

**Jasper County Board of Commissioners**  
**October 7, 2024**  
**Regular Meeting Minutes**  
**6:00 P.M.**

Chairman Bruce Henry called the meeting to order at 6 p.m.

Commissioners Present: Bruce Henry, Chairman; Steven Ledford, Vice Chair; Don Jernigan; Sheila Jones and Asher Gray.

Staff: Mike Benton, County Manager, Sheila Belcher, Clerk- Administrative Services Director, Larissa Ruark, Chief Accounting Officer, Doug Attaway- Planning and Zoning Director,

**Pledge of Allegiance:**

**Invocation:** Commissioner Jernigan

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

**Consent Agenda:** Commissioner Gray motioned to approve the following minutes

- Regular Meeting Minutes- September 9, 2024
- Work Session Minutes- September 16, 2024

Commissioner Pounds seconded the motion, passed unanimously.

Commissioner Ledford motioned to approve **Check #72064-77421**. Commissioner Jernigan seconded the motion, passed unanimously.

**Public Hearings:**

Commissioner Ledford motioned to begin the public hearing at 6:04 p.m. Commissioner Pounds seconded, and the motion passed unanimously.

**Public Hearing 1: Rezoning application. 2024 REZ 004. Request to Rezone 30.23 acres from RES to AG:** Planning and Zoning Direct Doug Attaway presented a request to Rezone 30.23 acres from RES to AG. Owners are requesting the rezoning so they can have a small family farm. Planning and Zoning Board recommends approval 4 to 0.

**No one spoke in favor or against the request.**

**Business Item 1: Rezoning application. 2024 REZ 004. Request to re-zone 30.23 acres from RES to AG:** Commissioner Ledford motioned to approve the rezoning of 30.23 acres for RES to AG. Commissioner Gray seconded, and the motion passed unanimously.

**Public Hearing 2: Ordinance Amendment to Part II, Code of Ordinances which includes Chapter 119, Section 119-193.-Designation; Intent. Removing Zoning districts R-R, R-1, R-2, RL, and V-P, adding RES zoning District:** Planning and Zoning Direct Doug Attaway presented a request for Ordinance Amendment to Part II, code of Ordinances which includes Chapter 119, Section 119-193.-Designation; Intent. Removing Zoning districts R-R, R-1, R-2, RL, and V-P, adding RES zoning District.

**No one spoke in favor or against the request.**

**Business Item 2: Ordinance Amendment to Part II, Code of Ordinances which includes Chapter 119, Section 119-193.-Designation; Intent. Removing Zoning districts R-R, R-1, R-2, RL, and V-P, adding RES zoning District:**

Commissioner Ledford motioned to approve the ordinance amendment. Commissioner Gray seconded the motion, which passed unanimously.

**Public Hearing 3: Ordinance Amendment to Part II, Code of Ordinances which includes Chapter 119, Section 119-195.- R-R Rural Residential District, Low Density. Removing Rural Residential Zoning District:** Planning and Zoning Direct Doug Attaway presented a request for **an** Ordinance Amendment to Part II, Code of Ordinances which includes Chapter 119, Section 119-195.- R-R Rural Residential District, Low Density. Removing Rural Residential Zoning District.

**No one spoke in favor or against the request.**

**Business Item 3: Ordinance Amendment to Part II, Code of Ordinances which includes Chapter 119, Section 119-195.- R-R Rural Residential District, Low Density. Removing Rural Residential Zoning District:**

Commissioner Ledford motioned to approve the ordinance amendment to Part II, Chapter 119 Section 119-195. Commissioner Pounds seconded the motion, which passed unanimously.

**Public Hearing 4: Ordinance Amendment to Part II, Code of Ordinances which includes Chapter 119, Section 119-196-RES Single Family District. Changing “not over one principle dwelling unit per two acres” to “not over one principle dwelling unit per five acres):** Planning and Zoning Direct Doug Attaway presented a request for an Ordinance Amendment to Part II, Code of Ordinances which includes Chapter 119, Section 119-196-RES Single Family District. Changing “not over one principle dwelling unit per two acres” to “not over one principle dwelling unit per five acres). Commissioner Gray asked why the Conservation Design requirement was not included. He said when approved there was a choice of 5 acre lots or conservation subdivision with 3 acre lots. Mt Attaway said that the board voted to remove the section. He said the section refers to the density so even in a conservation subdivision with a 3-acre lot you can only have one house per five acres. He said one P&Z member obtained from voting due to issues they had with the wording. They disagreed with the last sentence that states the REZ district is designed to accommodate development in areas to are served by public water. They had an issue with the design. Mr. Attaway said that 90% of the county's RES zoning is served by public water. Chairman Henry said designed to but not required.

**Citizens Comments:** Mary Patrick said she is not opposed to the change. She said she has an issue with the section saying Conservation Subdivision is required. She said it is her understanding that conservation subdivision was never required but a choice. She said she disagreed with the wording based on that change.

**Business Item 4: Ordinance Amendment to Part II, Code of Ordinances which includes Chapter 119, Section 119-196-RES Single Family District. Changing “not over one principle dwelling unit per two acres” to “not over one principle dwelling unit per five acres):** Mr. Attaway said the choice was only in AG zoning but has always been a requirement in RES zoning and has not changed. He said the allowance for Conservation in AG zoning in May of 2024.

Chairman Henry stated he thought they were trying to give the option to choose either design. Commissioner Ledford said that was his understanding as well with five acres minimum. Chairman Henry said that the choice of either was the goal if that was not the decision that had already been made.

Mr. Attaway said that Conservation design subdivisions require the builder to upgrade the roads but non-conservation design does not. He said the Board of Commissioners may want to look into changing that.

Commissioner Gray said that the language can be added to any residential zoning and he motioned to table the amendment. Commissioner Ledford seconded, and the motion passed unanimously.

**Presentations/Delegations:** Tony Rogers with the Development Authority of Jasper County presented a potential project on 2900 acres off of Rock Eagle Rd. He said the property owner plans to develop and operate the project themselves. He said the project is estimated to bring 4.7 million dollars in ad valorem taxes for the county. Mr. Rogers said that the onsite equipment is made of aluminum, copper, and silicon all found on the Earth's surface so no concern for contaminated groundwater. He said that the equipment and project site would not be visible from any county or state road or surrounding properties. He said there will also be a 50-foot buffer around the project and a privacy fence around the buffer. He said there would not be an additional need for county services such as water, sewage, fire, police, use of the county landfill, or additional maintenance to the county roads. He said this will not add jobs so it will not add a need for more schools. He said this project would not cause additional roads because it would not add traffic to the area. He said there would be native plants added to the property to support ground-nesting birds. Mr. Rogers said the owner has agreed to hold two town hall meetings to provide information and answer questions.

Commissioner Ledford said the Board of Commissioners voted unanimously not to allow Solar Farms but he thinks that they may need to take another look. He said that 4.7 million dollars with no increase in the population or need for county services could help taxpayers. Commissioner Ledford said that as long as there is no negative effect on the environment this project could be very beneficial to the county.

Chairman Henry said that there are two meetings scheduled one on October 23<sup>rd</sup> and one on October 24<sup>th</sup>, 2024.

**Citizens Comments:**

**Mary Patrick:** Mrs. Patrick said she finds it interesting that Mr. Rogers did not mention in his presentation that the project was a Solar Farm. She said that he stated there are pamphlets with project information but the public has not seen them. Mrs. Patrick said two months ago the Board of Commissioners agreed not to allow Solar Farms and they are not included in the zoning. She asked if they plan to hold another zoning hearing.

Chairman Henry said if they decided to move forward they would have to hold another hearing. Mrs. Patrick said that the Jasper County Development Authority has always been very good at telling the county of how much money they would receive but it doesn't seem to happen. She said she would like to see where they got their figures from and how the county plans to tax this type of project. She said it would be great to have that kind of money coming into the county to help taxpayers but it usually doesn't work that way. She said every time the county gets more money the Commissioners use it to hire more employees, buy equipment, or build something. She said the

money is never used to help citizens and then taxes are increased. Mrs. Patrick said she would be asking for more information through open records.

**James Jurczak**: Mr. Jurczak spoke against the Solar Farm project. He said that Georgia has four operating Nuclear reactors producing power at a low rate per kilowatt hour. He said there are two new nuclear reactors scheduled for use in the near future and he is just wondering if there is even a need for a solar farm and if it would benefit the community. He said he isn't sure that solar panels can produce electricity at the same rate and cost as nuclear reactors. He said it is his understanding that the power company must buy the electricity from the solar farms at a much higher rate which in turn will cost the consumers more.

Chairman Henry said that someone in the county was approached by a Georgia Power representative who asked about a solar farm project.

**Julie Newman**: Mrs. Newman spoke about the short-term rental process. She said she feels regulating the short-term rental in the area is a good thing but she thinks it's unfair that you cannot get a license unless you were in operation before July 2023. She said that they completed their home recently and wanted to be able to use it as a short-term rental until they were ready to retire and move into the home. Mrs. Newman said she understood some renters behaved badly and they had no intention of allowing that in their home and upsetting their neighbors. She said they would like to contribute to the community financially by renting their home and paying the taxes. She said she requests that the commissioners review the short-term rental ban policy and determine if the July 2023 cutoff is reasonable.

**Misty Garvin**: Mrs. Garvin spoke about short-term rentals. She said she was born and raised in Jasper County but just recently moved back. She said she owns two properties in the county and in February of 2023, she received a private message from Joanie in planning and zoning. She said in the message they were notified they were in violation of the short-term rental process and should cease operation to avoid fines. Mrs. Garvin said the next day she contacted the Planning and Zoning Director Judy Johnson. She said they immediately got involved in doing research and making suggestions on how the county could handle the Short-Term rental process. She said that on February 21, 2023, they had an in-person meeting with Ms. Johnson and Commissioner Jernigan. She said she recommended charging a licensing fee and certified inspection fees, as well as providing information on how other counties such as Butts County handled short-term rentals. Mrs. Garvin said they presented a request at a Council Meeting to be involved in the Short-Term Rental process and definition. She said they attempted to contact Planning and Zoning several times after that meeting and never received a response. She said on February 8, 2024, she emailed Joanie and Ms. Johnson and still did not get a response. She said she received a letter on September 23, 2024, stating that she violated the Short-Term Rental process. Mrs. Garvin contacted Planning and Zoning and was informed that Doug Attaway was now the Planning and Zoning Director and that she had missed the Short-Term Rental application deadline of July 2024.

**Gentry Johns**: Mr. Johns spoke on the short-term rental process. He and his brother inherited their parents' home on Jackson Lake. Mr. Johns said they have children who are very active and in college but cherish the memories made in Jasper County as children and returning as adults with children of their own. He said with growing expenses they decided to use the home as a short-term rental as a way to keep from selling it. He said they thoughtfully wrote their policies for the home as it is not just a business to them. They limit the number of guests, do not allow parties or events, and enforce quiet time after 10 p.m. He said they vet their renters and do not rent to anyone under the age of twenty-seven. He said they provide a guest guide and encourage their renter to visit

local stores and restaurants hoping to help boost the local economy. He said they have a do-not-rent list for anyone who violates their policies. Mr. Jones said the home and the area are very special to them not only because of childhood memories with their grandparents but also memories made with their children and parents including their son who passed away in 2020.

**Paula Johns:** Mrs. Johns (wife of Gentry Johns) spoke on the short-term rental process. She said the home they own on Jackson Lake is an essential location for their family. She said her family along with others who own homes here and wish to use them as short-term rentals love the area and renting their homes so they can afford to keep them and it is in no way a big business to them. They simply wish to be able to continue enjoying to area. She said that if the county forces these homeowners to sell because they can't afford to keep them they will find they have many people coming to the area who do not value it. She said those people would want to change the county entirely. She said she is speaking from experience. She said the area she grew up in was changed when locals could no longer afford to live there and businesses and big-money individuals moved in and changed the entire area. She said they love it here and have no desire to change the area. She asked if the county would consider allowing more short-term rentals for people like her family. She said it could be a win/win for the county. They will have additional tax revenue and owners who truly care about the community. She said in the past four years they have paid \$15000.00 in hotel/motel taxes. She said they were confused when they received a cease and desist letter without ever receiving a notice of the new policies. Mrs. Jones said the county should have sent a certified letter stating the new policies and they would have been happy to comply. She said they a requesting the opportunity to do so now as they are law-abiding citizens and would be an asset to the community. Mrs. Johns ended by quoting Psalms 24:1 The earth is the LORD's, and the fulness thereof; The world, and they that dwell therein. She said every resource we have comes from the Lord through His grace and Goodness.

**Evan Johns:** Mr. Johns (brother of Gentry Johns) spoke about short-term rentals. He said his brother and sister-in-law had spoken for their family on how they felt on a personal level and he would not give the same speech. He said the county could benefit from the taxes collected and it could help reduce the burden for taxpayers. Mr. Johns said he did some research and allowing 230 short-term rental properties could potentially bring in eight million dollars over the next ten years. Mr. Johns said they are seeking approval to continue to operation because they have never had an issue and did not receive notice of the change. He said they were in business before July 2023 and would like the board's consideration of the request.

**Amanda Pool:** Mrs. Pool spoke about short-term rentals and her request to continue operating the property she manages as a short-term rental property. She said that she has been a property manager for twenty-five years and the Board of Commissioners tweak a few things if they would like. She is in favor of regulating short-term rentals and said they have strict policies for the properties they manage. She said that she is seeking approval from the board and hopes to bring additional revenue to the county but her number one priority is the ensure her property complies with county policies.

**Jason Bunn:** Mr. Bunn spoke about short-term rentals and solar farms. He said he prays the Commissioners will make the best decision possible for all homeowners. Mr. Bunn said he wanted to speak on the possible solar farm proposal. He said he isn't against solar and believes in a variety of energy options. Mr. Bunn said the estimated project would bring 4.3 million but he is curious to know how much of that will benefit taxpayers. He said the commissioners need to consider the nature of our county and check into any environmental issues this may cause. He asked them to do studies on this before deciding. He said 2900 acres is a lot of land and they should drive down 75

South and look at the solar farm in that area. He said it doesn't appear to fit what he believes to be land conservation. He mentioned the damage and destruction caused by Rivian saying they have caused well water issues for residents there. He said he wants the commissioners to protect our community. He said he is concerned with how long the solar panels are good and what happens to them if they are no longer good. He asked the commissioner to be very careful with what they allow and where they allow it in the county.

**Cathy Benson**: Mrs. Benson spoke on short-term rentals. She said in 2020 the commissioners voted 5/0 against allowing short-term rentals then at some point decided to allow 30 but regulate them. She said it went from 30 to 12 last month and now the commissioner is considering allowing more. Mrs. Benson said she would like to know where it ends. She said she wants to know if the commissioners are going to follow their own rules and those set in place by the county attorney.

**Denise Jones**: Mrs. Jones spoke about the short-term rentals. She said she went through the short-term rental process and was approved. She said several other short-term rentals are being operated in the county without approval. She said she would like the commissioners to enforce the rules as it is unfair to all who went through the process and paid the fees. She said Airbnb cannot be expected to carry the burden of enforcing the county rules. She said they will not do anything because they are in business to make money and are not going to remove properties from the platform. She requested that those who have followed the process and paid the \$1500 not be charged any more fees until the commissioner has a better solution to enforcing the ordinances. She said that the application deadline was June 12, 2024, and she feels like anyone who did not meet that deadline should now wait until April 2025. She said the process should be consistent for everyone.

#### **County Commissioner Items & Updates:**

**Commissioner Pounds**: None

**Chairman Henry**: Chairman Henry said the county received a \$200,000 check from the JDA, \$120,000 for the county and \$80,000 for the schools.

**Commissioner Jernigan**: Commissioner Jernigan spoke on the solar farm proposal. He said the commissioner did vote 5/0 against allowing solar farms. He said he voted that way because of information presented by another commissioner. He said that the panels that would be used in this project do not contain the toxins mentioned previously. He said he feels he voted without having all the information so now he needs to correct that by going to the town hall meeting and learning more about the solar panels. He said if the new information is accurate he feels the county could benefit from the revenue the project would bring in. He said the county could use the money to help ease the burden on citizens. He said one commissioner recently mentioned the possibility of increasing taxes if the cost of things continues to increase.

**Commissioner Gray**: Commissioner Gray spoke about the solar farm project saying they need to look at it very closely. He said it really should have been pretty cut and dry because there was a 5/0 vote against allowing solar farms. He said he feels the only reason the project is being pushed is because a big money corporation wants it and that is why it was presented even though they had been voted down. He said 3000 acres is a lot of land that you cannot get back if it is destroyed by this project. He said he has to be objective because of the amount of money it could bring to the county but he also feels money is the root of all evil, not the fix-all. Commissioner Gray then spoke on the short-term rentals. He said the good thing about it for him is that we do not have a lot of them here. He said that he has heard people mention how many Putnam County has but we are not Putnam County. He said the short-term rental operators cannot say they have to look for

violators of the short-term rental process. He said the operators are saying they were involved in the community but they haven't been paying attention to what has been going on. He said that citizens have been complaining about short-term rentals for two years and the moratorium has been in place for a while. He said if they had been so involved they would have known these things. He said that there has to be some balance because they do bring money to the county but the operators were not involved in the community when citizens were complaining about the short-term rentals.

**Commissioner Ledford:** None

### **Regular Agenda**

#### **Business Items:**

##### **Business Item 5: Northeast Georgia Regional Commission Private Sector Appointment:**

David Dyer has resigned from this position and will be resigning as the director of the Development Authority at the end of 2024. Mr. Dyer has recommended the Commissioners appoint Tony Rogers. Commissioner Jernigan motioned to appoint Tony Rogers as Northeast Georgia Regional Commission Private Sector Appointee. Commissioner Ledford seconded, Motion passed unanimously.

##### **Business Item 6: Short-Term Rental License Applications Status Review:** Planning and Zoning

Director Doug Attaway presented an update on the status of the Short-term License Application. Mr. Attaway said they had twelve applications with ten approved with stipulations and two tabled. He said that Mrs. Pool's application had been tabled and she was in attendance seeking approval. He said that some inspections had to be rescheduled due to recent weather conditions. Mr. Attaway said as of September 9, 2024, the status of the short-term rental applications stands as listed.

- **710 Eagle Dr** passed all inspections and he was waiting for final payment.
- **1045 Eagle Dr** passed all inspections and paid the final payment and is currently the only one to receive a license.
- **67 Miss Sara** is scheduled for inspection.
- **707 East Mourning Dove Ct** owner had some issues due to the recent Biolab fire but would likely discuss final payment after the meeting.
- **667 Cardinal Dr** passed all inspections and waiting for final payment.
- **74 Peregrine Ct** passed all inspections waiting for final payment.
- **141 Shoreline Dr** passed all inspections waiting for final payment.
- **161 Shoreline Dr** was denied due to a lack of sufficient proof of payment of hotel/motel taxes.
- **421 Alcovy Dr** passed all inspections and waiting for final payment.
- **400 Parrot Ct** requested to remove their application.
- **88 East Mourning Dove Ct** inspection scheduled but the owner has not paid hotel/motel taxes which was one of his stipulations. Chairman Henry asked if he was given a time frame to have those paid. Mr. Attaway said they were not given a time frame but it was one of his stipulations for approval so he would see how the inspection goes and move forward from there.
- **255 Landers Way** was tabled because the applicant changed local agents due to the original agent being incarcerated. Mr. Attaway said the applicant was present and seeking approval of her application. Mr. Attaway said she has corrected all her deficiencies. Commissioner Gray motioned to approve the application for a license for short-term rental. Commissioner Jernigan seconded, and the motion passed unanimously.

Commissioner Jernigan said after hearing some of the operators of the short-term rentals did not receive notices from the county about the ordinance changes he feels they should reopen the application process. He said he feels it is bad business not to send notification letters of changes but then send cease and desist letters. He said they could implement three strikes and you're out rule. He said the county could use the money if the operators are willing to run the rentals the correct way. He said the county could even use the taxes for short-term rentals to help fund the employee retirement plan. He said the county attorney helps write strong rules and regulations so he sees no reason not to reopen the application process. Commissioner Gray said he doesn't feel the small number of short-term rentals allowed will help much with the employee retirement plan. He then asked the county attorney if the ordinance change notice was handled legally. The county attorney said it was handled correctly that some counties do choose to send individual mailers but it is not required for this situation. He said posting of signs and newspaper ads are to usual ways to give notice. Commissioner Jernigan said he never felt it wasn't handled legally but he does feel it unethical. Commissioner Ledford said that those who are running without issues are a benefit to the county.

Commissioner Jernigan motioned to reopen the application process for short-term rentals. Commissioner Pounds seconded the motion.

Commissioner Ledford asked if there would be a time frame and if they would only allow those who received a cease and desist letter to apply.

Commissioner Gray said he recently read an article about short-term rentals harming the local housing market. He said it limits the number of homes available for purchase or long-term renters. He said he would not support increasing the number of short-term rentals allowed in the county.

Chairman Henry called for a vote, motion passed 4 to 1 Commissioner Gray opposed.

**Business Item 7: Jasper County Library Board Appointment – Azalea Regional Library:** Mr. John Stork currently serves on the board as the city-appointed member. The city no longer helps with funding to the library therefore they can no longer appoint members. Mr. Stork is seeking an appointment from the county. He said he has served since 2015 and his current term is set to expire in 2027. Chairman Henry said if he was appointed by the country his term would reset for a six-year term.

Commissioner Ledford motioned to appoint John Stork to the Jasper County Library Board. Commissioner Jernigan seconded, and the motion passed unanimously.

**Business Item 8: Bailiff's Pay Increase Request – Superior, Probate, Magistrate, and Juvenile Courts:** County Clerk Leann Airington presented a request to increase the pay for Bailiffs from \$50 a day to the Grand Jury recommendation of \$100 a day. She said the pay has been the same since 2006. She said she believes what she is currently allotted for Jury and Bailiff pay with cover the increase because we do not have very many jury trials. She said the court days are more frequent and longer than they were when the pay was set at \$50 a day. Chairman Henry asked what the average hours are on court days. Mrs. Airington said normal days are 9a.m to 4 p.m. but have lasted as late as 7 p.m. She said times depending on the judge they do no break for lunch. Commissioner Pounds motioned to raise the pay for bailiffs to \$100.00 a day. Commissioner Ledford seconded, and the motion passed unanimously.



**Business Item 9: Ross+ Associates Proposal – Impact Fee Program Amendment:** County Manager Mike Benton said the Jasper County Board of Commissioners has requested to make changes to the impact fee program. He said the DCA requires a formal amendment process. He said the amendments to the impact fee program would be to Public Facilities and which areas will receive the impact fees. They will also include changes to the impact fees and updating the ordinance. Mr. Ross was present and has provided a proposal of \$8800. Mr. Ross said there would need to be discussion but he believes the impact fees will go up a lot because of inflation and it has not changed since 2007. Commissioner Ledford motioned to hire Ross and Associates to work with the Commissioners to amend the impact fees program using the fund balance and impact fees to cover the cost. Commissioner Pounds seconded, and the motion passed unanimously.

**Business Item 10: Senior Center Drainage Project Bid Results:** County Manager Mike Benton said a bid was put out to stop the flooding that occurs at the senior center with heavy rains. Three bids were submitted. Johnson Grading \$18534. J Wyatt Clearing \$21,000. Mark Burrow Grading \$23,828. He said all three companies are local. He said he talked to several people including County Engineer Robert Jordan and Public Works Director Michael Walsh and the recommendation was to go with the low bid.

Commissioner Jernigan motioned to award the bid to Johnson Grading Incorporated for \$18,534 paid from Fund Balance. Commissioner Ledford seconded, and the motion passed unanimously.

**Business Item 11: Schedule Work Sessions and Called Meetings as Needed:** Two work are sessions scheduled for October 21, 2024, at 6p.m and October 28, 2024, at 6 p.m.

**County Attorney Items:** None

**County Manager Update:** Mr. Benton gave an update on the new Elections and Registration Board will have its first official meeting in the county commissioner's meeting room on October 15, 2024, at 6 p.m. He said the new Pothole patching machine is ready for pickup. He said the county is clearing the area behind Fire Station One for additional voter parking. He said he wanted to thank the New Bethlehem Baptist Church for allowing the county to use their parking lot for several years.

**Executive Session:** None

**Adjourn:** Commissioner Ledford motioned to adjourn at 7:41p.m, Commissioner Jernigan seconded, and the motion passed unanimously.

  
Bruce Henry, Chairman

  
Sheila Jefferson, Clerk