

Jasper County Board of Commissioners
June 5, 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 Stunkel motioned to remove Public Hearing #1 and Business Item #1 from the agenda since the applicant was not present. Commissioner Ledford seconded the motion, passed unanimously.

Commissioner Stunkel motioned to approve the agenda as amended. Commissioner Ledford seconded the motion, passed unanimously.

Consent Agenda:

Commissioner Ledford motioned to approve:

- January 5, 2023- Work Session Minutes
- January 20, 2023- Work Session Minutes
- April 24, 2023- Budget Work Session Minutes

as presented. Commissioner Jones seconded the motion, passed unanimously.

Commissioner Jones motioned to approve Check #s 67618-67990. Commissioner Ledford seconded the motion, passed unanimously.

Public Hearings: Commissioner Stunkel motioned to open the Public Hearing at 6:04 p.m. Commissioner Ledford seconded the motion

1. **A Public Hearing will be held for a rezoning request, 2023-REZ-001, for Pitts Chapel Road E, Newborn, GA 30056. The request is to rezone from AG (Agricultural) zoning district to RR (Rural Residential) zoning district to subdivide the original 7.86-acre tract into 2 tracts for 2 family members to build homes.: Public Hearing was tabled**
2. **A Public Hearing will be held for a Future Land Use Map Amendment, 2023-FLU-001, for 435 Seven Island Rd, Monticello GA 31064, Map & Parcel 027 036C 001. The request is to amend the Future Land Use Map from Agriculture, Forestry, Fishing and Hunting to Residential Growth. The purpose of the petition is to cut out a 2-acre tract of the original lot (7.72 acres) to rezone to RES and leave the 5+ acre track as AG (Agricultural).**

In Favor:

Kathy Hooper-Lloyd- Ms. Lloyd stated that is was a technicality that a change to the land use map had to be submitted. the

Opposed:

Mary Patrick- Ms. Patrick stated that this would be spot zoning. She stated it would set up terrible precedence. She thinks it need to be left as it is.

John Henderson (Herd's Creek Road)- Mr. Henderson stated that he would like to understand whether we have to change the land use map in order to rezone. He stated we may be setting a precedence with this decision.

Asher Gray (Bailey Road)- Mr. Gray stated that he assumes it is because of the driveway that they are making the request. He stated what's to say that they don't buy it and then flip it.

Rob Alexander (Fullerton Phillips Road)- Mr. Alexander stated that if we are going to start spot zoning there is not point in having a land use map.

Darrell Young (Hwy 212)- Mr. Young stated that there does not need to be any special circumstance. He had to cut out five acres and it needs to stay the same.

3. A Public Hearing will be held for a rezoning request, 2023-REZ-002, for 435 Seven Island Rd, Monticello GA 31064, Map & Parcel 027 036C 001. The request is to rezone a 2-acre portion of the tract from AG (Agricultural) zoning district to RES (Residential) zoning district. The purpose of the petitions is to cut out a 2-acre tract of the original lot (7.72 acres) and leave the 5+ acre track as AG (Agricultural).

In favor:

Kathy Hooper-Lloyd- Ms. Hooper-Lloyd presented several facts about the rezoning request. She explained why the zoning was chosen. She made clear that everything has been permitted. She stated that there is a lot of misinformation. She stated that they did their research and spoke with their neighbors to try to get this done.

Opposed:

Mary Patrick- Ms. Patrick stated that this will create precedence.

John Henderson- Mr. Henderson ask if this is setting a legal precedence.

4. A Public Hearing will be held for Amendments to Part II, Code of Ordinances, Chapter 109 – Planning and Chapter 119 – Zoning including Article VIII. – Board of Appeals and any other Articles or Sections of Chapter 119 as it relates to Zoning Procedures Law. The purpose of the amendment is to add corrective language to the notification process and for other purposes as it relates to HB 1405 as passed by the House and the State on July 1, 2022.

In Favor: None

Opposed: None

Commissioner Stunkel motioned to close the Public Hearing at 6:26 p.m. Commissioner Ledford seconded the motion, passed unanimously.

Presentations/Delegations- None

Citizens Comments:

- **Asher Gray (Monticello)-** Mr. Gray stated that he is still awaiting information and response for an open records request.
- **James Belcher-** Mr. Belcher stated that the Juneteenth celebration will be held this coming weekend.

County Commissioner's Items

Commissioner Ledford- None

Commissioner Stunkel- None
Commissioner Jernigan- None
Commissioner Jones- None
Chairman Henry- None

Business Items:

Item 1: 2023-REZ-001- Request to rezone 7.86 acres from AG (Agricultural) to RR (Rural Residential):

Item tabled.

Item 2:2023-FLU-001- Request to amend the Future Land Use Map to Residential Growth for 2 acres of a 7.72 acre tract to seek a rezoning for the 2 acres: Ms. Judy Johnson (P&Z Director) gave answers for questions asked during the Public Hearing. She explained that the County Ordinance Section 119-96 talks about the consistency of the Land Use Map and the Zoning map. It states that you can not consider a zoning request unless there petition for the Future Land Use map. The code requires the petition to be filed but it also allows you to consider the rezoning without changing the Future Land Use Map. Ms. Johnson suggested not approving an amendment to the land use map but still consider the rezoning as a standalone.

Commissioner Henry motioned to deny changing the Future Land Use Map. Commissioner Ledford seconded the motion, passed unanimously.

Item 3:2023-REZ-002- Request to rezone 2 acres of a 7.72 acre tract from AG(Agricultural) to RES (Residential): Ms. Johnson stated that this rezoning request is for a 2+ acre tract of the 7.72 acre tract. If a subdivision was coming in with a large number of parcels public water would be required but not for a single lot. A survey will be done should the board approve the request. Ms. Johnson pointed out that there is criteria that is required for every rezoning case. Those are the standards that the board is supposed to use when making a zoning decision. There are not any recommended conditions at this time. In reference to spot zoning there is existing residential zoning. She made note to the board that the if they use the criteria each time to make their decision it makes it a lot easier to be defensible should something come up in the future.

The county attorney Barry Fleming tried addressing whether this will set a precedence.

Commissioner Henry motioned to deny the request to rezone 2 acres of 7.72 acre tract from AG (Agricultural) to RES (Residential). Commissioner Ledford seconded the motion. Commissioner Jones, Commissioner Jernigan, and Commissioner Stunkel abstained from the vote. The motion passed 2-0.

Item 4: Ordin

ance Amendment to Chapters 109 & 119 regarding HB 1405: Ms. Johnson stated all of these changes are purely so that we meet the requirement of Georgia State House Bill 2022-1405 which requires some updates in our Public Hearing process. Newspaper notices must be kept at 2 consecutive weeks. She presented all of the changes that are included in HB 1405.

Commissioner Henry motioned to approve the Ordinance Amendment to Chapters 109 & 119 regarding HB 1405 as presented. Commissioner Stunkel seconded the motion, passed unanimously.

Item 5: Employee Health Insurance Program- FY 2024: Kelly Fox with Workmate Benefits stated that there are not rate increases this year. He recommended staying with the current carrier. There is not rate change with the vision, dental or life. Open enrollment is set to start next week.

Commissioner Stunkel motioned to approve Cigna PPO Level Funded Plan with Assured Benefits Administrators as the Jasper County Employee Health Insurance Program. Commissioner Henry seconded the motion, passed unanimously.

Item 6: Judicial Alternatives of Georgia- Probation Services Contract Amendment- Superior Court:

Commissioner Henry motioned to authorize Chairman to execute the amendment to the Judicial Alternatives of Georgia’s Probation Services Contract for the Superior Court as presented. Commissioner Ledford seconded the motion, passed unanimously.

Item 7: Judicial Alternatives of Georgia- Probation Services Contract Amendment- Probate Court:

Commissioner Henry motioned to authorize Chairman to execute the Judicial Alternatives of Georgia Probation Services Agreement for the Probate Court as presented. Commissioner Ledford seconded the motion, passed unanimously.

Item 8: Judicial Alternatives of Georgia- Probation Services Contract Amendment- Magistrate Court:

Commissioner Ledford motioned to authorize Chairman to execute the Judicial Alternatives of Georgia Probation Services Agreement for the Magistrate Court as presented. Commissioner Henry seconded the motion, passed unanimously.

Item 9: Georgia Public Defender Council- Georgia Indigent Defense Services Agreement FY 24:

Commissioner Ledford motioned to approve Chairman to execute the Georgia Indigent Defense Services Agreement for the period July 1, 2023 to June 30, 2024 with an annual cost of \$58,684.14 paid in monthly installments of \$4,890.35. Commission Jones seconded the motion, passed unanimously.

Item 10: Human Resources and County Board Report: Sheila Belcher presented the HR and County Board report.

Current Open Positions

E911 Director
Operator II
CDL Driver
EMT
Paramedics
911 Dispatchers
Public Works/Landfill Operator

Terminations/Resignations

Sheriff – 1
Courthouse Security - 2
Public Works - 1

Total Employees = 157

Full-time = 112
Part-time = 45

New Hires/Transfers

Courthouse Security – 1
Sheriff Office – 2
Jail - 4
Public Works – 1
Tax Commissioner – 1
Superior Court - 1
Recreation – Part-Time - 2

Upcoming Board

Appointments

Needed:

Jasper County
Planning and
Zoning Board: 1
Zoning Board of Appeals - 1
Jasper County Public Facilities Authority - 1

Item 11: Agenda Format Change Discussion Regarding Public Hearing and Action Items: Mr. Benton stated that in the future we will take action immediately following the Public Hearings.

Mr. Fleming stated that he has never seen a body to vote to go into Public Hearing especially when it is required by law. You don’t have to vote to go into it or exit.

Commissioner Stunkel stated that if that is the case we could do away with the Public Hearing section and just have the Public Hearing be apart of the regular agenda.

Commissioner Henry motioned that we combine the business items with Public Hearing in the Public Hearing Section. Commissioner Stunkel seconded the motion, passed unanimously.

Item 12: FY 2024 Budget Discussion- Consensus to Advertise: Mr. Benton stated that the digest has been officially closed. He discussed \$98,198 in potential reductions.

Commissioner Stunkel stated that we did not fund indigent transport last year.

Mike Benton stated that it should not be there.

Commissioner Henry motioned to take the rollback rate to 10.364. Commissioner Stunkel seconded the motion, passed unanimously.

Mr. Benton stated that the Revenue drops to 13,376,697.

Mr. Fleming stated that the in an effort to get everyone to complete annual evaluations. He stated that there should be a vote at a later date.

Commissioner Henry motioned to advertise for the County operating budget with a millage rate of 10.364 and 13,565,741.

Item 13: Schedule Work Sessions and Called Meetings as Needed:

County Attorney Items: None

County Manager Update:

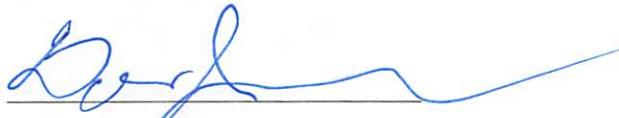
We got our extension from GEMA and FEMA to perform tornado recovery.

Executive Session:

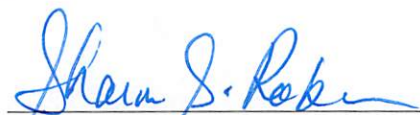
Commissioner Ledford motioned to go into Executive Session at 8:45 p.m. to discuss personnel and litigation. Commissioner Henry seconded the motion, passed unanimously.

Commissioner Ledford motioned to exit Executive Session at 9:54 p.m. Commissioner Stunkel seconded the motion passed unanimously.

Adjourn: Commissioner Henry motioned to adjourn the meeting at 10:08 p.m. Commissioner Jones seconded the motion, passed unanimously.



Don Jernigan, Chairman



Sharon Robinson, Clerk