



Jackson County Board of Commissioners

April 17, 2023 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 6:00 p.m.

Commissioners Present: Chairman Tom Crow

Commissioner Jim Hix, District 1

Commissioner Chas Hardy, District 2

Commissioner Chad Bingham, District 3

Commissioner Marty Seagraves, District 4

Commissioner Marty Clark, District 5

Staff Present:

Gina Roy, Assistant County Manager

Jamie Dove, Public Development Manager

Ericka Johnson, Deputy Clerk

Press:

Mike Buffington, Mainstreet News/Jackson Herald

2. Invocation - Commissioner Jim Hix

Commissioner Jim Hix gave the invocation.

3. Pledge of Allegiance - Commissioner Marty Clark

Commissioner Marty Clark led the Pledge of Allegiance.

4. Approval of Minutes

A. Minutes for April 3, 2023

To approve the minutes for April 6, 2023

Commissioner Clark moved to approve the minutes for April 3, 2023. Commissioner Seagraves seconded the motion. The vote was taken and the motion passed unanimously. (Vote 6 – 0 – 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

There were no reports.

7. Consent Agenda

Commissioner Bingham moved to approve the Consent Agenda as presented. Commissioner Clark seconded the motion. The vote was taken and the motion passed unanimously.
(Vote 6 – 0 – 0)

A. Architectural Services for New Airport Terminal

To consider contracting with Goodwyn Mills Cawood to provide Architectural Services for the proposed new Airport Terminal building

B. SFY 2023 ARPA Contract for Senior Center with RC

Attached is the SFY 2023 American Rescue Plan (ARPA) Contract with the Northeast Georgia Regional Commission for senior center services. This contract goes from January 1, 2023, to September 30, 2024.

C. Amend list of projects to be funded by the Economic Development Bond funds

To approve a new list of projects to be funded by the Economic Development Bond funds

8. Unfinished Business

None

9. New Business

A. Deannexation Ordinance for Tax ID 092/003 1

To authorize the Chairman to sign a resolution consenting to the deannexation of property identified as tax parcel ID 092/003 1 from the City of Jefferson.

Jamie Dove, Public Development Director, presented the staff report for a request to approve a resolution for the deannexation of property from the City of Jefferson. The City had signed their portion of the ordinance. The Georgia Department of Community Affairs needed a signed resolution confirming Jackson County had accepted the property with a designation of HI with special use.

Commissioner District 5 Clark moved to approve the resolution for the deannexation. Commissioner Seagraves seconded the motion. The vote was taken and the motion passed unanimously. (Vote 6 – 0)

B. Award FY 2023-2024 Asphalt Paving contract

To award the contract for asphalt resurfacing projects

Gina Roy, Assistant County Manager, reported staff had received bids for the Local Maintenance Improvement Grant (LMIG) for 2023. The lowest bid was received from Pittman Construction for the paving of 33.42 miles in the amount of \$5.5 million dollars. The project will be funded by LMIG, SPLOST, and the General Fund. Chairman Crow moved to approve the award the FY 2023-2024 Asphalt Paving contract. Commissioner Bingham seconded the motion. The vote was taken and the motion passed unanimously. (Vote 6 – 0)

10. Zoning Related Business

A. New Business

1. **SU-23-0047 - 6134 Highway 82 Spur, Commerce (Map 048/Parcel 003D)** **Request for a special use to have a landscaping company within the A-2 zoning**

Jamie Dove, Public Development Director, presented the staff report for SU-23-0047. The applicant requested approval of a request to locate a landscaping company on the property. The Planning Commission and Planning Staff recommended approval with 2 conditions. The conditions were:

1. A 40-foot minimum natural vegetative buffer must be retained along all property lines abutting residential or agricultural zoned properties, in order to provide screening. This is consistent with the building setbacks for this zoning.
2. Property/development must go through proper land disturbance and/or site development review and permitting prior to any land disturbance.

Christopher Hamilton, County Attorney, explained the public hearing guidelines and procedures. He then opened the public hearing for comment. The applicant, Alfredo Cabrera, spoke in support of the application. He required a translator for the public hearing and Raul Rivera, Code Compliance Office, served as the translator. There were no questions for the applicant. Mr. Hamilton called for opposition. Gerald Freeman, of 64 HDR Drive, felt a landscaping company was not needed in the area and it would only bring increased traffic. David Freeman, 158 HDR Drive, was also opposed. He reported that the property was already cleared and vegetation was cut in December 2022.

The applicant was allowed time for rebuttal. Mr. Cabrera denied clearing the property. It was confirmed the clearing of land and vegetation was completed on property not owned by Mr. Cabrera. The public was closed and the request presented to the board for a decision. Commissioner Hardy moved to approve SU-23-0047 with the two (2) recommended conditions.

1. A 40-foot minimum natural vegetative buffer must be retained along all property lines abutting residential or agricultural zoned properties, in order to provide screening. This is consistent with the building setbacks for this zoning.
2. Property/development must go through proper land disturbance and/or site development review and permitting prior to any land disturbance.

Commissioner Hix seconded the motion. The vote was taken and the motion passed unanimously. (Vote 6 – 0)

2. **RZ-23-0174 - Holly Springs Road & Bill Wright Road, Jefferson (Map 078/Parcel 009A)** **Rezone from A-2 (Agricultural Rural Farm District) to HRC (Highway Retail Commercial) in order to have a truck stop**

Jamie Dove, Public Development Director, reported items 2-5 were all related and she asked if the board wished to combine the public hearing. The applicant was amenable to combining all four requests and holding one public hearing. Ms. Dove presented the staff report for a request to rezone two (2) properties from A-2 to HRC and two special uses for a proposed truck stop. The Planning Staff recommended approval with two (2) conditions.

1. No access is to be permitted or allowed on Bill Wright Road.

2. An additional 20 feet of right-of-way along the proposed realignment of Bill Wright Road is to be deeded to Jackson County. Please see the roundabout layout for reference.

The Planning Commission agreed with the staff's conditions; however, they added a third condition regarding a traffic study. The conditions were:

1. No access is to be permitted or allowed on Bill Wright Road.
2. An additional 20 feet of right-of-way along the proposed realignment of Bill Wright Road is to be deeded to Jackson County. Please see the roundabout layout for reference.
3. A traffic study is required before a land disturbance permit is issued.

Additionally, both the Planning Staff and the Planning Commission recommended approval for the special use requests. Christopher Hamilton, County Attorney, opened the combined public hearing for comment. Luke Wemette P.E., who resided at 70 Mansell Court, Roswell, GA spoke in support of the application. He reviewed a concept plan for a gas station/convenience store. He was amenable to the recommended conditions and he added the traffic study was underway. Mr. Wemette said he would consider right-of-way improvements to alleviate traffic issues. There was no opposition and the public hearing was closed.

Commissioner Clark moved to approve RZ-23-0174 with three (3) conditions.

1. No access is to be permitted or allowed on Bill Wright Road.
2. An additional 20 feet of right-of-way along the proposed realignment of Bill Wright Road is to be deeded to Jackson County. Please see the roundabout layout for reference.
3. A traffic study is required before a land disturbance permit is issued.

Commissioner Seagraves seconded the motion. The vote was taken and the motion passed unanimously. (Vote 6 – 0)

3. **SU-23-0048 - Holly Springs Road & Bill Wright Road, Jefferson (Map 078/Parcel 009A)**

Request for a special use to have a truck stop

Commissioner Clark moved to approve SU-23-0048. Commissioner Seagraves seconded the motion. The vote was taken and the motion passed unanimously. (Vote 6 – 0)

4. **RZ-23-0175 - Holly Springs Road & Bill Wright Road, Jefferson (Map 065/Parcel 001)**

Request to rezone from A-2 (Agricultural Rural Farm District) to HRC (Highway Retail Commercial) in order to have a truck stop

Commissioner Clark moved to approve RZ-23-0175 with three (3) conditions.

1. No access is to be permitted or allowed on Bill Wright Road.
2. An additional 20 feet of right-of-way along the proposed realignment of Bill Wright Road is to be deeded to Jackson County. Please see the roundabout layout for reference.
3. A traffic study is required before a land disturbance permit is issued.

Commissioner Seagraves seconded the motion. The vote was taken and the motion passed unanimously. (Vote 6 – 0)

5. **SU-23-0049 - Holly Springs Road & Bill Wright Road, Jefferson (Map 065/Parcel 001)**

Request for a special use to have a truck stop

Commissioner Clark moved to approve SU-23-0049. Commissioner Seagraves seconded the motion. The vote was taken and the motion passed unanimously. (Vote 6 – 0)

6. **RZ-23-0176 - Highway 124 West, Hoschton (Map 104/Parcel 028C)**
Rezone from A-2 (Agricultural Rural Farm District) to HRC (Highway Retail Commercial) for multi-tenant commercial use

Jamie Dove, Public Development Director, advised RZ-23-0176 and RZ-23-177 were the same project and she asked if the board wanted to combine the public hearing. The applicant was amenable to holding a combined public hearing. Ms. Dove proceeded and gave the staff report. This was a request to rezone the property from A-2 to HRC for a commercial shopping strip. The Planning Staff recommended approval and the Planning Commission recommended approval with two (2) conditions.

1. A traffic study is required before land disturbance permit is issued.
2. An additional 15 feet of right-of-way along Highway 124 is to be deeded to Jackson County.

Christopher Hamilton, County Attorney, opened the public hearing for comment. Jay Parekh, 9295 Tailey Circle, Duluth, GA addressed the board in support of the request. He said if the traffic study was warranted, he would be happy to comply. He reported prospective tenants were Ace Hardware, Luma Montessori Daycare, Luma ABA Therapy, a company that provide therapeutic services for autistic children, Bodyplex, Taproom Restaurant, and Starbucks. There was no opposition to the request and the public hearing was closed.

Commissioner Clark moved to approve RZ-23-0176 with no conditions. Commissioner Bingham seconded the motion. The vote was taken and the motion passed unanimously. (Vote 6 – 0)

7. **RZ-23-0177 - 5784 Highway 124 West, Hoschton (Map 104/Parcel 028A)**
Rezone from A-2 (Agricultural rural Farm District) to HRC (Highway Retail Commercial) for multi-tenant commercial use.

Commissioner Clark moved to approve RZ-23-0177 with no conditions. Commissioner Bingham seconded the motion. The vote was taken and the motion passed unanimously. (Vote 6 – 0)

8. **RZ-23-0182 - 818 Cabin Creek Drive, Nicholson (Map 025/Parcel 017)**
Rezone from A-2 (Agricultural Rural Farm District) to AR (Agricultural Residential) in order to subdivide into 3 lots

Jamie Dove, Public Development Director, presented the staff report for RZ-23-0182. The applicant requested approval of a rezoning request from A-2 to A-R in order to divide the property into three tracts. Currently, there is one house on the property;

however, the applicant wanted to add two additional houses. The Planning Staff and Planning Commission recommended approval with one (1) condition.

1. The property has two existing driveways to utilize. Either these two driveways are to remain and serve the 3 proposed lots OR the driveway that is shown on the concept plan that starts on the proposed "tract 3" is to be removed and a new shared driveway installed for the proposed "tract 2" and "tract 3".

Christopher Hamilton, County Attorney, opened the public hearing for comment. Barry Lord, 437 Sam Brown Blvd, spoke in support of the application. He did not have any concerns regarding the recommended condition. There was no opposition to the request and the public hearing was closed. Commissioner Seagraves moved to approve RZ-23-0182 with one condition.

1. The property has two existing driveways to utilize. Either these two driveways are to remain and serve the 3 proposed lots OR the driveway that is shown on the concept plan that starts on the proposed "tract 3" is to be removed and a new shared driveway installed for the proposed "tract 2" and "tract 3".

Commissioner Clark seconded the motion. The vote was taken and the motion passed unanimously. (Vote 6 – 0)

9. **RZ-23-0183 - Brockton Loop, Jefferson (Map 053/Parcel 012A1)**
Rezone from A-2 (Agricultural Rural Farm District) to AR (Agricultural Residential) in order to subdivide into 5 lots

Jamie Dove, Public Development Director, presented the staff report for RZ-23-0183. The applicant requested approval of a rezone from A-2 to A-R in order to divide the property into five (5) tracts for family. The Planning Staff recommended approval with two (2) conditions.

1. Driveways must meet driveway separation listed within Jackson County Unified Development Code. If they cannot, shared driveways must be implemented. Any flag lots that abut one another must use shared driveways.
2. All tracts are to be a minimum of 3 acres. Lots shall not be further subdivided.

The Planning Commission recommend approval with one (1) condition.

1. Driveways must meet driveway separation listed within the Jackson County Unified Development Code. If they cannot, shared driveways must be implemented. Any flag lots that abut one another must use shared driveways.

Christopher Hamilton, County Attorney, opened the public hearing for comment. Barry Lord, 437 Sam Brown Blvd., spoke in support of the application. Jennifer Turley, 236 Rutledge Drive, Winder, GA also spoke in support of the request. Ms. Turley stated that she was born and raised in Jackson County and wanted to divide the land for her children.

Mr. Hamilton called for opposition. Tony Beatty, 165 Standridge Road, Jefferson, GA spoke in opposition. He wanted to see three-acre lots. Chris Allen, 267 Palm Way, was opposed to the request, as well as George Preston, 368 Palm Way. John Saint-Martin, 1267 Brockton Loop Road, was also opposed to the request. He said the county did not have the proper infrastructure in place to handle the increased growth. Mr. Lord and Ms. Turley spoke in rebuttal to the concerns mentioned.

Commissioner Seagraves moved to approve the request with the two (2) recommended conditions.

1. Driveways must meet driveway separation listed within Jackson County Unified Development Code. If they cannot, shared driveways must be implemented. Any flag lots that abut one another must use shared driveways.
2. All tracts are to be a minimum of 3 acres. Lots shall not be further subdivided.

Commissioner Clark seconded the motion. The vote was taken and the motion passed unanimously. (Vote 6 – 0)

11. Adjournment

The meeting adjourned at 7:09 p.m.

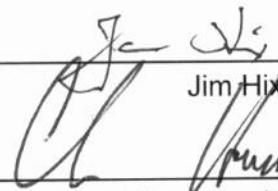
Minutes Approved: Monday, May 15, 2023

JACKSON COUNTY BOARD OF COMMISSIONERS

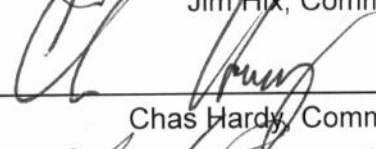


Tom Crow, Chairman

SEAL



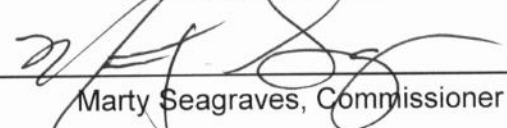
Jim Hix, Commissioner District 1



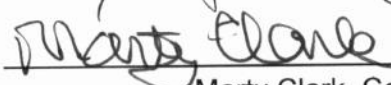
Chas Hardy, Commissioner District 2



Chad Bingham, Commissioner District 3



Marty Seagraves, Commissioner District 4



Marty Clark, Commissioner District 5

Attest:



Ericka Johnson, Deputy Clerk