



Jackson County Board of Commissioners

November 18, 2024 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 5:59 p.m.

Commissioners Present: Chairman Tom Crow

Commissioner Jim Hix, District 1

Commissioner Chas Hardy, District 2

Commissioner Ty Clack, District 3

Commissioner Marty Seagraves, District 4

Commissioner Cole Elrod, District 5

Staff Present:

Kevin Poe, County Manager

Gina Roy, Assistant County Manager

Jamie Dove, Public Development Manager

Ericka Johnson, Deputy Clerk

Press:

Ben Munro, Mainstreet News/Jackson Herald

2. Invocation - Kevin Poe, County Manager

Kevin Poe, County Manager, gave the invocation.

3. Pledge of Allegiance - Commissioner Marty Seagraves

Commissioner Marty Seagraves led the Pledge of Allegiance.

4. Approval of Minutes

A. November 4, 2024 Draft Minutes

To approve the minutes for November 4, 2024, as presented

Commissioner Hix moved to approve minutes for November 4, 2024. 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.

There were no comments.

6. Reports

There were no reports.

7. **Consent Agenda**

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

A. **Award Bid for County Courthouse Cooling Tower Replacement**

To award bid to complete County Courthouse Cooling Tower Replacement (Project # 250006)

B. **Award Contract for Fleet Maintenance & Public Works Facility CMAR**

Award Contract for Fleet Maintenance & Public Works Facility Construction Manager at Risk (CMAR) to Reeves Young in the estimated amount of \$818,608 (Base Bid of \$590,608 + 2.85% of Construction Cost [\$228,000]) and amend the Capital Fund budget to reflect the bid amount awarded.

8. **Unfinished Business**

A. **Maysville Fire District Resolution**

To consider approving a Resolution that restates and clarifies the duties and functions of the Maysville Fire District Board

Commissioner Hardy moved to approve the Maysville Fire District Resolution. Commissioner Seagraves seconded the motion. The vote was taken and the motion passed unanimously. (Vote 6 – 0)

9. **New Business**

A. **SFY 2025 Aging Services contract with the Northeast Georgia Regional Commission**

This is a contract for the Jackson County Senior Center to provide aging services to persons aged 60 or older for outreach, nutrition, transportation, educational, recreation and other activities as described in the contract.

Commissioner Hix moved to approve the SFY 2025 Aging Services contract with the Northeast Georgia Regional Commission. 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 Eagles Crest**

To authorize the Chairperson to establish a special tax district for street lights for Eagles Crest Subdivision. An application has been submitted by Genuine Mapping and Design, LLC 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 Eagles Crest Subdivision. The application was submitted with 100% of signatures, as the piece of property is still solely owned. The payment method has to be in place before the final plat can be approved. There will be 56 total lots proposed and 32 streetlights installed. A public hearing was held on the request.

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

C. Creation of a Street Light Special Tax District for Creekside

To authorize the Chairperson to establish a special tax district for street lights for Creekside Subdivision. An application has been submitted by Genuine Mapping and Design, LLC as authorized representative.

Jamie Dove, Public Development Director, presented the staff report on a request for the creation of a special tax district for Creekside Subdivision. There will be 45 total lots proposed and 18 streetlights installed. A public hearing was held on the request. However, there were no comments, and the public hearing was closed. Commissioner Hix moved to approve the creation of a streetlight Special Tax District for Creekside. Commissioner Clack seconded the motion. The vote was taken, and the motion passed unanimously. (Vote 6 – 0)

D. Annual Update to the Capital Improvements Element (CIE) of the Comprehensive Plan

The Northeast Georgia Regional Commission (NEGRC) and the Georgia Department of Community Affairs (DCA) have reviewed and approved the draft update to the Jackson County Capital Improvements Element (CIE) of the Comprehensive Plan. The final step is to sign the resolution that has been prepared to adopt the update.

Jamie Dove, Public Development Director, presented the staff report on a request to approve a resolution adopting the annual update to the Capital Improvement Element (CIE) of the Comprehensive Plan. This is the final approval needed in order to send it to the Georgia Department of Community Affairs. Chairman Crow moved to approve the Annual Update to the Capital Improvements Element (CIE) of the Comprehensive Plan. Commissioner Hardy seconded the motion. The vote was taken, and the motion passed unanimously. (Vote 6 – 0)

E. Consider revision to the Jackson County Defined Benefit Retirement Plan

To request that the Commission approve a change to the plan document that governs the Jackson County Government Defined Benefit(DB) Retirement Plan effective December 1, 2024

Kevin Poe, County Manager, read the resolution as prepared to revise the Jackson County Defined Benefit Retirement Plan. If approved, it will be effective December 1, 2024. The Plan amendment will allow employees to take a service credit for additional leave accrued. Currently, there are fourteen (14) employees eligible for this service credit. The estimated cost to the county was \$8,000 per year. This was low considering the County's annual contribution to the Defined Benefit Retirement Plan was in the \$2.7 million dollar range. Most employees will receive half a year of service credit.

Chairman Crow moved to approve and authorize the Chairman to sign the documents revising the Jackson County Defined Benefit Retirement Plan. Commissioner Seagraves seconded the motion. The vote was taken, and the motion passed unanimously. (Vote 6 – 0)

10. Zoning Related Business

A. New Business

1. MA-24-0133 : David Elder, US Highway 441 South, Commerce; 13.11 acres (Map 023/Parcel 030)

Request to change the Character Area Map from "Rural" to "Urban" and change

the Future Land Use Map from "Residential" to "Commercial"

Hannah Slater presented the staff report on a request for a map amendment from David Elder. She advised the applicant requested approval for a proposed self-service storage. The Planning Staff and Planning Commission recommended denial of the request. A public hearing was held, with David Elder addressing the board in support of the request. There was no opposition and the public hearing was closed.

Commissioner Hardy moved to deny MA-24-0133. Commissioner Hix seconded the motion. The vote was taken, and the motion passed unanimously. (Vote 6 – 0)

2. RZ-24-0212 : Stanton Porter, 8167 Highway 124, Hoschton; 15.61 acres (Map 112/Parcel 020)

Request to rezone from A-2 (Agricultural Rural Farm District) to HRC (Highway Retail Commercial) in order to develop a convenience store, self-service storage facility, and a baseball training facility

Commissioner Clack moved to table RZ-24-0212 until the next meeting. Chairman Crow seconded the motion. The vote was taken, and the motion passed unanimously. (Vote 6 – 0)

3. SU-24-0067 : Stanton Porter, 8167 Highway 124, Hoschton; 15.61 acres (Map 112/Parcel 020)

Request for a Special Use in order to have outdoor storage and/or display within the overlay district

Commissioner Clack moved to table SU-24-0067 until the next meeting. Chairman Crow seconded the motion. The vote was taken, and the motion passed unanimously. (Vote 6 – 0)

4. RZ-24-0216 : Florencia Martinez, 1323 Archer Grove School Road, Athens; 3.54 acres (Map 030/Parcel 023)

Request to rezone from A-2 (Agricultural Rural Farm District) to AR (Agricultural Residential) in order to subdivide into 2 tracts

Hannah Slater, presented the staff report for RZ-24-0216. She advised the applicant requested approval of rezoning from A-2 (Agricultural Rural Farm District) to AR (Agricultural Residential) to subdivide it into two tracts. The Planning Staff and the Planning Commission recommended approval with one (1) condition.

1. Driveways must meet driveway separation listed within Jackson County Unified Development Code. If they cannot, a shared driveway must be implemented.

A public hearing was held on the request. Florencia Martinex addressed the board in support of the application. There was no opposition and the public hearing was closed. Commissioner Seagraves moved to table RZ-24-0216 to the next meeting. Chairman Crow seconded the motion. The vote was taken, and the motion passed unanimously. (Vote 6 – 0)

5. RZ-24-0217 : Kristy Skinner, Potts Road, Jefferson; 14.15 acres (Map 037/Parcel 016E)

Request to rezone from PCFD (Planned Commercial Farm District) to A-2 (Agricultural Rural Farm District) in order to subdivide into 3 tracts

Hannah Slater presented the staff report for RZ-24-0217. This was a request for approval of a rezoning request from PCFD (Planned Commercial Farm District) to A-2 (Agricultural Rural Farm District) in order to subdivide into 3 tracts. A public hearing was held on the request. The applicant was not present. There was no opposition, so the public hearing was closed. Commissioner Seagraves moved to approve RZ-24-0217. Chairman Crow seconded the motion. The vote was taken, and the motion passed unanimously. (Vote 6 – 0)

6. RZ-24-0218 : James Bouchard, 4689 Maysville Road, Commerce; 3.79 acres (Map 033/Parcel 053A)

Request to rezone from A-2 (Agricultural Rural Farm District) to HRC (Highway Retail Commercial) in order to accommodate future commercial uses permitted within the HRC zoning

Hannah Slater presented the staff report for RZ-24-0218. The applicant requested approval of a request to rezone from A-2 (Agricultural Rural Farm District) to HRC (Highway Retail Commercial) in order to accommodate future commercial uses permitted within the HRC zoning. The Planning Staff and Planning Commission recommended approval with three (3) conditions.

1. Any new development on the property or permitted modifications will require full compliance with the East Jackson Overlay standards specified in Article 4 of the UDC.
2. The special use process outlined in Article 4 must be followed in order to utilize outdoor display and/or storage.
3. Before commencing business operations, any new use or business must complete a Change of Occupancy inspection for life safety and obtain a Certificate of Occupancy.

A public hearing was held on the request, with James Bouchard addressing the board. There was no opposition to the request and the public hearing was closed. Commissioner Hardy moved to approve RZ-24-0218 with the three recommended conditions. Commissioner Hix seconded the motion. The vote was taken, and the motion passed unanimously. (Vote 6 – 0)

7. RZ-24-0219 : Stanton Porter, Commerce Road/Wilhite Road, Jefferson; 11.77 acres (Map 051/Parcel 082)

Request to rezone from A-2 (Agricultural Rural Farm District) to R-3 (Residential, Multiple-Family District) in order to develop a 66-unit townhouse development

Hannah Slater presented the staff report for RZ-24-0219. The applicant requested approval of a rezoning from A-2 to R-3 to develop a 66 townhome community. The Planning Staff and Planning Commission recommended approval with twelve (12) conditions.

1. A mandatory Homeowner's Association shall be established and shall be responsible for maintenance of common areas/facilities, street frontage landscaping, and lawn and ornamental planting maintenance for the overall

development.

2. The property shall be developed for attached townhouse dwellings and accessory uses, not to exceed 66 units.
3. The minimum heated floor area per unit shall be 1,800 square feet.
4. The exterior of all townhomes shall consist of brick or stone, as shown within the three sample elevations submitted by the applicant and included in this packet. This requirement applies to the primary façade materials, while accessory elements such as doors, windows, trim, and other architectural details may be constructed from other complementary materials.
5. The roadways within the development shall be designated as private, with gated entrances. The gate structures shall be constructed using materials such as brick or stone that are consistent with the architecture and primary building materials of the buildings they serve.
6. All units shall be rear-loaded townhouses.
7. Each unit shall include a two-car garage, and the driveway shall be designed to accommodate two additional parking spaces for guest use.
8. A mail-kiosk with canopy shall be utilized.
9. Dumpsters and/or trash compactors shall be screened by a 100% opaque brick or stack stone wall with an opaque metal gate enclosure.
10. A right-turn deceleration lane shall be constructed along Wilhite Road for entry into the site, with any necessary additional right-of-way to be provided to accommodate the lane, if necessary.
11. Sidewalks shall be installed along the entire length of the property on Wilhite Road, including crosswalks and handicap ramps.
12. A certified tree survey shall be conducted for the entire property by a qualified professional. A 15-foot vegetative buffer shall be established along Highway 15 and Wilhite Road, located behind the public right-of-way. This buffer is subject to review and approval by the Department of Public Development. If any portion of this buffer must be cleared for construction or utility installation, it shall be replanted to restore its original function. The replanting plan shall be submitted for approval prior to site plan approval.

Commissioner Hix advised he would like to add a 13th condition that read... 13. The Declaration of Protective Covenants, Conditions, Restrictions and Easements that has been submitted for "Ruby Square" has been titled Exhibit 1 by Planning Staff. This document, now known as Exhibit 1, is required to be recorded in its entirety prior to any building commencing.

A public hearing was held on the request. Stanton Porter, 73 Church St; Winder, GA spoke in support of the application and advised that he and his client were amenable to the thirteen (13) recommended conditions. There was no opposition and the public hearing was closed. Commissioner Hix moved to approve RZ-24-0219 with all thirteen (13) conditions. Commissioner Clack seconded the motion. The vote was taken, and the motion passed unanimously. (Vote 6 – 0)

8. **RZ-24-0220 : Lisa Bond, 158 Bob Mann Road, Maysville; 5.53 acres (Map 060/Parcel 001E)**

Request to rezone from A-2 (Agricultural Rural Farm District) to MH (Manufactured Housing District) in order to subdivide into 2 tracts

Hannah Slater presented the staff report for RZ-24-0220. The applicant requests approval to rezone property from A-2 to MH and to subdivide the property into two tracts. The Planning Staff and Planning Commission recommended approval with one

condition.

1. Driveways must meet driveway separation listed within Jackson County Unified Development Code. If they cannot, a shared driveway must be implemented.

A public hearing was held on the request. Lisa Bond spoke in support of the request and said she would be glad to have a separate driveway. There was no opposition and the public hearing was closed. Commissioner Hardy moved to approve RZ-24-0220 with one (1) condition. Commissioner Seagraves seconded the motion. The vote was taken, and the motion passed unanimously. (Vote 6 – 0)

9. **RZ-24-0221 : Duc Nguyen, 5505 Highway 124, Hoschton; 1.58 acres (Map 105/Parcel 004D)**

Request to rezone from A-2 (Agricultural Rural Farm District) to CRC (Community Retail Commercial District) in order to develop a dental office and commercial rental space

Hannah Slater presented the staff report for RZ-24-0221. The applicant requested approval to rezone property from A-2 to CRC zoning for a dental office and commercial rental space. The Planning Staff and Planning Commission recommended approval. A public hearing was held on the request. Sloane Laughman spoke in support of the application. There was no opposition and the public hearing was closed. Commissioner Clack moved to approve RZ-24-0221. Commissioner Seagraves seconded the motion. The vote was taken, and the motion passed unanimously. (Vote 6 – 0)

10. **RZ-24-0222 : McGrath RentCorp, 420 Ethridge Road, Jefferson; 11.9 acres (Map 070/Parcel 005F)**

Request for the A-2 (Agricultural Rural Farm District) zoning as part of the de-annexation process from the City of Arcade

Hannah Slater presented the staff report for RZ-24-0222. She said the applicant intended to rezone property for the A-2 (Agricultural Rural Farm District) zoning as part of the de-annexation process from the City of Arcade. The Planning Staff and Planning Commission recommended approval with one (1) condition.

1. If the remainder of Map/Parcel 070 005F is annexed into the city limits, the 50-foot unincorporated strip must remain free of any commercial activities, including but not limited to access.

A public hearing was held on the request. Sloane Laughman addressed the board in support of the application. There was no opposition and the public hearing was closed. Commissioner Seagraves moved to approve RZ-24-0222 with one (1) recommended condition. Commissioner Hardy seconded the motion. The vote was taken, and the motion passed unanimously. (Vote 6 – 0)

11. **RZ-24-0224 : Allan Johnston, Harris Lord Cemetery Road, Commerce; 5.32 acres (Map 012/Parcel 025G2)**

Request to rezone from A-2 (Agricultural Rural Farm District) to MH (Manufactured Housing District) in order to subdivide into 2 tracts

Hannah Slater presented the staff report for RZ-24-0024. The applicant requested approval of a rezoning request from A-2 to M-H in order to subdivide the property into

two separate tracts. The Planning Staff and the Planning Commission recommended approval. A public hearing was held on the request. There were no comments in support of or in opposition to the request. The public hearing was subsequently closed.

Commissioner Hardy moved to approve RZ-24-0224. Commissioner Hix seconded the motion. The vote was taken, and the motion passed unanimously. (Vote 6 – 0)

The board paused for a fifteen (15) minute break at 7:20 p.m.

12. SU-24-0072 : David Ellison, Chandler Bridge Road, Athens; 374.29 acres (Map 017/Parcel 067A)

Request for a Special Use for mining, quarrying, or resource extraction

Jamie Dove, Public Development Director, advised Items #12 - #19 were all related. The applicant was amenable to combining the public hearing for all requests for a total of 45 minutes. Ms. Dove reviewed the staff report in detail. She acknowledged having certified copies of the Jackson County Unified Development Code, 2050 Jackson County Comprehensive Plan, the eight (8) case packets in their entirety, which included the staff reports, Development Regional Impact (DRI) from the Northeast Regional Commission, various application materials, and other required documentation. She also had the draft minutes of the October 24, 2024 Planning Commission meeting. The Planning Staff and Planning Commission recommended denial. She advised that in the event the board wished to approve the requests, staff had recommended twenty-one conditions.

A public hearing was held on the eight requests. Steven Ashworth, 1468 Whitfield Street, Smyrna, Georgia addressed the board in support of the application. David Ellison, with Fortson, Bentley, & Griffin, also spoke in support of the applications. The following individuals spoke in opposition to the requests: Sarah Sutherland, 550 Gunston Farm Road, Athens, GA; Tim Cornelison, 122 Lake Vista Lane, Commerce, GA; Dr. Todd Rasmussen, 1020 Churchill Lane, Watkinsville, GA; Dr. Karen Porter, 285 Three Oaks Drive, Athens, GA; Dr. James Porter, 285 Three Oaks Lane, Athens, GA; Laura Hall, 170 Matthews Ave., Athens, GA; and Dan Crescenzo, 456 Nash Road, Athens, GA. They expressed concerns regarding water quality, sediment, flood plain, erosion issues, and reported on company-documented violations.

Mr. Ellison spoke in rebuttal to concerns and issues raised by the opposition. The public hearing was closed and requests submitted to the board for consideration.

Commissioner Seagraves moved to deny SU-24-0072. Commissioner Hardy seconded the motion. The vote was taken and the motion passed. Commissioners Hardy, Hix, Clack, Seagraves, and Elrod voted in favor of the motion. Chairman Crow voted nay. (Vote 5 – 1)

13. SU-24-0073 : David Ellison, Chandler Bridge Road, Athens; 343.71 acres (Map 017/Parcel 067)

Request for a Special Use for mining, quarrying, or resource extraction

Commissioner Seagraves moved to deny SU-24-0073. Commissioner Hix seconded the motion. The vote was taken, and the motion passed. Commissioners Hardy, Hix, Clack, Seagraves, and Elrod voted in favor of the motion. Chairman Crow voted nay. (Vote 5 – 1)

14. SU-24-0074 : David Ellison, US Highway 441 South, Athens; 55.08 acres (Map 017/Parcel 070A)

Request for a Special Use for mining, quarrying, or resource extraction

Commissioner Seagraves moved to deny SU-24-0074. Commissioner Hardy seconded the motion. The vote was taken, and the motion passed. Commissioners Hardy, Hix, Clack, Seagraves, and Elrod voted in favor of the motion. Chairman Crow voted nay. (Vote 5 – 1)

15. SU-24-0075 : David Ellison, 10406 Commerce Road, Athens; 63.03 acres (Map 017/Parcel 081)

Request for a Special Use for mining, quarrying, or resource extraction

Commissioner Seagraves moved to deny SU-24-0075. Commissioner Clack seconded the motion. The vote was taken and the motion passed. Commissioners Hardy, Hix, Clack, Seagraves, and Elrod voted in favor of the motion. Chairman Crow voted nay. (Vote 5 – 1)

16. SU-24-0076 : David Ellison, 352 Fitzpatrick Road, Athens; 14.5 acres (Map 017/Parcel 068D2)

Request for a Special Use for mining, quarrying, or resource extraction

Commissioner Seagraves moved to deny SU-24-0076. Commissioner Hardy seconded the motion. The vote was taken and the motion passed. Commissioner Hardy, Hix, Clack, Seagraves, and Elrod voted in favor of the motion. Chairman Crow voted nay. (Vote 5 – 1)

17. SU-24-0077 : David Ellison, 173 Family Pond Road, Athens; 12.41 acres (Map 017/Parcel 068K)

Request for a Special Use for mining, quarrying, or resource extraction

Commissioner Seagraves moved to deny SU-24-0077. Commissioner Hardy seconded the motion. The vote was taken and the motion passed. Commissioners Hardy, Hix, Clack, Seagraves, and Elrod voted in favor of the motion. Chairman Crow voted nay. (Vote 5 – 1)

18. SU-24-0078 : David Ellison, 309 Family Pond Road, Athens; 9 acres (Map 017/Parcel 068M)

Request for a Special Use for mining, quarrying, or resource extraction

Commissioner Seagraves moved to deny SU-24-0078. Commissioner Hardy seconded the motion. The vote was taken and the motion passed. Commissioners Hardy, Hix, Clack, Seagraves, and Elrod voted in favor of the motion. Chairman Crow voted nay. (Vote 5 – 1)

19. SU-24-0079 : David Ellison, 71 Family Pond Road, Athens; 15.13 acres (Map 017/Parcel 068J)

Request for a Special Use for mining, quarrying, or resource extraction

Commissioner Seagraves moved to deny SU-24-0079. Commissioner Hardy seconded the motion. The vote was taken and the motion passed. Commissioners Hardy, Hix, Clack, Seagraves, and Elrod voted in favor of the motion. Chairman Crow voted nay. (Vote 5 – 1)

11. **Adjournment**

Chairman Tom Crow declared the meeting adjourned at 9:37 p.m.



Attest: *Ericka Johnson*
Ericka Johnson, Deputy Clerk

Jackson County Board of Commissioners
Approved: December 2, 2024

Tom Crow
Tom Crow, Chairman

Jim Hix
Jim Hix, District 1 Commissioner

Chas Hardy
Chas Hardy, District 2 Commissioner

Ty Clack
Ty Clack, District 3 Commissioner

Marty Seagraves
Marty Seagraves, District 4 Commissioner

Cole Elrod
Cole Elrod, District 5 Commissioner