

# PUTNAM COUNTY BOARD OF COMMISSIONERS



117 Putnam Drive, Suite A ♦ Eatonton, GA 31024

## Work Session

### Minutes

Friday, June 2, 2023 ♦ Following the 9AM Regular Meeting

Putnam County Administration Building – Room 204

The Putnam County Board of Commissioners met for a Work Session on Friday, June 2, 2023 at approximately 9:54 AM in the Putnam County Administration Building, 117 Putnam Drive, Room 204, Eatonton, Georgia.

#### *PRESENT*

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

#### *STAFF PRESENT*

County Attorney Adam Nelson  
County Manager Paul Van Haute  
County Clerk Lynn Butterworth

#### **Opening**

1. Call to Order

Chairman Sharp called the work session to order at approximately 9:54 a.m. and turned the meeting over to Attorney Nelson.

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

#### **Work Session**

2. Short Term Rental Discussion

County Attorney Nelson reviewed the overall conceptual ideas discussed at the last work session and advised that he still needs some more details in order to prepare a draft ordinance. He used some ordinances from other districts (mainly the City of Savannah) as a starting point. A couple of the items to be determined were the overall number of STRs allowed county wide and if there is any interest in creating an overlay district.

Commissioner Brown commented on the R-1R zoning district and that STRs should not be allowed anymore once the current STR owners sell their property.

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Commissioner Foster discussed the history of the R-1R zoning and was in favor of revoking the STR certificates in R-1R after a three year relief period.

Attorney Nelson advised that nothing concerning Homeowners' Associations is in the code because the county has no control over them anyway.

Commissioner Wooten inquired about Georgia Power restrictions. County Attorney Nelson advised that the county can't enforce their rules.

Commissioner Brown advised that he doesn't agree with Commissioner Foster's idea of a three year cut off in the R-1R zoning; he just wants to make it so if a house is sold the STRs stop.

County Attorney Nelson commented that the impact to neighbors should be that they don't even know it's an STR; if it operates in peace and tranquility leave it alone and if violations occur, take away their ability to do STR. He also commented that our current enforcement system is informal and asked the board if they want a more formalized structure, such as a three strike system. He suggested using State or Magistrate court to hear complaints and issue citations with set fines, with a citation meaning immediate suspension of license until the fine is paid or the matter heard in court. He advised that the code can be enforced by Code Enforcement or the Sheriff or a combination of both.

Commissioner Foster commented that he wants to make sure the Sheriff is involved with the revised ordinance. Attorney Nelson agreed and will send the proposal to the Sheriff.

Commissioner Wooten wanted harsher violations, such as a two strike system with higher fines than \$1000. He also believed that enforcement should be done through the Code Enforcement office (possibly being changed to 24/7) because the Sheriff's office is so shorthanded.

Commissioner McElhenney was also in favor of being really harsh on the first strike with at least a \$1000 fine. He was not in favor of giving three chances.

Attorney Nelson advised that he believes \$1000 is as high as we can go on a fine but will do further research and confirm.

Commissioner Brown favored a \$1000 fine for the first offense and \$2000 on the second. A third offense would lead to the loss of being able to rent for 12 months.

Attorney Nelson expressed some concern about a two strike system due to some complaints being frivolous or not valid.

Commissioner Foster commented that if we go to a two strike system, we would have to make sure they are serious violations of our regulations and highly documented.

Commissioner Brown commented that he is more comfortable with a three strike system.

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County Manager Van Haute agreed with Attorney Nelson regarding the \$1000 fine being our upper limit. He said we could add a 30 day loss of use with the first strike and a 60 day loss with the second strike. He suggested the idea of enforcement being with the Sheriff's office, maybe in the form of a marshal service under Sheriff Sills' post certification. He commented that the application fee could be increased to cover the expenses of a marshal service, but this would need to be discussed with the Sheriff first.

Commissioner Wooten added that the tenants should vacate immediately if violations occur.

Commissioner Foster commented on the maximum allowed capacity and that he prefers two per bedroom plus two additional, with a maximum of 12.

Chairman Sharp commented that he prefers the maximum capacity to be 16 not 12.

Attorney Nelson reviewed some of the proposed regulations.

Meeting recessed at approximately 11:18 a.m.  
Meeting reconvened at approximately 11:30 a.m.

Everyone agreed with a minimum age of the renter being set at 25 years old. Attorney Nelson will need to make sure that is enforceable.

Commissioner Foster would like the following regulations: no fireworks; all garbage left on the street must be in appropriate professional receptacles, no more than two days before pick up; lighting subdued after 10pm, and no high intensity lighting directed at neighbors.

Attorney Nelson discussed owner occupied rentals and asked if those should be treated differently. He also asked if everyone was still in favor of the 14 day rental (per year) without a permit. He advised that it may need to be rewritten to 14 days consecutively and he would like to see the 14 days changed to eight days. Commissioner Foster preferred sticking with the 14 days but making it a requirement that the rentals must be weekly.

It was also discussed that accessory structures should not be allowed to be used for short term rentals.

Clerk Butterworth listed some additional regulations for consideration such as: the certificate number must be listed in any advertisement on the internet or other media for the rental of the property; no short term rental shall function as a special event facility, lodge, campground or similar use; the use of outdoor speakers by short term rental occupants is prohibited, each STR should have a local contact person that is required to respond to the location of the short term rental 24 hours a day, seven days a week and within one hour after being notified of the existence of a violation; the short term rental must have parking off the street sufficient for one car for each bedroom being rented; set quiet hours; a copy of the certificate must be displayed in the STR; no RVs or campers; and phone number of local contact person must be posted.

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Chairman Sharp advised that another work session is needed, and one was set for June 27, 2023 at 10:00 a.m.

Commissioner Foster and Chairman Sharp thanked the public that attended for their decorum.

No action was taken.

**Closing**

3. Adjournment

**Motion to adjourn the meeting.**

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

**Voting Yea: Chairman Sharp, Commissioner McElhenney, Commissioner Brown, Commissioner Foster, Commissioner Wooten**

Work Session adjourned at approximately 12:05 p.m.

ATTEST:

Lynn Butterworth  
County Clerk

B. W. "Bill" Sharp  
Chairman

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