

**Jasper County Board of Commissioners**  
**May 1, 2023**  
**Regular Meeting Minutes**  
**6:00 P.M.**

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

Commissioners Present: Don Jernigan, Chairman; Sheila Jones, Vice-Chairman; Bruce Henry; Gerald Stunkel; and Steven Ledford.

Staff: Mike Benton, County Manager, Sharon Robinson, Administrative Services Director, Larissa Ruark, Chief Accounting Officer, and Barry Fleming, Fleming Nelson Attorney Group

**Pledge of Allegiance:**

**Invocation:** Chairman Don Jernigan, District 3.

**Agenda Approval:** Commissioner Ledford motioned to approve the agenda as presented. Commissioner Jones seconded the motion, passed unanimously.

**Consent Agenda:**

Commissioner Ledford motioned to approve the Regular Meeting Minutes for April 3, 2023 as presented. Commissioner Jones seconded the motion, passed unanimously.

Commissioner Jones motioned to approve Check #s 67408-67617. Commissioner Ledford seconded the motion, passed unanimously.

**Public Hearings:** Commissioner Stunkel motioned to open the Public Hearing at 6:02 p.m. Commissioner Ledford seconded the motion

1. **A Public Hearing and recommendation by the Planning Board will be held for a Residential Plat located off of Cook Road, Map & Parcel 026 054 002. The request is to approve the division of land for a total of 19 lots on 288.707 acres. The property is zoned AG and the lots will abut existing road frontage.**

Ms. Johnson (P&Z Director) presented the board with information relating to the application for a division of property. All lots meet the minimum requirements. The Planning Board recommended approval with some stipulations (not conditions).

1. The owner would submit a plan to be approved by the P & Z office and the Public Works Department for the use of Cook Road during construction.
2. The owner will improve by grading and graveling the existing road frontage along the property and to work with the Public Works Department for specifications.
3. The BOC to decide if they want to acquire actual road frontage along Cook Road from the owner on this strip of land as the road is currently in a prescriptive easement.

**In Favor:**

**Mark Bookam-** All lots meet minimum requirements. Most are over 10 acres.

**Adam McGinnis-** Stated that this is what people are in Jasper County is wanting. The plat itself have a lot of good moving parts.

**Asher Gray-** Stated that he would like to see the plat. He stated he wants to see more of the layout of how the acres are. He likes the stipulation aspect.

**Bill Nash-** Stated that he is still in favor of this. This is the type thing people have been asking for.

**Opposed:** None

2. **A Public Hearing and recommendation by the Planning Board will be held for a Residential Plat, Hardy Creek Estates, located off of Millen Road, Map & Parcel 026 054 004. The request is to approve the division of land for a total of 11 lots on 152.06 acres. The property is zoned AG and the lots will abut existing road frontage.**

Ms. Johnson stated that there will be 11 lots with all being at least 12 acres each. Some are 12+ and all have at least 200 ft of road frontage. The planning board put stipulations on this request as well. The stipulations are:

1. The owner would submit a plan to be approved by the P & Z office and the Public Works Department for the use of Millen Road during construction.
2. The owner will improve by grading and graveling the existing road frontage along the property and to work with the Public Works Department for specifications.
3. The BOC to decide if they want to acquire actual road frontage along Millen Road from the owner on this strip of land as the road is currently in a prescriptive easement.

**In Favor:**

**Joe Stockdale:** Stated that he owns this property. He wanted to make sure that he kept large lots.

**Commissioner Ledford** ask **Mr. Stockdale** if he is good with the stipulations about the upgrade of the road.

**Mr. Stockdale** state that his plan is to install driveway culverts and clean it up to make sure it looks good. The road will look pristine and be in great condition.

**Opposed:**

**Mary Patrick-** Stated that she is not opposed but wanted to make everyone aware of some facts. She stated that during a Planning meeting the applicant was adamant that he would not place gravel on the road or repair it. There will be two acres taxed with the house and the rest in conservation. The backyards are about a half mile long.

**Bill Young-** Stated that Millen Road can not take the traffic that putting these subdivisions will bring. Who is going to monitor these two developers?

3. **A Public Hearing and recommendation by the Planning Board will be held for an Industrial/Commercial Preliminary Plat located at the NNW intersection of Hwy 83 S and Edwards Road, Map & Parcel 040 010X and 039A 029. The request is for a total of 10 lots on 35.72 acres.**

Ms. Johnson stated that the request of the preliminary plat is for a corner parcel at Hwy 83 South and Edwards Road. There is an existing driveway that is curb and gutter. The storm pond have been updated. The Planning Commissioner recommended approval with the following stipulations (some have already been corrected):

1. The total number of lots will not exceed 10.
2. Correct the front setback language in lot #9 from where it shows 20ft to 50ft that has been corrected on the updated preliminary plat.
3. Add language for the transitional buffer to stay undisturbed buffers. Those are also shown on the updated preliminary plat.
4. Show the tentative storm ponds and utilities on the plat. There are two tentative ponds. There will be storm detention ponds in the development.

5. Include Section 105-222 of the Development regulations as applicable.

Commissioner Henry ask if all of the roadway be installed.

Ms. Johnson stated that the project will be done in two phases. The developer is waiting for approval from the Georgia Department of Transportation for GA Hwy 83. The propose to move forward with the Edwards Road side first.

**In Favor:**

**Mr. Mark Walton** stood and stated that he represents Mr. Cagle and Mr. Adams. He stated they both own their individual businesses. The first two lots will be for their businesses. Beyond that the will build to suit buildings.

Commissioner Ledford ask the applicants if they had a back-up plan if the GDOT does not approve their request.

Mr. Walton stated that after 38 years of doing the driveways he feels confident that it will be approved. However, if it is not Plan B would just be the cul-de-sac and a big lot that backs up to Highway 83.

**Opposed:**

**David Thompson-** Mr. Thompson stated the scenic byway Commission has the authority granted by the Jasper County BOC to approve or disapprove development along those scenic byways. He feels like the portion of the project that deals with Highway 83 should be presented to the Scenic Byway Commission and then approved.

4. Consideration of a Moratorium for all Rezoning requests until such time as the Comprehensive Land Use Map is approved which is due on or before October 31, 2023.

Ms. Johnson presented the request that came about at the recent Planning Commission Meeting. The moratorium would be specific for any rezoning requests for a period not greater that 180 days which put us to November 1<sup>st</sup>. The commission did not specify specific zonings. The moratorium could expire on November 1<sup>st</sup> or once the Future Land use map is approved.

**In Favor:**

**Mary Patrick-** Stated that she thinks it will be a good thing and is certainly in favor of it. We should make sure that all of the updates and changes are on Municode.

**Cathy Benson** (Monticello)- Ms. Benson stated that she thinks we need a moratorium in place until the comprehensive Land use map is presented since there is so much controversy about agriculture as opposed to subdivision.

**Opposed: None**

Commissioner Ledford motioned to close the Public Hearing at 6:42 p.m. Commissioner Jones seconded the motion, passed unanimously.

**Presentations/Delegations- None**

**Citizens Comments:**

- **John Henderson (Herd's Creek Road)**- Mr. Henderson state that he would like to see the BOC come up with a Code of Ethics and an Ethics Board. The Ethics board would review citizens complaints of possible ethics violations. Board appointees should be citizens and there should be 5-7 members on the board. We have had drastic changes in the tax assessments for the last few years. Senior citizens need relief. He stated that he would like to see a meaningful exemption for senior citizens.

- **Asher Gray (Bailey Road)**- Mr. Gray stated that he is frustrated with his open records request. He also spoke about his concerns with tax inflation. He demanded that the BOC adjust the milage rate to reflect the inflation. He told Chairman Jernigan that he thinks he needs to resign. He stated that he didn't want something to happen to him.
- **Rob Alexander (Fullerton Phillip Road)**- Mr. Alexander voiced his concern with the County giving the City of Monticello \$19K for a park. He asked when will the records be turned over to Asher Gray.
- **Cathy Benson (Monticello)**- Ms. Benson stated that there are two short term rentals on her street that are going strong. She stated that this is a commercial business be operated in a residential zoning.
- **Mary Patrick (Monticello)**- Ms. Patrick stated that we need two code Enforcement Officers in Jasper County. She stated that David Mercer with the Health Department could shut down half the houses in Rolling Wood Cove for health and sanitation reasons. She stated that the rollback rate needs to be cut more. She stated that we do not have a park in the County.

### **County Commissioner's Items**

**Commissioner Ledford**- Commissioner Ledford asked for an update of when we expect the contractor to complete the debris removal. He asked about when will we be able to build the shoulders back up.

Mr. Benton stated that he expects it to be within 3 weeks time.

**Commissioner Stunkel**- None

**Commissioner Jernigan**- None

**Commissioner Jones**- Commissioner Jones stated that the constituents that are in the city pay double taxes. The people in the district deserve a good quality of life as well. She stated that she is sorry that some people feel the way they do about the City of Monticello but those are the people who voted for her. She stated that we need to work together as a City and County. She thanked the board for agreeing.

**Chairman Henry**- None

### **Business Items:**

#### **Item 1: RES23-001- Approval for an Agricultural Plat that has more than 3 lots- Cook Road:**

Request approval of RES23-001 located off of Cook Road, Map & Parcel 026 054 002. The request is to approve the division of land for a total of 19 lots on 288.707 acres. The property is zoned AG and the lots will abut existing road frontage.

The request is to divide the property into 19 agricultural tracts.

The Planning Commission did recommend stipulations for the approval (vote of 3-2) to include:

1. Owner to present a plan to be approved by the Planning & Zoning Office and the Public Works Department for the use of the road, Cook Road, during construction.
2. Owner to improve by grading and graveling the existing road frontage along their property and to work with the Public Works Department for specifications.
3. For the Board of Commissioners to decide if they want to acquire actual road frontage along Cook Road from the owner on this strip of land as the road is currently a prescriptive easement.

Given the Plat meets the requirements of the AG (Agricultural) Zoning District, Staff recommends approval of the division of land with the Planning Commission's stipulations of #1 & #2 as shown above and vetted by legal; however, staff does not recommend acquiring right of way for this project due to the fact that overall

there would be a minimal amount of county owned right of way on an existing prescriptive easement road for it to benefit the county.

Commissioner Henry stated that we have been talking about lot sizes for the past 6 months. During citizen comments people have been saying that we change the rules as we go along. He stated that he don't believe we need to address any of the stipulations.

Commissioner Ledford stated that there is an ordinance that anyone that wants to do a subdivision have to make improvements to the nearest county road.

Commissioner Henry motioned to approve the plat without stipulations. Commissioner Ledford seconded the motion, passed unanimously.

**Item 2: RES23-002- Approval for an Agricultural Plat that has more than 3 lots- Millen Road:**

Request approval of RES23-002, Hardy Creek Estates, located off of Millen Road, Map & Parcel 026 054 004. The request is to approve the division of land for a total of 11 lots on 152.06 acres. The property is zoned AG and the lots will abut existing road frontage.

The request is to divide the property into 10 agricultural tracts.

The Planning Commission did recommend stipulations for the approval to include:

1. Owner to present a plan to be approved by the Planning & Zoning Office and the Public Works Department for the use of the road, Millen Road, during construction.
2. Owner to improve by grading and graveling the existing road frontage along their property and to work with the Public Works Department for specifications.
3. For the Board of Commissioners to decide if they want to acquire actual road frontage along Cook Road from the owner on this strip of land as the road is currently a prescriptive easement.

The motion to approve this petition did not pass the Planning Commission due to concerns over the requested improvements to Millen Road along the frontage owned by the applicant and the applicant not agreeing at the time of the meeting. However, the applicant has since agreed to the grading and graveling of the area. This is updated in the packet.

Given the Plat meets the requirements of the AG (Agricultural) Zoning District, Staff recommends approval of the division of land with the Planning Commission's stipulations of #1 & #2 as shown above and as vetted by legal; however, staff does not recommend acquiring right of way for this project due to the fact that overall there would be a minimal amount of county owned right of way on an existing prescriptive easement road for it to benefit the county.

Commissioner Henry motioned to approve the agricultural plat with no stipulations. Commissioner Ledford seconded the motion, passed unanimously.

**Item 3: PPT23-001- Approval for Preliminary Plat for AC Business Park:**

A Public Hearing will be held for an Industrial/Commercial Preliminary Plat located at the NNW intersection of Hwy 83 S and Edwards Road, Map & Parcel 040 010X and 039A 029. The request is for a total of 10 lots on 35.72 acres.

The request is to divide the property into 10 tracts with a new road shown as Southland Parkway on the Preliminary Plat. Southland Parkway will have access on both Edwards Road and Hwy 83.

The Planning Commission did recommend stipulations for the approval which include:

1. The total number of lots not exceed 10

2. To correct the front setback language of Lot #9 from 20' to 50' as shown.
3. Add language in the transitional buffers to state "Undisturbed Buffer"
4. Show the tentative detention/storm ponds and utilities on the plat for the BOC meeting.
5. To include Sec. 105-222 of the Development Regulations as applicable.

Given the Planning Commission recommended approval (5-0, with stipulations) unanimously for the Preliminary Plat, Staff recommends approval with the stipulations listed above.

Commissioner Henry stated that he would like to see before the Scenic Byway Commission to look at the project before Phase 2 is approved.

Commissioner Ledford motioned to approve Phase 1 as presented. Commissioner Jones seconded the motion, passed unanimously.

**Item 4: Discussion/consideration of enacting a Moratorium on the acceptance of Rezoning requests until the Future Land Use Map and Comp Plan are updated:** The Planning Commission is recommending the Board adopt a Moratorium on the acceptance of Rezoning requests until the Comp Plan and Future Land Use Map have been updated. These items should be completed by October 31, 2023.

The Planning Commission Board at their meeting on April 20, 2023 discussed the need for a Moratorium on Rezoning requests until the Comprehensive Plan, including the Future Land Use Map, was completed. The Planning Commission held a Public Hearing on the matter as well as there was an Advertisement placed in the Monticello News regarding the Moratorium. By a Vote of 5-0 the Planning Commission recommended the Board of Commissioners adopt the Moratorium.

Commissioner Ledford motioned to approve a moratorium on the acceptance of rezoning request until the Future Land Use Map and Comp Plan are updated for 180 days. Commissioner Stunkel seconded the motion, passed unanimously.

**Item 5: Sheriff's Office/Jail Project – Proposals for Construction Materials Testing and Special Inspection Services:**  
Received Two Proposals

	<u>Services Cost</u>	<u>NPDES Monitoring</u>
Nova Engineering and Env	\$33,554.00	\$8910.00 54 weeks x \$165.00
United Consulting	\$41,645	\$16,200.00 54 weeks x \$300.00

Commissioner Stunkel motioned to approve the proposal from Nova Engineering and Environmental for construction materials testing and special inspection services. Commissioner Henry seconded the motion, passed unanimously.

**Item 6: GDOT Low Impact Bridge Program – Application for Cook Rd Bridge, River Rd Bridge and Guy Jones Rd Bridge:** Chairman Jernigan stated that he would like to see us place Cook Road Bridge, River Road Bridge and Guy Jones Road Bridge on the GDOT low Impact Bridge Program.

Commissioner Henry motioned to approve Cook Road, River Road and Guy Jones Road bridges for the low impact bridge program and any other ones necessary. Commissioner Ledford seconded the motion, passed unanimously.

**Item 7: Pittman Construction Contract Modification – Commercial Asphalt Patching on County Line Rd and Hodges Farm Rd:** Staff is requesting to add additional scope to Pittman Construction’s contract to include commercial asphalt patching for certain sections of County Line Rd and Hodges Farm Rd.

Staff is requesting approval to obtain cost from Pittman Construction for certain sections of County Line Rd and Hodges Farm Rd.

Staff will present cost information obtained from Pittman Construction for BOC approval consideration.

Mr. Walsh stated that County Line has declined a lot since the tornado near Jones Estate and Rocky Creek Road. Hodges Farm Road have spots that are beyond repair.

Commissioner Ledford motioned to approve additional scope to Pittman Construction’s contract to include commercial asphalt for certain sections on County Line Road and Hodges Farm Road. Commissioner Henry seconded the motion, passed unanimously.

**Item 8: Azalea Regional Library – Impact Fee:** Staff is seeking approval to distribute impact fee allocation collected as of 6.30.2022 for Azalea Regional Library.

Azalea Regional Library currently receives a 2% allocation from every impact fee the county collects. The library’s audited impact fee balance at 6.30.2022 is \$14,531.20.

Commissioner Stunkel motioned to approve distribution of Impact Fee Funds Allocation of \$14,531.20 to the Azalea Regional Library. Commissioner Ledford seconded the motion, passed unanimously.

**Item 9: Intergovernmental Agreement with City of Monticello – Sands Drive Park Improvements: Sands Dr Park Improvements Cost Estimates**

Pavilion Shelter Top -	\$19,000
Six Commercial Picnic Tables -	\$ 8820
Three Commercial Park Benches -	<u>\$ 3171</u>
Total estimate	\$30,991

At the August 1, 2022 meeting, the BOC approved constructing a pavilion shelter top, six commercial picnic tables and three commercial park benches to be located at Sands Drive Park, to be funded by Impact Fees, provided the BOC and the Monticello City Council enter into an intergovernmental agreement with certain provisions.

Commissioner Jones motioned to authorize chairman to sign intergovernmental agreement with the City of Monticello City Council for park improvements for Sands Drive Park with correction on page 3 of the agreement to Jasper County. Commissioner Ledford seconded the motion, passed unanimously.

**Item 10: Jasper County Fire Rescue is requesting to purchase a new vehicle to replace the current 2008 Ford F150 single cab truck with a truck with increased capabilities for mission critical operations:**

Jasper County Fire Rescue is requesting to purchase a new vehicle to replace the current 2008 Ford F150 single cab truck with a truck with increased capabilities for mission critical operations. The current truck requires a new motor it has 143K miles. The repair estimate is around \$7,800.

Quote 1: Mathews Family Dealerships  
2022 Ram 2500 4\*4 with utility bed Cost - \$65,755.00

Quote 2: Gaiers Chrysler Dodge Jeep Ram  
2022 Ram 2500 4\*4 normal bed Cost - \$54,070.00

Quote 3: Freedom Ford Wise  
2022 Ford Super Duty F250 SRW 4\*4 Cost - \$58,761.29

**Potential Funding Sources:**

Available Impact Fees - \$106,246  
 ARPA Fund - \$530,383  
 General Fund Fund Balance

Commissioner Henry motioned to approve the purchase of a 2022 Ram 2500 4x4 with utility bed from Matthews Family Dealerships in the amount of \$65,755 with funding to come out of Impact Fees, upgrades not to exceed \$10,000. Commissioner Ledford seconded the motion, passed unanimously.

**Item 11: Jasper County Fire Rescue is requesting to purchase a new 60" cut commercial grade lawn mower to maintain yards of our Fire Stations:** Jasper County Fire Rescue is requesting to purchase a new 60" cut commercial grade lawn mower to maintain yards of our Fire Stations.

Chief Finch stated that they have been using the Sheriff's Department's lawn mowers in order to maintain the grass at all 7 stations.

Quote 1: Jasper County Small Engine  
Ferris ISX 800 27 HP 60" Cut - Model #5902075 Cost - \$8,900.00

Quote 2: Hays Tractor and Equipment  
Commercial ZTR MWR 25.5 HP 60" Cut – Model # Z726KW-3-60 Cost - \$11,349.00

Quote 3: John Deere AG-Pro  
John Deere Z950M ZTrak 27 HP 60" Cut Model #FX850V Cost - \$12,085.00

Commissioner Henry motioned to approve quote #1 from Jasper County Small Engine, Ferris ISX 800 27 HP 60" cut- Model #5902075 in the amount of \$8,900 to come from impact fees. Commissioner Stunkel seconded the motion, passed unanimously.

**Item 12: FY 2023 3<sup>rd</sup> Quarter Financial Report:**

	Actual	Budgeted		
TOTAL GENERAL FUND REVENUE	\$ 12,885,924	\$ 12,219,779	94.8%	5.2%
TOTAL GENERAL FUND EXPENDITURES	\$ 13,571,034	\$ 10,435,036	76.9%	23.1%

**Item 13: Schedule Work Sessions and Called Meetings as Needed:** The board scheduled a Work Session and Called Meeting for May 5<sup>th</sup>.

**County Attorney Items:** None

**County Manager Update:** CTC debris removal moved in today and is ready to get started. Mr. Benton gave a permit update as well.



**Executive Session:**

Commissioner Jones motioned to go into Executive Session at 8:06 p.m. to discuss personnel and litigation. Commissioner Ledford seconded the motion, passed unanimously.

**Adjourn:** Commissioner Stunkel motioned to adjourn the meeting at p.m. Commissioner Ledford seconded the motion, passed unanimously.

A handwritten signature in blue ink, appearing to read "Don Jernigan", written over a horizontal line.

Don Jernigan, Chairman

A handwritten signature in blue ink, appearing to read "Sharon Robinson", written over a horizontal line.

Sharon Robinson, Clerk