

**BOARD OF COUNTY COMMISSIONERS
JASPER COUNTY, GEORGIA
REGULAR MEETING AGENDA**

****** COMMISSIONER'S MEETING ROOM, GROUND FLOOR, SUITE 16****
MONTICELLO, GEORGIA**

**January 8, 2024
6:00 p.m.**

***** The meeting will be live streamed Via Facebook on the Jasper County Georgia Facebook Page.**

1. Call to Order (6:00 p.m.)				
NAME	PRESENT	ABSENT	LATE	ARRIVED
DISTRICT 1 – SHEILA G. JONES, VICE-CHAIR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
DISTRICT 2 – BRUCE HENRY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
DISTRICT 3 – DON JERNIGAN, CHAIR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
DISTRICT 4 – ASHER GRAY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
DISTRICT 5 - STEVEN LEDFORD	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

II. Pledge of Allegiance –

III. Invocation – District 1

IV. Approval of Agenda

V. Consent Agenda –

1. Approval of Minutes:

- Regular Meeting Minutes- December 11, 2023
- Work Session Minutes- December 29, 2023

2. Check Register – Check #'s **069936 - 070141**

VI. Public Hearings with Business Action

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 act on each item presented below.

- 1. A Public Hearing will be held for an update of the FY 2023 Capital Improvements Element (CIE) of Jasper County's Development Impact Fee Program as required annually by the Department of Community Affairs.**

Business Item 1: 2023 Capital Improvements Element Update

VII. Presentations/Delegations

(10) minutes on specific topics or for recognition of citizens, county employees or other events by the Commissioners.

- 1. Stanton Springs Update Provided by the Joint Development Authority**

VIII. Citizens Comments

for not more than three (3) minutes on specific topics. The County Attorney will keep time. Please be courteous of the 3-minute time limit. Comments noted from citizens via the Jasper County FB Page.

IX. County Commissioner Items & Updates

X. Regular Agenda

Business Items: Appointments

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

Business Items Continued:

6. Reform and Improve Mental Health Services Resolution Recommended by ACCG
7. 2024 Turtle Cove POA's Alcohol License
8. No Thru Trucks Signage on County Roads for Installation on State Routes
9. Jasper County Joint Comprehensive Plan 2023 Update – Adoption
10. FY 2024 CIE Update, Scope of Work and Timeline
11. Set Qualifying Fees for 2024 Elections
12. Open New Bank Account for the 2024 SPLOST Funds
13. Schedule Work Sessions and Called Meetings as Needed

XI. County Attorney Items

XII. County Manager Update

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

Jasper County Board of Commissioners
December 11, 2023
Regular Meeting Minutes
6:00 P.M.

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

Commissioners Present: Don Jernigan, Chairman; Bruce Henry; Steven Ledford and Asher Gray

Staff: Mike Benton, County Manager, Sheila Belcher, Interim Clerk- Administrative Services Director, Larissa Ruark, Chief Accounting Officer, Doug Attaway- Planning and Zoning Director, Keldrick Davis- Recreation Director.

Pledge of Allegiance:

Invocation: Commissioner Steven Ledford, District 5

Agenda Approval: Commissioner Gray motioned to approve the agenda with the addition of 911 Presentation/update. Commissioner Ledford seconded the motion, passed unanimously.

Consent Agenda:

Commissioner Ledford motioned to approve the following minutes

- Regular Meeting Minutes – October 2, 2023
- Called Meeting Minutes- October 20, 2023
- Regular Meeting Minutes- November 6, 2023

Commissioner Gray seconded the motion, passed unanimously.

Commissioner Gray motioned to approve Check #s **069639-069935**. Commissioner Ledford seconded the motion, passed 3-0 (Commissioner abstained).

Public Hearings: The tract of land is 80.68 acres designed as a Conservation Subdivision with a total of 34 lots and 40.1% (33.19 acres) of greenspace. The property has road frontage on both County Line Road and Rocky Creek Road (north end of the road). Rocky Creek Road is a local unpaved road which requires improvement along the road frontage where it adjoins the existing property per Sec. 105- 222 (a). The approximate amount of road frontage along Rocky Creek Road is approximately 801.75+- feet

Developer BCA Enterprises, LLC. is requesting to subdivide two contiguous parcels of land zoned RES (residential) into 34 lots as a Conservation Subdivision. The property has road frontage on both County Line Road and Rocky Creek Road (north end of the road). The size of property is 80.68 acres (shown as 85 acres on QPublic).

Business Item 1: Twinpond Subdivision Preliminary Plat - Approval Request: Commissioner Ledford motioned to approve the preliminary plat as presented. Commissioner Henry seconded the motion, passed 3-1 (Commissioner Gray opposed).

Presentations/Delegations:

Citizens Comments: -

David Thompson: Mr. Thompson asked about zoning moratoriums. He requested that the board extend the moratorium if so. He also asked about greenspace being taxable.

Bill Nash- Mr. Nash stood to let the board know that he is in favor of the grant approval for the Food Bank.

County Commissioner's Items:

Commissioner Ledford- Commissioner Ledford asked about the progress of the 4-way to be placed at Henderson Mill and County Line Roads.

Commissioner Jernigan- Commissioner Jernigan stated that he agrees that the boards need follow-up and updates regarding things that are supposed to be done.

Commissioner Jones- Absent

Commissioner Henry- Commissioner Henry made mention of the zoning moratorium. He also stated that we should do away the yield plan.

Commissioner Gray- Commissioner Gray mentioned that staff is not keeping up with list of things that are supposed to be completed.

Business Items:

Item Added: 911 Authority- Gail Harrell and Kimberly LeCroy presented the contract that was presented previously. They noted that the contractor would not agree to changing the contract to make Georgia the venue for disagreements or legal issues.

Commissioner Ledford motioned to approve the funding for the contract with APCO. Commissioner Gray seconded the motion, passed unanimously.

Item 2: Renewal of 2024 Alcohol Licenses

- **Tyson's Country Store, Application number 2023-A-001** located at 22044 Hwy 11 North., Monticello, GA 31064. Name of applicant: Lisa Whitaker Wilkerson – Retail sales of beer and wine – Renewal:

Commissioner Ledford motioned to approve the license renewal. Commissioner Gray seconded the motion, passed unanimously.

- **Frank's Restaurant, Application number 2023-A-002** located at 11818 Hwy 212 West Covington, GA 30014. Name of applicant: Vivian Castellana Fuller – Pouring license for distilled spirits, beer, and wine. – Renewal

Commissioner Ledford motioned to approve the license renewal. Commissioner Gray seconded the motion, passed unanimously

- **Lakeview Marina, Application number 2023-A-003** located at 8726 Jackson Lake Road Monticello, GA 31064. Name of applicant: Shabanali Jabbarcheloei – Retail sales of beer and wine – Renewal

Commissioner Ledford motioned to approve the license renewal. Commissioner Gray seconded the motion, passed unanimously

- **Lakeview Restaurant, Application number 2023-A-004** located at 8726 B Jackson Lake Road Monticello, GA 31064. Name of applicant: Shabanali Jabbarcheloei – Pouring license for distilled spirits, beer, and wine. – Renewal

Commissioner Ledford motioned to approve the license renewal. Commissioner Henry seconded the motion, passed unanimously

- **Convenience Stores, Inc dba Larry's 4-Way, Application number 2023-A-005** located at 9160 Hwy 212 West Monticello, GA 31064. Name of applicant: Joann Hedrick – Retail sales of beer and wine. – Renewal

Commissioner Ledford motioned to approve the license renewal. Commissioner Henry seconded the motion, passed unanimously

- **Turtle Cove POA, Application number 2023-A-006** located at 222 Clubhouse Drive Monticello, GA 31064. Name of applicant: David Michael Levee – Pouring license for distilled spirits, beer, and wine. – Renewal

Commissioner Ledford motioned to extend the current license until the first meeting in January to allow for time for appropriate advertising with the updated information. There will be a 10% penalty along with a penalty equaling any cost that the county may incur related to the extension and advertising. Commissioner Henry seconded the motion, passed unanimously.

- **Sac O Suds, Application number 2023-A-008** located at 54 Hwy 16W Monticello, GA 31064. Name of applicant: Cholista Owens - Retail sales of beer and wine – Renewal

Commissioner Gray motioned to approve the license renewal. Commissioner Ledford seconded the motion, passed unanimously

- **Shane One Stop, Application number 2023-A-009** located at 8541 GA Hwy 142 Shady Dale, GA 31085. Name of applicant: Gautamkumar P. Patel - Retail sales of beer and wine – Renewal

Commissioner Gray motioned to approve the license renewal. Commissioner Ledford seconded the motion, passed unanimously.

- **Hillsboro Mini Mart, Application number 2023-A-012** located at 1750 Hwy 11 S, Hillsboro, GA 31038. Name of applicant: Nizamuddin Kalya - Retail sales of beer and wine – Renewal

Commissioner Gray motioned to approve the license renewal. Commissioner Ledford seconded the motion, passed unanimously.

Item 3: Jasper County Family Connection Grant Opportunity from the Department of Family & Children Services & Community Prevention Support - Fiscal Agent Request

The Jasper County Family Connection is requesting permission for Jasper County BOC to serve as fiscal agent for Department of Family & Children Services & Community Prevention Support Grant in the amount of \$15,000. This is a three-year commitment from the county from FY 2024 to FY 2026. Jasper County Family Connection will be expected to complete a mid-year and end-of-year report. Jasper County Family Connection will receive half of the approved funds as soon as proposal is approved and second half of funds after approval of mid-year report. Funding is provided annually for the county at a maximum of \$15,000. \$10,000 is for strategy development and implementation and \$5,000 for concrete support for families (food, utilities, etc.)

Commissioner Ledford motioned to table the item until the January 12th meeting. Commissioner Gray seconded the motion, passed unanimously.

Item 4: Recreation Park New Dugouts Construction Bid Results

Bid submittals received for constructing eight new dugouts at the Jasper County Recreation Park:

Paul Fields Construction	\$88,480.00
The Trezz Group	\$58,000.00
Wade Homes	\$60,000.00
Atlanta Fire & Restoration	\$74,049.44
Southern State Services	\$74,800.00

Contractor Scope of Work:

Installation of Concrete Pad, Chain-link Fencing and Roof Structure

County Obligation:

Demolition and Removal of Existing Dugouts

Site Grading and Drainage

Commissioner Ledford motioned to award the Recreation Dugouts bid to the The Trezz Group in the amount of \$58,000. Commissioner Henry seconded the motion, passed unanimously.

Item 5: Recreation Department New Vehicle Request

Recreation Director Keldrick Davis presented his request for a new vehicle for his department.

F-150 -2023 4x2 Super crew

145” Wheelbase -5.0L V8 engine- Elec Ten-Speed Auto W/Tow M

Staff was advised to get bids. If bids could not be obtained, get multiple quotes on state contracts.

Item 6: 2023 State Economic and Infrastructure Development Grant Application Submittal Approval – Food Bank Project

A SEID grant, if awarded, would be used to supplement Community Development Block Grant (CDBG)federal funding to construct a new Jasper County Community Food Bank. The Northeast Georgia Regional Commission (NEGRC) submitted a pre-application to SCRC in September and were invited to submit a full application for the consideration of funding in the amount of \$350,000. The full application is due January 11, 2024.

Commissioner Ledford motioned to authorize Chairman to sign resolution# 2023-1211-1 approving submission of Southeast Crescent Regional Commission grant application by the NEGRC. Commissioner Henry seconded the motion, passed unanimously.

Item 7: 2024 Board of Commissioner Meeting Dates Approval:

The meeting dates for 2024 are listed as follows:

Monday, January 8th

Monday, February 5th

Monday, March 4th

Monday, April 1st

Monday, May 6th

Monday, June 3rd

Monday, July 1st

Monday, August 5th

Monday, September 9th

Monday, October 7th

Monday, November 4th

Monday, December 2nd

Commissioner Ledford motioned to approve the 2024 meeting dates as presented. Commissioner Henry seconded the motion, passed unanimously.

Item 8: 2024 Holiday Approval

The BOC has provided county employees with 13 paid holidays each year.

See proposed list of Tentative Holidays for 2024.

- New Year’s Day Monday, January 1, 2024
- Martin Luther King Day Monday, January 15, 2024
- President’s Day, Monday, February 19, 2024
- Good Friday, March 29, 2024
- Memorial Day Monday, May 27, 2024
- Juneteenth, Wednesday, June 19, 2024
- Independence Day Thursday, July 4, 2024
- Labor Day Monday, September 2, 2024
- Veterans Day Monday, November 11, 2024
- Thanksgiving Day Thursday, November 28, 2024
- Day after Thanksgiving, Friday, November 29, 2024
- Christmas Eve, Tuesday, December 24, 2024
- Christmas Day, Wednesday, December 25, 2024

Commissioner Henry motioned to approve the 2024 Holidays as presented. Commissioner Ledford seconded the motion passed unanimously.

Item 9: Human Resources and County Boards Report

HR Director Sheila Belcher presented the quarterly Human Resources report.

Current Open Positions

EMT
Paramedics
911 Dispatchers
Building Inspector
Code Enforcement Officer
Public Works Mechanic

New Hires/Transfers

Administration-1
Sheriff Office – 2
Public Works/ Landfill– 1
Human Resources (Role Change)- 1
Senior Center- 2
Recreation– 1
P & Z (Role Change)- 1

Terminations/Resignations

Administration (HR)- 1
Fire Rescue- 1
Jail- 7
P&Z- 1
Public Works – 1
Recreation-1
Sheriff – 1

Total Employees = 155

Full-time = 108

Part-time = 47

Upcoming Board Appointments Needed:

Joint Development Authority -1 (Chairman Jernigan term expires December 31st)
Jasper County Recreation Board - 1

Item 10: Schedule Work Sessions and Called Meetings as Needed

The previously scheduled Work Session that is scheduled for January 12th was changed to a Called Meeting. A tentative Work Session was scheduled for December 29th to discuss the Impact Fee percentages.

County Attorney Items: None

County Manager Update:

Executive Session: Commissioner Ledford motioned to enter Executive Session at 7:49 pm for personnel. Commissioner Jones seconded the motion, passed unanimously.

Commissioner Ledford motioned to exit Executive Session at 9:30p.m. Commissioner Henry seconded the motion, passed unanimously.

Adjourn: Commissioner Henry motioned to adjourn the meeting at 9:30 p.m. Commissioner Ledford seconded the motion, passed unanimously.

Don Jernigan, Chairman

Sheila Belcher, Interim Clerk

Jasper County Board of Commissioners
December 29, 2023
9:00 A.M.

Chairman Jernigan called the meeting to order at 9:00 a.m.

Commissioners Present: Don Jernigan-Chairman, Sheila Jones-Vice Chairman; Bruce Henry; Steven Ledford.
Staff Present: Mike Benton, County Manager, Sheila Belcher, Interim County Clerk, Larissa Ruark, Chief Accounting Officer

Work Session:

1. Capital Improvements Element Update:

The Board of Commissioners discussed the Impact Fees. Mr. Benton gave a background on the Impact Fees and how they can be used including some projects that have been completed in the past. Mr. Benton stated that the DCA has to approve Impact fees through methodology. The board had much discussion and came to an agreement on suggestions of how to structure the impact fees.

The Work Session was adjourned at 10:09 a.m.

Don Jernigan, Chairman

Sheila Belcher, Clerk

Public Hearing:

Date: January 8, 2024

Subject: 2023 Capital Improvements Element Update

Summary:

The Jasper County Board of Commissioners will conduct a Public Hearing on the following item on January 8, 2024 beginning at 6:00 P.M. in the Commissioner's Meeting Room, Suite 16, located in the Courthouse at 126 W. Greene Street, Monticello, GA 31064.

A Public Hearing will be held for an update of the FY 2023 Capital Improvements Element (CIE) of Jasper County's Development Impact Fee Program as required annually by the Department of Community Affairs.

**Jasper County BOC
Impact Fee Fund
Annual Impact Fee Financial Report
Fiscal Year 2023**

Public Facility Allocation Percentage Service Area	Library 2% Countywide	Parks 20% Countywide	Fire 19% Countywide	Jail 0% Countywide	Sheriff 0% Countywide	E911 18% Countywide	Admin 2% Countywide	Roads & Bridges 22% Countywide	Animal Control 17% Countywide	Total 100%
Impact Fee Balance:										
6/30/2022	14,531.20	190,985.42	96,570.45	145,564.90	188,376.05	105,104.48	11,172.07	42,746.96	33,032.32	828,083.85
Impact Fees Collected:										
7/1/2022 thru 6/30/2023	4,131.00	41,299.50	39,235.50	-	-	37,171.50	4,120.26	45,430.50	35,106.00	206,494.26
Accrued Interest	161.71	1,617.14	1,536.28			1,455.42	161.71	1,778.85	1,374.57	8,085.69
Subtotal: Fee Accounts	<u>18,823.91</u>	<u>233,902.06</u>	<u>137,342.23</u>	<u>145,564.90</u>	<u>188,376.05</u>	<u>143,731.41</u>	<u>15,454.04</u>	<u>89,956.31</u>	<u>69,512.89</u>	<u>1,042,663.80</u>
Impact Fees Refunds										
Expenditures	(14,531.20)	(23,922.97)	(105,124.74)	(145,564.90)	(188,376.05)		(144.00)	(47,507.00)		(525,170.86)
Impact Fee Balance:										
6/30/2023	<u>4,292.71</u>	<u>209,979.09</u>	<u>32,217.49</u>	<u>-</u>	<u>-</u>	<u>143,731.41</u>	<u>15,310.04</u>	<u>42,449.31</u>	<u>69,512.89</u>	<u>517,492.94</u>

Jasper County Board of Commissioners
Report of Accomplishments
Impact Fees
Capital Improvements Project Update
FY 2019 - 2023

Project Description	Start Date	End Date	Actual Cost of		Funding Sources	Funding Percentage	Status/Remarks
			Project				
Library							
Circulation Materials	7/1/2018	6/30/2019	19,051.81		Impact Fees	100%	Uncle Remus Regional Library System
Circulation Materials	7/1/2019	6/30/2020	6,483.34		Impact Fees	100%	Azalea Regional Library System
Circulation Materials	7/1/2022	6/30/2023	14,531.20		Impact Fees	100%	Azalea Regional Library System
Library Total			40,066.35				
Parks & Recreation							
Football Equipment	7/1/2021	6/30/2022	19,123.06		Impact Fees	100%	Youth Football Program
Zero Turn Mower	7/1/2022	6/30/2023	8,300.00		Impact Fees	100%	Field MIntenance
Urility Vehicle	7/1/2022	6/30/2023	8,195.00		Impact Fees	100%	Transport Vehicle
Soccer Goals	7/1/2022	6/30/2023	7,427.97		Impact Fees	100%	Youth Soccer program
Parks & Recreation Total			43,046.03				
Fire							
New Lucas Devices and Extrication Equipment	7/1/2019	6/30/2020	46,531.04		Impact Fees	100%	Support Fire Rescue
2021 Chev 4500 Ambulance	7/1/2021	6/30/2022	56,505.00		Impact Fees	100%	Support Fire Rescue
Thermal Imager	7/1/2022	6/30/2023	21,077.00		Impact Fees	100%	Support Fire Rescue
RAM Truck 2500	7/1/2022	6/30/2023	75,147.74		Impact Fees	100%	Fire Rescue Vehicle
Zero Turn Mower	7/1/2022	6/30/2023	8,900.00		Impact Fees	100%	Service All Fire Stations
Fire Total			208,160.78				
Jail							
Detention Center Expansion	7/1/2022	6/30/2023	145,564.90		Impact Fees	100%	Detention Center Expansion & Renovation
Jail Total			145,564.90				

Sheriff						
Sheriff's Office Expansion	7/1/2022	6/30/2023	188,376.05	Impact Fees	100%	Sheriff's Office Expansion & Renovation
Sheriff Total			188,376.05			
E-911						
NexGen Compliant Telephone System	7/1/2020	6/30/2021	84,000.00	Impact Fees	100%	Additional Communication Capability
E-911 Total			84,000.00			
Admin						
Surface Pro Tablets; BOC Meeting Room	7/1/2019	6/30/2020	9,572.91	Impact Fees	100%	Improve BOC Meeting Communication
Install Credit Card Capability	7/1/2020	6/30/2021	121.72	Impact Fees	100%	Improve Taxpayer Pay Ability
Credit Card Capability	7/1/2021	6/30/2022	144.02	Impact Fees	100%	Improve Taxpayer Pay Ability
Credit Card Capability	7/1/2022	6/30/2023	144.00	Impact Fees	100%	Improve Taxpayer Pay Ability
Admin Total			9,982.65			
Roads & Bridges						
ROW Debris Blowers	7/1/2022	6/30/2023	15,350.00	Impact Fees	100%	Managing County ROW
Unloading Forks	7/1/2022	6/30/2023	6,000.00	Impact Fees	100%	Improved Yard Operating capacity
ROW Mower	7/1/2022	6/30/2023	26,157.00	Impact Fees	100%	Managing County ROW
Roads & Bridges Total			47,507.00			
Report of Accomplishments Total			766,703.76			

**Jasper County Board of Commissioners - Impact Fee Capital Improvement Project List
FY 2024 - 2028**

Public Facility	Service Area	Project Start Date	Project End Date	Estimated Cost of Project	Responsible Parties	Funding Sources	Funding Percentage	Project Description	Status/Remarks
Library	County Wide	2024	2028	24,947	Jasper County BOC, Uncle Remus Library Board	Impact Fees	100%	Books, Circulation Materials	
Parks & Recreation	County Wide	2024	2028	416,477	Jasper County BOC	Impact Fees	100%	Multi-Purpose Building, Multi-Use Recreation Fields	
Fire	County Wide	2024	2028	228,395	Jasper County BOC	Impact Fees	100%	Fire Station, Fire Fighting Equipment, Emergency Safety Equipment, Extrication Equipment	
Jail	County Wide	2021	2024	0					
Sheriff	County Wide	2021	2024	0					
E911	County Wide	2024	2028	329,589	Jasper County BOC	Impact Fees	100%	Radio Communication Relocation and Equipment Upgrades	
Administration	County Wide	2024	2028	35,911	Jasper County BOC	Impact Fees	100%	Administrative Equipment, Computers, Monitors	
Roads & Bridges	County Wide	2024	2028	269,602	Jasper County BOC	Impact Fees	100%	Roads & Bridges Reclamation, Renovation & Maintenance Equipment	
Animal Control	County Wide	2024	2028	245,042	Jasper County BOC	Impact Fees	100%	Facility & Operations Expansion	
				1,549,963					

Public Facility	6/30/2023	FY 2023	#	FY 2024 - FY 2028	FY 2024 - FY 2028
	<u>Ending Balances</u>	<u>Collections</u>	<u>Years</u>	<u>Projected Collections</u>	<u>Projected Expenditures</u>
Library	\$4,291.71	\$4,131.00	5	\$20,655.00	\$24,946.71
Parks & Recreation	\$209,979.09	\$41,299.50	5	\$206,497.50	\$416,476.59
Fire	\$32,217.49	\$39,235.50	5	\$196,177.50	\$228,394.99
Jail	\$0.00	\$0.00	0	\$0.00	\$0.00
Sheriff	\$0.00	\$0.00	0	\$0.00	\$0.00
E911	\$143,731.41	\$37,171.50	5	\$185,857.50	\$329,588.91
Administration	\$15,310.04	\$4,120.26	5	\$20,601.30	\$35,911.34
Roads & Bridges	\$42,449.31	\$45,430.50	5	\$227,152.50	\$269,601.81
Animal Control	<u>\$69,512.89</u>	<u>\$35,106.00</u>	5	<u>\$175,530.00</u>	<u>\$245,042.89</u>
Grand Total	\$517,491.94	\$206,494.26		\$1,032,471.30	\$1,549,963.24

Business Item 1:

Agenda Request – Jasper County BOC

Department: Board of Commissioners

Date: January 8, 2024

Subject: 2023 Capital Improvements Element Update

Summary:

A Work Session was held on December 29, 2023 to review and discuss updates to the CIE Reports.

Staff has incorporated changes and prepared for Board review a preliminary draft of an annual update to the Capital Improvements Element for FY 2023 in accordance with the Development Impact Fee Compliance Requirements established by the Georgia Department of Community Affairs.

Background:

The Georgia Department of Community Affairs requires Counties that participate in the Impact Fee Program to submit an annual update of the Capital Improvements Element and Short Term Work Program. NEGRC provides an initial review and then submits to the DCA for State review.

Cost:

Recommended Motion:

Approve Resolution # 2024-0103-1 authorizing the Draft Update of the Annual Capital Improvements Element FY 2023 be submitted to the Northeast Georgia Regional Commission for review and then forwarded to the DCA for State review.

JASPER COUNTY BOARD OF COMMISSIONERS

RESOLUTION No. 2024-0103-1

Annual Update of the Capital Improvements Element for FY 2023

WHEREAS, the Jasper County Board of Commissioners has prepared an annual update to the Capital Improvements Element for FY 2023; and

WHEREAS, the annual update of the Capital Improvements Element was prepared in accordance with the Development Impact Fee Compliance Requirements established by the Georgia Department of Community Affairs, and a Public Hearing was held on January 8, 2024 at the Jasper County Courthouse, BOC Commissioners Meeting Room in Monticello, Georgia;

BE IT THEREFORE RESOLVED, that the Jasper County Board of Commissioners does hereby submit the annual update of the Capital Improvements Element to the Northeast Georgia Regional Commission for review, as per the requirements of the Georgia Planning Act of 1989.

Adopted this ___ day of _____.

JASPER COUNTY BOARD OF COMMISSIONERS

BY:

Chairman

ATTEST:

County Clerk

Agenda Request – Jasper County BOC

Presentations

Stanton Springs Update Provided by the Joint Development Authority.

Appointments – Item 2:

Agenda Request – Jasper County BOC

Department: Board of Commissioners

Date: January 8, 2024

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:

Board Discretion

Appointments – Item 3:

Agenda Request – Jasper County BOC

Department: Board of Commissioners

Date: January 8, 2024

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:

Board Discretion

Appointments – Item 4:

Agenda Request – Jasper County BOC

Department: Board of Commissioners

Date: January 8, 2024

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.

Background:

Cost: None

Recommended Motion:

Appointments – Item 5:

Agenda Request – Jasper County BOC

Department: Board of Commissioners

Date: January 8, 2024

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 Sheila Belcher as County Clerk.

Background:

Cost:

Recommended Motion:

Appoint Sheila Belcher as County Clerk for 2024.

Business Item 6:

Agenda Request – Jasper County BOC

Department: Board of Commissioners

Date: January 8, 2024

Subject: Reform and Improve Mental Health Services Resolution Recommended by ACCG

Summary:

ACCG is encouraging 100 % participation of all Georgia counties to adopt a resolution urging Governor Kemp and the Georgia General Assembly to continue efforts to reform and improve mental health services for the citizens of Georgia.

Background:

ACCG is asking for the Mental Health resolution to be signed. The original resolution has been modified. An ACCG representative will be in attendance in an effort to provide additional background regarding the modified resolution.

Cost:

Recommended Motion: Authorize Chairman to sign Resolution #2024-0108-4 urging Governor Kemp and the Georgia General Assembly to continue efforts to reform and improve mental health services for the citizens of Georgia.

RESOLUTION 2024-0108-4

RESOLUTION URGING THE CONTINUATION OF EFFORTS TO REFORM AND IMPROVE MENTAL HEALTH SERVICES FOR THE CITIZENS OF GEORGIA

WHEREAS, being the constitutional level of government closest to their constituents, Georgia counties are on the front lines of responding to mental health issues within the community; and

WHEREAS, the Jasper County Board of Commissioners supports efforts to provide every citizen in need with accessible, affordable, and adequate mental health services; and

WHEREAS, despite previous legislation and other efforts by the State of Georgia, the Jasper County Board of Commissioners recognizes there is still a tremendous amount of work needed for those in need in Jasper County to receive adequate healthcare for mental health and substance abuse disorders;

NOW, THEREFORE, BE IT RESOLVED that the Jasper County Board of Commissioners reaffirms its commitment to helping reform and improve mental health services for its citizens.

BE IT FURTHER RESOLVED, that the Jasper County Board of Commissioners urges the State of Georgia to enhance access to vital mental health services.

BE IT FURTHER RESOLVED that the Clerk to the Board of Commissioners is directed to provide an executed copy of this Resolution to the Association County Commissioners of Georgia.

SO RESOLVED, this _____ day of _____, 2023.

JASPER COUNTY BOARD OF COMMISSIONERS

By:

William "Don" Jernigan, Chairman

ATTEST:

Shelia Belcher, Clerk of the Commission

Business Item 7:

Agenda Request – Jasper County BOC

Department: Planning and Zoning

Date: January 8, 2024

Subject: 2024 Turtle Cove POA's Alcohol License

Summary:

Extend Turtle Cove POA's 2023 Alcohol License to February 6, 2024.

Background:

A communications error between Planning and Zoning department and the Monticello News resulted in advertising the 2024 Turtle Cove POA's Alcohol license applicants name in error.

Cost: N/A

Recommended Motion:

Motion to extend Turtle Cove POA 2023 Alcohol License till February 6, 2024.

Business Item 8:

Agenda Request – Jasper County BOC

Department: Roads and Bridges

Date: January 8, 2024

Subject: No Thru Trucks Signage on County Roads for Installation on State Routes

Summary:

Discussion needed regarding making an additional request to GDOT to allow County No Thru Trucks signage to be installed on GDOT ROW.

Background:

Jasper County is part of the GDOT District in Tenille Ga.

Request was made to GDOT for installation of No Thru Truck signage on State Routes at certain County Road intersections prior to turning onto County roads.

GDOT Traffic Engineer at GDOT District Office in Tenille Ga stated the following:

Signage not allowed on GDOT ROW.

Suggested County signage be positioned on County ROW installed at angles to allow truck traffic to see signage prior to turning.

County NO Thru Truck signage has been observed on State ROW in other GDOT Districts. Such as in Butts County:

State Route 16 and Higgins Road

State Route 16 and High Falls Road/England Chapel Road

Cost:

Based on number and size of signs installed.

Recommended Motion:

Board Discretion

This is the list of No Thru Trucks signs installed on County Roads.

Jackson Lake Rd off SR 16

Jackson Lake Rd off SR 212 both directions

Jackson Lake Rd off SR 11

Bethel Church Rd off SR 16

Bethel Church Rd off SR 212 both directions

Bethel Church Rd off SR 11

Harvey Lane off SR 16

Harvey Lane off SR 212

Clay Rd off SR 16

Clay Rd off SR 83

Hodges Farm and Jackson Lake

Hodges Farm and County Line

Brazey Rd and Hwy 83

Brazey Rd and Hwy 16

Moseley Ln and Hwy 142

Moseley Ln and Midway Rd





Business Item 9:

Agenda Request – Jasper County BOC

Department: Board of Commissioners

Date: January 8, 2024

Subject: Jasper County Joint Comprehensive Plan 2023 Update - Adoption

Summary:

Adopt the Updated 2023 -2028 Jasper County Joint Comprehensive Plan with the cities of Monticello and Shady Dale,

Jasper County Joint Comprehensive Plan:

https://www.dropbox.com/scl/fi/fo98jiqmve9plf6wj5vup/JasperJointComp2023-DRAFT_12.04.2023.pdf?rlkey=5mlomg5d1exdobeujpndhgcjp&dl=0

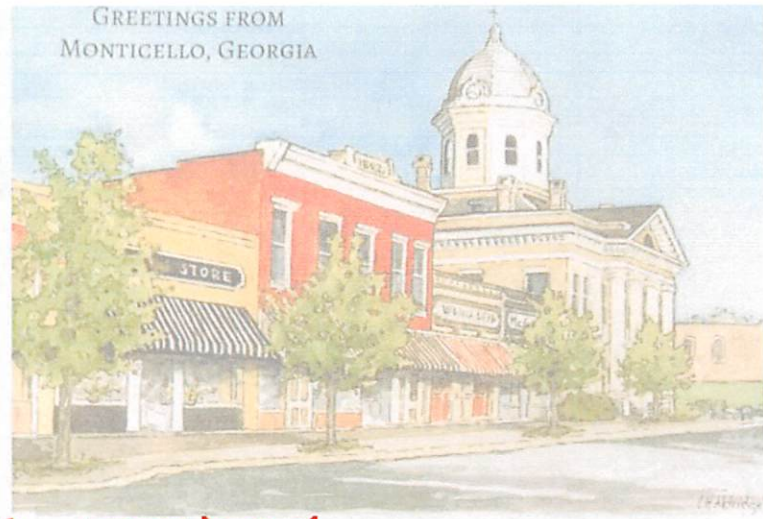
Background:

The Georgia General Assembly enacted House Bill 215, the Georgia Planning Act, requiring all local governments to prepare a comprehensive plan in accordance with the Minimum Planning Standards and Procedures promulgated by the Georgia Department of Community Affairs.

Cost:

Recommended Motion:

Motion to adopt Resolution 2024-0108-3, signifying adoption of the Updated 2023 – 2028 Jasper County Joint Comprehensive Plan with the cities of Monticello and Shady Dale.



DRAFT

**JASPER COUNTY: JOINT
COMPREHENSIVE PLAN**

**WITH THE CITIES OF MONTICELLO &
SHADY DALE**

2023-2028



TABLE OF CONTENTS

Chapter One: Introduction.....3
Chapter Two: Vision & Goals.....8
Chapter Three: Needs & Opportunities.....13
Chapter Four: Land Use.....34
Chapter Five: Community Work Program.....67
Chapter 6: Appendix.....82

ACKNOWLEDGEMENTS

STEERING COMMITTEE

Larry Champion, Shady Dale Mayor
Don Jernigan, Jasper County BOC
Bruce Henry, Jasper County BOC
Doug Currie, Monticello City Council
David Wease, Monticello City Council
Alex McLendon, Shady Dale City Council
Justin Wyatt, Shady Dale City Council
Lathaydra Sands, Monticello City Manager
Judy Johnson, Jasper County Planning Director
Joan Champion, Shady Dale City Clerk
Jackie Garland, Monticello DDA
David Dyer, Jasper County Development Authority
Walker Jordan, Bank of Monticello
Mary Patrick, Citizen & Business Owner
Missy Henderson, Citizen
Tony Rogers, Citizen

NEGRC STAFF

Burke Walker, NEGRC Executive Director
Mark Beatty, PGS Director
Jon McBrayer, GIS Manager
Carol Flaute, Community Planner
Phillip Jones, Community Planner
Sara Kaminski, GIS Manager

JASPER COUNTY COMMISSIONERS

Sheila Jones, District One
Bruce Henry, District Two
Don Jernigan, District Three - Chairman
Asher Gray, District Four
Steven Ledford, District Five

MONTICELLO MAYOR & COUNCIL

De'Ashley Thurman, Mayor
Doug Currie, Mayor Pro Tem
Cynthia Miller, District One
Larry Thurman, District One
Jenny Murphy, District Two
David Wease, District Two

SHADY DALE MAYOR & COUNCIL

Larry Champion, Mayor
Alice Daniel, Council Member
Alexander McLendon, Council Member
Larissa Ruark, Council Member
Michael Russeau, Council Member
Justin Wyatt, Council Member

RESOLUTION 2024-0108-3

WHEREAS, the 1989 Georgia General Assembly enacted House Bill 215, the Georgia Planning Act, requiring all local governments to prepare a comprehensive plan in accordance with the Minimum Planning Standards and Procedures promulgated by the Georgia Department of Community Affairs; and

WHEREAS, the Comprehensive Plan Update for Jasper County, Georgia, was prepared in accordance with the Minimum Planning Standards and Procedures; and

NOW THEREFORE, BE IT RESOLVED by the Jasper County Board of Commissioners, that the Comprehensive Plan Update for Jasper County Georgia dated 2023, as approved by the Georgia Department Community Affairs is hereby adopted, and furthermore, that the Northeast Georgia Regional Commission shall be notified of said adoption within seven (7) days of the adoption of this resolution.

Adopted this 8th day of January, 2024

Jasper County Board of Commissioners

Jasper County Board of Commissioners, Chairman

Clerk

Business Item 10:

Agenda Request – Jasper County BOC

Department: Board of Commissioners

Date: January 8, 2024

Subject: FY 2024 CIE Update, Scope of Work and Timeline

Summary:

Discussion requested for the following:

Changes to the Public Facility Allocation Percentages as Discussed during a December 29, 2023 Work Session.

Change Library Allocation from 2% to 1%

Change 911 Authority Allocation from 18% to 15%

Change Admin Allocation from 2% to 0%

Change Fire Allocation from 19% to 25%

Fire Allocation Further Allocated by the Following:

Equipment Portion to be set at 15%

Buildings Portion to be set at 10%

Review the Residential Impact Fee Dollar Amounts

Current Impact Fee for Residential Construction is \$1376.70

Changing the Fee Amount Requires Development of a Methodology Report

Review Commercial and Industrial Construction Impact Fee Ordinance

Impact Fee Schedule

Retail and Commercial Exemption Policy

General Review of Jasper County's Impact Fee Ordinance

Background:

Work Session held on December 29 to discuss Impact Fees.

Cost:

Recommended Motion:

Board Discretion

**Jasper County BOC
Impact Fee Fund
Annual Impact Fee Financial Report
Fiscal Year 2024**

Public Facility	Library	Parks	Fire	E911	Admin	Roads & Bridges	Animal Control	Total
Allocation Percentage	2%	20%	19%	18%	2%	22%	17%	100%
Service Area	Countywide	Countywide	Countywide	Countywide		Countywide	Countywide	
Impact Fee Balance:								
6/30/2023	4,292.71	209,979.09	32,217.49	143,731.41	15,310.04	42,449.31	69,512.89	517,492.94
Impact Fees Collected:								
7/1/2023 thru 6/30/2024	1,735.02	17,345.79	16,478.91	15,612.03	1,725.79	19,080.81	14,744.52	86,722.87
Accrued Interest	138.74	1,387.44	1,318.06	1,248.69	138.74	1,526.18	1,179.32	6,937.18
Subtotal: Fee Accounts	6,166.48	228,712.32	50,014.46	160,592.13	17,174.58	63,056.30	85,436.73	611,152.99
Impact Fees Refunds								
Expenditures		-			(60.00)	-	-	(60.00)
Impact Fee Balance:								
6/30/2024	6,166.48	228,712.32	50,014.46	160,592.13	17,114.58	63,056.30	85,436.73	611,092.99
Reconciled to Bank Balance @ 11.30.23								
Less: Actual Expenditures								
8 ft Grader Box Blade Dirt Dog - Public Works						(2,850.00)		(2,850.00)
2023 Ford F150 Supercab w/ 8 ft bed - Animal Control							(49,220.00)	(49,220.00)
Ballfield Lights - Recreation		(4,994.31)						(4,994.31)
2023 F150 Truck - Public Works						(36,675.00)		(36,675.00)
Less: Committed Expenditures FY 23								
Recorder - 911				(24,130.00)				(24,130.00)
Sprinkler System Repair and Upgrade - Recreation		(14,000.00)						(14,000.00)
8 New Dugouts - Recreation		(70,000.00)						(70,000.00)
Pavilion Shelter Top - Sands Dr Park		(19,000.00)						(19,000.00)
Three Commercial Park Benches - Sands Dr Park		(3,171.00)						(3,171.00)
Six Commercial Picnic Tables - Sands Dr Park		(8,820.00)						(8,820.00)
Less: Committed Expenditures FY 24								
Edmunds Gov Tech Finance Super Suite - Finance					(15,310.04)			(15,310.04)
Aluminum Dog Box - Animal Control							(1,155.00)	(1,155.00)
Emergency Medical Dispatch and Security/Access System				(55,731.09)				(55,731.09)
Remaining Available 11.30.23	6,166.48	108,727.01	50,014.46	80,731.04	1,804.54	23,531.30	35,061.73	306,036.55

DRAFT
1/8/2024

**Jasper County BOC
Impact Fee Fund
Annual Impact Fee Financial Report
Fiscal Year 2024**

Public Facility		Library	Parks	Fire	E911	Admin	Roads & Bridges	Animal Control	Total
Allocation Percentage		1%	20%	25%	15%	0%	22%	17%	100%
Service Area		Countywide	Countywide	Countywide	Countywide		Countywide	Countywide	
Impact Fee Balance:	6/30/2023	4,292.71	209,979.09	32,217.49	143,731.41	15,310.04	42,449.31	69,512.89	517,492.94
Impact Fees Collected:	7/1/2023 thru 6/30/2024	867.23	17,344.57	21,680.72	13,008.43		19,079.03	14,742.89	86,722.87
Accrued Interest		69.37	1,387.44	1,734.30	1,040.58	-	1,526.18	1,179.32	6,937.18
Subtotal: Fee Accounts		5,229.31	228,711.10	55,632.50	157,780.42	15,310.04	63,054.52	85,435.10	611,152.99
Impact Fees Refunds									
Expenditures			-			(60.00)	-	-	(60.00)
Impact Fee Balance:	6/30/2024	5,229.31	228,711.10	55,632.50	157,780.42	15,250.04	63,054.52	85,435.10	611,092.99
		Reconciled to Bank Balance @ 11.30.23							
		Less: Actual Expenditures							
							(2,850.00)		(2,850.00)
								(49,220.00)	(49,220.00)
			(4,994.31)						(4,994.31)
							(36,675.00)		(36,675.00)
		Less: Committed Expenditures FY 23							
					(24,130.00)				(24,130.00)
			(14,000.00)						(14,000.00)
			(70,000.00)						(70,000.00)
			(19,000.00)						(19,000.00)
			(3,171.00)						(3,171.00)
			(8,820.00)						(8,820.00)
		Less: Committed Expenditures FY 24							
						(15,250.04)			(15,250.04)
								(1,155.00)	(1,155.00)
					(55,731.09)				(55,731.09)
		5,229.31	108,725.79	55,632.50	77,919.33	0.00	23,529.52	35,060.10	306,096.55

Internal Allocations for Fire:

Building - 15%	33,379.50
Equipment - 10%	22,253.00
Grand Total Fire - 25%	<u>55,632.50</u>

**DEVELOPMENT IMPACT FEE ORDINANCE
JASPER COUNTY, GEORGIA**

Section 1.	Short Title, Authority, and Applicability.....	1
1.01.	Short title.....	1
1.02.	Authority.....	1
1.03.	Applicability.....	1
Section 2.	Findings, Purpose, and Intent.....	1
2.01.	Findings.....	1
2.02.	Purpose.....	2
2.03.	Intent.....	2
Section 3.	Rules of Construction and Definitions.....	2
3.01.	Rules of Construction.....	2
3.02.	Definitions.....	3
Section 4.	Imposition of Development Impact Fees.....	6
4.01.	Construction Not Subject to Impact Fees.....	6
4.02.	Grandfathered Projects.....	6
4.03.	Method of Calculation.....	7
Section 5.	Fee Assessment and Payment.....	7
5.01.	Fee Schedule.....	7
5.02.	Timing of Assessment and Payment.....	8
5.03.	Individual Assessment Determinations.....	9
5.04.	Fee Certification.....	9
Section 6.	Exemptions.....	9
6.01.	Exemption Policy.....	9
Section 7.	Deposit and Expenditure of Fees.....	10
7.01.	Maintenance of Funds.....	10
7.02.	Expenditures; Restrictions.....	10
7.03.	Annual Report.....	11
Section 8.	Credits.....	11
8.01.	Credits; Restrictions.....	11
8.02.	Granting of Credits.....	11
8.03.	Guidelines for Credit Valuation.....	12
8.04.	Credits; Application.....	12
8.05.	Credits; Abandoned Building Permits.....	13
Section 9.	Refunds.....	13
9.01.	Eligibility for a Refund.....	13

9.02.	Notice of Entitlement to a Refund.	13
9.03.	Filing a Request for a Refund.	13
9.04.	Payment of Refunds.	13
Section 10.	Private Contractual Agreements.	14
10.01.	Private Agreements; Authorized.	14
10.02.	Private Agreements; Provisions.	14
10.03.	Private Agreements; Procedure.	15
Section 11.	Periodic Review and Amendments.	15
11.01.	Ordinance Amendments.	15
11.02.	Capital Improvements Element Periodic Review.	15
11.03.	Continuation of Validity.	16
Section 12.	Administrative Appeals.	16
12.01.	Eligibility to File an Appeal.	16
12.02.	Appeals Process.	16
12.03.	Payment of Impact Fee during Appeal.	17
Section 13.	Enforcement and Penalties.	17
13.01.	Enforcement Authority.	17
13.02.	Violations.	17
Section 14.	Repealer, Severability, and Effective Date.	18
14.01.	Repeal of Conflicting Laws.	18
14.02.	Severability.	18
14.03.	Incorporation by Reference of Georgia Law.	18
14.04.	Effective Date.	18
Fee Schedule—Jasper County, GA.		19

Georgia, Jasper County

DEVELOPMENT IMPACT FEE ORDINANCE

Section 1. Short Title, Authority, and Applicability.

1.01. Short title.

This Ordinance shall be known and may be cited as the "Development Impact Fee Ordinance of Jasper County, Georgia," or, for brevity, the "Impact Fee Ordinance."

1.02. Authority.

This Ordinance has been prepared and adopted by the Board of Commissioners of Jasper County, Georgia, in accordance with the authority provided by Article 9, Section 2, Paragraph 3 of the Constitution of the State of Georgia, the Georgia Development Impact Fee Act (O.C.G.A. 36-71-1 *et seq.* as amended), and such other laws as may apply to the provision of public facilities and the power to charge fees for such facilities.

1.03. Applicability

1. The provisions of this Ordinance shall not be construed to limit the power of Jasper County, Georgia, to use any other legal methods or powers otherwise available for accomplishing the purposes set forth herein, either in substitution of or in conjunction with this Ordinance.
2. This Ordinance shall apply to all areas under the regulatory control and authority of Jasper County, Georgia, and such other areas as may be included by intergovernmental agreement.

Section 2. Findings, Purpose, and Intent.

2.01. Findings.

The Board of Commissioners of Jasper County, Georgia, finds and declares:

1. That an equitable program for planning and financing public facilities to serve new growth and development is necessary in order to promote and accommodate orderly growth and development and to protect the public health, safety, and general welfare of the citizens of Jasper County; and
2. That certain public facilities as herein defined have been and must be further expanded if new growth and development is to be accommodated at the same level of service available to existing development; and

3. That it is fair and equitable that new growth and development shall bear a proportionate share of the cost of such public facilities necessary to serve new growth and development.

2.02. Purpose.

1. The purpose of this Ordinance is to impose impact fees, as hereinafter set forth, for certain public facilities, as hereinafter defined.
2. It is also the purpose of this Ordinance to ensure that adequate public facilities are available to serve new growth and development in Jasper County and to provide that new growth and development bears a proportionate share of the cost of new public facilities needed to serve them.

2.03. Intent.

This Ordinance is intended to implement and be consistent with the Jasper County Comprehensive Plan, as it may be adopted or amended in accord with the Georgia Comprehensive Planning Act (O.C.G.A. 50-8-1 *et seq.*); and the applicable *Minimum Standards and Procedures for Local Comprehensive Planning* and the *Development Impact Fee Compliance Requirements*, both as adopted by the Georgia Board of Community Affairs and amended from time to time.

Section 3. Rules of Construction and Definitions.

The provisions of this Ordinance shall be construed so as to effectively carry out its purpose in the interest of the public health, safety, and general welfare of the citizens of Jasper County.

3.01. Rules of Construction.

Unless otherwise stated in this Ordinance, the following rules of construction shall apply to the text of this Ordinance:

1. In the case of any difference of meaning or implication between words or phrases as used in this Ordinance and as used in other codes, regulations or laws of Jasper County, such difference shall not affect the meaning or implication of such words or phrases as used in this Ordinance.
2. In the case of any difference of meaning or implication between the text of this Ordinance and any caption, illustration, summary table or illustrative table, the text shall control.
3. The word "shall" is always mandatory and not discretionary; the word "may" is permissive.
4. Words used in the present tense shall include the future and words used in the singular number shall include the plural and the plural the singular, unless the context clearly indicates the contrary.
5. The word "person" includes an individual, a corporation, a partnership, an incorporated association, or any other legal or similar entity.
6. The conjunction "and" indicates that all the connected terms, conditions, provisions, or events shall apply.

7. The conjunction "or" indicates that the connected items, conditions, provisions, or events may apply singly or in any combination.
8. The use of "either . . . or" indicates that the connected items, conditions, provisions, or events shall apply singly and not in combination.
9. The word "includes" or "including" shall not limit a term to the specific example but is intended to extend its meaning to all other instances or circumstances of like kind or character.
10. The Article, Section, and paragraph headings and enumerations used in this Ordinance are included solely for convenience and shall not affect the interpretation of this Ordinance.

3.02. Definitions.

As used in this Ordinance, the following terms shall have the meaning set forth below.

1. **ADMINISTRATOR** means the Director of Planning and Zoning of Jasper County, Georgia, or the Director's designee, who is hereby charged with implementation and enforcement of this Ordinance.
2. **BOARD OF COMMISSIONERS** means the Board of Commissioners of Jasper County, Georgia.
3. **BUILDING PERMIT** is the permit required for new construction, completion of construction, or an interior finish pursuant to the applicable Building Code. As used herein, the term shall not include permits required for remodeling, rehabilitation, or other improvements to an existing structure provided there is no increase in the demand placed on those Public Facilities as defined herein.
4. **CAPITAL IMPROVEMENT** means an improvement with a useful life of ten years or more, by new construction or other action, which increases the service capacity of a public facility.
5. **CAPITAL IMPROVEMENTS ELEMENT** means that portion of the Jasper County Comprehensive Plan that sets out projected needs for system improvements during the planning horizon established therein, which provides a schedule that will meet the anticipated need for system improvements, and which provides a description of anticipated funding sources for each required improvement, as most recently adopted or amended by the Board of Commissioners.
6. **COMMENCEMENT OF CONSTRUCTION**, for private development, means initiation of physical construction activities as authorized by a development or building permit and leading to completion of a foundation inspection or other initial inspection and approval by a public official charged with such duties; and for public projects, means expenditure or encumbrance of any funds, whether they be Development Impact Fee funds or not, for a Public Facilities project, or advertising of bids to undertake a Public Facilities project.
7. **COMPREHENSIVE PLAN** means the Jasper County Plan or Planning Elements as adopted or amended in accord with the Georgia Comprehensive Planning Act (O.C.G.A. 50-8-1 *et seq.*) and the applicable *Minimum Standards and Procedures for Local Comprehensive Planning* as adopted by the Georgia Board of Community Affairs.

8. **COUNTY** means Jasper County, a legal subdivision of the State of Georgia.
9. **DAY** means a calendar day, unless otherwise specifically identified as a "work" day or other designation when used in the text.
10. **DEVELOPER** means any person or legal entity undertaking development.
11. **DEVELOPMENT** means any action which creates demand on or need for public facilities, as defined herein, and includes any construction or expansion of a building, structure, or use; any change in use of land, a building, or structure; or the connection of any building or structure to a public utility.
12. **DEVELOPMENT APPROVAL** means written authorization, such as issuance of a building permit, land disturbance permit or other approval for grading or site development, or other forms of official action required by local law or regulation prior to commencement of construction.
13. **DEVELOPMENT IMPACT FEE** means the payment of money imposed upon and paid by new development as a condition of development approval as its proportionate share of the cost of system improvements needed to serve it.
14. **ENCUMBER** means to legally obligate by contract or otherwise commit to use by appropriation or other official act of Jasper County, Georgia.
15. **EXCESS CAPACITY** means that portion of the capacity of a public facility or system of public facilities which is beyond that necessary to provide adequate service to existing development at the adopted level-of-service standard.
16. **FEEPAYOR** means that person or entity who pays a development impact fee, or his or her legal successor in interest when the right or entitlement to any refund of previously paid development impact fees which is required by this Ordinance has been expressly transferred or assigned to the successor in interest.
17. **INDIVIDUAL ASSESSMENT DETERMINATION** means a finding by the Administrator that an Individual Assessment Study does or does not meet the requirements for such a study as established by this Ordinance or, if the requirements are met, the fee calculated therefrom.
18. **INDIVIDUAL ASSESSMENT STUDY** means the engineering, financial, or economic documentation prepared by a feepayor or applicant to allow individual determination of a development impact fee other than by use of the applicable fee schedule.
19. **LEVEL OF SERVICE** means a measure of the relationship between service capacity and service demand for specified public facilities as established by Jasper County, Georgia in terms of demand to capacity ratios or the comfort and convenience of use or service of such public facilities or both.
20. **PRESENT VALUE** means the current value of past, present, or future payments, contributions, or dedications of goods, services, materials, construction, or money, as calculated using accepted methods of financial analysis for determination of "net present value."
21. **PROJECT** means a single improvement or set of interrelated improvements undertaken together within a finite time period at a

specific location. With regard to land development, a project may be identified as those construction activities authorized collectively by a building permit or other development approval, or for an interrelated collection of buildings and common public facilities such as a residential subdivision or an office park.

22. **PROJECT IMPROVEMENTS** means site specific improvements or facilities that are planned, designed, or built to provide service for a specific development project and that are necessary for the use and convenience of the occupants or users of that project only, and that are not "system" improvements. The character of the improvement shall control a determination of whether an improvement is a "project" improvement or a "system" improvement, and the physical location of the improvement on-site or off-site shall not be considered determinative of whether an improvement is a "project" improvement or a "system" improvement. A project improvement may provide no more than incidental service or facility capacity to persons other than users or occupants of the particular project they serve. No improvement or facility included in a plan for public facilities and approved for public funding by Jasper County, Georgia shall be considered a project improvement.
23. **PROPERTY OWNER** means that person or entity that holds legal title to property.
24. **PROPORTIONATE SHARE** means that portion of the cost of system improvements that is reasonably and fairly related to the service demands and needs of a project.
25. **PUBLIC FACILITIES** means: (A) Parks, open space, and recreation areas and related facilities; and (B) Public safety facilities, including sheriff, inmate housing, fire, emergency medical, and rescue facilities; (C) Libraries and related facilities; and (D) Roads, streets, and bridges, including rights of way, traffic signals, landscaping, and any other components of state or federal highways.
26. **SERVICE AREA** means a geographically defined area as designated in the Capital Improvements Element of the Comprehensive Plan in which a defined set of public facilities provide or are proposed to provide service to existing or future development.
27. **SYSTEM IMPROVEMENT COSTS** means costs incurred to provide public facilities capacity to serve new growth and development, including the costs of planning, design, engineering, construction, land acquisition, and land improvement for the construction or reconstruction of facility improvements or expansions. System improvement costs include the construction contract price, surveying and engineering fees, related land acquisition costs (including land purchases, court awards and costs, attorneys' fees, and expert witness fees), and expenses incurred for qualified staff or any qualified engineer, planner, architect, landscape architect, or financial consultant for preparing or updating the capital improvements element, and administrative costs of up to three (3) percent of the total of all other system improvement costs. Projected interest charges and other finance costs may be included if the impact fees are to be used for the payment of principal and interest on bonds, notes, or other financial obligations issued to finance system improvements, but such costs do not include routine and periodic maintenance expenditures, personnel training, and other operating costs.

28. **SYSTEM IMPROVEMENTS** means capital improvements that are public facilities designed to provide service to more than one project or to the community at large, in contrast to "project" improvements.
29. **UNIT OF DEVELOPMENT** means the standard incremental measure of land development activity for a specific type of land use upon which the rate of demand for public service and facilities is based, such as a dwelling unit, square foot of floor area, motel room, etc.
30. **UNUSED OR EXCESS IMPACT FEE** means any individual impact fee payment from which no amount of money or only a portion thereof has been encumbered or expended according to the requirements of this Ordinance.

Section 4. Imposition of Development Impact Fees.

Any person who after the effective date of this Ordinance engages in development shall pay a development impact fee in the manner and amount set forth in this Ordinance.

4.01. Construction Not Subject to Impact Fees.

The following projects and construction activities do not constitute "development" as defined in this Ordinance, and are therefore not subject to the imposition of impact fees:

1. Rebuilding no more than the same number of units of development as defined in this Ordinance that were removed by demolition, or destroyed by fire or other catastrophe, on the same lot or property.
2. Remodeling or repairing a structure that does not result in an increase in the number of units of development.
3. Replacing a residential housing unit with another housing unit on the same lot or property.
4. Placing or replacing a manufactured home in a manufactured home park on a prepared manufactured home pad in existence and operation prior to the effective date of this Ordinance.
5. Placing a temporary construction or sales office on a lot during the period of construction or build-out of a development project.
6. Constructing an addition to or expansion of a residential housing unit that does not increase the number of housing units.
7. Adding uses that are typically accessory to residential uses and intended for the personal use of the residents, such as a deck or patio, satellite antenna, pet enclosure, or private recreational facilities such as a swimming pool.

4.02. Grandfathered Projects.

Notwithstanding any other provision of this Ordinance, that portion of a project for which a valid building permit has been issued prior to the effective date of this Ordinance shall not be subject to development impact fees so long as the permit remains valid and construction is commenced and is pursued according to the terms of the permit.

4.03. Method of Calculation.

1. Any development impact fee imposed pursuant to this Ordinance shall not exceed a project's proportionate share of the cost of system improvements, shall be calculated on the basis of the establishment of service areas, and shall be calculated on the basis of levels of service for public facilities that are the same for existing development as for new growth and development, as established in the Capital Improvements Element of the Comprehensive Plan.
2. Notwithstanding anything to the contrary in this Ordinance, the calculation of impact fees shall be net of credits for the present value of ad valorem taxes or other revenues as established in the Capital Improvements Element of the Comprehensive Plan, and which:
 - a. are reasonably expected to be generated by new growth and development; and
 - b. are reasonably expected on the basis of historical funding patterns to be made available to pay for system improvements of the same category and in the same service area for which an impact fee is imposed.
3. The method of calculating impact fees for public facilities under this Ordinance shall be maintained for public inspection as a part of the official records of Jasper County, Georgia, and may be amended from time to time by official act.
4. In addition to the cost of new or expanded system improvements needed to be built to serve new development, the cost basis of a development impact fee may also include the proportionate cost of existing system improvements to the extent that such public facilities have excess service capacity and new development will be served by such facilities, as established in the Capital Improvements Element of the Comprehensive Plan.
5. Development impact fees shall be based on actual system improvement costs or reasonable estimates of such costs, as set forth in the Capital Improvements Element of the Comprehensive Plan.

Section 5. Fee Assessment and Payment.

5.01. Fee Schedule.

1. Payment of a development impact fee pursuant to the fee schedule attached hereto and incorporated herein as Attachment A for a property located inside of Jasper County, shall constitute full and complete payment of the project's proportionate share of system improvements as individually levied by Jasper County, and shall be deemed to be in compliance with the requirements of this Ordinance.
2. When a land development activity for which an application for a building permit has been made includes two or more buildings, structures or other land uses in any combination, including two or more uses within a building or structure, the total development impact fee shall be the sum of the fees for each and every building, structure, or use, including each and every use within a building or structure.

3. In the event that an applicant contends that the land use category of the proposed development is not shown on the fee schedule or fits within a different category, then:
 - a. The Administrator in his or her sole discretion shall make a determination as to the appropriate land use designation and the appropriate development impact fee.
 - b. In making such determination, the Administrator may require such additional information from the applicant as necessary to form a logical fee determination relative to the impact fees shown on the adopted fee schedule.
 - c. If a land use designation is not in a category contained in this Ordinance, then an appropriate new category may be added by the Administrator and an appropriate fee established under the County's current impact fee methodology, subject to annual confirmation by the Board of Commissioners.
 - d. Appeals from the decision of the Administrator shall be made to the Board of Commissioners in accordance with the Administrative Appeals Section of this Ordinance.

5.02. Timing of Assessment and Payment.

1. Development impact fees shall be assessed at the time of application for a building permit.
2. All development impact fees shall be collected no later than the time of issuance of a building permit.
3. For projects not involving issuance of a building permit, all development impact fees shall be collected at the time of approval of the development permit or such other authorization to commence construction or to commence use of a property.
4. If the final use of a building cannot be determined at the time of the initial building permit, the Administrator shall have the authority to assess a development impact fee based on the most likely use of the building, and shall adjust the fee in accordance with the actual use prior to issuance of an interior finishes permit or approval of a Certificate of Occupancy. An adjustment may result in a refund to the fee payor or payment of the marginal increase of the adjusted fee over the amount already paid.
5. Notwithstanding any other provision of this Ordinance, any future change in demand for public facilities in excess of the average demand anticipated at the time of issuance of the building permit shall be assessed such additional fee as would otherwise have been due. Future changes in demand may result from a change in the land use category of the occupant of the building or property, the expansion of a building or use on a property that results in an increase in the units of development (as defined herein), or the subsequent discovery of facts unknown or misrepresented at the time of issuance of the building permit.

5.03. Individual Assessment Determinations.

Individual assessments of development impact fees may be established as follows:

1. At their option, an applicant for development approval may petition the Administrator for an individual assessment determination of development impact fees due for their project in lieu of the fee established on the fee schedule attached hereto and incorporated herein as Attachment A.
2. In the event that an applicant elects an individual assessment, the applicant shall submit an individual assessment study. Each individual assessment study shall:
 - a. be based on relevant and credible information from an accepted standard source of engineering or planning data; or,
 - b. be based on actual, relevant, and credible studies or surveys of facility demand conducted in Jasper County or its region, carried out by qualified engineers or planners pursuant to accepted methodology; and,
 - c. provide any other written specifications as may be reasonably required by the Administrator to substantiate the individual assessment determination.
3. The Administrator in his or her sole discretion shall determine whether the content of an individual assessment study satisfies the requirements of this Ordinance. A negative determination by the Administrator may be appealed to the Board of Commissioners in accordance with the Administrative Appeals Section of this Ordinance.
4. Any fee approved as an individual assessment determination shall have standing for 180 days following the date of approval. Payment of such an approved individual assessment determination shall constitute full and complete payment of the project's proportionate share of system improvements as individually levied by Jasper County, and shall be deemed to be in compliance with the requirements of this Ordinance.

5.04. Fee Certification.

Upon application to the Administrator, a developer may receive a certification of the development impact fee schedule attached hereto and incorporated herein as Attachment A or a certified fee for a particular project, as applicable. Such certified schedule or fee shall establish the development impact fee due for a period of 180 days from the date of certification, even if new or revised rate schedules are adopted in the interim.

Section 6. Exemptions

6.01. Exemption Policy

Jasper County recognizes that certain office, retail trade and industrial development projects provide extraordinary benefit in support of the economic advancement of the county's citizens over and above the access to jobs, goods and services that such uses offer in general. To encourage such development projects, the Board of Commissioners may consider granting a

reduction in the impact fee for such a development project upon the determination and relative to the extent that the business or project represents extraordinary economic development and employment growth of public benefit to Jasper County, in accordance with adopted exemption criteria. It is also recognized that the cost of system improvements otherwise foregone through exemption of any impact fee must be funded through revenue sources other than impact fees.

Section 7. Deposit and Expenditure of Fees.

7.01. Maintenance of Funds.

1. All development impact fee funds collected for future expenditure on construction or expansion of facilities pursuant to this Ordinance shall be maintained in one or more interest-bearing accounts until encumbered or expended. Restrictions on the investment of development impact fee funds shall be the same that apply to investment of all such funds generally.
2. Separate accounting records shall be maintained for each category of system improvements within each service area wherein fees are collected.
3. Interest earned on development impact fees shall be considered funds of the account on which it is earned and shall be subject to all restrictions placed on the use of development impact fees under this Ordinance.

7.02. Expenditures; Restrictions.

1. Expenditures from the impact fee accounts shall be made only for the category of system improvements within the service area for which the development impact fee was assessed and collected.
2. Except as provided below, development impact fees shall not be expended for any purpose that does not involve building or expanding system improvements that create additional capacity available to serve new growth and development.
3. Notwithstanding anything to the contrary in this Ordinance, the following shall be considered general revenue of Jasper County, and may be expended accordingly:
 - a. Impact fees collected to recover the present value of excess capacity in existing system improvements;
 - b. any portion of an impact fee collected as a repayment for expenditures made by Jasper County for system improvements intended to be funded by such impact fee; and,
 - c. any portion of the impact fee (but not to exceed three percent of the total) collected and allocated by the Administrator for administration of the impact fee ordinance, and such additional amount assessed for repayment of the cost of preparing the Capital Improvements Element of the Comprehensive Plan.

7.03. Annual Report.

1. The Administrator shall prepare an annual report to the Board of Commissioners as part of the annual audit describing the amount of any development impact fees collected, encumbered, and used during the preceding fiscal year by category of public facility and service area.
2. Such annual report shall be prepared following guidelines of the Georgia Department of Community Affairs (DCA), and submitted to DCA in conjunction with the annual update of the Capital Improvements Element of the Comprehensive Plan.

Section 8. Credits.

When eligible, fee payors shall be entitled to a credit against impact fees otherwise due and owing under the circumstances and in the manner set forth in this Section.

8.01. Credits; Restrictions.

1. Except as provided in Paragraph 2 below, no credit shall be given for construction, contribution, or dedication of any system improvement or funds for system improvements made before the effective date of this Ordinance.
2. If the value of any construction, dedication of land, or contribution of money made by a developer (or his or her predecessor in title or interest) prior to the effective date of this Ordinance for system improvements that are included for impact fee funding in the Capital Improvements Element of the Comprehensive Land Use Plan, is greater than the impact fee that would otherwise have been paid for the Project, then the developer shall be entitled to a credit for such excess construction, dedication, or funding. Notwithstanding anything to the contrary in this Ordinance, any credit due under this section shall not constitute a liability of Jasper County, and shall accrue to the developer to the extent of impact fees assessed for new development for the same category of system improvements within the same service area.
3. In no event shall credit be given for project improvements, or for system improvements not included for impact fee funding in the Capital Improvements Element of the Comprehensive Plan.

8.02. Granting of Credits.

1. Credit shall be given for the present value of any construction of improvements, contribution or dedication of land, or payment of money by a developer or his or her predecessor in title or interest for system improvements of the same public facilities category and in the same service area for which a development impact fee is imposed, provided that:
 - a. the system improvement is included for impact fee funding in the Capital Improvements Element of the Comprehensive Land Use Plan;
 - b. the amount of the credit does not exceed the portion of the system improvement's cost that is eligible for impact fee funding, as shown in the Capital Improvements Element; and,

- c. the Board of Commissioners shall have explicitly approved said improvement, contribution, dedication, or payment and the value thereof prior to its construction, dedication, or transfer.
2. The credit allowed pursuant to this Section shall not exceed the impact fee due for such system improvement unless a greater credit is authorized under a private agreement executed under the provisions of Section 9 of this Ordinance.

8.03. Guidelines for Credit Valuation.

Credits under this Section shall be valued using the following guidelines:

1. For the construction of any system improvements by a developer or his or her predecessor in title or interest and accepted by the County, the developer must present evidence satisfactory to the Administrator of the original cost of the improvement, from which present value may be calculated.
2. For any contribution or dedication of land for system improvements by a developer or his or her predecessor in title or interest and accepted by the County, the original value of the land shall be the same as that attributed to the property by the validated tax appraisal at the time of dedication, from which present value may be calculated.
3. For any contribution of capital equipment that qualifies as a system improvement by a developer or his or her predecessor in title or interest and accepted by the County, the value shall be the original cost to the developer of the capital equipment or the cost that Jasper County, Georgia would normally pay for such equipment, whichever is less.
4. For any contribution of money for system improvements from a developer or his or her predecessor in title or interest accepted by the County, the original value of the money shall be the same as that at the time of contribution, from which present value may be calculated.
5. In making a present value calculation, the discount rate used shall be the net of the interest returned on a State of Georgia, AA rated or better municipal bond less average annual inflation, or such other discount rate as the Board of Commissioners in its sole discretion may deem appropriate.

8.04. Credits; Application.

1. Credits shall be given only upon written request of the developer to the Administrator. A developer must present written evidence satisfactory to the Administrator at or before the time of development impact fee assessment.
2. The Administrator, in his or her sole discretion, shall review all claims for credits and make determinations regarding the allowance of any claimed credit, and the value of any allowed credit.
3. Any credit approved by the Administrator shall be acknowledged in writing by the Administrator and calculated at the time of impact fee assessment.

8.05. Credits; Abandoned Building Permits.

In the event that an impact fee is paid but the building permit is abandoned, credit shall be given for the present value of the impact fee against future impact fees for the same parcel of land, upon submission of adequate evidence to the Administrator that an impact fee was received by the County, the amount paid, and that the building permit was abandoned.

Section 9. Refunds.

9.01. Eligibility for a Refund.

1. Upon the request of a feepayor regarding a property on which a development impact fee has been paid, the development impact fee shall be refunded if:
 - a. capacity is available in the Public Facilities for which the fee was collected but service is permanently denied; or,
 - b. the development impact fee has not been encumbered or construction has not been commenced within six years after the date the fee was collected.
2. In determining whether development impact fees have been encumbered, development impact fees shall be considered encumbered on a first-in, first-out (FIFO) basis.

9.02. Notice of Entitlement to a Refund.

When the right to a refund exists due to a failure to encumber the development impact fees, the Administrator shall provide written notice of entitlement to a refund to the feepayor who paid the development impact fee at the address shown on the application for development approval or to a successor in interest who has given adequate notice to the Administrator of a legal transfer or assignment of the right to entitlement to a refund and who has provided a mailing address. Such notice shall also be published in a newspaper of general circulation in Jasper County within 30 days after the expiration of the six year period after the date that the development impact fee was collected and shall contain a heading "Notice of Entitlement to Development Impact Fee Refund." No refund shall be made for a period of 30 days from the date of said publication.

9.03. Filing a Request for a Refund.

All requests for refunds shall be made in writing to the Administrator within one year of the time the refund becomes payable or within one year of publication of the notice of entitlement to a refund, whichever is later. Failure to make a claim for a refund within said time period shall result in a waiver of all claims to said funds.

9.04. Payment of Refunds.

1. All refunds shall be made to the feepayor within 60 days after it is determined by the Administrator that a sufficient proof of claim for

refund has been made, but no sooner than 30 days after publication of the notice of entitlement to the refund.

2. A refund shall include a refund of a pro rata share of interest actually earned on the unused or excess impact fee collected.
3. In no event shall a fee payor be entitled to a refund for impact fees assessed and paid to recover the cost of excess capacity in existing system improvements, for any portion of an impact fee collected as a repayment for expenditures made by Jasper County for system improvements intended to be funded by such impact fee, or for that portion of the fee payment that was assessed for administration of the impact fee ordinance or for recovery of the cost of preparation of the Capital Improvements Element of the Comprehensive Plan.

Section 10. Private Contractual Agreements.

10.01. Private Agreements; Authorized.

Nothing in this Ordinance shall prohibit the voluntary mutual approval of a private contractual agreement between the County and any developer or property owner or group of developers and/or property owners in regard to the construction or installation of system improvements and providing for credits or reimbursement for system improvement costs incurred by a developer, including interproject transfers of credits or providing for reimbursement for project improvement costs which are used or shared by more than one development project, provided that:

1. The system improvements are included for impact fee funding in the Capital Improvements Element of the Comprehensive Plan; and,
2. The amount of any credit or reimbursement granted shall not exceed the portion of the system improvement's cost that is eligible for impact fee funding.

10.02. Private Agreements; Provisions.

A private contractual agreement for system improvements may include, but shall not be limited to, provisions which:

1. Modify the estimates of impact on public facilities according to the methods and provisions concerning the calculation of impact fees, provided that any such agreement shall allow the County to assess additional development impact fees after the completion of construction according to schedules set forth in this Ordinance.
2. Permit construction of, dedication of property for, or other in-kind contribution for specific public facilities of the type for which development impact fees would be imposed in the same service area in lieu of or with a credit against applicable development impact fees.
3. Permit a schedule and method of payment appropriate to particular and unique circumstances of a proposed project in lieu of the requirements for payment under this Ordinance, provided that acceptable security is posted ensuring payment of the development impact fees. Forms of security that may be acceptable include a cash bond, Irrevocable Letter of Credit from a bank authorized to do business within the State of Georgia,

a surety bond, or lien or mortgage on lands to be covered by the building permit.

10.03. Private Agreements; Procedure.

1. Any private agreement proposed by an applicant pursuant to this Section shall be submitted to the Administrator for review, negotiation, and submission to the Board of Commissioners.
2. Any such agreement must be presented to and approved by the Board of Commissioners of Jasper County, Georgia prior to the issuance of a building permit.
3. Any such agreement shall provide for execution by mortgagees, lien holders or contract purchasers in addition to the landowner, and shall require the applicant to submit such agreement to the Clerk of Superior Court for recording.

Section 11. Periodic Review and Amendments.

11.01. Ordinance Amendments.

1. This Ordinance may be amended from time to time as deemed appropriate or desirable.
2. Interim amendments to the impact fee schedule regarding the establishment of new land use categories by the Administrator under Section 5.01.3.c are expressly authorized, and shall be confirmed by the Board of Commissioners when this Ordinance is subsequently amended.

11.02. Capital Improvements Element Periodic Review.

1. Update. At least once each year, the Board of Commissioners shall review and may update the Capital Improvements Element so as to maintain, at a minimum, a schedule of system improvements for each of the subsequent five years. The Capital Improvements Element Update may include changes in funding sources or project costs, or changes in the list or scheduling of projects. The Capital Improvements Element Update shall be submitted to the Regional Development Center for their review, in accordance with the *Development Impact Fee Compliance Requirements* as adopted by the Board of Community Affairs of the State of Georgia.
2. Amendment. In conducting a periodic review of the Capital Improvements Element and calculation of development impact fees, the Board of Commissioners may determine to amend the Capital Improvements Element. Amendments to the Capital Improvements Element shall comply with the procedural requirements of the *Development Impact Fee Compliance Requirements* as adopted by the Board of Community Affairs of the State of Georgia, and shall be required for any change to the Capital Improvements Element that would:
 - a. redefine growth projections, land development assumptions, or goals or objectives that would affect system improvements proposed in the Capital Improvements Element;

- b. add new public facility categories for impact fee funding, modify impact fee service areas or make changes to system improvement projects;
- c. change service levels established for an existing impact fee service area; or
- d. make any other revisions needed to keep the Capital Improvements Element up to date.

11.03. Continuation of Validity.

Failure of the Board of Commissioners to undertake a periodic review of the Capital Improvements Element shall result in the continued use and application of the latest adopted development impact fee schedule and other data. The failure to periodically review such data shall not invalidate this Ordinance.

Section 12. Administrative Appeals.

12.01. Eligibility to File an Appeal.

Only applicants or fee payors who have already been assessed an impact fee by the County or who have already received a written determination of individual assessment, refund or credit amount shall be entitled to an appeal.

12.02. Appeals Process.

1. The aggrieved applicant or fee payor (hereinafter, the "appellant") must file a written appeal with the Administrator within 15 days of the decision or receipt of written determination from which the appeal is taken.
2. Such written appeal shall constitute an application for relief, shall be of sufficient content to set forth the basis for the appeal and the relief sought, and shall include:
 - a. The name and address of the appellant;
 - b. The location of the affected property;
 - c. A copy of any applicable written decision or determination made by the Administrator (from which the appeal is taken);
3. Within 15 days after receipt of the appeal, the Administrator shall make a written final decision with respect to the appeal, such decision to be of sufficient content to set forth the basis for the determination.
4. Appeals from the final decision of the Administrator shall be made to the Board of Commissioners within 30 days of receipt by the appellant of the Administrator's decision. Delivery by hand or certified mail to, or posting upon the property at, the address given by the appellant in the application for relief shall constitute "receipt by the appellant" under this provision.
5. The Board of Commissioners shall thereafter hold a hearing on the appeal within 30 days provided that at least 2 weeks written notice thereof can be given to the appellant. The Board of Commissioners shall decide the issue within a reasonable time following the hearing, but in no case more

than 15 days following the hearing, unless the appellant agrees to an extension to a later date. Any party making an appeal shall have the right to appear at the hearing to present evidence and may be represented by counsel.

12.03. Payment of Impact Fee during Appeal.

1. The filing of an appeal shall not stay the collection of a development impact fee as a condition to the issuance of development approval.
2. A developer may pay a development impact fee under protest to obtain a development approval, and by making such payment shall not be estopped from exercising this right of appeal or receiving a refund of any amount deemed to have been collected in excess.

Section 13. Enforcement and Penalties.

13.01. Enforcement Authority.

1. The enforcement of this Ordinance shall be the responsibility of the Administrator and such personnel as the Administrator may designate from time to time.
2. The Administrator shall have the right to inspect the lands affected by this Ordinance and shall have the right to issue a written notice, a stop work order or citation for violations, as the Administrator in his or her sole determination may deem appropriate to the circumstances. Refusal of written notice of violation, stop work order or citation under this Ordinance shall constitute legal notice of service. The citation shall be in the form of a written official notice issued in person or by certified mail to the owner of the property, or to his or her agent, or to the person performing the work. The receipt of a citation shall require that corrective action be taken within thirty (30) days unless otherwise extended at the discretion of the Administrator.
3. The Administrator may suspend or revoke any building permit or withhold the issuance of other development approvals, if the provisions of this Ordinance have been violated by the developer or the owner or their assigns.

13.02. Violations.

1. Knowingly furnishing false information on any matter relating to the administration of this Ordinance shall constitute an actionable violation.
2. Proceeding with construction of a project that is not consistent with the project's impact fee assessment, such as the use category claimed or units of development indicated, shall constitute an actionable violation.
3. Failure to take corrective action following the receipt of a citation shall constitute an actionable violation.
4. A violation of this Ordinance shall be a misdemeanor punishable according to law, including the general penalty provisions of the Jasper County Code of Ordinances Section 1-11. In addition to or in lieu of criminal prosecution, the Board of Commissioners shall have the power to

sue in law or equity for relief in civil court to enforce this Ordinance, including recourse to such civil and criminal remedies in law and equity as may be necessary to ensure compliance with the provisions of this Ordinance, including but not limited to injunctive relief to enjoin and restrain any person from violating the provisions of this Ordinance and to recover such damages as may be incurred by the implementation of specific corrective actions.

Section 14. Repealer, Severability, and Effective Date.

14.01. Repeal of Conflicting Laws.

Any and all ordinances, resolutions, or regulations, or parts thereof, in conflict with this Ordinance are hereby repealed to the extent of such conflict.

14.02. Severability.

If any sentence, clause, part, paragraph, section, or provision of this Ordinance is declared by a court of competent jurisdiction to be invalid, the validity of the Ordinance as a whole or any other part hereof shall not be affected.

14.03. Incorporation by Reference of Georgia Law.

It is the intent of the Board of Commissioners that the Development Impact Fee Ordinance of Jasper County, Georgia comply with the terms and provisions of the Georgia Development Impact Fee Act (O.C.G.A. 36-71-1 et seq. as amended). To the extent that any provision of this Ordinance is inconsistent with the provisions of said Chapter 36-71, the latter shall control. Furthermore, to the extent that this Ordinance is silent as to any provision of said Chapter 36-71 that is otherwise made mandatory by said Chapter 36-71, such provision shall control and shall be binding upon the County.

14.04. Effective Date.

1. This Ordinance shall take effect upon approval.
2. Any building for which a valid and complete application for a building permit has been received prior to the effective date of this Ordinance may proceed without payment of fees otherwise imposed by this Ordinance, provided that:
 - a. all fees and development exactions in effect prior to the effective date of this Ordinance shall be or have been paid in full; and,
 - b. said construction shall be commenced, pursued and completed within the time established by the building permit, or within 180 days, whichever is later.

DRAFT - 2/10/07

Attachment A
Fee Schedule—Jasper County, GA

DRAFT - 2/10/07

JASPER COUNTY MAXIMUM ALLOWABLE IMPACT FEE SCHEDULE - Without City Participation

Net Impact Fee

Land Use Category	Library	Parks & Recreation	Emor. Service	Jail	Sheriff's Patrol	ES91	Subtotal	Adminstrative (3%)	TOTAL IMPACT FEE	Unit of Measure*
<i>Residential</i>										
Single-Family Detached Housing	469,134	192,669	234,736	328,797	69,941	41,279	\$1,336,591	40,098	\$1,376.70	per dwelling
Apartments	469,134	192,669	234,736	328,797	69,941	41,279	\$1,336,591	40,098	\$1,376.70	per dwelling
Residential Condominiums/Townhouses	469,134	192,669	234,736	328,797	69,941	41,279	\$1,336,591	40,098	\$1,376.70	per dwelling
<i>Part and Parcel</i>										
Truck Terminal	-	-	1,317,771	1,765,742	354,217	174,149	\$1,479,899	194,116	\$3,596.70	per acre
<i>Industrial</i>										
General Light Industrial	-	-	0.240	0.336	0.970	0.041	\$0.611	0.021	\$0.71	per square foot
General Heavy Industrial	-	-	0.190	0.266	0.956	0.033	\$0.545	0.016	\$0.56	per square foot
Manufacturing	-	-	0.189	0.269	0.959	0.033	\$0.542	0.016	\$0.56	per square foot
Warehousing	-	-	0.133	0.186	0.939	0.033	\$0.340	0.011	\$0.39	per square foot
Med-Warehouse	-	-	0.005	0.006	0.001	0.001	\$0.013	0.000	\$0.01	per square foot
High-Cube Warehouse	-	-	0.019	0.026	0.006	0.003	\$0.034	0.002	\$0.05	per square foot
<i>Hotels</i>										
Hotel	-	-	64,651	90,557	11,911	11,369	\$181,488	5,343	\$191.63	per room
All Suite Hotel	-	-	71,792	103,543	21,386	12,972	\$211,719	6,352	\$218.87	per room
Business Hotel	-	-	10,398	14,564	3,641	1,222	\$30,822	0,599	\$34.73	per room
Motel	-	-	73,914	103,572	21,621	12,591	\$212,666	6,362	\$218.43	per room
<i>Recreational</i>										
Compassion/Recreational Vehicle Park	-	-	6,964	9,734	2,617	1,323	\$19,979	0,599	\$30.31	per camp site
Golf Course	-	-	24,528	33,797	7,467	4,469	\$70,261	2,197	\$73.44	per acre
Multi-purpose Recreational Facility	-	-	51,947	72,791	12,201	9,139	\$148,998	4,472	\$153.77	per acre
Marine Theater	-	-	0.156	0.218	0.046	0.027	\$0.447	0.013	\$0.46	per square foot
Amusement Park	-	-	346,413	483,234	181,331	60,911	\$993,886	29,817	\$1,023.70	per acre
Amusement Park	-	-	943,265	1,324,042	276,505	166,228	\$2,712,040	81,361	\$2,793.40	per acre
Tennis Courts	-	-	23,348	32,506	7,415	4,438	\$77,726	2,182	\$74.97	per acre
Racquet Club	-	-	0.031	0.033	0.011	0.007	\$0.109	0.003	\$0.11	per square foot
Bowling Alley	-	-	0.104	0.146	0.030	0.018	\$0.298	0.009	\$0.31	per square foot
Recreational Community Center	-	-	0.087	0.122	0.025	0.013	\$0.230	0.008	\$0.25	per square foot
<i>Institutional</i>										
Private School (K-12)	-	-	0.841	1,177	0.346	0.141	\$2,413	0.072	\$2.48	per square foot
Church/Synagogue	-	-	0.024	0.033	0.016	0.009	\$0.134	0.004	\$0.16	per square foot
Day Care Center	-	-	0.264	0.370	0.077	0.046	\$0.739	0.023	\$0.78	per square foot
Cemetery	-	-	8,463	11,854	2,476	1,488	\$24,281	0.728	\$23.61	per acre
Lodge/ Fraternal Organization	-	-	105,594	145,582	30,402	18,277	\$298,196	8,946	\$307.14	per employee

DRAFT - 2/10/07

Net Impact Fee

Land Use Category	Library	Parks & Recreation	Emer. Services	Jail	Street/Patrol	EP11	Subtotal	Additional-traffic (1%)	TOTAL IMPACT FEE	Unit of Measure*
Medical										
Hospital	-	-	0.337	0.413	0.099	0.039	\$0.968	0.039	\$1.00 per square foot	
Nursing Home	-	-	67.312	94.281	19.690	11.837	\$193,124	5.794	\$191.91 per bed	
Office	-	-	100.994	145.511	10.400	18.277	\$298,196	8.946	\$307.14 per employee	
Office										
General Office Building	-	-	0.345	0.413	0.101	0.061	\$0.989	0.030	\$1.01 per sq. ft.	
Corporate Headquarters Building	-	-	0.333	0.495	0.103	0.052	\$1.014	0.030	\$1.04 per square foot	
Single-Tenant Office Building	-	-	0.332	0.485	0.077	0.031	\$0.983	0.029	\$0.98 per square foot	
Medical-Dental Office Building	-	-	0.421	0.590	0.123	0.074	\$1.269	0.036	\$1.23 per square foot	
Research and Development Center	-	-	0.304	0.416	0.049	0.054	\$0.873	0.026	\$0.90 per square foot	
Retail										
Building Materials and Lumber Store	-	-	0.133	0.214	0.045	0.027	\$0.438	0.013	\$0.45 per square foot	
Flea-Standing Discount Superstore	-	-	0.100	0.160	0.029	0.018	\$0.246	0.009	\$0.29 per square foot	
Specialty Retail Center	-	-	0.189	0.243	0.055	0.033	\$0.242	0.016	\$0.26 per square foot	
Flea-Standing Discount Store	-	-	0.204	0.285	0.050	0.036	\$0.186	0.018	\$0.20 per square foot	
Hardware/Field Store	-	-	0.100	0.160	0.029	0.018	\$0.287	0.009	\$0.30 per square foot	
Nursery (Garden Center)	-	-	0.169	0.237	0.030	0.030	\$0.416	0.015	\$0.40 per square foot	
Nursery (Wholesale)	-	-	0.173	0.243	0.031	0.030	\$0.497	0.015	\$0.51 per square foot	
Shopping Center	-	-	0.174	0.243	0.031	0.031	\$0.478	0.015	\$0.51 per square foot	
Factory Outlet Center	-	-	0.174	0.243	0.031	0.031	\$0.478	0.015	\$0.51 per square foot	
Quality Restaurant	-	-	0.775	1.016	0.227	0.136	\$2.225	0.067	\$2.29 per square foot	
High-Turnover (Sit-Down) Restaurant	-	-	0.775	1.016	0.227	0.136	\$2.225	0.067	\$2.29 per square foot	
Fast-Food Restaurant	-	-	1.133	1.517	0.331	0.199	\$3.250	0.091	\$3.33 per square foot	
Quick Lubrication Vehicle Shop	-	-	218.262	303.723	63.845	38.382	\$626,281	18,786	\$618.00 per service bay	
Auto-Care Center	-	-	0.149	0.204	0.043	0.026	\$0.476	0.013	\$0.44 per square foot	
New Car Sales	-	-	0.194	0.238	0.054	0.032	\$0.329	0.016	\$0.34 per square foot	
Auto Parts Store	-	-	0.100	0.160	0.029	0.018	\$0.246	0.009	\$0.29 per square foot	
Self-Service Car Wash	-	-	20.787	29.116	5.060	3.635	\$59,639	1,789	\$61.43 per stall	
Toy Store	-	-	0.133	0.166	0.029	0.023	\$0.382	0.011	\$0.39 per square foot	
Wholesale Tire Sales	-	-	0.133	0.166	0.029	0.023	\$0.382	0.011	\$0.39 per square foot	
Supercenter	-	-	0.132	0.183	0.029	0.023	\$0.379	0.011	\$0.39 per square foot	
Convenience Market (Open 24 Hours)	-	-	0.187	0.262	0.053	0.033	\$0.577	0.016	\$0.53 per square foot	
Convenience Market (Open 15-16 Hours)	-	-	0.182	0.235	0.053	0.032	\$0.522	0.016	\$0.54 per square foot	
Convenience Market with Gasoline Pumps	-	-	0.187	0.262	0.053	0.033	\$0.577	0.016	\$0.53 per square foot	
Wholesale Market	-	-	0.045	0.119	0.021	0.015	\$0.244	0.007	\$0.23 per square foot	
Dinner Club	-	-	0.133	0.180	0.029	0.024	\$0.377	0.012	\$0.40 per square foot	
Home Improvement Superstore	-	-	0.100	0.160	0.029	0.018	\$0.246	0.009	\$0.29 per square foot	
Electronics Superstore	-	-	0.100	0.160	0.029	0.018	\$0.246	0.009	\$0.29 per square foot	
Apparel Store	-	-	0.174	0.243	0.031	0.021	\$0.494	0.015	\$0.51 per square foot	
Pharmacy/Drugstore	-	-	0.174	0.243	0.031	0.021	\$0.494	0.015	\$0.51 per square foot	
Furniture Store	-	-	0.043	0.060	0.013	0.008	\$0.124	0.004	\$0.13 per square foot	
Services										
Drive-in Bank	-	-	0.379	0.530	0.111	0.067	\$1.045	0.033	\$1.12 per square foot	

Impact Fees reflect credits given for pre-owned SPLOST and general fund contributions.
 *square feet means square feet of gross building floor area.

Business – Item 11

Agenda Request – Jasper County BOC

Department: Election

Date: January 8, 2024

Subject: Set Qualifying Fees for 2024 Elections

Summary:

Public Notice stating the Qualifying Fees and the Election Dates need to be published prior to February 1st, 2024 to be pursuant to O.C.G.A §21-2-131(a)(1).

Background:

Fees as adopted:

Office	Fee
Sheriff	\$1,927.66
Clerk of Superior Court	\$1,660.34
Tax Commissioner	\$1,660.34
Probate Judge	\$1,660.34
Chief Magistrate	\$1,633.55
County Commissioner	\$ 216.00
Board of Education	\$ 180.00
Coroner	\$ 72.00
Surveyor	\$ 10.00

Qualifying Dates:

March 4, 2024 at 9:00 A.M. – March 8, 2024 at 12:00 Noon

1. Election dates for 2024 County Elections established as follows:

2024 General Primary – May 21, 2024
2024 General Election – November 5, 2024

Cost: None

Recommended Motion:

Approve Resolution #2024-0108-2 setting the Qualifying Fee Schedule for advertisement prior to February 1, 2024.

Resolution #2024-0108-2

**A RESOLUTION BY THE BOARD OF COMMISSIONERS OF JASPER COUNTY
SETTING QUALIFYING FEES FOR THE 2024 ELECTION AND AUTHORIZING
PUBLICATION OF SAME**

WHEREAS, O.C.G.A. § 21-2-131 requires the governing authority of each county, not later than February 1 of any year in which a general primary, nonpartisan election, or general election is to be held, to fix and publish a qualifying fee for each county office to be filled in the upcoming primary or election; and

WHEREAS, a general primary, nonpartisan election, and general election are scheduled to be held in 2024;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Jasper County, as the governing authority of Jasper County, does hereby set qualifying fees for candidates for the county offices to be elected in 2024 as set forth in Exhibit “A” attached hereto.

BE IT FURTHER RESOLVED, that the County Clerk is authorized and directed to publish the list of qualifying fees in accordance with the requirements of O.C.G.A. § 21-2-131 no later than February 1, 2024.

THIS RESOLUTION is adopted and made effective this 8th day of January, 2024.

JASPER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairman

Attest: _____
County Clerk

EXHIBIT A

2024 QUALIFYING FEES

Office	Fee
Sheriff	\$1,927.66
Clerk of Superior Court	\$1,660.34
Tax Commissioner	\$1,660.34
Probate Judge	\$1,660.34
Chief Magistrate	\$1,693.55
County Commissioner	\$ 216.00
Board of Education	\$ 180.00
Coroner	\$ 72.00
Surveyor	\$ 10.00

New Business – Item 12:

Agenda Request – Jasper County BOC

Department: Finance

Date: January 8, 2024

Subject: Open New Bank Account for the 2024 SPLOST Funds

Summary:

Board approval requested for the Finance Department to facilitate opening Bank Account at Bank of Monticello for use in deposit of the 2024 SPLOST funds.

Background:

On March 21, 2023, a referendum was held on the question of a 1% special purpose local option sales tax (SPLOST) being imposed in Jasper County and was approved by the voters.

The tax is projected to begin April 1, 2024, with an expiration date of March 31, 2030.

Cost:

None

Recommended Motion(s):

Motion to approve opening bank account at the Bank of Monticello for deposit of 2024 SPLOST funds from the Georgia Department of Revenue.

Frank M. O'Connell
State Revenue Commissioner



Jonathan K. Ussery
Director,
Local Government Services Division

Georgia Department of Revenue
4125 Welcome All Road | Atlanta, Georgia 30349

**JASPER COUNTY BOARD OF COMMISSIONERS
(SPLOST)
126 WEST GREENE STREET STE 18
MONTICELLO GA 31064**

December 1, 2023

RE: 1% Special Purpose Local Option Sales Tax (SPLOST)

Dear Commissioners:

On **March 21, 2023**, a referendum was held on the question of a **1% Special Purpose Local Option Sales Tax (SPLOST)** being imposed in **Jasper** County and was approved by the voters.

This is to advise that the tax is projected to begin **April 1, 2024**, with an expiration date of **March 31, 2030** or at the end of the quarter where the raising of **\$9,000,000.00** is reached, whichever occurs first. If your county has entered into an Intergovernmental Agreement, the tax will continue until the expiration date without regard to the monetary amount. Please forward a copy of your Intergovernmental Agreement to us at the address or fax number noted above.

All dealers making sales within the county have until the twentieth of the following month in which to file their sales tax returns; for example, January sales collections should reach the Department by February 20th. The distribution would be transferred from the Department approximately the end of February.

Distributions will be deposited using the current banking or Georgia Fund information on file until a new Authorization Agreement is received by the Department. The form can be found on the Department of Revenue website at: dor.georgia.gov/local-government-services/distributions-section/forms and scroll down to the section titled Authorization Agreement for Automatic Deposits.

If we can be of further assistance, please do not hesitate to contact us at P: 404-724-7004 | F: 404-724-7011, localgovt.services@dor.ga.gov.

Sincerely,

Jared Hill
Distributions Manager

jku

Business Item 13:

Agenda Request – Jasper County BOC

Department: Board of Commissioners

Date: January 8, 2024

Subject: Schedule Work Sessions and Called Meetings as Needed

Summary:

Schedule Work Sessions and Called Meetings as Needed

Background:

Cost:

Recommended Motion:

Board Discretion