



Jackson County Board of Commissioners

Meeting Minutes

Monday, May 16, 2022 • 6:00 P.M.

The Jackson County Board of Commissioners met on Monday, May 16, 2022 at 6:00 p.m. in the Jury Assembly Room at the Jackson County Courthouse, 5000 Jackson Parkway, Jefferson, Georgia.

Commissioners Present: Tom Crow, Chairman
Jim Hix, Commissioner District 1
Ralph Richardson, Commissioner District 3
Marty Seagraves, Commissioner District 4

Staff Present: Kevin Poe, County Manager
Gina Roy, Assistant County Manager
Jamie Dove, Public Development Manager
Ericka Johnson, Deputy Clerk

Press: Mike Buffington, Jackson Herald/Mainstreet News

A. CALL TO ORDER:

Chairman Tom Crow called the meeting to order at 6:00 p.m.

B. INVOCATION:

Kevin Poe, County Manager, gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Commissioner Ralph Richardson led the Pledge of Allegiance.

D. APPROVAL OF MINUTES:

Commissioner Richardson made the motion, seconded by Commissioner Seagraves, to approve the minutes for May 2, 2022. The vote was taken and the motion passed unanimously. (Vote 4 – 0)

E. CITIZEN INPUT:

None

F. REPORTS:

From Commissioner Marty Seagraves:

Distributed a report which included facts and details on various buildings located in the county. He reported in 2021, there were 34 distribution centers in the county with

500,000+ square feet with 38.2% of those facilities were located within the City of Jefferson. A total of 5.8% of those facilities were located in the City of Commerce and 26.4% were located in the Town of Braselton. 23.5% of the buildings were located in the county and 5.8% were located in the City of Pendergrass. He concluded that the number indicate that 76.5% of the warehouses in the county, were ones the Board of Commissioners did not approve. Commissioner Seagraves went on to say that he did not have any intention of supporting any land use, map amendment, or rezoning for mini-warehouses.

G. CONSENT AGENDA:

- 1) Memorandum of Understanding with Town of Braselton Related for Signage and Beautification Project: (Kevin Poe)
Authorize an agreement with the Town of Braselton to help fund a project to install signage and landscaping at the I-85 Exit 129 interchange and amend the budget to cover the County's \$62,500 share of the project
- 2) Award Bid for Construction of the New Skelton Road and Hwy 124/Skelton Road Intersection Upgrade: (Kevin Poe)
Award the bid to the low-bidder, G.P.'s Enterprises, in the amount of \$3,648,150.35 for construction of the new Skelton Road and Hwy. 124/Skelton Road Intersection Upgrade
- 3) Agreement for Sale of Realty with Kings Bridge, LLC: (Kevin Poe)
Approve the agreement for Sale of Realty with Kings Bridge, LLC for the purchase of 115.83 acres in the amount of \$1,702,701 and amend the FY 2022 budget to include this expenditure
- 4) Bid Award and Contract for Airport Runway & Taxiway Rehabilitation Project: (Kevin Poe)
Award the bid and approve the contract for the Airport Runway and Taxiway Rehabilitation project to E.R. Snell and authorize the Chairman to sign all associated documents

Consent Agenda: Commissioner Hix made the motion, seconded by Commissioner Seagraves, to approve the Consent Agenda as presented. The vote was taken and the motion passed unanimously. (Vote 4 – 0)

H. NEW BUSINESS:

- 5) Request to Dedicate Tom White Road Cul-de-Sac: (Jamie Dove)
To request the acceptance of the Tom White Road cul-de-sac and accompanying right-of-way. See deed and legal description

Jamie Dove, Public Development Manager, presented a request to dedicate Tom White Road Cul-de-Sac. Ms. Dove explained a developer had completed the work on both sides of the road and certificates of completion were received. Commissioner

Richardson made the motion, seconded by Commissioner Seagraves, to dedicate Tom White Road cul-de-sac as described in the staff report. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 4 – 0)

6) **Request to Relocate the Smith-White Cemetery:** (Jamie Dove)
To approve the relocation of the Smith-White Cemetery located on Bill Wright Road, specifically tax parcel 078 023B

Joel Logan, GIS Manager, presented a request to relocate the abandoned Smith-White Cemetery. He reported staff had thoroughly reviewed the application and added the applicant had diligently worked on this project for several years. The applicant had followed all guideless as outlined in O.C.G.A. 36-71-5 and had also implemented the genealogy plan to reach out to the descendants. Mr. Logan stated the board the descendants seemed to have a strong desire to relocate the remains to a closer location. He further stated the applicant had filed an addendum to have the remains relocated to the Pendergrass Baptist Church. Mr. Logan advised under the state code, the board could give a decision in writing, or have 30 days to ponder the decision. Also, if the applicant disagreed with the board's final decision, they could file an appeal in Superior Court.

Sandra Rollins, a resident of Douglasville, GA, addressed the board and reported Robert White and Nancy Hellena Smith, were her great-grandparents. She added the cemetery had not been properly protected or respected by the current landowners. She advised family members did not have appropriate access to the cemetery to preserve it. Moreover, she adamantly stated this was not an abandoned cemetery. She was opposed to the disturbance of the graves.

Chairman Crow also confirmed the cemetery was not abandoned. He had talked with several family members and they felt it was best to relocate the graves to the church cemetery. Christopher Hamilton, County Attorney, opened the public hearing for comment. Matt McCord, 434 Green Street, Gainesville, GA, spoke on behalf of CBD Investments, the owner of the property. Matt Mattnes, a mortuary archeologist with New South Associates, spoke and confirmed the recovery will be completed in a professional and most respectful manner. There was no other opposition and the public hearing was closed.

Chairman Crow made the motion, seconded by Commissioner Hix, to relocate the Smith-White Cemetery. The vote was taken. Chairman Crow and Commissioner Hix voted in favor of the motion. Commissioners Richardson and Seagraves voted against the motion. (Vote 2 – 2) Mr. Hamilton noted with the vote, the item did not pass and will be held over to the next meeting.

7) **To Approve a Resolution Authorizing the Transmittal of Proposed Capital Improvement Element (CIE) of the Jackson County Comprehensive Plan:**

(Gina Roy)

Authorize the Chairman to sign the resolution authorizing the transmittal of a proposed capital improvement element of the Jackson County Comprehensive Plan to the Northeast Georgia Regional Commission for required regional and staff review and requesting its favorable consideration

Gina Roy, Assistant County Manager, said the board placed a moratorium on residential development and there were two items the board wanted staff to explore. One was impact fees, and the other was possible changes to the development code. She explained there were two parts to impact fees. One was to amend the Comprehensive Plan to add a Capital Improvement Element (CIE). The second element was the impact fee ordinance, which set the fees.

This was the first recommendation from the Impact Fee Committee. Ms. Roy explained the CIE contained language that described the level of services and if the ordinance was approved, it would outline the designation of funds. The committee recommended the top services to include Roads, EMS/EMA, and Parks and Recreation. The document highlighted the element and level of services; however, a fee was not included.

Christopher Hamilton, County Attorney, opened the public hearing for comment. Keith Hayes, 5108 Winder Highway, and a member of the committee, addressed the board. He explained several meetings were held and the committee wanted to determine the impact of new development to the county. Walter Barnett, a member of the committee who resided at 184 Stapler Bridge Road, Nicholson, also shared how the committee determined \$3,000 was a reasonable fee. There was no other comment and the public hearing was closed.

Chairman Crow made the motion, seconded by Commissioner Hix, to approve the resolution authorizing the transmittal of a proposed Capital Improvement Element (CIE) of the Jackson County Comprehensive Plan. The vote was taken and the motion passed unanimously. (Vote 4 – 0)

8) **Chiller Replacement at Courthouse:**

(Kevin Poe)

Award the bid and approve a contract with Atlanta City Guys for Chiller Replacement at the Courthouse in the amount of \$291,198

Kevin Poe, County Manager, advised there was a need to replace the chiller at the Courthouse. Seven (7) competitive bids were received. The low, responsive bidder was received from Atlanta City Guys in the amount of \$291,198. Chairman Crow made the motion, seconded by Commissioner Richardson, to award the bid and approve a contract with Atlanta City Guys to replace the chiller at the courthouse in the amount of \$291,198. The vote was taken and the motion passed unanimously. (Vote 4 – 0)

8a.) **Municipal Association of Jackson County:**

Kevin Poe, County Manager, reminded members the board had received a letter from the Municipal Association of Jackson County. The association represented all the mayors and cities in Jackson County. Mr. Poe acknowledged they had officially requested that the County agree to another extension of time to negotiate the Service Delivery Strategy. Commissioner Richardson made the motion, seconded by Commissioner Hix to amend the agenda to include this item. There was no discussion. The vote was taken and the motion passed unanimously. (Vote 4 – 0)

Chairman Crow made the motion, seconded by Commissioner Seagraves, to approve the extension with a condition, that this will be the last extension the board will approve. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 4 – 0)

I. **ZONING RELATED BUSINESS:**

New Business:

- 9) **RZ-22-0109 – Paul & Bridget Dawson, 74 Garner Rd., Braselton, GA; 4.65 acres; rezone from A-2 (Agricultural Rural Farm District) to A-R (Agricultural Residential District) in order to divide property into 2 tracts. (Map 117/Parcel 002D)**

Planning Staff Recommendation:

Approval

Planning Commission Recommendation:

Approval

Jamie Dove, Public Development Manager, presented the staff report for RZ-22-0109. The applicant requested approval of a rezoning to from A-2 to A-R in order to split the property into two (2) tracts. The Planning Staff and Planning Commission recommended approval of the request.

Christopher Hamilton, County Attorney, opened the public hearing for comment. The applicant was not present. There was no opposition and the public hearing was closed. Commissioner Richardson made the motion, seconded by Commissioner Seagraves, to approve RZ-22-0109. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 4 – 0)

- 10) **RZ-22-0110 – Michael Nanni, 5259 Brockton Loop Rd., Jefferson, GA; 15.755 acres – Tract #4; rezone from PCFD (Planned Commercial Farm District) to A-R (Agricultural Residential District) to divide into 3+ acre tracts. (Map 039/Parcel 015F)**

Planning Staff Recommendation:

Approval w/ 1 condition

Planning Commission Recommendation:

Approval w/ 1 condition

Jamie Dove, Public Development Manager, presented the staff report for RZ-22-0110. The applicant desired a rezoning on a portion of 15-acres from PCFD to A-R in order to split the property into five new lots. Originally, this property consisted of 95 – 100 acres, and the applicant subdivided it. The Planning Staff and Planning Commission approved the request with one (1) condition.

1. It must be noted on the final plat that the five new AR zoned lots cannot be further subdivided in the future.

Christopher Hamilton, County Attorney, opened the public hearing for comment. Michael Nanni, 1165 Boss Hardy Road, Auburn, GA did not have anything to add to the presentation. He also did not have any objection to the recommended condition. There was no opposition and the public hearing was closed.

Commissioner Seagraves made the motion to approve RZ-22-0110 with one (1) condition.

1. It must be noted on the final plat that the five new AR zoned lots cannot be further subdivided in the future.

Commissioner Hix seconded the motion. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 4 – 0)

- 11) **RZ-22-0111 – Keith Hayes Construction, 4608 Winder Hwy., Jefferson, GA; 2.0 acres; rezone from NRC (Neighborhood Retail Commercial District) to HRC (Highway Retail Commercial District) for commercial use. (Map 095/Parcel 028G)**

Planning Staff Recommendation:

Approval

Planning Commission Recommendation:

Approval

Jamie Dove, Public Development Manager, presented the staff report for RZ-22-0111. The applicant requested approval to rezone property from NRC to HRC to continue operating the business onsite. The property was rezoned in the 1980's; however, the occupational certificate had lapsed and this required the property to become compliant.

Christopher Hamilton, County Attorney, opened the public hearing for comment. Hunt Hayes, 1177 Winder Highway, Jefferson addressed the board and expressed his desire to bring the property into compliance. There were no questions. There was no opposition and the public hearing was closed. Commissioner Hix made the motion, seconded by Commissioner Seagraves, to approve RZ-22-0111. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 4 – 0)

- 12) **RZ-22-0116 - East Group Properties, 354 Tom White Road, Braselton, GA; 28 acres; rezone from A-2 (Agricultural Rural Farm District) to L-I (Light Industrial District) for a business park with two office distribution buildings. (Map 112/Parcel 004)**

Planning Staff Recommendation:

Approval w/ 2 conditions

Planning Commission Recommendation:

Approval w/ 2 conditions

Jamie Dove, Public Development Manager, advised Items #12 and #13 were related and asked if the board wanted to combine the public hearings. The counselor for the applicant agreed to combine the public hearings. Ms. Dove reported the properties fronted on Tom White Road. Both applications were before the board to rezone from A-2 to L-I for light industrial. She explained the two buildings were planned for commercial in the front and distribution in the back. The buildings would total 250,000 square feet or less. The Planning Staff and Planning Commission recommended approval with two (2) conditions.

1. The property currently has road frontage on Tom White Road. Tom White Road will be used for access to the property. The Jackson County Road Department will require upgrades to Tom White Road, from the intersection of Highway 124 to the property/proposed project entrance. Road upgrades to be determined by the Jackson County Road Department and the Georgia Department of Transportation at a later date.
2. All stream buffers and zoning buffers must be adhered to.

Christopher Hamilton, County Attorney, opened the public hearing for comment. Anre Washington, 1960 Satellite Boulevard, Duluth, GA addressed the board. He also distributed a handout. He advised plans were to build a facility to provide businesses a location to conduct business and to distribute their products. He added the applicant planned to build two buildings, one consisting of 190,000 square feet and another totaling 205,000 square feet. He reported this would be \$40 million dollar facility and would create 400 jobs. Mr. Washington was amenable to the two (2) recommended conditions.

John Coleman, 325 Effingham Drive, Atlanta, GA addressed the board. He managed the eastern region of East Group Properties. He spoke on the quality of the current buildings and he reviewed their current customer base. There was no opposition to the request and the public hearing was closed. Commissioner Richardson made the motion, seconded by Commissioner Seagraves, to approve RZ-22-0116 with two (2) conditions.

1. The property currently has road frontage on Tom White Road. Tom White Road will be used for access to the property. The Jackson County Road Department will require upgrades to Tom White Road, from the intersection of Highway 124 to the property/proposed project entrance. Road upgrades to be determined by the Jackson County Road Department and the Georgia

Department of Transportation at a later date.

2. All stream buffers and zoning buffers must be adhered to.

The vote was taken and the motion passed. Chairman Crow and Commissioners Richardson and Seagraves voted in favor of the motion. Commissioner Hix opposed. (Vote 3 – 1)

- 13) **RZ-22-0117 - East Group Properties, 282 Tom White Road, Braselton, GA; 13.67 acres; rezone from A-2 (Agricultural Rural Farm District) to L-I (Light Industrial District) for a business park with two office distribution buildings. (Map 112/Parcel 004A)**

Planning Staff Recommendation:

Approval w/ 2 conditions

Planning Commission Recommendation:

Approval w/ 2 conditions

Commissioner Richardson made the motion, seconded by Commissioner Seagraves, to approve RZ-22-0117 with two (2) conditions.

1. The property currently has road frontage on Tom White Road. Tom White Road will be used for access to the property. The Jackson County Road Department will require upgrades to Tom White Road, from the intersection of Highway 124 to the property/proposed project entrance. Road upgrades to be determined by the Jackson County Road Department and the Georgia Department of Transportation at a later date.
2. All stream buffers and zoning buffers must be adhered to.

The vote was taken and the motion passed. Chairman Crow and Commissioners Richardson and Seagraves voted in favor of the motion. Commissioner Hix opposed. (Vote 3 – 1)

- 14) **Text Amendment – Amendments within Article 3 of the Unified Development Code pertaining to allowable fencing materials, proposing a retaining wall required slope and introducing regulations and requirements when berms are utilized as a screening mechanism.**

Planning Staff Recommendation:

Approval

Planning Commission Recommendation:

Approval

Jamie Dove, Public Development Director, presented the staff report for a proposed text amendment regarding fences, walls, retaining walls, and defined berms as a screening mechanism. Staff defined berm as it was not previously a part of the code. Ms. Dove also reported the amendment would prohibit the use of solid metal fencing as an approved material. The text amendment also required a 33% slope for retaining walls.

Christopher Hamilton, County Attorney opened the public hearing to receive comment. No one spoke in support of the request. There was no opposition and the public hearing was closed. Commissioner Hix made the motion, seconded by Commissioner Seagraves, to approve the text amendment as presented. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 4 – 0)

15) Text Amendment – Amendments within Article 8 and 11 of the Unified Development Code pertaining to storm water detention ponds and their required slopes

Planning Staff Recommendation:

Approval

Planning Commission Recommendation:

Approval

Jamie Dove, Public Development Manager, presented the staff report for a text amendment concerning detention bonds and slopes, which will be required for esthetics purposes. There was a minimum 4:1 side slope on the detention ponds. Christopher Hamilton, County Attorney opened the public hearing to receive comment. No one spoke in support of the request. There was no opposition and the public hearing was closed.

Commissioner Seagraves made the motion, seconded by Commissioner Richardson, to approve the text amendment as presented. The vote was taken and the motion passed unanimously. (Vote 4 – 0)

16) Text Amendment – Amendments within Article 2 and 3 of the Unified Development Code pertaining to minimum lot area size for R-1, R-2, R-3 zonings and removing open space subdivisions and the availability of development for single-family detached residential uses in R-2 and R-3 zonings

Planning Staff Recommendation:

Approval

Planning Commission Recommendation:

Approval

Jamie Dove, Public Development Manager, presented the staff report for the text amendment regarding minimum lot size for R-1, R-2, R-3 zonings. The minimum lot area for R-1 lot with well and septic tank was 1.5 acres. An R-1 with public water and septic tank was $\frac{3}{4}$ of acre, and for public water and public sewer was $\frac{1}{2}$ acre. Single-family was removed from R-2 and R-3 districts. And only single-family subdivisions will be allowed in R-1. Lastly, Sec. 3 089. Regarding Open Space Subdivisions were removed in its entirety. Christopher Hamilton, County Attorney opened the public hearing to receive comment. No one spoke in support of the request. There was no opposition and the public hearing was closed.

Commissioner Hix made the motion, seconded by Commissioner Richardson, to approve the text amendment as presented. Hearing no discussion, the vote was taken and the motion passed unanimously. (Vote 4 – 0)

L. ADJOURNMENT:

Chairman Crow reported there was no other business to consider and he declared the meeting adjourned at 7:20 pm.

All printed material/documentation presented is filed in Board Minute Addendum Book No. 13-Q and hereby becomes a part of the official minutes.

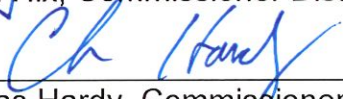
Minutes Approved: Monday, June 6, 2022

Jackson County Board of Commissioners

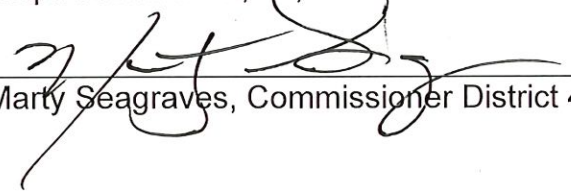



Tom Crow, Chairman


Jim Hix, Commissioner District 1


Chas Hardy, Commissioner District 2


Ralph Richardson, Jr., Commissioner District 3


Marty Seagraves, Commissioner District 4

Attest: 
Ericka Johnson Deputy Clerk