



MINUTES  
MARCH 28, 2023  
6:00 P.M.

STEPHENS COUNTY BOARD OF COMMISSIONERS MEETING WAS HELD AT  
THE STEPHENS COUNTY HISTORIC COURTHOUSE

**PRESENT FOR MEETING:** Chairman Dennis Bell, Vice-Chairman Tara Simmons, Commissioners Chris Rickman, Debbie Whitlock and Chuck Wright; County Administrator Christian Hamilton; County Clerk Samantha Turner

**PLEASE SILENCE YOUR CELL PHONES**

**PUBLIC HEARING**

**LAND USE PUBLIC HEARING**

1. **Variance Request from Vasco Lowery, 31 Memorial Drive, Eastanollee. Parcel 043 242.** Property is currently zoned as commercial community. The proposed action to be taken is to grant a lot size variance less than 1.5 acres for 0.49 acres.

Mr. Hamilton asked if anyone wished to speak in favor of the Variance Request. Vasco Lowery spoke in favor of the request. Mr. Hamilton asked if anyone else wished to speak in favor. No one else spoke in favor. Mr. Hamilton asked if anyone wished to speak in opposition of the request. No one spoke in opposition. Mr. Hamilton closed the public hearing.

2. **Variance Request from Vasco Lowery, 31 Memorial Drive, Eastanollee. Parcel 043 242.** Property is currently zoned as commercial community. The proposed action to be taken is to grant a lot size variance less than 1.5 acres for 0.74 acres.

Mr. Hamilton asked if anyone wished to speak in favor of the Variance Request. Vasco Lowery spoke in favor of the request. Mr. Hamilton asked if anyone wished to speak in opposition of the request. No one spoke in opposition. Mr. Hamilton closed the public hearing.

3. **Variance Request from Conrad Craig, 1680 Harbert Valley Road, Toccoa. Parcel 058 025.** Property is currently zoned as agricultural residential. The proposed action to be taken is to grant a variance to allow for accessory use prior to the principal use.

Mr. Hamilton asked if anyone wished to speak in favor of the Variance Request. No one spoke in favor. Mr. Hamilton asked if anyone wished to speak in opposition. No one spoke in opposition. Mr. Hamilton closed the public hearing.

- 4. Variance Request from Ted Donnelly, 36 Grady Brock Road, Martin. Parcel 068 103.** Property is currently zoned as agricultural intensive. The proposed action to be taken is to grant a variance to allow for accessory use prior to the principal use.

Mr. Hamilton asked if anyone wished to speak in favor of the Variance Request. No one spoke in favor. Mr. Hamilton asked if anyone wished to speak in opposition. No one spoke in opposition. Mr. Hamilton closed the public hearing.

- 5. Variance Request from Grant Lloyd, 563 Trudy's Trail, Martin. Parcel 072B 065.** Property is currently zoned as residential single. The proposed action to be taken is to grant a variance for a second residence on the property.

Mr. Hamilton asked if anyone wished to speak in favor of the Variance Request. Lisa Lloyd spoke in favor of the request. Mr. Hamilton asked if anyone else wished to speak in favor. No one else spoke in favor. Mr. Hamilton asked if anyone wished to speak in opposition. No one spoke in opposition. Mr. Hamilton closed the public hearing.

- 6. Variance Request from Michael Cahalan, 1328 Lakeside Trail, Martin. Parcel 072G 001.** Property is currently zoned as residential single. The proposed action to be taken is to grant a variance to allow for accessory use prior to principal use.

Mr. Hamilton asked if anyone wished to speak in favor of the Variance Request. Mike Cahalan spoke in favor of the request. Mr. Hamilton asked if anyone else wished to speak in favor. No one else spoke in favor. Mr. Hamilton asked if anyone wished to speak in opposition. No one spoke in opposition. Mr. Hamilton closed the public hearing.

- 7. Conditional Use Request from Oanh Nguyen, 1329 Defoor Road, Toccoa. Parcel 052B 006.** Property is currently zoned as agricultural intensive. The proposed action to be taken is to grant a conditional use permit to allow for up to 12 poultry houses.

Mr. Hamilton asked if anyone wished to speak in favor of the Conditional Use Request. Walter Reed, speaking on behalf of Oanh Nguyen, spoke in favor of the request. Mr. Reed stated that Ms. Nguyen would like to propose the building of 6 poultry houses. Mr. Hamilton asked if anyone else wished to speak in favor. No one else spoke in favor.

Mr. Hamilton asked if anyone wished to speak in opposition of the request. Willie Woodruff, Marie Cochran, Scott Nesbitt, Jayson Garner, Paul Musso, Chip Prather, Geraldine Hayes, Deborah Massey, Larry Gholston, Justin Eller, Mary Smith, Thomas Richie, Monique Brown, Corina Simmons, Annette Moss, Natilie Coon, Shelby Gober, and Byron Barmore spoke in opposition of the request. Area residents and family share similar concerns. Residents are worried about how poultry houses may affect their property values. They are concerned about the smell that poultry houses tend to produce, because many of them have family gatherings outside where their children love to run and play while adults catch up and enjoy time spent together. There are concerns of the amount of traffic that would be brought in, and not only the amount but the damage that heavy trucks can cause to our roads. A headstone was found on the property of a Mr. Thomas Benjamin Sims dated 1837 to 1880 and is the grave of a confederate soldier. The community wants to see those graves preserved as they are part of Toccoa's heritage.

Chairman Bell asked if Mr. Reed had any rebuttal to share. Mr. Reed stated that he told the loggers not to disturb the cemetery. Mr. Reed stated that there are new homes being built near other poultry houses

in Stephens County. Mr. Reed stated that he had the site plan redrawn to show a 450 ft setback from any property line.

Mr. Hamilton closed the public hearing.

## REGULAR MEETING

Chairman Bell called the regular meeting to order at 8:08 p.m. and welcomed those present. Mr. Teasley gave the invocation and Pledge of Allegiance.

### I. APPROVE AGENDA

A motion was made by Vice-Chairman Simmons, seconded by Commissioner Rickman, to approve the agenda. **Motion carried unanimously.**

### II. APPROVE MINUTES

1. March 14, 2023 – Regular Meeting

A motion was made by Commissioner Rickman, seconded by Vice-Chairman Simmons, to approve the minutes. **Motion carried unanimously.**

### III. OLD BUSINESS

### IV. NEW BUSINESS

1. **Variance Request from Vasco Lowery, 31 Memorial Drive, Eastanollee. Parcel 043 242.** Property is currently zoned as commercial community. The proposed action to be taken is to grant a lot size variance less than 1.5 acres for 0.49 acres.

A motion was made by Vice-Chairman Simmons, seconded by Commissioner Whitlock, to approve the Variance Request. **Motion carried unanimously.**

2. **Variance Request from Vasco Lowery, 31 Memorial Drive, Eastanollee. Parcel 043 242.** Property is currently zoned as commercial community. The proposed action to be taken is to grant a lot size variance less than 1.5 acres for 0.74 acres.

A motion was made by Commissioner Rickman, seconded by Commissioner Wright, to approve the Variance Request. **Motion carried unanimously.**

3. **Variance Request from Conrad Craig, 1680 Harbert Valley Road, Toccoa. Parcel 058 025.** Property is currently zoned as agricultural residential. The proposed action to be taken is to grant a variance to allow for accessory use prior to the principal use.

A motion was made by Commissioner Wright, seconded by Commissioner Rickman to approve the Variance Request. **Motion carried unanimously.**

4. **Variance Request from Ted Donnelly, 36 Grady Brock Road, Martin. Parcel 068 103.** Property is currently zoned as agricultural intensive. The proposed action to be taken is to grant a variance to allow for accessory use prior to the principal use.

A motion was made by Vice-Chairman Simmons, seconded by Commissioner Wright, to approve Variance Request. **Motion carried unanimously.**

5. **Variance Request from Grant Lloyd, 563 Trudy's Trail, Martin. Parcel 072B 065.** Property is currently zoned as residential single. The proposed action to be taken is to grant a variance for a second residence on the property.

A motion was made by Commissioner Wright, seconded by Commissioner Rickman, to approve the Variance Request. **Motion carried unanimously.**

6. **Variance Request from Michael Cahalan, 1328 Lakeside Trail, Martin. Parcel 072G 001.** Property is currently zoned as residential single. The proposed action to be taken is to grant a variance to allow for accessory use prior to principal use.

A motion was made by Commissioner Wright, seconded by Commissioner Rickman, to approve the Variance Request. **Motion carried unanimously.**

7. **Conditional Use Request from Oanh Nguyen, 1329 Defoor Road, Toccoa. Parcel 052B 006.** Property is currently zoned as agricultural intensive. The proposed action to be taken is to grant a conditional use permit to allow for up to 12 poultry houses.

A motion was made by Commissioner Rickman, seconded by Vice-Chairman Simmons to approve the Conditional Use Permit for up to 6 poultry houses, with a 750 ft setback, a 6ft tall berm with trees on top on the southeast corner of the property, a dedicated one-way traffic pattern, with fans facing north toward the property owner's adjacent property, and no grave disturbance with a 350 ft setback established around the gravesites. Vice-Chairman Simmons, Commissioners Rickman, Wright and Whitlock voted in favor. Chairman Bell voted in opposition. **Motion carried.**

8. **Board to Consider Motion** to sign check signing authority Resolution to South State Bank to replace finance director.

A motion was made by Vice-Chairman Simmons, seconded by Commissioner Rickman, to sign check signing authority Resolution to South State Bank to replace finance director. **Motion carried unanimously.**

9. **Board to Consider Motion** to sign check signing authority Resolution to First Citizens Bank to replace finance director.

A motion was made by Vice-Chairman Simmons, seconded by Commissioner Rickman, to sign check signing authority Resolution to First Citizens Bank to replace finance director. **Motion carried unanimously.**

10. **Board to Consider Motion** to declare County-owned property in Shorewood Subdivision as surplus property and authorize Chairman to sign resolution for sealed bid process.

A motion was made by Vice-Chairman Simmons, seconded by Commissioner Rickman, to declare County-owned property in Shorewood Subdivision as surplus property and authorize Chairman to sign resolution for sealed bid process, with a minimum starting bid of \$1,000.00 per parcel. **Motion carried unanimously.**

**11. Board to Consider Motion** to appoint Budget Officer for Fiscal Year 2024.

A motion was made by Commissioner Whitlock, seconded by Vice-Chairman Simmons, to appoint Budget Officer for Fiscal Year 2024. **Motion carried unanimously.**

**12. Board to Consider Motion** to accept TruVista Service Agreement for special circuit and authorize Chairman to sign.

A motion was made by Vice-Chairman Simmons, seconded by Commissioner Rickman, to accept TruVista Service Agreement for special circuit and authorize Chairman to sign. **Motion carried unanimously.**

**13. Board to Consider Motion** to accept the GEMA Hazard Mitigation Grant Program Recipient-Subrecipient Agreement and authorize Chairman to sign.

A motion was made by Vice-Chairman Simmons, seconded by Commissioner Rickman, to accept the GEMA Hazard Mitigation Grant Program Recipient-Subrecipient Agreement and authorize Chairman to sign. **Motion carried unanimously.**

**14. Presentation** from County Fire Coordinator-Chief Jonathan Jordan.

County Fire Coordinator-Chief Jonathan Jordan presented an invoice for repairs of a fire engine. Mr. Jordan shared costs of new and used engines, stating that making the repairs would be more cost efficient. Mr. Jordan stated that \$8,500 would come from the chief's fund, and requested \$5,500 from the County to cover the remainder of the invoice.

A motion was made by Commissioner Rickman, seconded by Commissioner Whitlock to fund the requested \$5,500. **Motion carried unanimously.**

**15. Board to Consider Motion** to participate in new opioid settlements, authorize Chairman to sign resolution, and authorize County Administrator to sign all documentation associated with the settlements.

A motion was made by Vice-Chairman Simmons, seconded by Commissioner Whitlock, to participate in new opioid settlements, authorize Chairman to sign resolution, and authorize County Administrator to sign all documentation associated with the settlements. **Motion carried unanimously.**

**16. Board to Consider Motion** to approve permit fee schedule and authorize Chairman to sign resolution.

A motion was made by Vice-Chairman Simmons, seconded by Commissioner Rickman, to approve permit fee schedule and authorize Chairman to sign resolution. **Motion carried unanimously.**

**17. Board to Consider Motion** to approve Fiscal Year 2023 Budget Amendment for Emergency Management and authorize Chairman to sign resolution.

A motion was made by Vice-Chairman Simmons, seconded by Commissioner Rickman, to approve Fiscal Year 2023 Budget Amendment for Emergency Management and authorize Chairman to sign resolution. **Motion carried unanimously.**

**V. QUOTES AND INVOICES OVER \$5,000**

1. Bennett Fire Products \$10,900.00
2. J&S Shoreline \$17,910.00
3. JN Comfort Solutions \$21,771.29

A motion was made by Commissioner Whitlock, seconded by Commissioner Rickman, to pay the invoices.  
**Motion carried unanimously.**

**VI. MATTERS FROM DEPARTMENTS**

1. Administrator / Finance Report

Christian Hamilton introduced James Elrod as the new County Finance Director.

2. Department Report
3. Commissioners Report

**VII. MATTERS FROM CITIZENS – TIME LIMIT OF THREE (3) MINUTES**

Jayson Garner shared on zoning in Stephens County and also stated that he would like to one day be considered to be a part of the Planning Commission.

Bill Stevens shared his appreciation to the Commissioners for showing their concern and taking action on his situation.

**VIII. EXECUTIVE SESSION**

**IX. ADJOURNMENT**

A motion was made by Vice-Chairman Simmons, seconded by Commissioner Whitlock, to adjourn the regular meeting at 8:41 p.m.

Approved this 25<sup>th</sup> day of April, 2023.

  
Dennis Bell, Chairman

Attest:   
Samantha Turner, County Clerk





# Stephens County Board of Commissioner's meeting

## Sign-in Sheet

March 28, 2023

James Hayes	Michelle Clueter	Anna Lloyd
Svanita Hayes	Helsey Purcell	Amanda Winkler
Sohnnie M. Hayes	Bulky Purcell	Alan Winkler
Randall Turner	Rayt Sherry William	Cathy Alexander
Shelma Level	Shelby Goba	Amber Swanson
Angela Pinkston	Dani Myssso	Robert Eller
Austin <del>Parker</del>	Olivia <del>Adair</del>	Natalie Com
Anna Nguyen	May Scott	Edward Com
WALTER REED	Robert Scott	Michelle Oglesby
Mikese Adair	Karen <del>W</del>	
Jed <del>W</del> Donnelly	James Elrod	
Stephan Banks	Tim Ledford	
Monterial Banks	Leah Ledford	
Pralden Hayes	Lorianita Smith	
Gudy poole	Arionna Fowler	
Julie Nelles	Jada Nesbitt	
Annettemoss	Deborah Massey	
Dan <del>CHAS</del> Brather	Juanita Brown	
Janet Posten	MARIE COCHRAN	
Jr Craig	Jayson Garner	
Rix Craig	Grant Lloyd	
Vasco Lowery	Lisa Lloyd	