



Jackson County Board of Commissioners

May 15, 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: 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 - Chairman Tom Crow

Chairman Tom Crow led the Pledge of Allegiance.

4. Approval of Minutes

A. Minutes for April 17, 2023

To approve the BOC minutes for April 17, 2023

Commissioner Hardy moved to approve the minutes for April 17, 2023.
Commissioner Bingham seconded the motion. The vote was taken and the motion passed unanimously. (Vote 6 – 0)

B. Minutes for May 4, 2023

To approve the BOC minutes for May 4, 2023

Commissioner Hix moved to approve the minutes for May 4, 2023. Commissioner Hardy seconded the motion. The vote was taken and the motion passed unanimously. (Vote 6 – 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.

The following citizens address the board.

1. Sonny Cheatham, 5710 Holly Springs Road, Pendergrass, GA addressed the board on school taxes. He urged the board to study ways to provide relief for seniors.
2. Debra Chester, 10479 Hwy. 334, Nicholson, GA addressed the board regarding the tax issue. She also urged citizens not to support Vulcan Materials. She said the county did not need this type of growth.
3. Levy Tolbert, 75 Shady Hollow Trail, Nicholson, spoke about Vulcan Materials' plan for a rock quarry near his home.
4. Joe Woodall, Harris Lord Road, Commerce, GA addressed the board regarding land taxes. He stated the county could not legally collect taxes on land.
5. John Yarbrough, a resident of Jackson County, provided statistics on home values. He urged the board to keep the millage rate near 7.71 mills to meet the county's budget for this year.
6. Richard Crosby, a resident of Meadowcreek Farms, spoke regarding high taxes for seniors who were on a fixed income. He shared thoughts on a plan to help eliminate school taxes for seniors, which required the help of the district commissioners.
7. An unidentified woman spoke from the crowd. She said everyone had concerns about increased taxes. She felt the board should consider lowering taxes for everyone.

6. Reports

There were no reports.

7. Recognitions, Appointments, and Special Items

- A. **Joint Development Authority of Northeast Georgia**
To appoint an individual to represent Jackson County on the Joint Development Authority of Northeast Georgia

Commissioner Hix moved to appoint John Scott to the Joint Development Authority of Northeast Georgia. Commissioner Clark seconded the motion. The vote was taken and the motion passed unanimously. (Vote 6 – 0)

8. New Business

- A. **Law Day Proclamation**
Presentation by Andy Crawford, Jackson County Bar Association asking the Board to recognize a proclamation regarding Law Day in May.

Kevin Poe, County Manager, read the prepared proclamation. Andy Crawford, President of Piedmont Bar Association, thanked the board for their consideration. Commissioner Bingham moved to approve the Law Day Proclamation. Commissioner Seagraves seconded the motion. The vote was taken and the

motion passed unanimously. (Vote 6 – 0)

B. Creation of a Street Light Special Tax District for Maddox Landing

To authorize the Chairperson to establish a special tax district for street lights for Maddox Landing Subdivision. An application has been submitted by Bryan Ponder as authorized representative

Jamie Dove, Public Development Director, presented the staff report on a request for a special tax district for street lighting for Maddox Landing. There will be a total of 57 lots on Maddox Road, with 22 street lights. The signature page indicated there was a sole owner as the final plat was not final. Christopher Hamilton, County Attorney, opened the public hearing for comment. The applicant was present; however, he did not have anything to add. There was no opposition and the public hearing was closed.

Commissioner Bingham moved to approve the creation of a Street Light Special Tax District for Maddox Landing. Commissioner Clark seconded the motion. The vote was taken and the motion passed unanimously. (Vote 6 – 0)

C. Capacity Agreement for FY2024 - Jackson County

To authorize approval of the Jackson County FY2024 Capacity Agreement with the GDC

Kevin Poe, County Manager, presented the annual renewal of the FY24 Capacity agreement with the Georgia Department of Corrections. The agreement, for the housing of state inmates, indicated the Department will reimburse \$22 to the county per state inmate. There was no other discussion. Commissioner Hix moved to approve the Capacity Agreement for FY2024. Commissioner Hardy seconded the motion. The vote was taken and the motion passed unanimously. (Vote 6 - 0)

D. Transit Trust Fund Contract Approval

To approve a contract for a special project grant fund in the amount of \$66,749

Gina Roy, Assistant County Manager, presented the staff report for approval of a contract to fund the Transit program with the Georgia Department of Transportation. The contract amount was \$66,749 to provide for a secure place to park the transit buses. The work will also include fencing, gravel, and security cameras. Commissioner Clark moved to approve the Transit Trust Fund Contract with the Georgia Department of Transportation. Commissioner Hardy seconded the motion. The vote was taken and the motion passed unanimously. (Vote 6 – 0)

E. Select Construction Manager at Risk for Transfer Station expansion project
To select a Construction Manager at Risk(CMAR) for the Transfer Station expansion project

Kevin Poe, County Manager, presented the staff report for the selection of a Construction Manager at Risk for the Transfer Station expansion project. He

reported that Requests for Proposals were sent out and three (3) firms submitted proposals. The proposals were reviewed and scored by county staff. Reeves Young was the top scorer and had the best price and general conditions. Staff recommended the selection of Reeves Young as Construction Manager at Risk for Transfer Station and authorize the County Manager and County Attorney to develop a contract with Reeves Young representatives.

Commissioner Hardy moved to approve the request. Commissioner Bingham seconded the motion. The vote was taken and the motion passed unanimously. (Vote 6 – 0)

F. Approve Guaranteed Maximum Price(GMP) with Reeves Young for construction of the new Jackson County Administration Building

To approve the Guaranteed Maximum Price for the new Administration Building Kevin Poe, County Manager, reported Reeves Young was previously selected to be the construction manager for the new Administrative Building. Precision Planning, Inc., architect for the project, had submitted a full set of plans for the new building with input from Reeves Young, and county staff. Based on the final design of the building, Reeves Young had established a Guaranteed Maximum Price (GMP) to construct the new building in the amount \$14,283,931, with funding from SPLOST 7.

Commissioner Clark moved to approve the Guaranteed Maximum Price (GMP) with Reeves Young for construction of the new Jackson County Administration Building. Commissioner Hardy seconded the motion. The vote was taken and the motion passed unanimously. (Vote 6 – 0)

G. Consider approval of Intergovernmental Agreement with the Jackson County Board of Education for the joint use of Facilities for recreational use
To consider approving an IGA with the Jackson County School system related to joint use of athletic facilities

Kevin Poe, County Manager, reported staff were in negotiations with Board of Education staff on a proposed intergovernmental agreement (IGA) related to joint use of school facilities for parks and recreation use. He presented a proposed intergovernmental agreement for consideration and he reviewed the terms of the agreement. The term will initially be for a 10-year period of time with the option to renew the agreement for 4 successive 10-year terms for a total of 50 years.

Either party may terminate the Agreement by giving 12-months written notice prior to expiration of the current term of the Agreement. The two parties agree that the facilities should be used for educational and recreational purposes, sporting events and school events. The facilities that are part of this agreement are listed in Attachment A of the IGA. Normal maintenance of the facilities will be the responsibility of the Jackson County School System (JCSS) and the BOC will agree to pay an annual maintenance fee of \$100,000 in order to receive all maintenance services. The maintenance fee will increase 2.5% per year during the initial 10-year term of the agreement. The BOC will be responsible for paying to upgrade the football field and track at the Empower College and Career Center prior to August 2025. Upgrades to the football field and track will be completed under the direction of JCSS. It is estimated that it will cost \$2 million dollars to

complete the upgrades to the field, track , concession stands, restrooms and field lighting. Funding for the upgrades will come from the BOC's capital projects fund and/or SPLOST 7.

Commissioner Bingham moved to approve the Intergovernmental Agreement with the Jackson County Board of Education for the joint use of facilities for recreational use. Commissioner Hardy seconded the motion. The vote was taken and the motion passed. Chairman Crow and Commissioners Hix, Hardy, Bingham, and Clark voted in favor of the motion. Commissioner Seagraves voted nay. (Vote 5 – 1)

H. Land and Water Conservation Fund Application Resolution

Jackson County staff wishes to apply for funding from the 2023 Land and Water Conservation Fund Grant Cycle for a future planned park near Nicholson off of Cabin Creek Rd.

Gina Roy, Assistant County Manager, reported staff wished to apply for funding through the Land and Water Conservation Fund Application. This was for the preapplication for property purchased near Cabin Creek, off of Brockton Lane. Ms. Roy noted this area had a rich Indian history and with its land conservation, she believed there was a better chance for an award. If awarded the grant, Jackson County would have to match the funds up to 50%. The grant was a 1:1 grant. Funding for park construction was already planned, so any grant awards and matching would lower and offset the overall cost for construction of the project. The due date to apply was May 30, 2023.

Commissioner Seagraves moved to approve the Land and Water Conservation Fund Application Resolution. Commissioner Clark seconded the motion. The vote was taken and the motion passed unanimously. (Vote 6 – 0)

9. Zoning Related Business

A. New Business

**1. MA-23-0121 : 2277 Brock Road, Athens; 8 acres (Map 043/Parcel 015)
Request to change the Character Area Map from "Agricultural" to "Suburban" and change the Future Land Use Map from "Intensive Agriculture" to "Commercial"**

Jamie Dove, Public Development Director, presented the staff report for MA-23-0121. The applicant requested approval of a map amendment for property located at 2277 Brock Road, Athens, GA, consisting of approximately eight (8) acres. The applicant wished to change the Character Area Map from AG to Suburban and the Future Land Use Map from Intensive AG to Commercial. Ms. Dove explained this area was initially rezoned for a Stripling's store. She said it was now Redstone Meat Market and it had two other commercial parcels next to it.

Christopher Hamilton, County Attorney, reviewed the public hearing guidelines

and he opened the public hearing for comment. David Elder, 123 Bear Creek Lane, Bogart, GA addressed the board in support of the application. He added the intent of the eight (8) acres was for future commercial development. Mr. Hamilton called for opposition. Doris Dellinger, 2445 Brock Road, spoke in opposition. Stanley Wood, also spoke in opposition on behalf of David Mullins; Mr. Mullins owned property located at 2403 Brock Road. Mr. Elder addressed the board in rebuttal. The public hearing was closed and the request submitted to the board for consideration. Commissioner Seagraves moved to approve MA-23-0121. Commissioner Clark seconded the motion. The vote was taken and the motion passed unanimously. (Vote 6 – 0)

**2. SU-23-0050 : 7540 Highway 53, Braselton; 5.54 acres (Map 118/Parcel 004A)
Request to have a Special Use for an event venue**

Jamie Dove, Public Development Director, acknowledged receipt of a request for withdrawal of SU-23-0050 from the applicant. Commissioner Bingham moved to approve withdrawal of SU-23-0050. Commissioner Hix seconded the motion. The vote was taken and the motion passed unanimously. (Vote 6 – 0)

**3. MA-23-0119 : 6602 Jackson Trail Road, Hoschton; 3.07 acres (Map 106/Parcel 013C)
Request to change the Character Area Map from "Suburban" to "Rural"**

Jamie Dove, Public Development Director, presented the staff report for MA-23-0119. The applicant requested approval to change the Character Area Map from Suburban to Rural. And, if approved, the applicant planned to apply for a rezone for M-H. The Planning Staff and the Planning Commission recommended approval. Ms. Dove advised the applicant was not present due to an illness.

Christopher Hamilton, County Attorney, opened the public hearing for comment. No one spoke in favor of the application. There was no opposition to the request and the public hearing was closed. Commissioner Bingham moved to approve MA-23-0119, Commissioner Clark seconded the motion. The vote was taken and the motion passed unanimously. (Vote 6 – 0)

**4. MA-23-0120 : 610 Galilee Church Road, Jefferson; 26.74 acres (Map/Parcels 069 026, 069 026A, 069 026B, and 069 029)
Request to change the Character Area Map from "Rural" to "Urban" and change the Future Land Use Map from "Residential" and "Commercial" to "Industrial"**

Jamie Dove, Public Development Director, presented the staff report for MA-23-0120. This was a request to change the Character Area Map from Rural to Urban and the Future Land Use Map from Residential and Commercial to Industrial.

The applicant intends to rezone the property for its utilization as Cantrell Land and Timber, which had been utilized for over twenty (20) years. The Planning Staff and Planning Commission recommend approval.

Christopher Hamilton, County Attorney, opened the public hearing for comment. Dillon Cantrell, 641 Clyde Short Road, Commerce, GA explained he and his

father operated the business and they had outgrown their current location. He added the ultimate goal was to seek a rezoning to Light Industrial (LI). There was no opposition to the request and the public hearing was closed. Commissioner Hix moved to approve MA-23-0120. Commissioner Hardy seconded the motion. The vote was taken and the motion passed unanimously. (Vote 6 – 0)

5. **UDC Text Amendment: Amendments within Article 14 of the Unified Development Code to enforce new rules and regulations implemented by Georgia House Bill 1405, directly related to zoning procedures law.**
Amendments within Article 14 of the Unified Development Code to enforce new rules and regulations implemented by Georgia House Bill 1405, directly related to zoning procedures law.

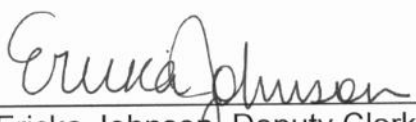
Jamie Dove, Public Development Director, reviewed the proposed text amendment related to HB 1405. This was a new rule for quasi-judicial boards, regarding required advertising. The new HB 1405 requires a 30-day advertising period. Christopher Hamilton, County Attorney, opened the public hearing for comment. No one spoke in favor of the application. There was no opposition and the public hearing was closed.

Chairman Crow moved to approve the text amendment within Article 14 of the Unified Development Code to enforce new rules and regulations implemented by Georgia House Bill 1405, directly related to zoning procedures law. Commissioner Seagraves seconded the motion. The vote was taken and the motion passed unanimously. (Vote 6 – 0)

10. **Adjournment**

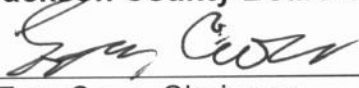
There was no other business to discuss. The meeting adjourned at 7:30 p.m.



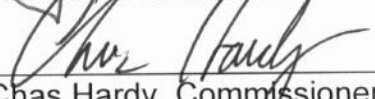
Attest: 
Ericka Johnson, Deputy Clerk

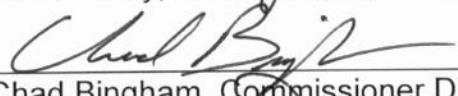
Minutes Approved: Monday, June 5, 2023

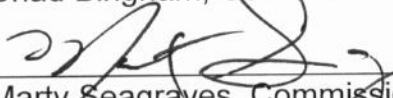
Jackson County Board of Commissioners

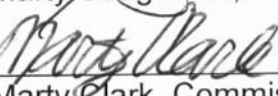

Tom Crow, Chairman


Jim Hix, Commissioner District 1


Chas Hardy, Commissioner District 2


Chad Bingham, Commissioner District 3


Marty Seagraves, Commissioner District 4


Marty Clark, Commissioner

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