

# PUTNAM COUNTY BOARD OF COMMISSIONERS



117 Putnam Drive, Suite A ♦ Eatonton, GA 31024

## Called Meeting

### Minutes

**Monday, October 30, 2023 ♦ 10:00 AM**

*Putnam County Administration Building – Room 203*

The Putnam County Board of Commissioners met on Monday, October 30, 2023 at approximately 10:00 AM in the Putnam County Administration Building, 117 Putnam Drive, Room 203, Eatonton, Georgia.

#### *PRESENT*

Chairman Bill Sharp  
Commissioner Gary McElhenney  
Commissioner Daniel Brown  
Commissioner Jeff Wooten

#### *STAFF PRESENT*

County Attorney Adam Nelson  
County Manager Paul Van Haute  
County Clerk Lynn Butterworth  
Deputy County Clerk Donna Todd

#### **Opening**

1. Call to Order

Chairman Sharp called the meeting to order at approximately 10:00 a.m.

(Copy of agenda made a part of the minutes on minute book page \_\_\_\_\_.)

2. Pledge of Allegiance (staff)

County Manager Van Haute led the Pledge of Allegiance.

3. Approval of Agenda

**Motion to approve the Agenda.**

**Motion made by Commissioner Brown, Seconded by Commissioner Wooten.**

**Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Wooten**

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**Called Meeting**

- 3. Appeal of Short Term Vacation Rental License denial by Kerri Smith/Sundown Cottage (staff-CC)

County Attorney Nelson explained that today’s agenda item was an appeal of a denial of a short term rental license for Sundown Cottage. The property is zoned R-1R, a certificate of occupancy had not been issued when they submitted the STR application, nor was one issued before the new ordinances went into effect. Attorney Nelson read the STR appeal rules from our ordinances but noted that no specific guidelines have been established concerning how the appeal will be handled. For now, the board will follow the speaking rules from our zoning public hearings and allow 10 minutes for the main proponent to speak, 10 minutes for the main opponent to speak, and three minutes for all others. He advised board members that the attorney for the proponent has filed an ante litem notice which entitles the board to enter Executive Session to discuss potential litigation.

- 4. Enter Executive Session as allowed by O.C.G.A. 50-14-4 for Personnel, Litigation, or Real Estate

**Motion to enter Executive Session as allowed by O.C.G.A. 50-14-4 for litigation.  
Motion made by Commissioner Wooten, Seconded by Commissioner McElhenney.  
Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Wooten.**

Meeting closed at approximately 10:07 a.m.

- 5. Reopen meeting following Executive Session

**Motion to reopen the meeting following Executive Session.  
Motion made by Commissioner McElhenney, Seconded by Commissioner Brown.  
Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Wooten**

Meeting reconvened at approximately 10:50 a.m.

- 6. Authorize Chairman to sign Affidavit concerning the subject matter of the closed portion of the meeting

**Motion to authorize the Chairman to sign the Affidavit concerning the subject matter of the closed portion of the meeting.  
Motion made by Commissioner McElhenney, Seconded by Commissioner Wooten.  
Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Wooten  
(Copy of affidavit made a part of the minutes on minute book page \_\_\_\_\_.)**

- 7. Action, if any, resulting from the Executive Session  
No action was taken.

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Agenda item #3 was resumed.

County Attorney Nelson explained this is not a zoning matter, it involves the rights of a party.

Mr. Steven Jones, attorney for Ms. Kerri Smith, spoke in support of the appellant. Mr. Jones presented a PowerPoint presentation outlining Ms. Smith's appeal and the reasons for it.

Mr. Will McDavid, attorney for Mike Sleeth a neighbor of Ms. Smith, provided a handout and presented the oppositional argument that the application did not meet all the requirements of Appendix D in the existing Short Term Rental Ordinance.

The following citizens spoke against the appeal of the short term rental application for Sundown Cottage: Ms. Wanda Sebald, Ms. Liz Burns, Ms. Jane Paulin, Mr. Jim Berardicurti, and Mr. Geary Clayton.

Ms. Judy Carman was called to speak but passed.

Mr. John Rollins was not present when called.

Dr. Steve Hersey asked for a postponement on the matter until District 3 has a seated commissioner.

Mr. Steven Jones used his remaining time for rebuttal and encouraged the commissioners to consider the vested rights of the applicants.

**Motion to table the Appeal of Short Term Vacation Rental License denial by Kerri Smith/Sundown Cottage until the December 19, 2023 Board of Commissioners meeting when District 3 has representation.**

**Motion made by Commissioner Wooten, Seconded by Commissioner McElhenney.**

**Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Wooten**  
(Copy of handouts made a part of the minutes on minute book pages \_\_\_\_\_ to \_\_\_\_\_.)

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**Closing**

4. Adjournment

**Motion to adjourn the meeting.**

**Motion made by Commissioner McElhenney, Seconded by Commissioner Brown.**

**Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Wooten**

Meeting adjourned at approximately 11:30 a.m.

ATTEST:

Lynn Butterworth  
County Clerk

B. W. "Bill" Sharp  
Chairman

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