



Hart County Board of Commissioners
Tuesday November 22, 2022
6:00 p.m.

1. PRAYER
2. PLEDGE OF ALLEGIANCE
3. CALL TO ORDER
4. WELCOME
5. APPROVE AGENDA
6. APPROVE MINUTES OF PREVIOUS MEETING(S)
 - 11/8/2022 Regular Meeting
7. REMARKS BY INVITED GUESTS, COMMITTEES, AUTHORITIES
8. REPORTS BY CONSTITUTIONAL OFFICERS & DEPARTMENT HEADS
9. COUNTY ADMINISTRATOR'S REPORT
10. CHAIRMAN'S REPORT
11. COMMISSIONERS' REPORTS
12. OLD BUSINESS
 - a) Resolution to Resend Sec. 2-2. Process for resolving land annexation disputes. (2nd Reading)
 - b) 911 / CAD system upgrade
 - c) Abandonment of Joe Blackwell Rd.
 - d) 2022 Comprehensive Plan Discussion
 - e) Subdivision Variance Discussion
 - f) Subdivision Road Adoption Policy
13. NEW BUSINESS
 - a) Poultry Setback Variance Parcel C49 012, 9057 Bowman Hwy
 - b) SPLOST VI Discussion
 - c) Sunday sale of Distilled Spirits Ordinance
 - d) Beer and Wine Ordinance revision (election day sales)
 - e) FY 24 Hazard Mitigation Grant Application
 - f) Baker Tax Refund (Parcel C97 018 001)
14. PUBLIC COMMENT
15. EXECUTIVE SESSION –
16. ADJOURNMENT

Hart County Board of Commissioners
November 8, 2022
6:00 p.m.

Hart County Board of Commissioners met November 8, 2022 at 6:00 p.m. at Hart County Administrative & Emergency Services Center.

Chairman Marshall Sayer presided with Commissioners Michael Bennett, Frankie Teasley, Jeff Brown and Joey Dorsey in attendance.

1. Prayer

Prayer was offered by Commissioner Bennett.

2. Pledge of Allegiance

Everyone stood in observance of the Pledge of Allegiance.

3. Call to Order

Chairman Sayer called the meeting to order.

4. Welcome

Chairman Sayer welcomed those in attendance.

5. Approve Agenda

Commissioner Teasley moved to amend and approve the agenda to include item 12 c) GMRC Board Appointment; and remove Executive Session – Personnel. Commissioner Bennett provided a second to the motion. The motion carried 5-0.

6. Approve Minutes of Previous Meeting(s)

- 10/25/2022 Regular Meeting

Commissioner Teasley moved to approve the minutes of October 25, 2022 regular meeting. Commissioner Brown provided a second to the motion. The motion carried 5-0.

7. Remarks by Invited Guests, Committees, Authorities

None

8. Reports by Constitutional Officers & Department Heads

None

9. County Administrator's Report
October Financial Report

County Administrator Terrell Partain presented the General Fund and Payne's Creek Financial Report for the month of October.

10. Chairman's Report

Chairman Sayer reported the BOC is attempting to schedule a meeting with Hartwell City Council and the Board of Education to discuss the impact subdivisions have on the county system.

11. Commissioners' Reports

Commissioner Bennett thanked everyone for their concern while he is dealing with skin issues.

Commissioner Brown reported he has been approached by residents on Joe Blackwell Road requesting the road to be closed.

Administrator Partain explained the road abandonment procedure; item will be placed on the next BOC meeting agenda.

12. Old Business

a) Bid Award Basketball Uniforms Recreation

Commissioner Teasley moved to award the bid to Karew Sports as per the Rec Advisory Board's recommendation. Commissioner Dorsey provided a second to the motion. The motion carried 5-0.

b) City of Hartwell Annexation of Parcels C70C 002, I70F 009, I70J 001-002

Chairman Sayer reported Mayor Johnson stated at the recent City of Hartwell meeting that 1,000 homes on the proposed annexation of the above parcels will not work. He encouraged everyone to attend the City Zoning/Planning meeting November 29.

Commissioner Dorsey stated developers are not residents of Hart County and don't have concern for the impact growth has on the county.

Commissioner Brown stated development is being marketed as affordable housing; there's no meat for the proposed development; the tract of land is considered ag land of which he ran his campaign on protecting ag land for future generations.

Commissioner Bennett expressed concerns for current traffic conditions and the impact of additional traffic due to growth.

Commissioner Bennett moved to authorize Chairman Sayer and Commissioner Dorsey meet with Attorney Higginbotham to complete the objection comment form from GA. Mtns. RC for the above parcels. Commissioner Teasley provided a second to the motion. The motion carried 5-0.

c) GMRC Board Appointment

Commissioner Bennett moved to appoint Commissioner Brown to serve on GMRC Board. Commissioner Teasley provided a second to the motion. The motion carried 4-0 (Commissioner Brown abstained).

13. New Business

a) Resolution to Resend Sec. 2-2. Process for resolving land annexation disputes

Commissioner Teasley moved to adopt the 1st reading to resend Sec. 2-2. Commissioner Bennett provided a second to the motion. The motion carried 5-0.

b) Transit DHS FY23 Contract

Commissioner Dorsey moved to approve Transit DHS FY23 Contract. Commissioner Teasley provided a second to the motion. The motion carried 5-0.

14. Public Comment

Bo Morris representing the Road Department expressed concerns for increasing some county employees pay more than others. Chairman Sayer explained the situation arising with EMS personnel and neighboring counties.

Commissioner Dorsey responded as a result of the salary survey conducted with neighboring counties EMS personnel were below the salary range.

Chairman Sayer expressed appreciation to the Road Department employees and committed to review the pay.

Road employee Jason Sims commented the employees were promised an increase in pay for CDL.

Road employee Ricky Wilson voiced concerns for bush hog operator positions if the duties are bided out; and cost of affordable insurance.

15. Executive Session

None

16. Adjournment

Commissioner Dorsey moved to adjourn the meeting. Commissioner Teasley provided a second to the motion. The motion carried 5-0.

Marshall Sayer, Chairman

Lawana Kahn, County Clerk



MEMORANDUM

Terrell Partain,
County Administrator
November 18, 2022

Rescind

RE: Item 12 A Resolution to ~~Resend~~ Sec. 2-2. Process for resolving land annexation disputes. (2nd Reading)

Attached is the code section that is now in conflict with State law. There is a resolution being produced by the County Attorney's Office to resend this code section. This can be taken as a first reading on this. This will be the second reading to resend this section.



MEMORANDUM

Terrell Partain,
County Administrator
November 18, 2022

RE: Item 12 B 911 / CAD system upgrade

We are ready to proceed with the upgrading of the 911 CAD system. This will include new servers, workstations, CAD software and additional software for providing direct transfer of information to law enforcement, Fire and EMS systems.

The cost is 240K there will be an additional couple of computers purchased over this price that are to be furnished by us. This is budgeted for this year through the ARPA funding and cost is well within the budgeted amount.

I need authorization for myself or the Chairman to sign the documents to begin the process which will take 6 – 8 months to complete.

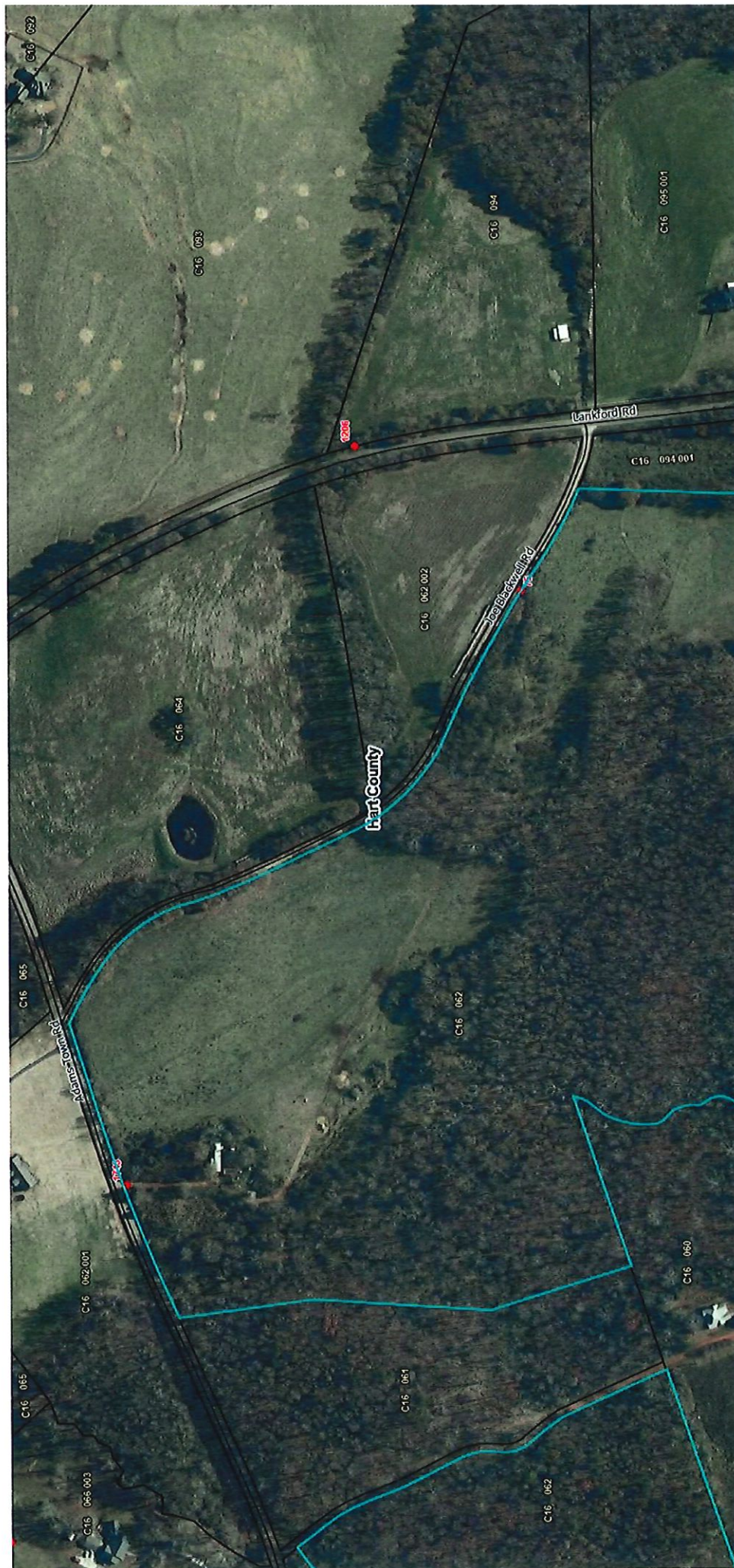


MEMORANDUM

Terrell Partain,
County Administrator
November 18, 2022

RE: Item 12 C Abandonment of Joe Blackwell Rd.

This was requested to be placed on the agenda at the last meeting. This is a 0.367 mile dirt road that runs between Adams Town and Lankford roads. There are no residences on this road and there are 3 property owners of property that abut the road. The County does not have any deeded ROW along road therefore any ROW is prescriptive.





MEMORANDUM

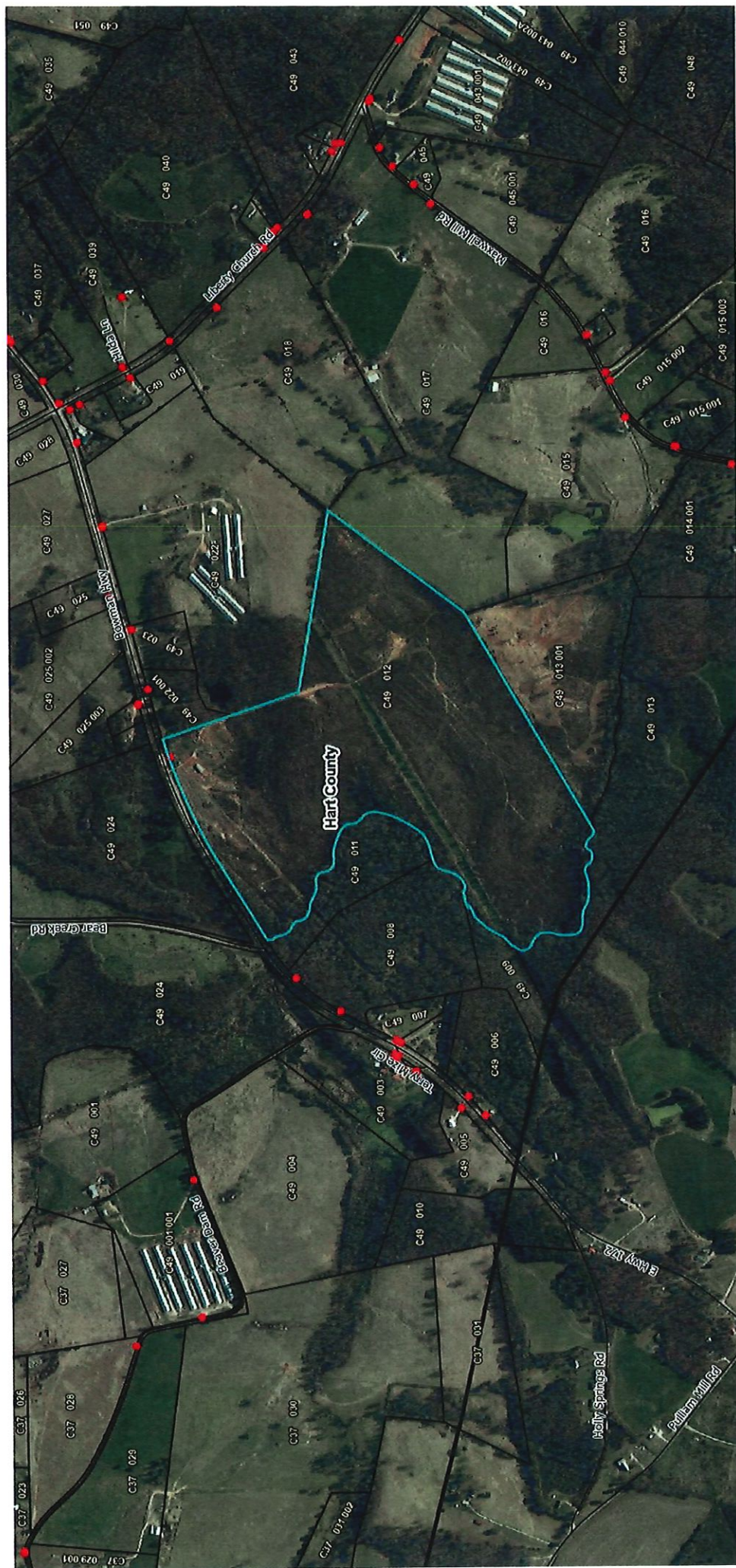
Terrell Partain,
County Administrator
November 18, 2022

RE: Item 13 A Poultry Setback Variance Parcel C49 012, 9057 Bowman Hwy

Thomas Saxon has requested that a waiver as allowed under Sec. 18-92-(3) be approved for his property (134.4 acres) he wishes to split and sell for two poultry farms. The topography of the property restricts the available location for the poultry house to one area of the property. This requires the houses to be placed closer to the property lines of the two parcels being created by the split.

I have had conversations with the prospective buyers (same family) and both have agreed to sign a waiver as described and required under Sec. 18-92-(3). There is a requirement under this section that granting / approval of the waiver must be part of the "public record". By this appearing before the Board for a vote to approve or disapprove creates the public record.

There are attached aerial and proposed site plan

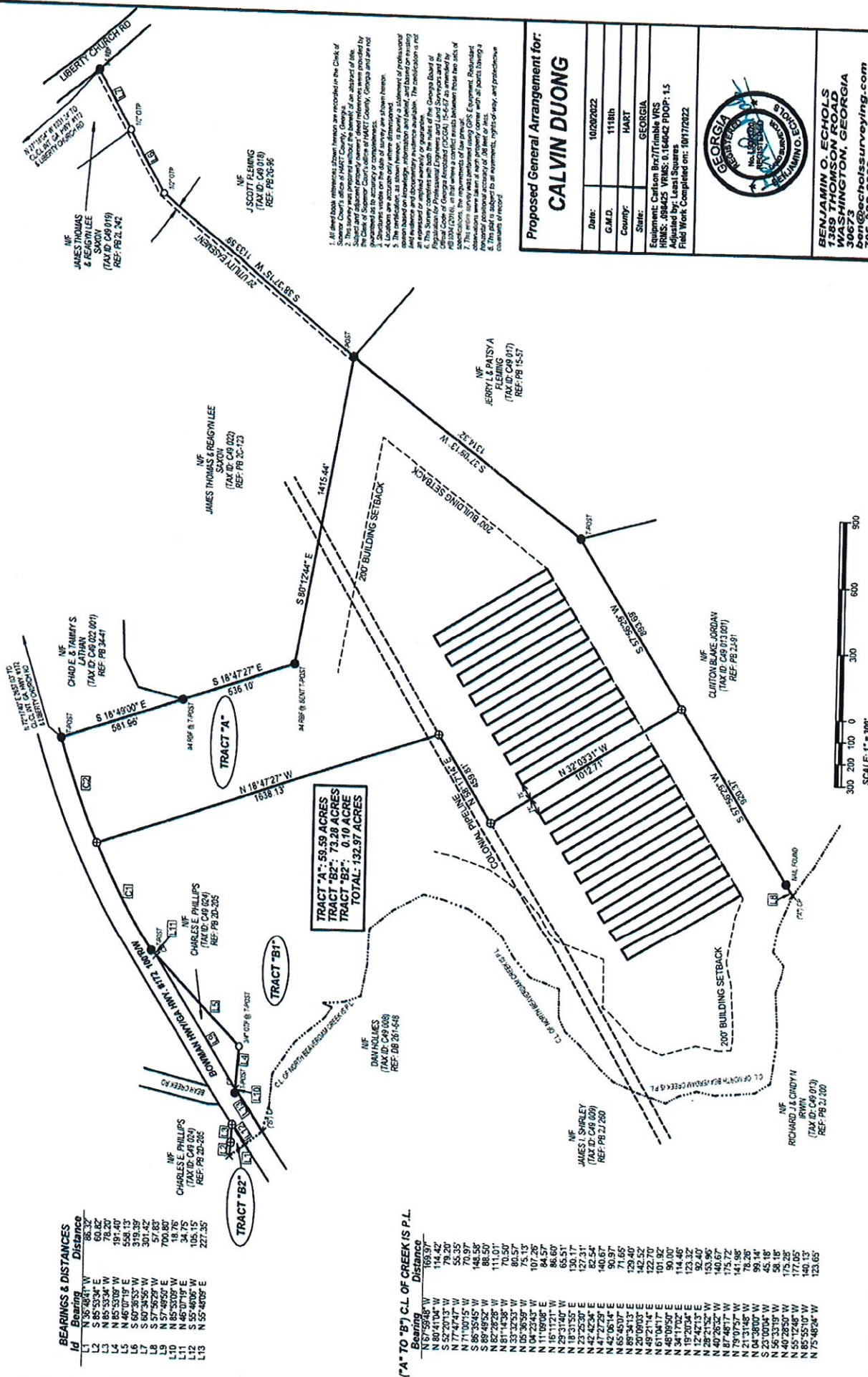




LEGEND

- Open Top Found as Described
● Iron Pin Found as Described
✕ Calculated Point

CURVE DATA				
Id	Radius	Arc Length	Chord	Ch Bear
C1	3850.00'	533.64'	533.16'	N 62°15'41" E
C2	3850.00'	500.18'	499.83'	N 70°06'10" E



Proposed General Arrangement for:
CALVIN DUONG

Date:	10/20/2022
G.M.D.	11/18th
County:	HART
State:	GEORGIA

Equipment: Carlton Bx7/TriMble VRS
 HRMS: 394425 VRMS: 0.16402 PDOP: 1.5
 Adjusted by: Lenzl Squares
 Field Work Completed on: 10/17/2022



BENJAMIN O. ECHOLS
1389 THOMSON ROAD
WASHINGTON, GEORGIA
30673
ben@echolssurveying.com
706-338-6303
GA Reg. Land Surveyor No. 3320



MEMORANDUM

Terrell Partain,
County Administrator
November 18, 2022

RE: Item 13 B SPLOST VI Discussion

Chairman Sayer requested this to be on the agenda to begin the process on decisions or the next SPLOST.

The current SPLOST expire in March of 2024.



Terrell Partain,
County Administrator
November 18, 2022

RE: Item 13 C Sunday sale of Distilled Spirits Ordinance

The referendum pertaining to Sunday sale of distilled spirits passed on November 8th election. The passing of this by the voters gives the Board the Authorization to create an Ordinance to allow and govern this.

Ordinance as of now:

Sec. 6-58. - Hours and days of operation.

(a) No distilled spirits may be sold, dispensed, traded or delivered in Hart County between the hours of 12:00 a.m. (midnight) and 7:00 a.m.

(b) No distilled spirits may be sold, served, dispensed, traded, distributed, or given away on Christmas Day, or on any other days prohibited by the laws of the state. Distilled spirits shall not be sold, served, dispensed, traded or delivered in Hart County on Sundays beginning at 12:01 a.m. Sunday through 7:00 a.m. on Monday.

Suggestion is to replace Sec. 6-58-(b) with the following wording:

No distilled spirits may be sold, served, dispensed, traded, distributed, or given away in Hart County on Christmas Day, or on any other days prohibited by the laws of the state except between the hours of 6:00 a.m. and 12:00 midnight on weekdays and Saturdays, and between the hours of 12:30 p.m. and 11:30 p.m. on Sundays



Terrell Partain,
County Administrator
November 18, 2022

RE: Item 13 D Beer and Wine Ordinance revision (election day sales)

In order to have our Beer and Wine Ordinance match the City of Hartwell on hours of sale to give the businesses located in the County the same opportunity to do business as those located within the City of Hartwell.

Sec. 6-5. - Hours and days of sale

- a) Unless otherwise specifically provided by state law, no retail dealers or restaurants shall engage in the sale of malt beverages or wine except between the hours of 6:00 a.m. and 12:00 midnight on weekdays and Saturdays, and between the hours of 12:30 p.m. and 11:30 p.m. on Sundays and shall not permit the sale of malt beverages or wine on Christmas Day or any other day on which state law prohibits the sale of malt beverages and wine. On any county, state and/or national election day, unless prohibited by state law, retail dealers may only engage in the sale of malt beverages and wine beginning one hour after the voting polls close and ending at 12:00 midnight. All persons shall be off the premises of the package stores at 12:00 midnight on weekdays and Saturdays at 11:30 p.m. on Sundays, at which time the package store shall close for business. Grocery, convenience stores and restaurants where the principal place of business is the sale of groceries and other like items and the sale of malt beverages and wine is incidental thereto may remain open during other hours but shall not sell malt beverages or wine except during the time and hours specified in this section.

The City of Hartwell wording:

- (c) Unless prohibited by state law, the sale of malt beverages only, wine only, or malt beverages and wine on any city, county, state and national election day is hereby permitted.



Terrell Partain,
County Administrator
November 18, 2022

RE: Item 13 E FY 24 Hazard Mitigation Grant Application

Although we updated the Hazardous Mitigation Plan in 2021 it is time to apply for the next round of grant funding for the next update that will begin in the last quarter of 23 or first quarter of 24. This grant pays for the consultant fees for updating the plan.

Authorization for the Chairman to sign the grant application is required.



Terrell Partain,
County Administrator
November 18, 2022

RE: Item 13 F Baker Tax Refund (Parcel C97 018 001)

Attached is a tax refund application from Keith and Robin Baker. It has been signed off by the Tax Commissioner that their taxes have been paid. There has been a ruling by the Board of Assessors that there HAS NOT been any errors made in the assessment of this property.

I will have the Chief Appraiser present to answer question on this.

Tax Release Application

Name Keith H & Robin Baker (☒) Request for Refund
 () Request for Tax Credit
 Address 6004 Jim Gully Rd Digest Year 2019, 2020, 2021
 Address Hartwell, GA 30643 Bill # FMV - 6,520.00
 Map and Parcel C97-018-001 Amount \$ Per year
 Personal Property _____

I hereby request a (credit/refund) for State, County, and School Taxes in the amount of \$ 149.84 illegally or erroneously assessed against me. My claim is based on the following facts: Easement missed

I do () do not () request a hearing before the County Governing Authority concerning this claim. Note: Request for a tax credit must be filed before the date taxes become delinquent, otherwise taxes must be paid as charged and a refund requested.

Taxpayer's Signature Keith H. Baker Date 10-28-22

	Original Liability on Digest	Revised Liability	Relief Granted	Added tax Due
Gross Assessment				
Tax: State			<u>6,520.00</u>	
County M & O				
County Bond				
School M & O				
School Bond				
Total	<u>For the 3 years charged \$149.84</u>			

Disposition
 Tax Collector/Tax Commissioner
 X K. Markin (☒) Taxes Paid () Not Pd
 Date 10/28/22
 Comments: _____

Board of Assessors Chairman
 X Amender Brown () Error (☒) No Error
 Date 11-15-22
 Comments: _____

County Governing Authority Chairman
 X _____ () Agree () Disagree
 Date _____
 Comments: _____

Disagreement by Tax Commissioner and/or Board of Assessors does not bar relief. The final authority to approve your request is vested with the County Governing Authority.

2019 000939 ACCT # 15075R GMD 1114 SKELTON LAND PB 29-38
BAKER KEITH H & ROBIN S C97 018 001

DESCRIPTION	AMOUNT	DESCRIPTION	AMOUNT	TOTAL TAX DUE
FAIR MARKET VALUE	119,019	GROSS ASSESSMENT	47,608	891.45
COUNTY EXEMPTION	2,000	NET COUNTY ASSESSMENT	45,608	INTEREST
SCHOOL EXEMPTION	2,000	NET SCHOOL ASSESSMENT	45,608	
COUNTY M&O	268.63			COLLECTION COST
SCHOOL M&O	600.02			
SCHOOL BND				FIFA CHARGE
COUNTY EMS	22.80			
DUE 12/20/19	891.45	PAID IN FULL	12/02/2019	PENALTY
00000 01	T	BAKER KEITH H & ROBIN S		
	O			TOTAL
		604 JIM GULLEY RD		891.45
		HARTWELL	GA 30643	

FROM KAREN MARTIN
TAX COMMISSIONER
P O DRAWER 748
HARTWELL GA 30643

DUE IN FULL BY 12/20/2019

2020 000959 ACCT # 15075R GMD 1114 SKELTON LAND PB 29-38
BAKER KEITH H & ROBIN S C97 018 001

DESCRIPTION	AMOUNT	DESCRIPTION	AMOUNT	TOTAL TAX DUE
FAIR MARKET VALUE	124,683	GROSS ASSESSMENT	49,873	927.11
COUNTY EXEMPTION	2,000	NET COUNTY ASSESSMENT	47,873	INTEREST
SCHOOL EXEMPTION	2,000	NET SCHOOL ASSESSMENT	47,873	
COUNTY M&O	273.35			COLLECTION COST
SCHOOL M&O	629.82			
SCHOOL BND				FIFA CHARGE
COUNTY EMS	23.94			
DUE 12/20/20	927.11	PAID IN FULL	12/04/2020	PENALTY
00000 01	T	BAKER KEITH H & ROBIN S		
	O			TOTAL
		604 JIM GULLEY RD		927.11
		HARTWELL	GA 30643	

FROM KAREN MARTIN
TAX COMMISSIONER
P O DRAWER 748
HARTWELL GA 30643

DUE IN FULL BY 12/20/2020

2021 000937 ACCT # 15075R GMD 1114 SKELTON LAND PB 29-38
BAKER KEITH H & ROBIN S C97 018 001

DESCRIPTION	AMOUNT	DESCRIPTION	AMOUNT	TOTAL TAX DUE
FAIR MARKET VALUE	140,073	GROSS ASSESSMENT	56,029	1,002.18
COUNTY EXEMPTION	2,000	NET COUNTY ASSESSMENT	54,029	INTEREST
SCHOOL EXEMPTION	2,000	NET SCHOOL ASSESSMENT	54,029	
COUNTY M&O	296.08			COLLECTION COST
SCHOOL M&O	679.09			
SCHOOL BND				FIFA CHARGE
COUNTY EMS	27.01			
DUE 12/20/21	1,002.18	PAID IN FULL	12/14/2021	PENALTY
00000 01	T	BAKER KEITH H & ROBIN S		
	O			TOTAL
		604 JIM GULLEY RD		1,002.18
		HARTWELL	GA 30643	

