separate driveways. However, the Planning Commission recommended approval with the rewording of one (1) condition that 1) All driveways must be approved by the Georgia Department of Transportation.

Christopher Hamilton, County Attorney, opened the public hearing for comment. A public hearing was held for RZ-22-0158. William Gonzales, 3988 Hwy. 124 West, Jefferson, spoke in support of the application. Alisha McCreery, who resided at 200 Clover Mill Drive, spoke in opposition. There was no other comment and the public hearing was closed. Commissioner Clark moved to approve RZ-22-0158 with the Planning Commission's recommended condition.

1) All driveways must be approved by the Georgia Department of Transportation.

Commissioner Hardy seconded the motion. The vote was taken and the motion passed unanimously. (Vote 5 – 0)

2. RZ-22-0159 – Willian Gonzalez-Salinas, 3984 Highway 124 West, Jefferson, GA (Map 105/Parcel 025)

To rezone from A-2 (Agricultural Rural Farm District) to R-1 (Single-family Detached) in order to subdivide into 11 tracts

Jamie Dove, Public Development Director, presented the staff report. This was a request to subdivide the property into 11 tracts. The applicant submitted a letter with his rebuttal to the opposition. The Planning Staff recommended approval with one (1) condition. 1) There shall be a no access easement on Highway 124 for any lot. An internal roadway must be utilized by all lots. The Planning Commission recommended approval with four (4) conditions. 1) There shall be a no access easement on Highway 124 for any lot. An internal roadway must be utilized by all lots. 2) There shall be no access from Clover Mill Drive. 3) There shall be a 50-foot undisturbed buffer in place adjacent to all parcels platted in

Clover Mill Subdivision. 4) The natural pond located on the property must be kept as an amenity.

Christopher Hamilton, County Attorney, opened the public hearing for comment. William Gonzales, reminded members of the letter he submitted. The attorney advised that the letter was a part of the record. Mr. Hamilton called for opposition. Alisha McCreery, 200 Clover Mill Drive, Jefferson, GA spoke in opposition. She said the Clover Mill HOA was not objecting to an R-1 zoning reclassification. However, they wanted conditions that were outlined in a submitted letter. Laura Wilson, 168 Clover Mill Drive, also spoke in opposition. Mr. Gonzales-Salinas spoke in rebuttal. Afterwards, the public hearing was closed.

Commissioner Clark moved to approve RZ-22-0159 with the staff's recommended condition and the Planning Commission's recommended conditions with an additional condition that the maximum amount of lots will be 11, which is proposed. Commissioner Seagraves seconded the motion. The vote was taken and the motion passed unanimously. (Vote 5 – 0)

3. **RZ-22-0160 – Victor Beltran, 7001 Jackson Trail Road, Hoschton, GA (Map 114/Parcel 018R)**
To rezone from A-2 (Agricultural Rural Farm District) to R-1 (Single-family Detached) in order to subdivide into 2 tracts

Jamie Dove, Public Development Director, presented the staff report. The applicant wanted to subdivide the property into two (2) tracts. The Planning Staff and Planning Commission recommended approval. Christopher Hamilton, County Attorney, opened the public hearing for comment. Victor Beltran, 7001 Jackson Trail Road, Hoschton, addressed the board in support of the application. Mr. Hamilton called for opposition. There was no opposition and the public hearing was closed.

Commissioner Bingham moved to approve RZ-22-0160. Commissioner Hardy seconded the motion. The vote was taken and the motion passed unanimously. (Vote 5 – 0)

4. **RZ-22-0162 – Big Sandy Creek, LLC (Robert Loudermilk), Cooper Farm Road, Nicholson, GA (Map 005/Parcel 001E)**
To rezone from PCFD (Planned Commercial Farm District) to A-2 (Agricultural Rural Farm District) in order to subdivide into 10 tracts with 8-acre minimum lots

Jamie Dove, Public Development Director, presented the staff report. The applicant requested approval from PCFR to A-2 in order to subdivide the property into ten (10) tracts. Christopher Hamilton, County Attorney, opened the public hearing for comment. Chip Pottinger, 650 West Powder Horn Road, Atlanta, GA spoke in support of the request. Mr. Hamilton called for opposition. There was none and the public hearing was closed. Commissioner Seagraves moved to approve RZ-22-0162. Commissioner Bingham seconded the motion. The vote was taken and the motion passed unanimously. (Vote 5 – 0)

5. **RZ-22-0163 – Regal Investment Holdings, LLC (Samuel Park), 163 Julia Lane, Hoschton, GA (Map 105/Parcel 004H)**
To rezone from A-2 (Agricultural Rural Farm District) to CRC (Community Retail Commercial) in order to operate a convenience store and self-storage facilities

Jamie Dove, Public Development Director, advised Items #5, #6, and #7 were all one project. She asked if the board wanted to combine the public hearing. There was a consensus of the board to have one public hearing. The applicant was also amendable to combine the public hearing. Ms. Dove proceeded and presented the staff report. The Planning Staff and Planning Commission recommended approval. Christopher Hamilton, County Attorney, opened the public hearing for comment. Carla Baker, 5241 Hampton Mill Drive, Flowery Branch, GA spoke in support of the application. There was no opposition and the public hearing was closed. Commissioner Bingham moved to approve RZ-22-0163. Commissioner Hardy seconded the motion. The vote was taken and the motion passed unanimously. (Vote 5 – 0)

6. **RZ-22-0164 – Regal Investment Holdings, LLC (Samuel Park), 157 Julia Lane, Hoschton, GA (Map 105/Parcel 004G1)**
To rezone from A-2 (Agricultural Rural Farm District) to CRC (Community Retail Commercial) in order to operate a convenience store and self-storage facilities

Commissioner Bingham moved to approve RZ-22-0164. Commissioner Hardy seconded the motion. The vote was taken and the motion passed unanimously. (Vote 5 – 0)

7. **RZ-22-0165 – Regal Investment Holdings, LLC (Samuel Park), Julia Lane/Highway 124 West, Hoschton, GA (Map 105/Parcel 004G2)**
To rezone from A-2 (Agricultural Rural Farm District) to CRC (Community Retail Commercial) in order to operate a convenience store and self-storage facilities

Commissioner Bingham moved to approve RZ-22-0165. Commissioner Hardy seconded the motion. The vote was taken and the motion passed unanimously. (Vote 5 – 0)

8. **RZ-22-0161 – CC Real Properties, LLC (Pearl Cai), 5279 Highway 332, Hoschton, GA (Map 105/Parcel 018B)**
To rezone from R-1 (Single-family Detached) to A-2 (Agricultural Rural Farm District) in order to operate an event venue

Jamie Dove, Public Development Director, advised RZ-22-0161 and SU-22-0045 were the same project. There were no objections to combining the public hearing. Ms. Dove presented the staff report and noted the Special Use was dependent upon the approval of the rezoning. The Planning Staff and Planning

Commissioner recommended approval of the rezoning request. And, the Planning Staff and Planning Commission recommended approval of the special use with three (3) 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.

Christopher Hamilton, County Attorney, opened the public hearing for comment. There were no comments in favor of or in opposition of the request. The public hearing was closed and the request submitted to the board for consideration. Commissioner Bingham moved to approve RZ-22-0161. Commissioner Clark seconded the motion. The vote was taken and the motion passed unanimously. (Vote 5 – 0)

9. **SU-22-0045 – CC Real Properties, LLC (Pearl Cai), 5279 Highway 332, Hoschton, GA (Map 105/Parcel 018B)**
To request to operate an event venue

Commissioner Bingham moved to approve SU-22-0045 with 3 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. Commissioner Clark seconded the motion. The vote was taken and the motion passed unanimously. (Vote 5 – 0)

10. **RZ-22-0166 – CalMat Co. (Jimmy Fleming), Valentine Industrial Parkway, Jefferson, GA (Map 092/Parcel 003 1)**
To request for a HI (Heavy Industrial) zoning as part of the deannexation process from the City of Jefferson

Jamie Dove, Public Development Director, advised RZ-22-0166 and SU-22-0046 were the same project. She added the special use was dependent on the approval of the rezoning request. There was a consensus to combine the public hearing. The Planning Staff and the Planning Commission recommended approval with eight (8) conditions.

- 1) If Valentine Industrial Parkway is to be used for any access to the project site, the road will need to be improved and brought up to standards as required by the Jackson County Road Department
- 2) Vulcan to install auxiliary lane for right hand turns into the site as suggested in Traffic Study.
- 3) Within 180 days Vulcan will submit a plan to the Public Development Department for proper screening of the area bordering Interstate 85. It is necessary to wait to determine appropriate screening in order to consider the effectiveness of spring and summer foliage.
- 4) Vulcan will donate 50 feet of right of way from the current centerline of Valentine Industrial Parkway.
- 5) Illumination on the site will utilize "Dark Sky" measures to direct light towards the ground.

- 6) The tenant traffic ingress and egress will be aligned with the signalized intersection of Valentine Industrial Parkway and Concord Road.
- 7) Vulcan will agree to pay the full cost of updating the signal from a three-way signal to a four-way signal.
- 8) A full site plan will be submitted to the Public Development Department demonstrating compliance with all provisions required in the ordinance.

Christopher Hamilton, County Attorney, opened the combined public hearing David Ellison, 2500 Daniells Bridge Road, Athens, GA spoke in support of the application. There was no opposition to the request and the public hearing was closed. Commissioner Hix moved to approve RZ-22-0166 with the eight (8) recommended conditions. Commissioner Hardy seconded the motion. The vote was taken and the motion passed unanimously. (Vote 5 – 0)

11. SU-22-0046 – CalMat Co. (Jimmy Fleming), Valentine Industrial Parkway, Jefferson, GA (Map 092/Parcel 003 1)
To request to operate and expand an existing mining operation

Commissioner Hix moved to approve SU-22-0046 with the recommended conditions. Commissioner Hardy seconded the motion. The vote was taken and the motion passed unanimously. (Vote 5 – 0)

12. RZ-22-0169 – 6485 Highway 124 W, Hoschton, 3.9 acres; (Map 105/Parcel 001C)
Rezone from A-2 (Agricultural Rural Farm District) to CRC (Community Retail Commercial) in order to have a self-service storage facility

Jamie Dove, Public Development Director, presented the staff report for RZ-22-0169. The applicant requested a rezoning from A-2 to CRC in order to have a self-storage facility. Christopher Hamilton, County Attorney, opened the public hearing for comment. Joseph Ghobrial, 3225 Shallowford, Road, Marietta, GA spoke in support of the application. There was no opposition and the public hearing was closed. Commissioner Bingham moved to approve RZ-22-0169. Commissioner Clark seconded the motion. The vote was taken and the motion passed unanimously. (Vote 5 – 0)

13. RZ-22-0170 – 3934 Plainview Road, Maysville, 8.1 acres; (Map 076/Parcel 020D)
Rezone from A-2 (Agricultural Rural Farm District) to MH (Manufactured Housing) in order to subdivide into 3 lots

Jamie Dove, Public Development Director, presented the staff report for RZ-22-0170. The applicant desired a rezoning from A-2 to M-H to potentially divide the property into three (3) lots. The Planning Staff and Planning Commission recommended approval. Christopher Hamilton, County Attorney, opened the public hearing for comment. Andrew Barrett, 201 Little River Farms Trail, Canton, GA addressed the board in support of the application. There was no opposition to the request and the public hearing was closed.

Commissioner Hardy moved to approve RZ-22-0170. Commissioner Bingham seconded the motion. The vote was taken and the motion passed

unanimously. (Vote 5 – 0)

14. RZ-22-0171 – 27 Erastus Church Road, Commerce, 5.79 acres; (Map 004/Parcel 008)

Rezone from PCFD (Planned Commercial Farm District) to A-2 (Agricultural Rural Farm District) in order to subdivide into 1 smaller lot and to add the remaining acreage to an adjacent parcel

Jamie Dove, Public Development Director, presented the staff report for RZ-22-0171. The applicant requested a rezoning from PCFD to A-2 in order to subdivide into one smaller lot and add the remaining acreage to an adjacent parcel. The Planning Staff and Planning Commission recommended approval with one (1) condition: 1) No additional parcels are to be created. Per the concept plan, the house will remain on a smaller piece that conforms to the A-2 minimum (1.5 acres) and the remainder will be combined with an abutting A-2 piece.

Christopher Hamilton, County Attorney, opened the public hearing for comment. Barry Lord, 437 Sam Brown Blvd, Commerce, GA spoke in support of the request. There was no opposition to the request and the public hearing was closed. Commissioner Seagraves moved to approve RZ-22-0171 with the one (1) recommended condition: 1) No additional parcels are to be created. Per the concept plan, the house will remain on a smaller piece that conforms to the A-2 minimum (1.5 acres) and the remainder will be combined with an abutting A-2 piece. Commissioner Clark seconded the motion. The vote was taken and the motion passed unanimously. (Vote 5 – 0)

15. RZ-22-0172 – 7957 Highway 53, Braselton, 1.4 acres; (Map 118/Parcel 001A)

Rezone from A-2 (Agricultural Rural Farm District) to CRC (Community Retail Commercial) in order to have a gun shop

Jamie Dove, Public Development Director, presented the staff report for RZ-22-0172. The applicant requested approval of a rezoning from A-2 to CRC in order to have a gun shop on the property in an existing building that was previously a business. The Planning Staff and the Planning Commission recommended approval with three (3) conditions. 1) Vegetative or structural buffer must be installed/erected prior to issuance of occupational tax certificate. 2) Site plan is to be submitted prior to any occupational tax certificate is issued to highlight parking (including handicap). 3) Building must be inspected by Jackson County Building Department, or designee, to assure compliancy for use prior to issuance of occupational tax certificate.

Christopher Hamilton, County Attorney, opened the public hearing. Jesse Wheeler, 791 New Cut Road, Braselton, GA spoke in support of the application. There was no opposition and the public hearing was closed. There was no opposition and the public hearing was closed. Commissioner Bingham moved to approve RZ-22-0172 with the Staff's recommended conditions. 1) Vegetative or structural buffer must be installed/erected prior to issuance of occupational tax certificate. 2) Site plan is to be submitted prior to any occupational tax certificate is issued to highlight parking (including handicap). 3) Building must be inspected by Jackson County Building Department, or

designee, to assure compliancy for use prior to issuance of occupational tax certificate. Commissioner Clark seconded the motion. The vote was taken and the motion passed unanimously. (Vote 5 – 0)

12. Adjournment

Vice-Chairman Hix declared the meeting adjourned at 7:08 PM.

Minutes Approved: Monday, March 6, 2023

JACKSON COUNTY BOARD OF COMMISSIONERS



Tom Crow, Chairman

Jim Hix, Commissioner District 1

Chas Hardy, Commissioner District 2

Chad Bingham, Commissioner District 3

Marty Seagraves, Commissioner District 4

Marty Clark, Commissioner District 5

Attest:

Ericka Johnson
Ericka Johnson, Deputy Clerk