

PUTNAM COUNTY BOARD OF COMMISSIONERS



117 Putnam Drive, Suite A ♦ Eatonton, GA 31024

Minutes

Tuesday, October 17, 2023 ♦ 6:00 PM

Putnam County Administration Building – Room 203

The Putnam County Board of Commissioners met on Tuesday, October 17, 2023 at approximately 6:00 PM 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. Welcome - Call to Order

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

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

2. 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

3. Invocation - Pastor David Wofford

Pastor David Wofford, from Eatonton First United Methodist Church, gave the invocation.

4. Pledge of Allegiance (Staff)

County Manager Van Haute led the Pledge of Allegiance.

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Zoning Public Hearing

5. Request by Rick McAllister, agent for Harmony 40 LLC to rezone 20.85 acres at 842 Harmony Road from AG to RM-3 [Map 097, Part of Parcel 060, District 1] (staff-P&D) Mr. Rick McAllister spoke in support of the rezoning and requested that the time to complete the boundary survey be extended by 30 days. No one signed in to speak against the rezoning. Planning and Development staff recommendation was for approval to rezone 20.85 acres from AG to RM-3 at 842 Harmony Road [Map 097, Part of Parcel 060, District 1] with the following conditions:

1. The developer shall develop and maintain a 50-foot undisturbed buffer or berm along the property lines that abut remaining AG zoned acres of Map 097 Parcel 060, Map 097 Parcel 061, Map 097 Parcel 033, Map 097 Parcel 033001, Map 097 Parcel 037, Map 097 Parcel 056006, Map 097 Parcel 056007, and Map 097 Parcel 056008 as stated in Section 66-97(d)(1) of the Putnam County Code of Ordinances.
2. The developer should also install a right-hand turning lane and a right-hand passing lane at the entrance of the development based on GDOT guidelines.
3. This rezoning approval shall be conditioned upon the resurveying and recordation in the Superior Court of Putnam County of an accurate plat within 90 days of approval by the board of commissioners. A copy of the recorded plat shall be filed with the planning and development department director. Failure to file a plat pursuant to this subsection shall have the effect of invalidating the rezoning action as stated in Section 66-165(e)(3) of the Putnam County Code of Ordinances.

Motion to approve the request by Rick McAllister, agent for Harmony 40 LLC, to rezone 20.85 acres at 842 Harmony Road from AG to RM-3 [Map 097, Part of Parcel 060] with the following conditions:

1. **The developer shall develop and maintain a 50-foot undisturbed buffer or berm along the property lines that abut remaining AG zoned acres of Map 097 Parcel 060, Map 097 Parcel 061, Map 097 Parcel 033, Map 097 Parcel 033001, Map 097 Parcel 037, Map 097 Parcel 056006, Map 097 Parcel 056007, and Map 097 Parcel 056008 as stated in Section 66-97 (d)(1) of the Putnam County Code of Ordinances.**
2. **The developer should also install a right-hand turning lane and a right-hand passing lane at the entrance of the development based on GDOT guidelines.**
3. **This rezoning approval shall be conditioned upon the resurveying and recordation in the Superior Court of Putnam County of an accurate plat within 90 days of approval by the board of commissioners. A copy of the recorded plat shall be filed with the planning and development department director. Failure to file a plat pursuant to this subsection shall have the effect of invalidating the rezoning action as stated in Section 66-165(e)(3) of the Putnam County Code of Ordinances.**

Motion made by Commissioner McElhenney, Seconded by Commissioner Wooten.

Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Wooten

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6. Request by Rick McAllister, agent for Shaifer Griffin, LLC to rezone 15.30 acres at 1024 Lake Oconee Parkway from C-1/AG to C-1 [Map 103, Part of Parcel 015, District 3] (staff-P&D)

Mr. Rick McAllister spoke in support of the rezoning.

Mr. David Kopp, Attorney for Crossroads/Lake Oconee Condominium Homeowners Association, spoke in support of the rezoning and subsequent project with reservations about Mahaffey Drive. Mr. Charles Armantrout, an engineer from Athens also representing Crossroads/Lake Oconee Condominium Homeowners Association, spoke in support of the project but has concerns about issues with Mr. Shaifer and Mahaffey Drive.

No one signed in to speak against the rezoning.

Planning and Development staff recommendation was for approval to rezone 15.30 acres from C-1/AG to C-1 at 1024 Lake Oconee Parkway [Map 103, Part of Parcel 015, District 3] with the following conditions:

1. The developer shall develop and maintain a 50-foot undisturbed buffer or berm along the property lines that abut remaining AG zoned acres of Map 103 Parcel 015 and Map 103 Parcel 010 as stated in Section 66-104(g) of the Putnam County Code of Ordinances.
2. Site driveway -1: Full-access driveway on SR 44, aligned with Harmony Crossing Main Driveway, one entering and two exiting lanes, install a traffic signal, if approved by GDOT, provide a “protected+permissive” phase for southbound left-turn and westbound left-turn movements, provide a right-turn land for entering traffic, convert the lane geometry of Harmony Crossing Driveway to a left-turn lane and a shared through/right-turn lane, and provide adequate sight distance per AASHTO (American Association of State Highway and Transportation Officials) standards.
3. Site driveway -2: Right-In/ Right-Out driveway on SR 44, one entering and one exiting lane, stop-sign controlled on the driveway approach with SR 44 remaining free flow, provide a right-turn lane for entering traffic, and provide adequate sight distance per AASHTO standards.
4. This rezoning approval shall be conditioned upon the resurveying and recordation in the Superior Court of Putnam County of an accurate plat within 90 days of approval by the board of commissioners. A copy of the recorded plat shall be filed with the planning and development department director. Failure to file a plat pursuant to this subsection shall have the effect of invalidating the rezoning action as stated in Section 66-165(e)(3) of the Putnam County Code of Ordinances.

Mr. McAllister used his remaining time for rebuttal on the Mahaffey Drive comments. He stated there is a traffic study available which supports the comprehensive plan.

Motion to approve the request by Rick McAllister, agent for Shaifer Griffin, LLC to rezone 15.30 acres at 1024 Lake Oconee Parkway from C-1/AG to C-1 [Map 103, Part of Parcel 015] with the following conditions:

- 1. The developer shall develop and maintain a 50-foot undisturbed buffer or berm along the property lines that abut remaining AG zoned acres of Map 103 Parcel 015 and Map 103 Parcel 010 as stated in Section 66-104(g) of the Putnam County Code of Ordinances.**
- 2. Site driveway -1: Full-access driveway on SR 44, aligned with Harmony Crossing Main Driveway, one entering and two exiting lanes, install a traffic signal, if approved by GDOT, provide a “protected+permissive” phase for**

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southbound left-turn and westbound left-turn movements, provide a right-turn lane for entering traffic, convert the lane geometry of Harmony Crossing Driveway to a left-turn lane and a shared through/right-turn lane, and provide adequate sight distance per AASHTO (American Association of State Highway and Transportation Officials) standards.

3. Site driveway -2: Right-In/ Right-Out driveway on SR 44, one entering and one exiting lane, stop-sign controlled on the driveway approach with SR 44 remaining free flow, provide a right-turn lane for entering traffic, and provide adequate sight distance per AASHTO standards.
4. This rezoning approval shall be conditioned upon the resurveying and recordation in the Superior Court of Putnam County of an accurate plat within 90 days of approval by the board of commissioners. A copy of the recorded plat shall be filed with the planning and development department director. Failure to file a plat pursuant to this subsection shall have the effect of invalidating the rezoning action as stated in Section 66-165(e)(3) of the Putnam County Code of Ordinances.

Motion made by Commissioner Wooten, Seconded by Commissioner Brown.

Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Wooten

Regular Business Meeting

7. Public Comments

Dr. Steve Hersey provided a handout and continued his comments on senior taxes from the October 6, 2023 meeting.

Mr. Frederick Lowe introduced himself and stated he is running for Mayor of Eatonton. (Copy of handout made a part of the minutes on minute book page _____.)

8. Consent Agenda

- a. Approval of Minutes - October 6, 2023 Regular Meeting (staff-CC)
- b. Approval of Minutes - October 6, 2023 Executive Session (staff-CC)

Motion to approve the Consent Agenda.

Motion made by Commissioner McElhenney, Seconded by Commissioner Brown.

Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Wooten

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9. Request for final plat subdivision approval - Serenity Point (staff-P&D)
Planning and Development staff recommendation was to authorize the Chairman to sign the plats with the following condition:

1. No activity or site development shall commence until action items 1-3 as listed on the attached letter from Georgia Power addressed to Lisa Jackson, dated October 13, 2023, has been completed and approved by the appropriate county representative.

Motion to approve the request for final plat subdivision approval – Serenity Point with the following condition and authorize the Chairman to sign:

1. **No activity or site development shall commence until action items 1-3 as listed on the attached letter from Georgia Power addressed to Lisa Jackson, dated October 13, 2023, has been completed and approved by the appropriate county representative.**

Motion made by Commissioner Wooten, Seconded by Commissioner McElhenney.

Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Wooten

(Copy of letter and plat made a part of the minutes on minute book pages _____ to _____.)

10. Appeal of Short Term Vacation Rental License denial by Kerri Grant/Pier 6 LLC (tabled at last meeting) (staff-CC)

County Attorney Nelson stated this was the first new short term rental ordinance interaction with code section 22-126 regarding appeals. The short term rental license application for 185 Harmony Bay Drive was denied due to the property being zoned R-1R. Per code section 66-53 of the ordinance, nonconforming uses already in existence can continue. Mr. Nelson questioned whether the property qualified for non-conforming use classification since the Grants had not had a license for 2021, 2022, or 2023. Mr. Wilson DuBose, Attorney for the Grants, spoke for his clients. The Grants bought the property because short term rentals were allowed at the time. Mrs. Grant thought she applied for a short term rental license after purchasing the property in 2021. She paid the fee, mailed in the application later (the county never received it) and proceeded to rent the property. She stated she did not know a paper permit would be received from the county. She accumulated \$160,000 in rentals between 2021 and 2023, and paid hotel-motel taxes in the amount of \$22,654 by Airbnb. She continued to rent the property in 2022 and 2023 thinking they were in compliance, until August of 2023, when neighbors mentioned permits to them and told them they didn't have permit. Mr. DuBose asked the Board to consider that the homeowners rented in good faith, paid the taxes due, and stated the right and fair thing is to recognize that the situation is the fault of no one, just a random occurrence. He stated the fair approach is to allow the Grants grandfather use status.

Motion to grant the appeal and allow the short term rental application to be filed by Kerri Grant/Pier 6 LLC.

Motion made by Commissioner Wooten, Seconded by Commissioner Brown.

Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Wooten

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11. Appeal of Short Term Vacation Rental License denial by Dominic Cellitti (staff-CC)
County Attorney Nelson stated that this item was no longer necessary for consideration by the Board, citing that the code allows for certain nonconforming uses. Licenses do not transfer but uses can transfer under certain conditions. The property in the matter is grandfathered. Staff have been directed to process the application.
No action taken.

Reports/Announcements

12. County Manager Report

County Manager Van Haute reported the following:

- The SPLOST #10 project list is coming around.
- The ribbon cutting for the new Fire/EMS/Coroner complex will be held on October 30, 2023, at 1:00 p.m.
- It is time to start thinking about LMIG projects for end of year. Funding will allow for improvements to one mile of road per district.

13. County Attorney Report

No report.

14. Commissioner Announcements

Commissioner McElhenney: none

Commissioner Brown: stated that during the last LMIG discussion, he gave his roads away in favor of focusing attention on roads in the other districts. He would like Little Circle paved this time around. He also encouraged everyone to vote and to consider the bond choice coming up on a future ballot.

Commissioner Wooten: commented about attending a meeting wherein there were a lot of comments about the bad conditions of roads. He assured them that the County is working to improve the roads as quickly as possible and that we are managing money as it comes in from TSPLOST and LMIG. He also advised that paving companies continue to work throughout the year and do not shut down during winter. He appreciates everyone’s patience and working with us as we go through this process.

Chairman Sharp: commented that there are a total of 230 miles of road in District 3. When he was a district commissioner, he drove and evaluated all of them. He encouraged citizens to vote in March when the bond issue hits and thanked everyone for coming to tonight’s meeting.

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Closing

15. 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 7:24 p.m.

ATTEST:

Lynn Butterworth
County Clerk

B. W. "Bill" Sharp
Chairman

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