



Jackson County Board of Commissioners

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

MINUTES

1. Call to Order

Chip Ferguson, County Attorney, called the meeting to order and reported the first order of business was to elect someone to officiate the meeting. Commissioner Seagraves moved to select Commissioner Chas Hardy to chair the meeting. Commissioner Clark seconded the motion. The vote was taken, and the motion passed unanimously. (Vote 4 – 0)

Commissioners
Present:

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, Editor of the Jackson Herald/Mainstreet News

2. Invocation - Kevin Poe, County Manager

Kevin Poe, County Manager, gave the invocation.

3. Pledge of Allegiance - Commissioner Bingham

Everyone recited the Pledge of Allegiance.

4. Approval of Minutes

A. November 6, 2023 Draft Minutes

To approve the minutes for November 6, 2023

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

Jon Langston, 34 Andrew Jackson Street, Commerce, GA addressed the board. Mr. Langston, a long-term recovery individual, and with Reboot Jackson, expressed his appreciation to ACCG, the GGeorgia Department of Behavioral Health and Developmental Disabilities, and everyone involved to determine how approximately \$638 million dollars will be distributed from the national opioid settlements. As a representative of Reboot Jackson, Mr. Langston said he looked forward to meeting with the commissioners on the issue. He further added Reboot Jackson had two (2) policy positions regarding the disbursement of the funds. One was that an appropriate amount of funding be designated to Georgia-based addiction recovery organizations. The other policy required a minimum of one (1) peer, a survivor of the disease and addiction, and one (1) family member who had lost someone to the disease, to receive a vote in addition to the one (1) commissioner selected from each county.

6. Reports

There were no reports.

7. Consent Agenda

Commissioner Bingham moved to approve the Consent Agenda. Commissioner Clark seconded the motion. The vote was taken, and the motion passed unanimously. (Vote 4 – 0)

A. GDOT SFY24 Transit Trust Fund Contract Approval

Approval of SFY24 GDOT Transit Trust Fund Contract to accept funds in the amount of \$101,966.00 for transit parking shelter project.

B. Approve Guaranteed Maximum Price(GMP) with Reeves Young for the expansion of the Jackson County Transfer Station

To approve the Guaranteed Maximum Price for constructing improvements to the Transfer Station.

C. Revise the Solid Waste Transfer Station Tipping Fee Schedule

To request that the Board of Commissioners approve a revised tipping fee schedule for the Solid Waste Transfer Station

8. New Business

A. Resolution Supporting County Boundary between Barrow and Jackson County

To approve a resolution in support of the proper marking of a portion of the county boundary between Barrow and Jackson County:

Gina Roy, Assistant County Manager, presented a resolution for consideration supporting the boundary between Barrow and Jackson Counties. This brings awareness to the location of the boundary line and will correct twenty-four (24) addresses, which will shift to Barrow County. Ms. Roy confirmed this would not go through a dispute resolution process. She added the resolution would be transparent, and Barrow County will take action at their next meeting. She noted schools would not change; however, the biggest changes were to public safety and voter registration.

Commissioner Clark moved to approve the resolution. Commissioner Seagraves seconded the motion. The vote was taken and the motion passed unanimously.
(Vote 4 – 0)

B. Award bid for County Road Striping Project (LMIG)

To award bid to complete the 2023 LMIG County Road Striping Project.

Kevin Poe, County Manager, advised the county had received a local maintenance improvement safety action grant from the Georgia Department of Transportation in the amount of \$182,000. The grant required a local match of 30%. He reported the funds could be used for re-striping county roads, installing raised pavement markers, and for stop bars at stop signs and traffic lights. Bids were received to restripe and put down markers on fifty-eight (58) miles of county roads.

The low bid was from Peak Paving Marking, LLC in the amount of \$132,342. The bid was based on quantities. Mr. Poe recommended approval, and noted the funds could also be used for guardrail replacement. Commissioner Bingham moved to approve and award the bid to Peak Paving Marking, LLC in the amount of \$132,342, and amend the Public Works General Fund Budget to reflect the bid amount awarded. There were no questions. Commissioner Seagraves seconded the motion. The vote was taken, and the motion passed unanimously.
(Vote 4 – 0)

C. Creation of a Street Light Special Tax District for Steeplechase Subdivision:

To authorize the Chairperson to establish a special tax district for street lights for Steeplechase Subdivision. An application has been submitted by J. Adam Whitmire as authorized representative.

Jamie Dove, Public Development Director, presented the staff report. This was a request for the creation of a Special Tax District for streetlights in the Steeplechase Subdivision, located off Tapp Wood Road. The subdivision will have a total of sixty-four (64) lots. There were a total of thirty-two (32) streetlights in the development. Chip Ferguson, County Attorney, declared a public hearing and opened the floor for comment. No one spoke in support of the application and there was no opposition. The public hearing was closed.

Commissioner Bingham moved to approve the request. Commissioner Clark seconded the motion. The vote was taken and the motion passed unanimously.
(Vote 4 – 0)

D. Creation of a Street Light Special Tax District for Fields of Walnut Creek, Pods G and H:

To authorize the Chairperson to establish a special tax district for street lights for Fields of Walnut Creek Subdivision, Pods G and H. An application has been submitted by Gary Furrow as authorized representative.

Jamie Dove, Public Development Director, presented the staff report on a request for the creation of a special tax district for streetlights for Fields of Walnut Creek Subdivision, located off Hwy. 60. This will be a large development. However, the special tax district was for the first two Pods, G and H only. The development was for thirty-eight (38) lots, and it will have thirty-one (31) streetlights. Chip Ferguson, County Attorney, opened the public hearing. No one spoke in support of the application or in opposition. The public hearing was closed.

Commissioner Clark moved to approve the request. Commissioner Bingham seconded the motion. The vote was taken, and the motion passed unanimously. (Vote 4 – 0)

9. Zoning Related Business

A. New Business

1. **RZ-23-0190 : Matt Sullins, 2932 Highway 124, Jefferson; 2.42 acres (Map 094/Parcel 021)**
Request to Rezone from A-2 (Agricultural Rural Farm District) to CRC (Community Retail Commercial) in order to store products/equipment for a commercial business

Jamie Dove, Public Development Director, presented the staff report. The applicant requested approval of a rezoning from A-2 to CRC in order to store products and equipment for a commercial business on the property. The property was located across from what was formerly Jones Recycling. A concept plan was included in the staff report. Water was available on the property, but sewer was not. Ms. Dove reported the applicant had filed for a variance with the Board of Adjustment; however, the board did not feel it was an appropriate time to grant a variance and the application was withdrawn. Staff informed the property owner that the land was not properly zoned for a storage building. The Planning Staff recommended denial of the request. However, if approved, staff would recommend three (3) conditions. The conditions were...

1. The property must be subdivided as shown on the submitted survey before an occupational tax certificate can be issued.
2. The property shall go through proper site development review before an occupational tax certificate can be issued, including, but not limited to, the road being brought up to commercial standard.
3. There shall be no outdoor display and/or storage on the property

The Planning Commission recommended denial as recommended by staff. Chip Ferguson, County Attorney, advised the public it would take four (4) votes to approve any request. He then opened the public hearing for comment. Jacob Sullins, of Sullins Engineering, 302 West May Street, Winder, GA, addressed the board. He requested approval of the request to split the property into two (2) tracts and split the zoning into A-2 and commercial. There was no other comment, and there was no opposition. The public hearing was closed.

Commissioner Clark moved to deny RZ-23-0190 as recommended by the staff and the Planning Commission. Commissioner Seagraves seconded the motion. The vote was taken and the motion passed unanimously. (Vote 4 – 0)

2. **SU-23-0054 : Barry Lord, 1104 B Wilson Road, Commerce; 14.09 acres (Map 034/Parcel 031E)**

Request for a Special Use in order to operate an event venue

Jamie Dove, Public Development Director, presented the staff report on a request for a special use permit for an event facility on the property. The property was located on B Wilson Road and had an A-2 zoning designation. A concept plan was provided with the application. The City of Commerce advised they did not have adequate water supply at this time for new customers. Ms. Dove acknowledged receipt of two opposition letters. The Planning Staff recommended approval with 4 conditions. The conditions were...

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. Existing driveway is to be inspected by the Jackson County Road Department and upgraded (if required per their inspection) prior to any occupational tax certificate being issued.

The Planning Commission recommended denial. Chip Ferguson, County Attorney, opened the public hearing for comment. Jason Black, Weinstein & Black, LLC addressed the board in support of the application. He stated the applicant desired to bring more use to the property, create opportunity for the community, and to possibly generate income. He also advised the applicant was amenable to the recommended conditions and requested approval of the request.

Emma Rivera, 269 Trace Lane, Commerce, GA, read a letter in support of the request from her friend, Mr. Randall Peeks, who lived across the road from the applicant's property. Joe Clark, who acknowledged signing a letter of support, spoke and said change was inevitable. Mr. Black added he had approximately fourteen (14) letters in support of the request. There was no further comment. Mr. Ferguson called for opposition.

Chad Erwin, 1250 B. Wilson Road, Commerce, GA was opposed to the request and stated his concerns about the possible detrimental impact to the area. An unidentified lady questioned if the letters of support were actually from Jackson County citizens. She asked the board to take that into consideration. Gary Black, 930 B. Wilson, Road, Commerce, GA also spoke in opposition. He asked the board to deny the request as he believed this would negatively impact the agricultural community. There was no other opposition. The public hearing was

closed, and the request was submitted to the board for consideration.

Commissioner Hardy moved to deny SU-23-0054 based on the staff and Planning Commission's recommendation. Commissioner Seagraves seconded the motion. The vote was taken. Commissioner Hardy, Commissioner Seagraves, and Commissioner Clark voted in favor of the motion. Commissioner Bingham opposed. (Vote 3 – 1) The motion failed due to the lack of a majority.

Mr. Ferguson asked if there was an alternate motion. Commissioner Bingham made the motion to table SU-23-0054. The motion to table died due to the lack of a second. Mr. Ferguson advised the request will need to come back before the board next month for consideration. Gina Roy, Assistant County Manager, for the record, stated the public hearing had taken place, so there would be not additional public comment period.

10. Adjournment

Commissioner Hardy declared the meeting adjourned at 6:53 p.m.

Jackson County Board of Commissioners
Approved: December 4, 2023



Attest: Ericka Johnson
Ericka Johnson, Deputy Clerk

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