

PUTNAM COUNTY BOARD OF COMMISSIONERS



117 Putnam Drive, Suite A ♦ Eatonton, GA 31024

Minutes

Tuesday, December 19, 2023 ♦ 6:00 PM

Putnam County Administration Building – Room 203

The Putnam County Board of Commissioners met on Tuesday, December 19, 2023 at approximately 6:00 p.m. in the Putnam County Administration Building, 117 Putnam Drive, Room 203, Eatonton, Georgia.

PRESENT

Chairman Bill Sharp
Commissioner Gary McElhenney
Commissioner Daniel Brown (arrived late)
Commissioner Steve Hersey
Commissioner Jeff Wooten

STAFF PRESENT

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

STAFF ABSENT

County Clerk Lynn Butterworth

Opening

1. Welcome - Call to Order

Chairman Sharp called the meeting to order at approximately 6:01 p.m.

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

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2. Approval of Agenda

Motion to postpone Agenda Item 5 “Special Presentation - Councilwoman Reid - Oconee Behavioral Health Board” until the January 16, 2023 meeting.

Motion made by Commissioner Wooten, Seconded by Commissioner Hersey.

Voting Yea: Commissioner McElhenney, Commissioner Hersey, Commissioner Wooten

Not Present: Commissioner Brown

Motion to approve the agenda with item #5 “Special Presentation - Councilwoman Reid - Oconee Behavioral Health Board” postponed until the January 16, 2023 meeting.

Motion made by Commissioner Hersey, Seconded by Commissioner Wooten.

Voting Yea: Commissioner McElhenney, Commissioner Hersey, Commissioner Wooten

Not Present: Commissioner Brown

3. Invocation

County Attorney Adam Nelson gave the invocation.

4. Pledge of Allegiance (DB)

Chairman Sharp led the Pledge of Allegiance.

5. Special Presentation - Councilwoman Reid - Oconee Behavioral Health Board

This item was postponed until the January 16, 2024 meeting.

Zoning/Public Hearing

Chairman Sharp opened the Zoning Public Hearing at approximately 6:05 p.m.

6. Request by Darin L. Simmons to rezone 10 acres on Pea Ridge Road from AG to C-2. [Map 088, Part of Parcel 008006, District 4]. (staff-P&D)

Mr. Darin L. Simmons spoke in support of the request and presented information about the proposed use of the property. No one spoke against this item.

Planning and Development staff recommendation was for approval to rezone 10 acres on Pea Ridge Road from Ag to C-2. [Map 088, Part of Parcel 008006, District 4].

Motion to approve the request by Darin L. Simmons to rezone 10 acres on Pea Ridge Road from AG to C-2 [Map088 Part of Parcel 008006, District 4].

Motion made by Commissioner Wooten, Seconded by Commissioner McElhenney.

Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Hersey, and Commissioner Wooten

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7. Request by Rick McAllister, agent for Eugene C. Wheeler as Trustee for Eugene C. Wheeler 2016 Trust to rezone 1.03 acres on Old Phoenix Road from RM-1 to C-1. [Map 103A, Parcel 086, District 1] (staff-P&D)
8. Request by Rick McAllister, agent for Eugene C. Wheeler as Trustee for Eugene C. Wheeler 2016 Trust to rezone 1.03 acres on Old Phoenix Road from RM-1 to C-1. [Map 103A, Parcel 087, District 1]. (staff-P&D)
9. Request by Rick McAllister, agent for Eugene C. Wheeler as Trustee for Eugene C. Wheeler 2016 Trust to rezone 1.02 acres on Old Phoenix Road from RM-1 to C-1. [Map 103A, Parcel 088, District 1]. (staff-P&D)
10. Request by Rick McAllister, agent for Eugene C. Wheeler as Trustee for Eugene C. Wheeler 2016 Trust to rezone .38 acres on Old Phoenix Road from RM-3 to C-1. [Map 103A, Parcel 208, District 1] (staff-P&D)

Chairman Sharp requested a motion to combine agenda items #7, 8, 9, and 10.

Motion to combine agenda items #7, 8, 9, and 10.

Motion made by Commissioner Hersey, Seconded by Commissioner Wooten.

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

Mr. Rick McAllister spoke in support of the request and provided information about the use of the property. No one spoke against this item.

Planning and Development staff recommendation was for approval to rezone 1.03 acres from RM-1 to C-1 on Old Phoenix Road [Map 103A, Parcel 086, 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 Map 103A Parcel 090.
2. The developer shall install a right turning lane at the proposed intersection per state and local guidelines and
3. The developer shall install a center left turn lane per state and local guidelines.

AND

Approval to rezone 1.03 acres from RM-1 to C-1 on Old Phoenix Road [Map 103A, Parcel 087, 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 Map 103A Parcel 089.
2. The developer shall install a right turning lane at the proposed intersection per state and local guidelines and
3. The developer shall install a center left turn lane per state and local guidelines.

AND

Approval to rezone 1.02 acres from RM-1 to C-1 on Old Phoenix Road [Map 103A, Parcel 088, 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 Map 103A Parcel 089 as stated in Section 66-104(g) of the Putnam County Code of Ordinances.
2. The developer shall install a right turning lane at the proposed intersection per state and local guidelines and
3. The developer shall install a center left turn lane per state and local guidelines.

AND

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Approval to rezone 0.38 acres from RM-3 to C-1 on Old Phoenix Road [Map 103A, Parcel 208, 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 Map 103A Parcel 089 as stated in Section 66-104(g) of the Putnam County Code of Ordinances.
2. The developer shall install a right turning lane at the proposed intersection per state and local guidelines and
3. The developer shall install a center left turn lane per state and local guidelines.

Motion to approve the requests by Rick McAllister, agent for Eugene C. Wheeler as Trustee for Eugene C. Wheeler 2016 Trust to rezone 1.03 acres on Old Phoenix Road from RM-1 to C-1 [Map 103A, Parcel 086], 1.03 acres on Old Phoenix Road from RM-1 to C-1 [Map 103A, Parcel 087], 1.02 acres on Old Phoenix Road from RM-1 to C-1 [Map 103A, Parcel 088], and .38 acres on Old Phoenix Road from RM-3 to C-1 [Map 103A, Parcel 208] with the following conditions:

1. The developer shall develop and maintain a 50-foot undisturbed buffer or berm along the property lines that abut Map 103A Parcel 090.
2. The developer shall develop and maintain a 50-foot undisturbed buffer or berm along the property lines that abut Map 103A Parcel 089.
3. The developer shall develop and maintain a 50-foot undisturbed buffer or berm along the property lines that abut Map 103A Parcel 089 as stated in Section 66-104(g) of the Putnam County Code of Ordinances.
4. The developer shall install a right turning lane at the proposed intersection per state and local guidelines.
5. The developer shall install a center left turn lane per state and local guidelines.

Motion made by Commissioner McElhenney, Seconded by Commissioner Brown.

Motion amended to include the following additional conditions: the subject properties cannot be used or sold as standalone properties and must be combined and the subject properties must be replatted and the new plat recorded.

Amended motion made by Commissioner Hersey, Seconded by Commissioner Wooten.

Commissioner Hersey withdrew his motion to amend, with consent from the second, Commissioner Wooten.

Motion amended to include the following additional condition: to replat and have the plat recorded.

Amended motion made by Commissioner Hersey, Seconded by Commissioner Wooten.

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

Vote on original motion as amended:

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

Chairman Sharp closed the Zoning Public Hearing at approximately 6:30 p.m.

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Regular Business Meeting

11. Public Comments

Mr. Billy Webster spoke regarding the approval of the meeting agenda.

Mr. William Vargo spoke regarding communication issues.

Ms. Barbara Vargo suggested providing cell phones for the commissioners.

12. Consent Agenda

a. Approval of Minutes - November 21, 2023 Regular Meeting (staff-CC)

b. Authorization for Chairman to sign Memorandum of Agreement between The Office of Bridge Design and Maintenance and Putnam County for a bridge at Martins Mill Road and Little River (staff-CM)

c. Approval of 2023 Alcohol License (staff-CC)

d. Authorization for Chairman to sign First Amendment to Lease Agreement with Georgia Windstream (staff-CC)

Commissioner Hersey requested that Agenda item 12c be removed from the Consent Agenda and handled separately.

Motion to approve Consent Agenda items a, b, and d.

Motion made by Commissioner McElhenney, Seconded by Commissioner Hersey.

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

Motion to deny Consent Agenda item 12c, approval of Alcohol License for Anchors Marina.

Motion made by Commissioner Hersey, Seconded by Commissioner Brown.

Voting Yea: Commissioner Hersey, Commissioner Brown

Voting Nay: Commissioner McElhenney, Commissioner Wooten, Chairman Sharp

Motion to approve Consent Agenda item 12c, the Alcohol License for Anchors Marina.

Motion made by Commissioner McElhenney, Seconded by Commissioner Wooten.

Voting Yea: Commissioner McElhenney, Commissioner Wooten, Chairman Sharp

Voting Nay: Commissioner Brown, Commissioner Hersey

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13. Discussion and possible action regarding SWA Generator per the Homeland Security Hazard Mitigation Plan (staff-CM)

Mr. Brice Doolittle spoke and provided information regarding the purchase of the generator for Sinclair Water Authority.

Motion to authorize Putnam County to commit up to \$75,000 of matching funds for generators at the Sinclair Water Authority (SWA) plant.

Motion made by Commissioner Hersey, Seconded by Commissioner Wooten.

Commissioner Wooten commented that we should table the approval of the generators until the grant can be upgraded to reflect costs consistent with current financial conditions, and discussions with Baldwin County can take place regarding the amount they plan to commit to the purchase.

Commissioner Hersey withdrew the motion to authorize Putnam County to commit up to \$75,000 of matching funds for the purchase of generators at the Sinclair (SWA) plant, with consent from Commissioner Wooten.

Motion to table the discussion and possible action regarding the SWA Generator per the Homeland Security Hazard Mitigation Plan for up to six months.

Motion made by Commissioner Wooten, Seconded by Commissioner Hersey.

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

14. Request from Fire Department for Emergency Vehicle Purchase - 2027 Pierce Enforcer PUC Pumper (staff-Fire)

Fire Chief Thomas McClain provided information regarding the purchase of a 2027 Pierce Custom Pumper, funded through SPLOST 9 funds. The lead time of receiving the apparatus is 45 to 48 months.

Motion for approval for the Fire Department to purchase an Emergency Vehicle, a 2027 Pierce Enforcer PUC.

Motion made by Commissioner McElhenney, Seconded by Commissioner Wooten.

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

15. Appointment to Sinclair Water Authority Board (staff-CC)

County Manager Van Haute spoke regarding the two nominations to the Sinclair Water Authority Board, Mr. Charles Gray and Ms. Joan Minton.

Motion to nominate Ms. Joan Minton to the Sinclair Water Authority Board.

Motion made by Commissioner Hersey, Seconded by Commissioner Wooten.

Voting Yea for Joan Minton: Commissioner McElhenney, Commissioner Brown, Commissioner Hersey, Commissioner Wooten

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16. Approval of 2024 BOC Meeting Schedule (staff-CC)
Motion to adopt the 2024 BOC Meeting Schedule as proposed, with two changes: one meeting in May on the 21st and one meeting in July on the 23rd.
Motion made by Commissioner McElhenney, Seconded by Commissioner Brown.
Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Hersey, Commissioner Wooten
(Copy of schedule made a part of the minutes on minute book page _____.)

17. Appeal of Short Term Vacation Rental License denial by Kerri Smith/Sundown Cottage (staff-CC)
County Attorney Nelson requested an Executive Session regarding litigation.
17a. 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 McElhenney, Seconded by Commissioner Wooten.
Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Hersey, Commissioner McElhenney

Meeting closed at approximately 7:22 p.m.

17b. Reopen meeting following Executive Session
Motion to reopen the meeting following Executive Session.
Motion made by Commissioner McElhenney, Seconded by Commissioner Wooten.
Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Hersey, Commissioner Wooten

Meeting reconvened at approximately 7:43 p.m.

17c. 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 Wooten, Seconded by Commissioner McElhenney.
Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Hersey, Commissioner Wooten
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17d. Action, if any, resulting from the Executive Session
No action was taken.

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Original #17 agenda item resumed.

County Attorney Nelson reminded the board that the only matter before them is whether the owner did enough to obtain vested rights. The decision is about whether or not the Smiths are allowed to apply for an STR license.

Mr. Steven L. Jones, Attorney for Ms. Kerri Smith, spoke on her behalf and presented the board with documents supporting the appeal. Ms. Kerri Smith also spoke on the matter, restating her reasons for appealing the denial.

Mr. Will McDavid, Attorney for neighbor, Mike Sleeth, spoke against this request and presented a PowerPoint presentation to the board.

The following citizens spoke in support of Ms. Smith’s appeal:

- Mr. William Vargo
- Mrs. Barbara Vargo

The following citizens spoke against the appeal:

- Mr. Terry Kinnamon
- Mr. Geary Clayton
- Ms. Dianna Odum
- Mr. Jim Berardicurti
- Ms. Peggy McWhorter
- Mr. Oz Castro Poreda
- Ms. Ellen Wallace

Mr. Steven Jones used the remainder of his allotted speaking time to rebut the arguments presented.

Motion to deny the appeal of the STR License denial by Kerri Smith/Sundown Cottage at 113 B River Bend Court.

Motion made by Commissioner Hersey, Seconded by Commissioner Brown.

Voting Yea: Commissioner Hersey

Voting Nay: Commissioner McElhenney, Commissioner Brown, Commissioner Wooten

Motion to grant the appeal of the STR License denial of Kerri Smith/Sundown Cottage at 113 B River Bend Court.

Motion made by Commissioner Brown, Seconded by Commissioner Wooten.

Voting Yea: Commissioner McElhenney, Commissioner Brown, Commissioner Wooten

Voting Nay: Commissioner Hersey

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18. Discussion and possible action to amend House Bill 1364 (SH)

Commissioner Hersey presented information regarding a possible amendment to House Bill 1364, which would strike the limitation on the definition of “homestead” to the “primary residence.”

Mr. Charles Patton and Mr. Don Turney spoke in support of amending the bill.

Chief Appraiser Charles Anglin provided information about the way properties are valued and data required by the state.

Motion to amend House Bill 1364 to strike the limitation on the definition of “homestead” to the “primary residence.”

Motion made by Commissioner Hersey, Seconded by Commissioner Brown.

Voting Yea: Commissioner Hersey

Voting Nay: Commissioner McElhenney, Commissioner Brown, Commissioner Wooten
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Reports/Announcements

19. County Manager Report

County Manager Van Haute reported the following:

- recognized the Employees of the Year, one of whom is our own County Clerk, Ms. Lynn Butterworth.
- recognized Human Resources Director, Cynthia Miller as she received her Advanced Certified Human Resources Manager certification.

20. County Attorney Report

No report.

21. Commissioner Announcements

Commissioner McElhenney: none

Commissioner Brown: wished all in attendance a Merry Christmas, a Happy New Year, and asked God’s continued blessings on our county.

Commissioner Hersey: none

Commissioner Wooten: wished all a Merry Christmas and a Happy New Year and sent a message to County Clerk Lynn Butterworth to stay strong.

Chairman Sharp: Grateful for good news on County Clerk Butterworth and requested continued prayers for baby Graham, son of county employees Carola Woods and Gregg Owens. He wished

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all in attendance a Merry Christmas and reminded everyone that Jesus is the reason for the season.

Closing

22. Adjournment

Motion to adjourn the meeting.

Motion made by Commissioner McElhenney, Seconded by Commissioner Wooten.

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

Meeting adjourned at approximately 9:27 p.m.

ATTEST:

Donna Todd
Deputy County Clerk

B. W. "Bill" Sharp
Chairman

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