#### BOARD OF COUNTY COMMISSIONERS JASPER COUNTY, GEORGIA REGULAR MEETING AGENDA SMALL COURT ROOM ON THE SECOND FLOOR MONTICELLO, GEORGIA January 4, 2021

#### 6:00 p.m.

\*\*\* The meeting will be live streamed Via Facebook on the Jasper County Georgia Facebook Page. \*\*\*See Revised Continued Precautions in Response to Covid-19 at bottom of Page 2. \*\*\* Citizen Access will be available with limited Seating. \*\*\*

I. Call to Order (6:00 p.m.)				
NAME	PRESENT	ABSENT	LATE	ARRIVED
DISTRICT 1 – VACANT				
DISTRICT 2 – BRUCE HENRY, CHAIR				
DISTRICT 3 – DON JERNIGAN				
DISTRICT 4 – GERALD STUNKEL – VICE-CHAIR				
DISTRICT 5 - STEVEN LEDFORD				

- II. Pledge of Allegiance –
- **III.** Invocation District 2

#### IV. Approval of Agenda

#### V. Consent Agenda –

- 1. Approval of Minutes:
  - December 7, 2020 Regular Meeting Minutes
  - December 15, 2020 Called Meeting Minutes
  - December 15, 2020 Work Session Minutes
- 2. Check Register Check #'s 60223 60463

#### VI. Public Hearing

Public Hearings are conducted to allow public comments on specific advertised issues such as rezoning, ordinances, policy development and other legislative actions to be considered by the County Commissioners. Following the public hearing, the Board of Commissioners will take action on each item presented below.

- 1. A 2<sup>nd</sup> public hearing will be held for a change to the minimum lot width in Residential R-1 and RL-3 from 100' to 125'.
- 2. A 2<sup>nd</sup> public hearing will be held for a text amendment to the Guest House ordinance.

#### **VII.** County Commissioner Items

#### VIII. Presentations/Delegations -

Presentation/Delegations allows scheduled speakers to address the Commission for not more than ten (10) minutes on specific topics or for recognition of citizens, county employees or other events by the Commissioners.

# IX. Regular Agenda

# **Appointments**

- 1. Appointment of Chairman
- 2. Appointment of Vice-Chairman
- 3. Appointment of County Attorney
- 4. Appointment of County Clerk

#### **Business Items:**

- 1. Application 2020-TA-003-increase the minimum lot width in Residential(R-1 and RL3) from 100' to 125'.
- 2. Application 2020-TA-005 Text amendment to the guest house ordinance.
- 3. Alternate Site for Superior Court Jury Selection
- 4. Schedule Work Sessions and Called Meetings
- 5.

#### X. County Attorney Items

#### XI. County Manager Update

#### XII. Citizen Comments

Comments from citizens via the Jasper County Facebook Page.

#### XIII. Executive Session

Consultation with County attorney to discuss pending or potential litigation as provided by O.C.G.A. §50-14-2(1); Discussion of the future acquisition of real estate as provided by O.C.G.A. §50-14-3(4); and discussion on employment, compensation, or periodic evaluation of county employees as provided in O.C.G.A. § 50-14-3(6)

#### XIV. Adjournment

#### \*\*\*\*Details for Meeting Attendance\*\*\*\*

- All persons will be temperature checked at the door.
- Temperature readings of 100.4 or higher will not be allowed to enter the building.
  - Masks will be provided and recommended to be worn, but not required.
    - Seating will be Limited.

# Consent Agenda – Item 1:

# Agenda Request – Jasper County BOC

Department: Board of Commissioners

Date: January 4, 2021

Subject: Approval of Minutes

Summary:

Minutes have been completed for the Jasper County Board of Commissioners:

- December 7, 2020 Regular Meeting Minutes
- December 15, 2020 Called Meeting Minutes
- December 15, 2020 Work Session Minutes

Background:

Cost: \$0

**<u>Recommended Motion:</u>** Approve minutes for:

- December 7, 2020 Regular Meeting Minutes
- December 15, 2020 Called Meeting Minutes
- December 15, 2020 Work Session Minutes

#### Jasper County Board of Commissioners December 7, 2020 Regular Meeting Minutes 6:00 P.M.

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

Commissioners Present: Bruce Henry, Chairman, Gerald Stunkel, Vice-Chairman, Don Jernigan, and Doug Luke.

Staff Present: Mike Benton, County Manager, Sharon Robinson, Administrative Services Director, Dennis Pate, Finance Director and David Ozburn, County Attorney.

# **Pledge of Allegiance:**

Invocation: District 5- Commissioner Doug Luke

# Agenda Approval:

Commissioner Jernigan motioned to approve the agenda as presented. Commissioner Stunkel seconded the motion, passed unanimously.

# **Consent Agenda:**

**Approval of Minutes:** Commissioner Stunkel motioned to approve the minutes for:

- November 2, 2020 Regular Meeting Minutes
- November 10, 2020 Work Session Minutes
- November 16, 2020 Work Session Minutes

Commissioner Jernigan seconded the motion, passed unanimously.

<u>Check Register:</u> Commissioner Luke motioned to approve the check register check numbers 59866-60222. Commissioner Stunkel seconded the motion, passed unanimously.

**<u>Public Hearing</u>**: Commissioner Jernigan motioned to go into Public Hearing at 6:03 p.m. Commissioner Luke seconded the motion, passed unanimously.

# 1. A public hearing will be held for a change to the minimum lot width in Residential R-1 and RL-3 from 100' to 125'.

Mr. Shane Sealy stood before the board to present Application 2020-TA-003. Jasper County Planning and Zoning is looking to increase the minimum lot width in Residential (R-1 and RL3) from 100' to 125'. We have had one newly developed subdivision since the 2012 ordinance was adopted. The subdivision was The Peninsula at Jackson Lake. With the minimum lot width currently being 100' in the Residential (R-1 and RL-3) and the side setbacks being 30' this only allows 40' to build a house if the minimum lot width is platted out. It makes it extremely difficult to build a nice house with this width. The Board of Appeals has heard around 7 or 8 variance requests with all these being approved with this hardship. You could solve this problem in two ways. One being on making the minimum lot width wider as this is being proposed or reducing the side setbacks from 30' to 20'. The Planning and Zoning Board had a work session and wanted to go with making the minimum lot width wider. This went in front of the Planning and Zoning board on October 29, 2020 and they recommended approval 5-0.

Mary Patrick stood before the board in favor of the request. She stated that some of the houses on the Peninsula require a 2,000 sq ft house, which is almost impossible. Some people are having to turn their garage around just to get the house on the lot.

Mr. Benton asked if the minimum road frontage match the lot width. Mr. Sealy stated yes. Commissioner Stunkel asked a follow-up question of whether the ordinance will be worded the minimum width at its narrowest point be 125'.

Commissioner Stunkel motioned to close the Public Hearing at 6:09 p.m. Commissioner Jernigan seconded the motion, passed unanimously.

Commissioner Luke motioned to go into the second public hearing at 6:09 p.m. Commissioner Jernigan seconded the motion, passed unanimously.

# 2. A public hearing will be held for a text amendment to the Guest House ordinance.

Mr. Shane Sealy presented application 2020-TA-005 Text amendment to the guest house ordinance. We have had some guest houses/mother-in-law suites built here in the last year or so that actually looks like a home built on a separate piece of property. This new text will control amount of driveways and distance from the primary residence. I am attaching the new proposed definition of guest house. This went in front of the Planning and Zoning board on October 29, 2020 and they recommended approval 5-0.

# The existing definition reads:

Guest house means an accessory building subordinate to a principal single-family dwelling full-time workers on that farm.

# The proposed definition reads:

Guest House means an accessory building subordinate to a principal single-family dwelling used as dwelling only for family members or guests. Guest house shall not have a separate driveway coming off of the county or state road from the principle residence and a secondary driveway coming off the principle driveway shall be a minimum of 100' from the right of way of the county or state road. The guest house will have to share the same electrical service as the principle single-family dwelling. The maximum size for a guest house is 750 heated square feet.

Chairman Henry asked could the building be rented out. Mr. Sealy stated that this is not laid out in the current definition but could be added. The board discussed adding noncommercial to the new definition. Attorney Ozburn suggest to reference the use table in the updated ordinance.

Mary Patrick stood before the board in support of the new ordinance. She stated the definition will need to be changed. She stated that it should be a conditional use permit. She asked if there will be a limit on the number of days that a guest can stay. She also asked if people can pull an RV in to consider it a guest house. Mr. Sealy stated that the building will have to meet the Residential code.

Mr. Dougherty asked what the resistance to having rental properties is. Chairman Henry stated that there are rental properties all over the county.

Commissioner Stunkel motioned to come out of the second public hearing. Commissioner Jernigan seconded the motion, passed unanimously.

# **Commissioner's Items:**

<u>**Commissioner Luke</u>**- Commissioner Luke requested an update on the progress of the Post Road construction. Mr. Benton stated that they should finish the FDR on December 8<sup>th</sup> and 7-10 days after that they should be able to asphalt, weather permitting. Commissioner Luke stated that Whispering Pines is having a lot of speeding issues on that street. He wanted to see if the sheriff would place a speed trailer or patrol in the area to help control the speeding. Commissioner Luke stated that he is thankful to have served the citizens of District 5 and Jasper County for the past eight years.</u>

#### <u>Commissioner Stunkel</u>- None Commissioner Jernigan- None

<u>Chairman Henry</u>- Chairman Henry thanked Commissioner Luke for eight years of service and wished him luck. He also remembered the anniversary of Pearl Harbor and WWII. He reminded everyone on Facebook to be respectful in their comments.

# Presentations/Delegations- None

#### **<u>Regular Agenda:</u>** Item 1: Alcohol License Renewals

Tyson's Country Store – Application number 2021-A-001 located at 22044 Hwy 11 North. Name of applicant: Lisa Whitaker Wilkerson – Retail sales of beer and wine - (no 911 calls) Renewal Commissioner Luke motioned to approve the renewal application. Commissioner Stunkel seconded the motion, passed unanimously.

Frank's Restaurant – Application number 2021-A-002 located at 11818 Hwy 212 West. Name of applicant: Vivian Fuller Castellana – Pouring license for distilled spirits, beer, and wine – Renewal (one 911 call for the year). Commissioner Luke motioned to approve the renewal application. Commissioner Stunkel seconded the motion, passed unanimously.

Lakeview Marina – Application number 2021-A-003 located at 8726 Jackson Lake Road. Name of applicant: Shabanali Jabbarcheloei – Retail sales of beer and wine – Renewal (no 911 calls). Commissioner Jernigan motioned to approve the application renewal. Commissioner Stunkel seconded the motion, passed unanimously.

Lakeview Restaurant – Application number 2021-A-004 located at 8726 B Jackson Lake Road. Name of applicant: Shabanali Jabbarcheloei – Pouring license for distilled spirits, beer, and wine – Renewal. (There were six calls at this location for the year. Five of the calls were for arguments and the one was for domestic dispute).

Commissioner Luke stated that six calls are too many calls.

Commissioner Jernigan motioned to approve the renewal application. Commissioner Stunkel seconded the motion, passed 3-1. Commissioner Luke voted against.

Convenience Stores, Inc. dba Larry's 4-Way – Application number 2021-A-005 located at 9160 Hwy 212 West. Name of applicant: Joann Hedrick- Retail sales of beer and wine – Renewal (no 911 calls). Commissioner Luke motioned to approve the renewal application. Commissioner Stunkel seconded the motion, passed unanimously.

Turtle Cove POA – Application number 2021-A-006 located at 222 Clubhouse Drive. Name of applicant: Colleen Peters – Pouring license for distilled spirits, beer, and wine – Renewal (no 911 calls). Commissioner Luke motioned to approve the application renewal. Commissioner Stunkel seconded the motion, passed unanimously.

Bear Creek Marina Restaurant – Application number 2021-A-007 located at 60 Bear Creek Marina Road. Name of applicant: John Herman – Pouring license for distilled spirits, beer, and wine – Renewal (2 911 calls). Commissioner Luke motioned to approve the application renewal. Commissioner Stunkel seconded the motion, passed unanimously.

Shane's One Stop – Application number 2021-A-008 located at 8541 Hwy 142 Shady Dale, Ga 31085. Name of applicant: Shehzad Himani – Retail sales of beer and wine – Renewal (no 911 calls). Commissioner Luke motioned to approve the renewal application. Commissioner Stunkel seconded the motion.

Commissioner Stunkel made the motion to have Planning and Zoning give quarterly reports on 911 calls of any licensee, and that any establishment that two or more 911 calls per quarter be audited. Commissioner Jernigan seconded the motion, passed unanimously.

# Item 2: Landfill Compliance & Engineering Consulting Services – Triple Point Engineering, Inc.

Triple Point Engineering representative Anthony Rodriguez stood before the board. He stated that the amount for the proposal will go down but he does not have the exact amount at this time.

Commissioner Luke motioned to authorize Chairman to sign the Triple Point Engineering Services Agreement, as presented, for compliance and engineering services at the Jasper County Municipal Solid Waste Landfill and the Construction/Demolition/Industrial landfill for FY 21. Commissioner Stunkel seconded the motion, passed unanimously.

# Item 3: Georgia EPD Release Voluntary Notification/Reporting Form

Mr. Rodriguez stated that landfill is regulated by the solid waste program. It's just a matter of whether the county wants to participate in the Hazardous Waste program. By adding the county's municipal landfill to the Hazardous Waste Index the county becomes eligible to be reimbursed for certain engineering and other related costs associated with maintaining compliance with EPD for both operating and closed landfills.

Commissioner Stunkel motioned to authorize Staff to work with Triple Point Engineering to complete the voluntary submission of a Release Notification/Reporting Form for the Jasper County MSWL in order that certain cost can be submitted through the HSRA Trust Fund for reimbursement to Jasper County. Commissioner Luke seconded the motion, passed unanimously.

# Item 4: Landfill Operations Update

Mr. Sammy McCowan stood before the board and stated that we would like to get our Closure certificate for the MSWL. This will start the 30 year monitoring. There are some sediment basins that needs to be installed, removal of trees fr4om side slopes on southeast corner, survey and staking documentation confirming the cell waste boundaries, repair of storm water drainage ditches, and repair signage in order to get the closure certificate. This process can possibly be done in six months.

Mr. Rodriguez stated that the EPD has gone to a five year permitting process for the C&D landfill. They are doing it in waves. The early application starts January 2021.

Mr. McCowan stated that we still have 20 years of capacity left on the C&D landfill.

# Item 5: Emergency Operations Agreement – Senior Center & Jasper Memorial Hospital

Chairman Henry stated that the Jasper Memorial Hospital has historically partnered with the Jasper County Senior Center to provide non-emergency transportation for all patients and residents during a disaster. Since the senior center is familiar with transporting elderly citizens, this has been a natural partnership in case of an emergency. The agreement is a part of disaster planning procedures required by state and federal agencies such as GEMA and FEMA respectively. The last agreement was signed by then BOC Chairman Charles Hill in cooperation with the Jasper County Senior Center.

Commissioner Jernigan motioned to authorize Chairman to sign the Emergency Operations Agreement with Jasper Memorial Hospital. Commissioner Luke seconded the motion, passed unanimously.

# Item 6: FY 2021 1st Quarter Financial Report

Mr. Dennis Pate stood before the board to present the first quarter financials for FY 21. The actual revenue was \$4,110,258. The expenditures for the quarter were \$2,593,985. We are running in trend for where we should be at this time. He reported information about the impact fee fund through November. The impact fees collected to date is 73 which comes to a total of \$96,369. The total in that fund is \$428,496 in that account. We spent \$84,000

on the 911 phone system. The Capital Improvement account started with \$223.00 earned interest of \$126.55 and \$7,137 was spent. The SPLOST 2018 which was collected through October 2020. That amount is \$2,790,258. Of that \$871,788 has been spent leaving an allocated balance of \$1,918,000.

# Item 7: Jasper County Human Resources and County Boards Report

**Current Open Positions** Public Works Director Equipment Operator (1) Paramedic (1) EMT (3)

# **New Hires**

Sheriff/Jail – 5 Fire Rescue – Part-time – 2 Registrar/Election – Part-time – 5 Public Works – 1 P&Z – 2 Animal Control – Part-time - 2

# **Terminations/Resignations**

Public Works - 2 Sheriff - 2 Jail - 2 Fire Rescue - 1 Animal Control - 1 P&Z - 1 BOC - 1

# **Total Employees** = 174

Full-time = 119 Part-time = 55

# **Board Appointments Needed:**

Jasper County Water & Sewer Authority: 6 Vacancies

• We have advertised for this Board on numerous times and not received any responses.

Jasper County DFCS Board: 1 vacancy

• Still have one vacancy that was never filled from last advertisement

911 Authority: 3 vacancies (in March 2021)Alcovy Shores Water: 1 vacancy (in February 2021)P & Z Board: 2 vacancies (in March 2021)Board of Appeals: 1 vacancy (in March 2021)

# Item 8: 2021 Regular Meeting Dates

**2021 Regular Meeting Dates**: All meetings will begin at 6:00 p.m. Monday, January 4<sup>th</sup> Monday, February 1st Monday, March 1st Monday, April 5<sup>th</sup> Monday, May 3<sup>rd</sup>

Monday, June 7<sup>th</sup> Monday, July 12<sup>th</sup> Monday, August 2<sup>nd</sup> Monday, September 13<sup>th</sup> Monday, October 4<sup>th</sup> Monday, November 1<sup>st</sup> Monday, December 6<sup>th</sup>

Commissioner Luke motioned to approve the 2021 meeting schedule as presented. Commissioner Stunkel seconded the motion, passed unanimously.

### Item 9: 2021 Tentative Holidays

2021 Tentative Holidays:

New Year's Day Friday, January 1, 2021 Martin Luther King Day Monday, January 18, 2021 President's Day, Monday, February 15, 2021 Good Friday, Friday, April 2, 2021 Memorial Day Monday, May 31, 2021 Independence Day Monday, July 5, 2021 Labor Day Monday, September 6, 2021 Columbus Day Monday, October 11, 2021 Veterans Day Thursday, November 11, 2021 Thanksgiving Day Thursday, November 25, 2021 Day after Thanksgiving Friday, November 26, 2021 Christmas Eve (Observed), Thursday, December 23, 2021 Christmas (Observed) Friday, December 24, 2021 New Year's Day (Observed) Friday, December 31, 2021

Commissioner Jernigan motioned to approve the 2021 holidays as presented. Commissioner Luke seconded the motion, passed unanimously.

Item 10: Schedule Work Sessions: A work session was scheduled for Tuesday, December 15<sup>th</sup> at 6 p.m.

#### **County Attorney Items:** None

<u>County Manager Items</u>: Mr. Benton gave a few project status updates. The Public Works Shop building is moving along the storm water system is installed. The pad grading is completed. Tree limb and brush cutting operations work order will be given soon. We are holding off on purchasing the tractor and boom mower. The courthouse exterior stabilization is 100% complete. The first phase of the fiber internet project is complete. All departments have been migrated.

<u>**Citizens Comments:**</u> There were not any Facebook citizen comments. Mr. Danny Barron stood before the board to introduce himself. He stated to the board that he came to the meeting so that he could introduce himself and to let them know that he plans to run for election for the seat left vacant by the late Carl Pennamon.

#### **Executive Session**:

Commissioner Luke motioned to go into Executive Session to discuss personnel 7:54 p.m. Commissioner Jernigan seconded the motion, passed unanimously.

Commissioner Stunkel motioned to come out of Executive Session at 8:40 p.m. Commissioner Jernigan seconded the motion, passed unanimously.

<u>Adjourn:</u> Commissioner Luke motioned to adjourn the meeting at 8:40 p.m. Commissioner Jernigan seconded the motion, passed unanimously.

Bruce Henry, Chairman

Sharon Robinson, Clerk

#### Jasper County Board of Commissioners December 15, 2020 Regular Meeting Minutes 6:00 P.M.

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

Commissioners Present: Bruce Henry Chairman; Gerald Stunkel, Vice-Chairman; Don Jernigan, and Doug Luke.

Staff Present: Mike Benton, County Manager, Sharon Robinson, Administrative Services Director, Dennis Pate, Finance Director and David Ozburn, County Attorney.

#### **Pledge of Allegiance:**

Invocation: District 4- Commissioner Gerald Stunkel

#### Agenda Approval:

Commissioner Stunkel motioned to approve the agenda as presented. Commissioner Jernigan seconded the motion, passed unanimously.

Consent Agenda: None

Public Hearing: None

**Commissioner's Items:** 

<u>Commissioner Luke</u>- None <u>Commissioner Stunkel</u>- None <u>Commissioner Jernigan</u>- None <u>Chairman Henry</u>- Chairman Henry reminded everyone about being respectful on Facebook and that early voting has begun.

Presentations/Delegations- None

**Regular Agenda:** 

# Item 1: 2021 CDBG Architectural Services Approval:

Mr. Benton noted that the Food Bank was chosen as the CDBG project for the 2021 award year. Choosing an Architectural Firm is one of the first steps for the application process. Jasper County Board of Commissioners advertised a Request for Qualifications for Architectural Design Services for the construction of a new Community Food Bank in Jasper County under the CDBG Program. Jasper County received proposals from five architectural firms:

Carter Watkins Associates Architects, Inc. Clark Nexsen Randal-Paulson Architects, Inc. Praxis3, LLC Armentrout Metheny Thurmond, P.C. (AMT)

The architectural selection committee composed of Chairman Bruce Henry, Jasper County Food Bank Director Ken Horton and County Manager Mike Benton presented a recommendation to the Jasper County Board of Commissioners for Clark Nexsen to be chosen as the Architectural firm for Design Services and Contract Jasper County Board of Commissioners Meeting Minutes December 15, 2020 – Called Meeting Administration. Their fee for Design Services and Contract Administration will be 6% of construction costs if the contract is awarded.

Chairman Henry noted that there was a sheet used to grade the firms. The group completed the forms individually and then came together to compare. The results were really close.

Mr. Ken Horton stood before the board and thanked them for working with the Food Bank and suggesting the Food Bank for the grant. He reiterated what Chairman Henry stated about how close their individual results were. He stated that Clark Nexsen has very close ties to the community. One of their employees volunteers at the Food Bank. He mentioned that the next Thursday would be the last of the mobile food bank. He explained that when Covid started they worked out a deal with the Atlanta Food Bank out of Macon because of so many people needing food. He explained that the third Thursday of each month they receive 12 pallets of food from the Atlanta Food Bank free of charge to hand out. Any member of the county that needs or wants the food can get it. He thanked the board again. He stated that when they have an excess of food they drop it off at the hospital to employees the sheriff's department and fire department just as a thanks for their service.

Mr. Benton stated that range in the fees was from \$0 for the preliminary report up to \$28,000. That is paid out of the county funds even if the grant is not awarded.

Commissioner Stunkel motioned to approve Clark Nexsen to provide Architectural Design Services and Construction Contract Administration for the 2021 CDBG Food Bank Project. Commissioner Jernigan seconded the motion, passed unanimously.

# Item 2: Homestead Property Value Freeze:

Chairman Henry stated that the Homestead Property Value Freeze is something that would have to go before the legislation and then be passed by a county-wide referendum.

Chief Appraiser, Lyn Bentley stood before the board to give more information and background about the homestead Property value freeze and what it would mean if this was implemented. There will not be another countywide election until 2022. She presented exemptions that are available in surrounding and nearby counties. Greene and Walton counties have full freezes available for everyone. Other counties have freezes available for select demographics.

Commissioner Jernigan stated that he thinks we should wait until we have a full board before considering this move and discussing it further. And also we have some time since the next countywide election will be in 2022.

Commissioner Luke asked if certain changes would have to go all the way back through legislation for changes.

County Attorney Ozburn stated that it depends on how the bill is written.

Commissioner Jernigan stated that this year we went below the suggested rollback rate which we can do at any time. We are not tied to freezing at a certain rate and when the economy falls off and revenue goes down we have to figure out how we are going balance the budget. We are not committing to something when we do not know what is going to happen down the road.

Commissioner Luke stated that the freeze for the seniors is the most attractive.

Commissioner Jernigan stated that if we were to entertain this at all it should be for senior citizens only who can show proof of income.

Ms. Bentley stated that we have about 25% more senior exemptions than we have homestead exemptions. The full exemption for seniors is at 65.

Commissioner Jernigan stated that based on the US Census 15.4% of the Jasper County population lives in poverty.

Ms. Bentley stated that doing a freeze for the seniors will take a long time to realize a huge benefit. She stated that increasing the senior exemption is an immediate change.

Chairman Henry stated that this is something that we need to continue to research and not just drop it.

Commissioner Stunkel stated that one of the biggest drawbacks that he sees is that someone stays in a house for 20-25 years and then sells it, the buyer is going to be doing tax research based on the wrong information.

Commissioner Jernigan motioned to table this until we have a full board with the county manager doing research prior to that. Commissioner Luke seconded the motion, passed unanimously.

#### **County Attorney Items:** None

#### **County Manager Items**:

Mr. Benton stated the Public Works director has been hired, Mr. Michael Walsh. He starts on Monday. There is a scheduled meeting for Thursday December 17<sup>th</sup> with Charlie Elliot to secure the banquet hall as an alternate location for jury selection. The sheriff submitted a letter of support. Piedmont Academy is asking the Board of Commissioners to send a letter to GDOT for interruption of traffic on Hwy 212 West for a 5k road race in March.

Commissioner Jernigan motioned to approve the Sheriff to work with Piedmont Academy on their 5k road race on March 14, 2021. Commissioner Stunkel seconded the motion, passed unanimously.

#### **Citizens Comments:**

Commissioner Stunkel noted that the comments were about the Homestead item.

Ms. Robinson read the last comment from Facebook where MP Pat stated that the last item voted on was not on the agenda but voted on.

Attorney Ozburn stated that it is not an invalid vote because the meeting was duly noticed.

#### **Executive Session:** None

#### Adjourn:

Commissioner Luke motioned to adjourn the meeting at 6:45 p.m. Commissioner Stunkel seconded the motion, passed unanimously.

Bruce Henry, Chairman

Sharon Robinson, Clerk

# **Jasper County Board of Commissioners**

# December 15, 2020

# **Work Session Minutes**

# 6:45 P.M.

Commissioner Henry called the meeting to order at 6:45 p.m.

Commissioners Present: Chairman, Bruce Henry; Vice-Chairman, Gerald Stunkel; Don Jernigan; and Doug Luke.

Staff Present: Mike Benton, County Manager and Sharon Robinson, County Clerk.

# Work Session:

# **Road name Honoring Carl Pennamon**

Chairman Henry ask attorney Ozburn if there is legality that the board would have to go through to do an honorary name change. Attorney Ozburn stated that in this case it would just be a resolution. Commissioner Luke stated that he thinks 30 years of service warrants more than an honorary name change and asked the board to keep that in mind.

# Jasper County Public Facilities Authority Board

Chairman Henry stated that based on the list two of the applicants do not meet the requirements. One applicant's name was added to the list. This will bring the number of applicants to eight. Commissioner Stunkel stated that we have enough qualified applicants to choose from.

Chairman Henry declared the Work Session closed at 7:05 p.m.

Bruce Henry, Chairman

Sharon S. Robinson, Clerk

# Consent Agenda – Item 2:

# Agenda Request – Jasper County BOC

**Department:** Board of Commissioners

Date: January 4, 2021

Subject: Approval of Check Register

### **Summary:**

A check register will be generated by the finance department on meeting day for signature and approval to process the checks.

# **Background:**

Cost: \$0

Recommended Motion:

Approve processing of check #'s 60223 - 60463

#### Item 1: Public Hearing – 2nd HEARING

#### Agenda Request – Jasper County BOC

Department: Planning and Zoning

Date: January 4, 2021

**Subject:** Application 2020-TA-003 Jasper County Planning and Zoning is looking to increase the minimum lot width in Residential (R-1 and RL3) from 100' to 125'.

**Summary:** We have had one newly developed subdivision since the 2012 ordinance was adopted. The subdivision was The Peninsula at Jackson Lake. With the minimum lot width currently being 100' in the Residential (R-1 and RL-3) and the side setbacks being 30' this only allows 40' to build a house if the minimum lot width is plattted out. It makes it extremely difficult to build a nice house with this width. The Board of Appeals has heard 8 variance requests with all these being approved with this hardship. You could solve this problem in two ways. One being on making the minimum lot width wider as this is being proposed or reducing the side setbacks from 30' to 20'. The Planning and Zoning Board had a work session and wanted to go with making the minimum lot width wider. This went in front of the Planning and Zoning board on October 29, 2020 and they recommended approval 5-0.

Background:

Cost: N/A

**Recommended Motion:** Board's Discretion

# **Draft-Minimum Lot Width Change in R1 and RL Zoning**

Under Development Standards (Sect 119-244-attached) change minimum lot width under Residential (R-1 and RL3) from 100' to 125'. In minimum road frontage in Residential (R1 and RL3) change from 100' to 125' and add in that section cul-de-sac lots require a minimum of 60' of road frontage which already is stated in Sec. 105-127. – Development standards for lots (attached).

### **DIVISION 4. - DEVELOPMENT STANDARDS—ALL DISTRICTS**



#### Sec. 119-244. - Development standards—Agriculture and residential districts.

								EXPA
Item	AG	R-R	R-2	R-1	RL-1	RL-2	RL-3	V-P
Minimum heated floor area per dwelling unit	1,200 sf	1,200 sf	1,800 sf	1,800 sf	1,200 sf	1,800 sf	1,800 sf	750 sf
Minimum lot area without water or sewer	5 acres	3 acres	2 acres	1.2 acres	NA	NA	1 acre	NA
Minimum lot area with public/private water	5 acres	3 acres	2 acres	0.7 acre	NA**	½ Acre	1 acre	NA
Minimum lot area with public/private water and sewer	5 acres	3 acres	2 acres	0.7 acre	5,000 sf	½ acre	1 acre	4,000 sf
Minimum lot width	200 ft.	200 ft.	125 ft.	100 ft.	50 ft.	100 ft.	100 ft.	See <u>section</u> <u>119-295</u>
Minimum road frontage (cul-de-sec lots) Goft	200 ft.	200 ft.	125 ft.	100 ft.	50 ft.	100 ft.	100 ft.	See <u>section</u> <u>119-295</u>
Minimum front yard arterial road	80 ft.	80 ft.	80 ft.	80 ft.	NA	80 ft.	80 ft.	80 ft.

ARTICLE IV. - DISTRICT REGULATIONS | Code of Ordinances | Jasper County, GA | Municode Library

				•				-
Minimum front yard major collector	80 ft.	80 ft.	80 ft.	80 ft.	20 ft.	80 ft.	80 ft.	10 ft. store; 30 ft. others
Minimum front yard minor collector	30 ft.	30 ft.	30 ft.	30 ft.	20 ft.	30 ft.	30 ft.	0 ft. store; 20 ft. other
Minimum front yard local roads	30 ft.	30 ft.	30 ft.	30 ft.	20 ft.	30 ft.	30 ft.	0 ft. store; 20 ft. other
Minimum side yard	30 ft.	30 ft.	30 ft.	30 ft.	4 ft.	15 ft.	30 ft.	0 or 10 ft.
Minimum rear yard	50 ft.	50 ft.	30 ft.	30 ft.	30 ft.*	30 ft.*	30 ft.*	30 ft.
Compliance with architectural standards required?	No	No	No	No	No	No	No	No

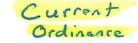
#### ;le=2;NA --- Not allowed

;le=2;\*Rear yards that adjoin Jackson Lake will be measured from Georgia Power easement: 525 feet sea level plus 50 feet

;le=2;\*\*Water and sewage must meet approval of the county health department

(Ord. of 7-20-2009, § 37)

#### Sec. 105-127. - Development standards for lots.



modified

1/1

All lots established in the county after the effective date of the ordinance from which this chapter is derived must comply with the development standards contained in this section. However, where provisions of <u>chapter</u> <u>119</u> apply and are stricter, those provisions take precedence. Development standards for lots are as follows:

- (1) Lot lines. As far as practical, side lot lines must be roughly perpendicular or radial to street lines.
- (2) Lot frontage arrangements. Land must be subdivided in a manner that provides each lot in the subdivision with direct abutting access to an existing public street or to an approved street contained within the proposed subdivision. Each non-cul-de-sac lot must meet the minimum buildable width by zoning district as outlined in <u>chapter 119</u>. (See flag lots in subsection (6) of this section.) Lots fronting on culs-de-sac must maintain at least 60 feet of frontage.

# Public Hearing – Item 2: 2nd HEARING

# Agenda Request – Jasper County BOC

**Department:** Planning and Zoning

Date: January 4, 2021

Subject: Application 2020-TA-005 Text amendment to the guest house ordinance.

#### Summary:

We have had some guest houses/mother-in-law suites built here in the last year or so that actually looks like a home built on a separate piece of property. This new text will control amount of driveways and distance from the primary residence. I am attaching the new proposed definition of guest house.

This went in front of the Planning and Zoning board on October 29, 2020 and they recommended approval 5-0.

This is the 2<sup>nd</sup> Public Hearing on this Text Amendment.

# **Background:**

Cost: N/A

**Recommended Motion:** Board's Discretion

# **Draft – Guest House Ordinance/Second Read**

*Guest house* means an accessory building subordinate to a principal single-family dwelling used as a dwelling only for family members or guests. Guest house shall not have a separate driveway coming off of the county or state road from the principle residence and a secondary driveway coming off the principle driveway shall be a minimum of 100' from the right of way of the county or state road. The guest house will have to share the same electrical service as the principle single-family dwelling. The maximum size for a guest house is 750 heated square feet. A guest house is only allowed in Agricultural (AG) and Rural Residential (R-R). See section 119-269 (table of permitted uses) for info for guest house also.

# **Draft – Guest House Ordinance/First Read**

*Guest house* means an accessory building subordinate to a principal single-family dwelling used as a dwelling only for family members or guests. Guest house shall not have a separate driveway coming off of the county or state road from the principle residence and a secondary driveway coming off the principle driveway shall be a minimum of 100' from the right of way of the county or state road. The guest house will have to share the same electrical service as the principle single-family dwelling. The maximum size for a guest house is 750 heated square feet.

# **Commissioner's Items Note Page:**

Chairman, Bruce Henry -

Vice-Chairman, Gerald Stunkel -

District 1, Vacant -

District 3, Don Jernigan -

District 5, Steven Ledford -

# Appointments – Item 1

# Agenda Request – Jasper County BOC

Department: Board of Commissioners

Date: January 4, 2021

Subject: Appointment of Chairman

### **Summary:**

The County Charter states in Section 1 C that: the board of commissioners shall, at its first meeting in January, elect a chairman from among its membership to serve for a one year term.

# **Background:**

Same as Above

Cost: None

#### **Recommended Motion:**

Appoint a Chairman by receiving sufficient votes.

# **Appointments – Item 2**

# Agenda Request – Jasper County BOC

Department: Board of Commissioners

Date: January 4, 2021

Subject: Appointment of Vice-Chairman

### **Summary:**

The County Charter states in Section 1 C that: the board of commissioners shall, at its first meeting in January, elect a vice-chairman from among its membership to serve for a one year term.

# **Background:**

Same as Above

Cost: None

#### **Recommended Motion:**

Appoint a Vice-Chairman by receiving sufficient votes.

#### <u>Appointments – Item 3</u>

# Agenda Request – Jasper County BOC

Department: Board of Commissioners

Date: January 4, 2021

**Subject:** Appointment of County Attorney

#### **Summary:**

The County Attorney Appointment is done at the first meeting each year for the attorney to serve for a one year term. Staff recommends appointing David Ozburn as County Attorney.

#### **Background:**

Same as Above

Cost: None

#### **Recommended Motion:**

Appoint David Ozburn of the firm, Ozburn Law Firm, LLC as County Attorney for 2021.

# <u>Appointments – Item 4</u>

# Agenda Request – Jasper County BOC

**Department:** Board of Commissioners

Date: January 4, 2021

**Subject:** Appointment of County Clerk

#### **Summary:**

The Board of Commissioners needs to make a designation of County Clerk to serve for a one year term. Staff recommends appointing Sharon Robinson as County Clerk.

#### **Background:**

Cost:

**Recommended Motion:** Appoint Sharon Robinson as County Clerk for 2021.

#### New Business - Item 1: Agenda Item

#### Agenda Request – Jasper County BOC

Department: Planning and Zoning

Date: January 4, 2021

**Subject:** Application 2020-TA-003 Jasper County Planning and Zoning is looking to increase the minimum lot width in Residential (R-1 and RL3) from 100' to 125'.

**Summary:** We have had one newly developed subdivision since the 2012 ordinance was adopted. The subdivision was The Peninsula at Jackson Lake. With the minimum lot width currently being 100' in the Residential (R-1 and RL-3) and the side setbacks being 30' this only allows 40' to build a house if the minimum lot width is plattted out. It makes it extremely difficult to build a nice house with this width. The Board of Appeals has heard 8 variance requests with all these being approved with this hardship. You could solve this problem in two ways. One being on making the minimum lot width wider as this is being proposed or reducing the side setbacks from 30' to 20'. The Planning and Zoning Board had a work session and wanted to go with making the minimum lot width wider. This went in front of the Planning and Zoning board on October 29, 2020 and they recommended approval 5-0.

**Cost:** N/A

**Recommended Motion:** Board's Discretion

# **Business - Item 2:**

# Agenda Request – Jasper County BOC

**Department:** Planning and Zoning

Date: January 4, 2021

Subject: Application 2020-TA-005 Text amendment to the guest house ordinance.

#### **Summary:**

We have had some guest houses/mother-in-law suites built here in the last year or so that actually look like a home built on a separate piece of property.

This new text will control amount of driveways and distance from the primary residence.

The new proposed definition of guest house is attached.

This proposed text amendment went in front of the Planning and Zoning board on October 29, 2020 and they recommended approval 5-0.

Cost: N/A

**Recommended Motion:** Board's Discretion

# Agenda Request – Jasper County BOC

**Department:** Superior Court

Date: January 4, 2021

Subject: Alternate Site for Superior Court Jury Selection

#### **Summary:**

The Charlie Elliott Conference Center Banquet Hall has been identified as the best alternate location for Jasper County Superior Court to conduct Superior Court Jury Selection.

The CECC Banquet Hall can accommodate up to 150 persons while maintaining the social distancing requirement.

#### **Background:**

Due to the Covid pandemic, the Supreme Court of Georgia suspended jury trials statewide beginning March 2020.

The Supreme Court of Georgia is desiring to resume jury trials statewide beginning in February 2021.

The Supreme Court of Georgia is requiring specific Covid protocols to be put in place by each county to allow the resumption of jury trials.

The protocols include every county providing an alternate location to hold certain Superior Court proceedings.

#### Cost:

CECC Banquet Hall Facility cost for each leased date - \$500.00 per day.

Cost to be charged to the Superior Court Budget for the appropriate fiscal year. Cares funding will supplement the Superior Court operating budget if needed.

#### **Recommended Motion:**

Authorize the Chairman to sign the Charlie Elliott Conference Center Meeting and Lease Contract and Resolution # 2021.01.04 Establishing the Charlie Elliott Conference Center Banquet Hall as the Alternate Location for Superior Court Jury Selection.





# **Charlie Elliott Conference Center – Meeting & Lease Contract**

Name of Event Coordinator: LeAnn Airington

Name of Group: Jasper County Board of Commissioners

Date of Event: February 15, May 10, May 17, August 3, August 9, August 16, 2021

Start time: 8:00 A.M. End time: 5:00 P.M.

Space Being Leased: Dining Hall for Jasper County Superior Court Jury Selection

The term "Event Coordinator" refers to the person who booked the event with Charlie Elliott Conference Center (CECC). The Event Coordinator is:

- To be at the event the entire time from greeting guests upon arrival until all guests have departed.
- To ensure proper etiquette is followed in all common areas shared by others renting CECC at the same time.
- Responsible for ensuring those invited to the event are informed of and adhere to all CECC rules and policies, including but not limited to Check In/Check Out times, smoking policy, use of ice machine, microwave, and refrigerator, gate code and quiet hours.
- The point of contact to whom individuals in the group should direct questions and notify of non-emergency issues.

#### **EVENT CONFIRMATION:**

Availability and reservations are issued to the first party to complete all required reservation steps and pay applicable damage and security deposits. Reservations are not confirmed until a signed Charlie Elliott Conference Center Retreat Contract and a completed Retreat Reservation Request form are received by CECC. Once received, you will be sent a Group Profile document containing details specific to your reservation (room setup, food service, etc.). **CECC does not accept reservations more than one year in advance of event.** 

# **GROUP SIZE NOTIFICATION:**

CECC must receive the final guaranteed number of participants for meals no later than fourteen (14) business days prior to the Event. Should a final guarantee not be received, the guaranteed number of persons will be based on the number indicated on the Group Profile.

# **BANQUET ROOM SET UP:**

CECC will set the room one time according to the room set selected by the Event Coordinator.

# **CONDITION OF PREMISES:**

The Event Coordinator accepts the premises for use in its present condition. CECC does not warrant that the Leased Premises are free of defects. CECC is not responsible for electrical or equipment needs above and beyond those provided in the rented space. CECC will attempt to ensure that all facilities and components are in working order, including lights, electrical outlets, appliances, and telephones.

# DAMAGE AND SECURITY DEPOSIT:

A \$250 damage and security deposit is due within seven business days of reservation. In the event that a member of the group fails to comply with the policies of CECC resulting in damage to CECC's grounds, facilities, furnishings, or contents, or if any facility rented at CECC is left in unsatisfactory condition, the deposit will be forfeited and any additional expenses associated with repairing or restoring CECC property will be billed to the Event Coordinator.

BANQUET ROOM: \$500 Daily Monday-Sunday. Maximum capacity during COVID: 150

Standard furnishings: coffee maker and associated condiments, and water dispenser located with ice dispensers in the Banquet Room. Restrooms are in the Foyer as well as a public telephone (local calls only).

The Event Coordinator will not cause or allow the blockage of passageways and access ways to, from or within the premises at any time during the event. All tables and chairs must remain in their assigned rooms. Any additional equipment necessary for the event must be approved by CECC as set forth in this paragraph and must be supplied by the Event Coordinator. Any equipment or furnishings brought into CECC property must be removed at the end of contracted rental period, including any outside rental equipment. At no time may any furniture at CECC be taken outside. CECC must be notified at time of reservation if outside vendors will be included in the meeting or event. If you choose to have vendors at your retreat, they are responsible for their own setup, booth, credit card machines, etc.

# **OUTSIDE ACTIVITIES:**

• Grills are not permitted at CECC. Digging, cutting or removing vegetation, or movement of any item on the property (including outside furniture) is prohibited.

# **DIRECTIONAL SIGNS:**

• Any signs/banners/balloons placed on Charlie Elliott property/roadside by the group, must be removed at the end of the event. Signs left on the premises will result in a fee of \$25 per sign, billed to the Event Coordinator.

### **DECORATIONS:**

No nails, tacks, pins, needles, staples, Velcro, tape, or any other item may be used to hang
objects inside the building, on directional signs, or elsewhere on the premises. Guests are
welcome to decorate the space being rented if above items mentioned are not used. Confetti,
glitter, bubbles, fog, birdseed, or flower petals are not permitted inside or outside buildings.
Releasing of balloons is prohibited. Sparklers, candles, and any other types of pyrotechnics
are prohibited.

# **CLEAN UP:**

• All rented spaces must be left in a clean and orderly condition. Outside food, trash, and other items must be placed in trash receptacles or removed by the group. CECC takes responsibility for vacuuming, sanitizing all tables and chairs, and the regular cleaning of the restrooms (Due to COVID directives, per the E.O., these must be cleaned 3-4 times daily). If trash is a result of CECC food service, CECC will remove.

#### PETS:

Except for licensed service dogs, pets are not permitted in CECC buildings and cannot remain on CECC property overnight. Dogs at CECC must always be on a leash. Violation of this rule will result in forfeiture of the security and damage deposit.

# SMOKING/TOBACCO/VAPING:

State law prohibits smoking in any CECC buildings/lodge rooms/walkways and decks within 30 feet of doors or windows. The Conference Center is a "smoke-free, tobacco-free, vape-free" environment. This policy must be observed in all instances. Smoking is not permitted within 30 ft. of any Leeds Certified Building.

#### HOURS:

- Deliveries are accepted Monday-Friday from 9:00 am 3:00 pm.
- Conference room rentals must be vacated by time designated in contract.
- Quiet hours at CEWC are between 10:00 pm and 7:00 am per Georgia Hunting and Fishing Regulations.

#### **GEORGIA SALES TAX:**

Clients who are exempt from paying Georgia Sales Tax must provide the Conference Center with a copy of their Sales Tax Exemption Certificate no later than fourteen (14) business days in advance of the Event. If the State of Georgia does not recognize the exemption, the Event Coordinator is responsible for and agrees to pay the sales tax. All prices and taxes are subject to change without notice.

#### **PAYMENT/BILLING:**

CECC will provide an invoice based on guaranteed numbers to the Event Coordinator, via email within three (3) business days of receiving the final headcounts. Payment of invoice is due at the time of arrival.

As the Chairman of the Jasper County Board of Commissioners, I accept and agree to these terms and conditions.

Jasper County BOC Chairman: Bruce Henry

Date: 12/31/2020

Charlie Elliott Conference Center: Amanda George

Date: 12/30/2020

List of dates and setup availability:

- February 15: Setup may begin 2/14
- May 10: Setup may begin 5/9
- May 17: Setup may begin after 6pm on 5/16
- August 9: Setup may begin 8/8
- August 16: Setup may begin 8/15

#### A RESOLUTION BY THE BOARD OF COMMISSIONERS OF JASPER COUNTY TO ESTABLISH ADDITIONAL FACILITIES FOR SUPERIOR COURT JURY SELECTION

#### **RESOLUTION NO. – 2021.01.04**

**WHEREAS**, the Constitution of the State of Georgia, approved by the voters of the State in November 1982, and effective July 1, 1983, provides in Article IX, Section 2, Paragraph 1 thereof, that the governing authority of the County may adopt clearly reasonable ordinances, resolutions, and regulations;

WHEREAS, sessions and sittings of Superior Court, involving both civil and criminal matters, are normally held in the Jasper County Courthouse;

**WHEREAS,** Article 1 of Chapter 6 of Title 15 of the Official Code of Georgia provides that additional facilities may be provided for the holding of any session or proceedings of superior or state court when it may be impractical to hold court in the courthouse;

WHEREAS, the Board of Commissioners finds that holding Superior Court Jury Selection in the Jasper County Courthouse poses a public safety risk in light of current conditions posed by the COVID-19 pandemic;

WHEREAS, the Board of Commissioners finds the best interest of the public would be served by the furnishing of an additional facility for holding Superior Court Jury Selection for jury trials;

WHEREAS, the Board of Commissioners finds that the Charlie Elliott Conference Center Banquet Hall, located at 543 Elliott Trail, Mansfield, GA 30055, which is owned by the State of Georgia, would provide additional space that would better suit holding Superior Court Jury Selection during the COVID-19 pandemic; and WHEREAS, to comply with the requirements of Article 1 of Chapter 6 of Title 15 of the Official Code of Georgia, the Board of Commissioners intends for the County to enter into a lease agreement with the State of Georgia for the use of the Charlie Elliott Conference Center Banquet Hall as an additional facility for Superior Court Jury Selection.

#### NOW, THEREFORE, BE IT RESOLVED as follows:

- In accordance with O.C.G.A. § 15-6-18, the Board of Commissioners of Jasper County declares the additional facility for holding Superior Court Jury Selection, to be in the Charlie Elliott Conference Center Banquet Hall, subject to the County and the State of Georgia entering into a valid lease agreement for the use of the Charlie Elliott Conference Center Banquet Hall for Superior Court Jury Selection.
- 2. Whether Superior Court Jury Selection will be held in the Courthouse or at the Charlie Elliott Conference Center Banquet Hall shall be determined at the discretion of the Judge presiding at that session or sitting of court, with all proper notice of such provided in advance in accordance with applicable law.
- **3.** Any other ordinance or resolution, or portion thereof, now in effect, that is in conflict with any of the provisions of this Resolution is hereby repealed.

**BE IT FURTHER RESOLVED** that this Resolution shall become effective immediately upon passage.

The public health, safety and welfare demanding it.

Adopted this \_\_\_\_day of \_\_\_\_\_.

#### [SIGNATURES ON FOLLOWING PAGE]

# JASPER COUNTY BOARD OF COMMISSIONERS

BY:

Bruce Henry, Chairman

ATTEST:

Sharon Robinson, County Clerk

# Agenda Request – Jasper County BOC

# **Department:** Board of Commissioners

**Date:** January 4, 2021

**Subject:** Schedule Work Sessions and Called Meetings

# Summary:

Work Sessions and Called Meetings scheduled as needed.

# **Background:**

Cost:

**Recommended Motion:**