



Hart County Board of Commissioners
Called Meeting Tuesday September 12, 2023
following Regular Meeting
At the Administrative and Emergency Services
Building

-
1. FY 24 General Fund Budget
 2. Other Items as time allows



Hart County Board of Commissioners
Tuesday September 12, 2023
6:00 p.m.
Emergency Services and Administration Building

1. PRAYER
2. PLEDGE OF ALLEGIANCE
3. CALL TO ORDER
4. WELCOME
5. APPROVE AGENDA
6. APPROVE MINUTES OF PREVIOUS MEETING(S)
 - 08/22/2023 Regular Meeting
 - 08/29/2023 Called Meeting
7. REMARKS BY INVITED GUESTS, COMMITTEES, AUTHORITIES
8. REPORTS BY CONSTITUTIONAL OFFICERS & DEPARTMENT HEADS
9. COUNTY ADMINISTRATOR'S REPORT
August Financial Report
10. CHAIRMAN'S REPORT
11. COMMISSIONERS' REPORTS
12. OLD BUSINESS
 - a) Amend Article VIII, Sec. 66-203. - Prohibition on through trucks, Exhibit A to add Coldwater Creek Road and Flat Rock Road. (Third and Final Reading)
 - b) Bid Award New Jail Medical Contract
 - c) Bid Award New Jail Food Service Contract
 - d) Amended Resolution Calling for an Election to Impose a County Special Purpose Local Option Sales Tax (Hart County SPLOST VI)
 - e) Duplex Grandfather request Paul Martin
13. NEW BUSINESS
 - a) Dean Farms LLC Tax Refund Parcel C15 022 001 (2020, 2021, 2022)
 - b) Chapter 46 – Land Development Standards (amended) 1st Reading
 - c) Credit for Experience Road Department
 - d) Request to bid Basketball Uniforms (Recreation)
14. PUBLIC COMMENT
15. EXECUTIVE SESSION –
16. ADJOURNMENT

Hart County Board of Commissioners
August 22, 2023
6:00 p.m.

Hart County Board of Commissioners met August 22, 2023 at 6:00 p.m. at Hart County Administrative & Emergency Services Center.

Chairman Marshall Sayer presided with Commissioners Michael Bennett, Jeff Brown and Joey Dorsey in attendance. Commissioner Frankie Teasley was absent due to recovering from surgery).

1. Prayer

Prayer was offered by Chairman Sayer.

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 Brown moved to amend and approve the agenda to include items 12 c) Brown Plat Approval; 13 g) Appoint Voting Delegate-ACCG Legislative Meeting; h) Amend Article VIII Sec. 66-203 – Prohibition on through trucks Exhibit A to add Coldwater Creek Road and Flat Rock Road. Commissioner Bennett provided a second to the motion. The motion carried 4-0.

6. Approve Minutes of Previous Meeting(s)

- 08/08/2023 Regular Meeting

Commissioner Bennett moved to approve the meeting minutes of August 8, 2023. Commissioner Brown provided a second to the motion. The motion carried 4-0.

7. Remarks By Invited Guests, Committees, Authorities

- Recognize National Championship Anglers Kale Temple and Luke Schnell

The BOC presented plaques to Kale Temple and Luke Schnell for their accomplishments during the Bassmaster Junior National Championship competition.

8. Reports By Constitutional Officers & Department Heads

None

9. County Administrator's Report

County Administrator Terrell Partain reported September 8 is the deadline for SPLOST Referendum prompting for a called meeting next week. The BOC agreed to meet August 29, 2023 at noon.

10. Chairman's Report

Chairman Sayer offered condolences to Doug Hilley's family.

11. Commissioners' Reports

Commissioners Bennett, Teasley, Brown and Dorsey echoed condolences to the Hilley family.

Commissioner Brown commended everyone involved with the Ag Exp Event.

Commissioner Dorsey reported the BOC decided to delay repaving Bio Church Road until the bridge replacement on Coldwater Creek/Flat Rock Road; However, Bio Church Road will be striped for visibility prior to resurfacing.

12. Old Business

a) Amend Article VIII, Sec. 66-203. – Prohibition on through trucks, Exhibit A to add Joe Finley Road (District 5) (Third and Final Reading)

Commissioner Dorsey moved to approve the third and final reading of Article VIII, Sec. 66-203, Exhibit A. Commissioner Brown provided a second to the motion. The motion carried 4-0.

b) Duplex Grandfather permits (Harper/Pierce Parcel number C43-088-001)

Attorney Jeremiah VanDora representing Charlie Pierce and Cain Harper addressed issues with alterations on the septic permit issued by the Health Department; presented proof of emails from Jonathan Terry which Lily Sherman was cc: forwarded to his clients August 2022; apparently Ms. Sherman failed to update her file with the recent up to date permit.

Commissioner Dorsey clarified BOC members did not have a copy of the up to date permit in their possession; no record where this had been discussed before; permit application clearly indicates not rentals.

Attorney VanDora responded the proposed duplexes will be rentals; his clients have spent resources and were committed to this project prior to July 2023.

Commissioner Brown went on record to say information was not provided to the BOC prior to this meeting.

Commissioner Brown moved to accept the request to grandfather duplex permits contingent upon correction from the Health Department septic tank permit alterations issued August 2022. Chairman Sayer provided a second to the motion. Motion carried 4-0.

c) Brown Plat Approval

Chairman Sayer moved to approve the plat. Commissioner Bennett provided a second to the motion.

Commissioner Dorsey noted track 2B is off an easement according to the survey dated July 2023.

After brief discussion Chairman Sayer moved to amend the motion to approve tracks 1A and 2A on the plat. Commissioner Bennett provided a second to the motion. The motion carried 4-0.

13. New Business

a) Kinder Tax Refund Parcel C21 042 (2020, 2021, 2022)

Commissioner Dorsey moved to approve Kinder tax refund request for 2020-2022. Commissioner Brown provided a second to the motion. The motion carried 4-0.

b) Hunter Tax Refund Parcel C08C 006 (2020, 2021, 2022)

Commissioner Dorsey moved to approve Hunter tax refund request for 2020-2022. Commissioner Brown provided a second to the motion. The motion carried 4-0.

c) 2023 Personal Property Tax Write Offs

Commissioner Bennett moved to approve 2023 personal property tax write offs. Commissioner Dorsey provided a second to the motion. The motion carried 4-0.

d) Julie Mouchet Plat (Parcel numbers C65D-009 and C65D-005)

Chairman Sayer moved to approve Ms. Mouchet plat request. Commissioner Dorsey provided a second to the motion. The motion carried 4-0.

e) Bid opening Jail Food Service

Following bid opening for Jail Food Service from Kewell; Skillet Kitchens and Trinity Service Group. Commissioner Brown moved to defer the bids to Administrator Partain and Chief Jailer Cleveland for review and recommendation. Commissioner Bennett provided a second to the motion. The motion carried 4-0.

f) Chapter 46 – Land Development Standards (amended) 1st Reading

No action was taken.

g) Appoint Voting Delegate-ACCG Legislative Meeting

Commissioner Brown moved to appoint Commissioner Teasley to serve as the voting delegate on behalf of Hart County at the ACCG Legislative Meeting. Commissioner Dorsey provided a second to the motion. The motion carried 4-0.

h) Amend Article VIII, Sec. 66-203. -Prohibition on through trucks, Exhibit A to add Coldwater Creek Road and Flat Rock Road (1st reading)

Commissioner Bennett moved to accept the 1st reading to add Coldwater Creek and Flat Rock Roads to Exhibit A. Commissioner Dorsey provided a second to the motion. The motion carried 4-0.

14. Public Comment
None

15. Executive Session
None

16. Adjournment

Commissioner Bennett moved to adjourn the meeting. Commissioner Dorsey provided a second to the motion. The motion carried 4-0.

Marshall Sayer, Chairman

Lawana Kahn, County Clerk

Hart County Board of Commissioners
August 29, 2023
Called Meeting
12:00 noon

Hart County Board of Commissioners met August 29, 2023 at 12:00 noon at the Hart County Administrative & Emergency Services Center.

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

Chairman Sayer called the meeting to order.

1. SPLOST VI Intergovernmental Agreement with Cities

Commissioner Bennett moved to authorize Chairman Sayer to sign the SPLOST VI Intergovernmental Agreement on behalf of Hart County. Commissioner Teasley provided a second to the motion. The motion carried 4-0.

2. Resolution Calling for an Election to Impose a County Special Purpose Local Option Sales Tax (Hart County SPLOST VI)

Commissioner Brown moved to authorize Chairman Sayer to sign the Resolution calling for an election to impose County Special Purpose Local Option Sales Tax. Commissioner Teasley provided a second to the motion. The motion carried 5-0.

3. Resolution Authorizing the Filing of an Application with the Department of Transportation, United States of America, and Georgia Department of Transportation, for a grant under Title 49 USC, Section 5311 (Transit)

Commissioner Dorsey moved to adopt the Resolution Authorizing filing an application with DOT for grant under Title 49 Section 5311. Commissioner Brown provided a second to the motion. The motion carried 5-0.

4. Other Items as time allows
None

Commissioner Bennett 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

FY 2023 Budget Financial Dashboard

FY 2023 Budget Financial Dashboard									
FY 2023 Budget Financial Dashboard	April	May	June	July	August	TARGET	GAP to TARGET	% GAP to	
Revenues	\$1,217,807	\$1,217,807	\$1,217,807	\$1,217,807	\$1,217,807				
Expenditures	\$1,217,807	\$1,217,807	\$1,217,807	\$1,217,807	\$1,217,807				
Actual Revenue	\$797,672	\$842,228	\$973,046	\$858,131	\$889,126	\$13,395,872	\$1,679,922	13%	
Actual Expenses	\$1,141,895	\$1,721,019	\$1,133,492	\$888,883	\$1,184,666	\$13,395,872	-\$570,106	-4%	
Monthly Variance	-\$344,223	-\$878,791	-\$160,446	-\$30,752	-\$295,540		\$2,250,027		
YTD (Reserve Drawdown)	\$3,615,556	\$2,736,765	\$2,576,319	\$2,545,567	\$2,250,027				
Real Property (Target \$514K)	\$98,806	\$47,967	\$27,616	\$15,625	\$14,524	\$5,489,000	\$768,836		
LOST (Target \$208K)	\$352,525	\$346,358	\$353,036	\$362,251	\$384,605	\$2,794,000	\$1,019,727		
EMS Fees (Target \$95.8)	\$103,551	\$119,494	\$115,810	\$107,708	\$115,590	\$1,053,800	\$127,154		
Vehicle Title Fee (Target \$108K)	\$171,604	\$146,121	\$151,513	\$156,265	\$132,999	\$825,000	\$679,805		

LEGEND

Meets or Exceeds Target
Variance < 3% or Target
Variance > 3% of Target





MEMORANDUM

Terrell Partain,
County Administrator
September 8, 2023

RE: Item 12 A Amend Article VIII, Sec. 66-203. - Prohibition on through trucks,
Exhibit A to add Coldwater Creek Road and Flat Rock Road. (Third and Final Reading)

To amend Exhibit A to add Coldwater Creek Road and Flat Rock Road. (District 1)

First Reading	August 8, 2023
Second Reading	August 22, 2023
Third and Final Reading	September 12, 2023



MEMORANDUM

Terrell Partain,
County Administrator
September 8, 2023

RE: Item 12 B Bid Award New Jail Medical Contract

Attached are the bid tab and our recommendation. These proposals were evaluated by Sheriff Cleveland, Capt. Cleveland, and I. The County Attorney reviewed the contracts for proper adherence to our requirements and legal requirements.

Our recommendation is to award the contract for medical services to Southern Health who's home office is in Chattanooga TN. For the monthly rate of \$21,345.00 per 100 inmates. (yearly \$256,140.00)

RFP INMATE HEALTH - AUGUST 2023

		Monthly 100 inmates	Yearly 100 inmates
Southern Health	Chattanooga	\$ 21,345.00	\$ 256,140.00
CorrCare	Athens	\$ 21,660.00	\$ 259,920.00
		up to 150 inm	
Genesys	Waycross	\$ 26,183.00	\$ 314,196.00
Correct Health	Alpharetta	\$ 30,279.37	\$ 363,352.44
Advanced Correctional	Franklin TN	\$ 77,166.58	\$ 925,999.00

Date: 08/31/2023

To: County Manager Terrell Partain
Hart County Board of Commissioners

From: Capt. Cleveland, Hart County Jail Administrator

Re: Food Service and Medical for the Hart County Jail

A review has been conducted of the bids submitted to Hart County from food vendors and medical providers for the Hart County Jail. A total of three food bids were submitted and five were obtained from medical providers.

I have reviewed all bids and have reached out to other jails who have utilized these vendor's services. It is my recommendation that the Hart County Board of Commissioners approve Kewell Food Management and Southern Health Partners.

Kewell Food Management provided the lowest bid out of the three, came highly recommended from many other jails that use their services, and provided all of the food services that we required to operate the new jail.

Southern Heath Partners is also the lowest bid as far as the basic compensation for inmates at the new jail. They also provided a cost pool program which up front will make their contract slightly higher than the other bidder. This cost pool will cover pharmaceutical, dental and major medical. What money is not used out of the cost pool, will be returned back to the county at the end of the year.

Southern Heath Partners provided the necessary liability coverage that the jail requires and they will take over the medical coverage at the old jail, October 1, 2023 where they will transition with us into the new jail. Our current medical company contract expires September 30, 2023.

Respectfully Submitted

David Cleveland



MEMORANDUM

Terrell Partain,
County Administrator
September 8, 2023

RE: Item 12 C Bid Award New Jail Food Service Contract

Attached are the bid tab and our recommendation. These proposals were evaluated by Sheriff Cleveland, Capt. Cleveland, and I. The County Attorney will review the contracts for proper adherence to our requirements and legal requirements.

Our recommendation is to award the contract for food services to Kellwell for the rate of \$7.674 per inmate / per day.

BID TAB

JAIL MEALS AUG 2023

		<u>Breakfast</u>	<u>Lunch</u>	<u>Dinner</u>	<u>Total</u>
Trinity Services Group	Florida	\$ 2.754	\$ 2.754	\$ 2.754	\$8.262
					\$ -
Kellwell	Kentucky	\$ 2.558	\$ 2.558	\$ 2.558	\$7.674
					\$ -
Skillet Kitchen	LaGrange	\$ 2.739	\$ 2.739	\$ 2.739	\$8.217



MEMORANDUM

Terrell Partain,
County Administrator
September 8, 2023

RE: Item 12 D Amended Resolution Calling for an Election to Impose a
County Special Purpose Local Option Sales Tax (Hart County SPLOST VI)

Attached is the amended Resolution for SPLOST VI. The County Attorney found a typographical error in the Resolution passed at the Called Meeting on August 29, 2023.

**Amended Resolution Calling for an Election to Impose a
County Special Purpose Local Option Sales Tax (Hart County SPLOST VI)**

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF HART COUNTY, GEORGIA IMPOSING A COUNTY ONE PERCENT SALES AND USE TAX AS AUTHORIZED BY PART 1 OF ARTICLE 3 OF CHAPTER 80 OF TITLE 48 OF THE OFFICIAL CODE OF GEORGIA ANNOTATED, SPECIFYING THE PURPOSES FOR WHICH THE PROCEEDS OF SUCH TAX ARE TO BE USED; SPECIFYING THE PERIOD OF TIME FOR WHICH SUCH TAX SHALL BE IMPOSED; SPECIFYING THE ESTIMATED COST OF THE FACILITIES TO BE FUNDED FROM THE PROCEEDS OF SUCH TAX; REQUESTING THE BOARD OF ELECTIONS TO CALL AN ELECTION BY VOTERS OF HART COUNTY TO APPROVE THE IMPOSITION OF SUCH SALES AND USE TAX; APPROVING THE FORM OF BALLOT TO BE USED IN SUCH AN ELECTION; AND FOR OTHER PURPOSES.

WHEREAS, Part 1 of Article 3 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated ("the Act"). The Act authorizes the imposition of a county one percent sales and use tax (the "SPLOST") for the purposes, *inter alia*, of financing certain capital outlay projects which include those set forth herein; and

WHEREAS, the Board of Commissioners of Hart County, Georgia (the "Board of Commissioners") has determined that it is in the best interest of the citizens of Hart County, Georgia (the "County") that a one percent SPLOST be imposed in a special district within the County to raise approximately \$30,000,000.00 for the purpose of funding capital outlay projects which include those set forth herein; and

WHEREAS, the Board of Commissioners delivered written notice ("Notice") to the mayors in each municipality located within the County regarding the continuation of the SPLOST; and

WHEREAS, such Notice contained the date, time, place and purpose of a meeting at which elected officials and representatives of the County and City of Hartwell, City of Royston, and the Towns of Bowersville and Canon, (the Municipalities) met and discussed the possible projects for inclusion in the referendum, including municipally owned and operated projects; and

WHEREAS, Notice was delivered or mailed at least ten days prior to the meeting date, and the meeting was held at least 30 days prior to the issuance of a call for the referendum; and

WHEREAS, the County has entered into an intergovernmental agreement with the Municipalities that are party to the Agreement, outlining the capital improvement projects set forth in Exhibit A attached;

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of Hart County, Georgia as follows:

- A. Assuming the question of imposing a County SPLOST is approved by the voters of the special district in the election hereinafter referred to, the SPLOST shall be imposed for the term, purposes and costs as follows:
 - 1. In order to finance the projects described herein, a SPLOST in the amount of one percent (1%) on all sales and used in the County is hereby authorized to be levied and collected within the special district created in the County as provided in the Act.
 - 2. The proceeds of such tax are to be used to fund the projects. The projects consist of "County Projects" and "Municipal Projects." The County Projects, the Municipal Projects, and the estimated Costs are set forth in Exhibit A attached hereto and made a part of this Resolution.
 - 3. The SPLOST is to be imposed for a period of twenty-four (24) calendar quarters, commencing on April 1, 2024 if approved.
- B. Call for the Election; Ballot form; Notice.
 - 1. The Board of Elections and Registration of Hart County ("BOE&R") is hereby requested to call an election in all precincts in the County on the 7th day of November, 2023, for the purpose of submitting to the qualified voters of the County the question set forth in paragraph 2 below.
 - 2. The ballots to be used in the election shall have written or printed thereon substantially the following:

() Yes Shall a special one percent sales and use tax be imposed in the special district of Hart County for a period of time not to exceed 24 calendar quarters (six years) and for the raising of an estimated amount of \$36,000,000 for the purpose of:

(1) funding of county-wide capital outlay projects for drinking water expansion in the aggregate amount of \$4,647,800.00 and economic development capital outlay projects in the aggregate amount of \$2,500,000;

(2) funding of Hart County Fire Department capital outlay projects and equipment in the aggregate amount of \$4,000,000.00; public safety capital outlay projects and equipment in the aggregate amount of \$12,000,000.00; and to recreation capital projects in the aggregate amount of \$500,000.00;

(3) funding City of Hartwell capital outlay projects for Water and Sewer improvements and Public Safety Capital improvements in the aggregate amount of \$5,190,000;

(4) funding of City of Royston capital outlay projects for Street, Road and Bridge Improvements, water system improvements (including retirement of previously incurred general obligation debt (GEFA loan for water meters), Public Safety, and Recreation in the aggregate amount of \$716,800;

(5) funding of Bowersville capital outlay projects for Streets and Roads, water system improvements, renovation of Town buildings, and replacement of Town equipment in the aggregate amount of \$371,200.

(6) Funding of Canon capital outlay projects for recreation implements, roads and street improvement, and water system improvements in the aggregate amount of \$74,200.

() No

3. It is hereby requested that the election be held by the BOE&R in accordance with the election laws of the State of Georgia, including, without limitation, the election laws relating to special elections. It is hereby further requested that the BOE&R canvass the returns, declare the result of the election, and

certify the result to the Secretary of State and to the Commissioner of Revenue.

4. The BOE&R is hereby authorized and requested to publish a notice of the election as required by law in the newspaper in which Sheriff's advertisements for the County are published once a week for four weeks immediately preceding the date of the election. The notice of the election shall be in substantially the form attached hereto as Exhibit B.
- C. The clerk of the Board of Commissioners is hereby authorized to deliver a copy of the resolution to the BOE&R, with a request that the BOE&R by and through the Hart County Elections Supervisor issue the call for an election.
- D. The proper officers and agents of the County are hereby authorized to take any and all further actions as may be required in connection with the imposition of SPLOST.
- E. The Resolution shall take effect immediately upon its adoption.

HART COUNTY, GEORGIA

By: _____
Marshall Sayer, Chairman

Attest: _____
Lawana Kahn, County Clerk

Date adopted: August 29, 2023
Amended: September 12, 2023

EXHIBIT A

SUMMARY:

Estimated Total Collections:	\$30,000,000.00 ¹
Allocated to City of Hartwell	-\$ 5,190,000.00
Allocated to City of Royston	-\$ 716,800.00
Allocated to City of Bowersville	-\$ 371,200.00
Allocated to City of Canon	-\$ 74,200.00
Remainder for County Projects:	\$23,647,800.00

DETAILS:

County Projects

County-wide drinking water system capital improvements	\$ 4,647,800.00
Capital outlay for economic development	\$ 2,500,000.00
County Fire Department and capital improvements	\$ 4,000,000.00
Public Safety equipment and capital improvements	\$12,000,000.00
Recreation capital improvements	\$ 500,000.00
Total	\$23,647,800.00

City of Hartwell Projects:

Water and sewer capital improvements	\$ 2,010,000.00
Public Safety capital improvements	\$ 3,180,000.00
Total	\$ 5,190,000.00

City of Royston Projects:

Capital improvements to streets and sidewalks and bridges	\$ 166,800.00
Capital improvements to water, sewer system and the retirement of previously incurred general obligation debt (GEFA loan for water meters)	\$ 250,000.00
Public safety capital improvements	\$ 200,000.00
Recreation capital improvements	\$ 100,000.00
Total	\$ 716,800.00

Town of Bowersville Projects:

Water system capital improvements	\$ 100,000.00
Capital improvements to Town buildings	\$ 100,000.00
Capital improvements to streets and roads	\$ 144,000.00
Miscellaneous capital improvements to Town equipment	\$ 27,200.00
Total	\$ 371,200.00

Town of Canon:

Recreation capital improvements	\$ 14,200.00
Roads and streets capital improvements	\$ 30,000.00
Water system capital improvements	\$ 30,000.00
Total	\$ 74,200.00

Notes: ¹ All funds in excess of the Estimated Total Collections will be divided at the percentage of 17.3% utilized by the City of Hartwell for city projects and 82.7% utilized by Hart County for county projects.

EXHIBIT B

NOTICE OF ELECTION

TO THE QUALIFIED VOTERS OF HART COUNTY, GEORGIA:

NOTICE IS HEREBY GIVEN that on the 7th day of November, 2023, an election will be held at the regular polling places in all the election districts of Hart County, Georgia, at which time there will be submitted to the qualified voters of Hart County, Georgia, for their determination the question of whether a one percent (1%) special purpose sales and use tax shall be imposed upon all sales and uses in Hart County, Georgia, for a period not to exceed six (6) years to raise an estimated \$30,000,000 to be used for capital outlay projects ("the Projects") specified in the form of the ballot set forth below:

- () Yes Shall a special one percent sales and use tax be imposed in the special district of Hart County for a period of time not to exceed 24 calendar quarters (six years) and for the raising of an estimated amount of \$36,000,000 for the purpose of:
- (1) funding of county-wide capital outlay projects for drinking water expansion in the aggregate amount of \$4,647,800.00 and economic development capital outlay projects in the aggregate amount of \$2,500,000;
 - (2) funding of Hart County Fire Department capital outlay projects and equipment in the aggregate amount of \$4,000,000.00; public safety capital outlay projects and equipment in the aggregate amount of \$12,000,000.00; and to recreation capital projects in the aggregate amount of \$500,000.00;
 - (3) funding City of Hartwell capital outlay projects for Water and Sewer improvements and Public Safety Capital improvements in the aggregate amount of \$5,190,000;
 - (4) funding of City of Royston capital outlay projects for Street, Road and Bridge Improvements, water system improvements (including retirement of previously incurred general obligation debt (GEFA loan for water meters), Public Safety, and Recreation in the aggregate amount of \$716,800;

Commented [RL1]: Kim: This entry is correct on this Word draft but it was not corrected on the Exhibit B (Notice of Election) included with the PDF of the signed Resolution that you sent me.

(5) funding of Bowersville capital outlay projects for Streets and Roads, water system improvements, renovation of Town buildings, and replacement of Town equipment in the aggregate amount of \$371,200.

(6) Funding of Canon capital outlay projects for recreation implements, roads and street improvement, and water system improvements in the aggregate amount of \$74,200.

() No



MEMORANDUM

Terrell Partain,
County Administrator
September 8, 2023

RE: Item 12 E Duplex Grandfather request Paul Martin

10/25/2021

Receipt for Hart County Environmental Health Fees

Paid By: Paul K. Martin

Service Location: Paul K. Martin
GREEN MEADOWS DR
HARTWELL, GA 30643

Invoice ID: 790888
Invoice Date: 10/25/2021

Fee Type	Fee	Quantity	Subtotal
SEPTIC TANK PERMIT 1 & 2 BR	\$225.00	1	\$225.00
Total Fees			\$225.00
Total Charges			\$225.00

Payment Type		Amount
Check	# 5484	\$225.00
Payment Total		\$225.00
Remaining Owed by 11/24/2021		\$0.00
Received By:	Sonya Dooley	Date Received: 10/25/2021

Thank you for your payment.

Local Payment Reference:

03/21/2023

Receipt for Hart County Environmental Health Fees

Paid By: Paul Martin
23 Green Meadows Dr
Hartwell, GA 30643

Service Location: Paul Martin
GREEN MEADOWS DR
HARTWELL, GA 30643

Invoice ID: 941322
Invoice Date: 03/21/2023

Fee Type	Fee	Quantity	Subtotal
SEPTIC TANK PERMIT 3 & 4 BR	\$275.00	1	\$275.00
Total Fees			\$275.00
Total Charges			\$275.00

Payment Type		Amount
Check	# 5829	\$275.00
Payment Total		\$275.00
Remaining Owed by 04/20/2023		\$0.00
Received By:	Sonya Abernathy	Date Received: 03/21/2023

Thank you for your payment.

Local Payment Reference:

292 Cromers Bridge Lane, Royston, GA 30662
Office: 706 245-8360 Fax: 706 245-6681 email: pts@hartemc.net

Level 3 Survey was performed by field investigation on April 16-17, 2003.

All Hart Realty

83 W. Franklin St. / P.O. Box 362
Hartwell, GA 30643

Bruce T. Bate
Broker

(706) 376-4554

(706) 376-2201 FAX

(800) 446-4258

email: allhart@hartcom.net

JANICE WILLIAMS

GAINES COURT - 60' R W

S 65°47'00"E 194.04'

SOLD
1.000 ACRES

23

196.70'

N 70°28'30"W

(2)

1.000 ACRES

63

235.28'

N 71°28'35"W

(3)

1.000 ACRES

SOLD (91)

N 72°07'40"W 270.55'

(131)
1.000 ACRES

SOLD

N 72°40'30"W 313.75'

(169)
1.000 ACRES

SOLD

N 73°27'15"W 329.00'

187
1.000 ACRES

SOLD

N 74°07'00"W 343.21'

(7)
1.000 ACRES
SOLD 211

N 74°35'00"W 350.18'

(8)
1.000 ACRES
SOLD 239

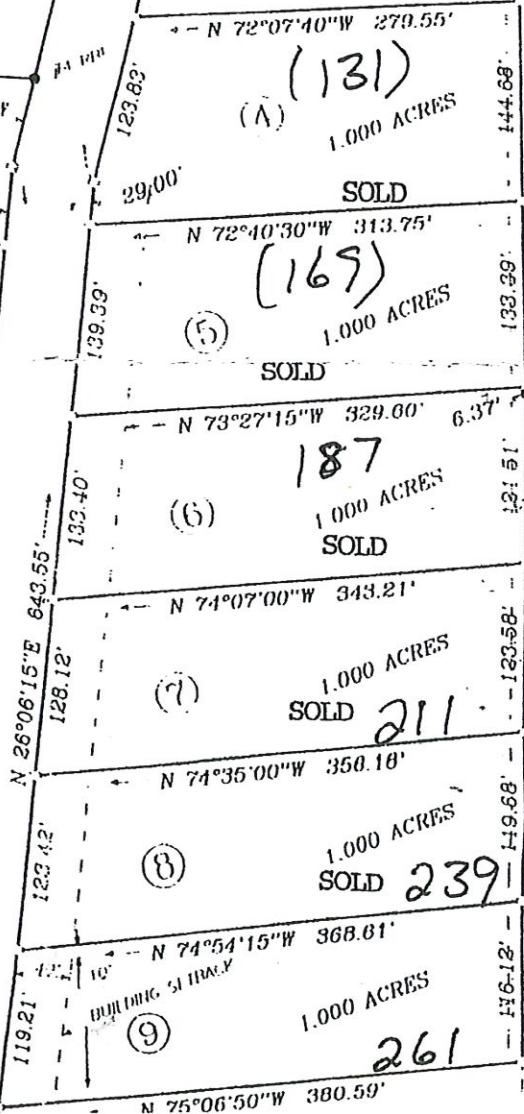
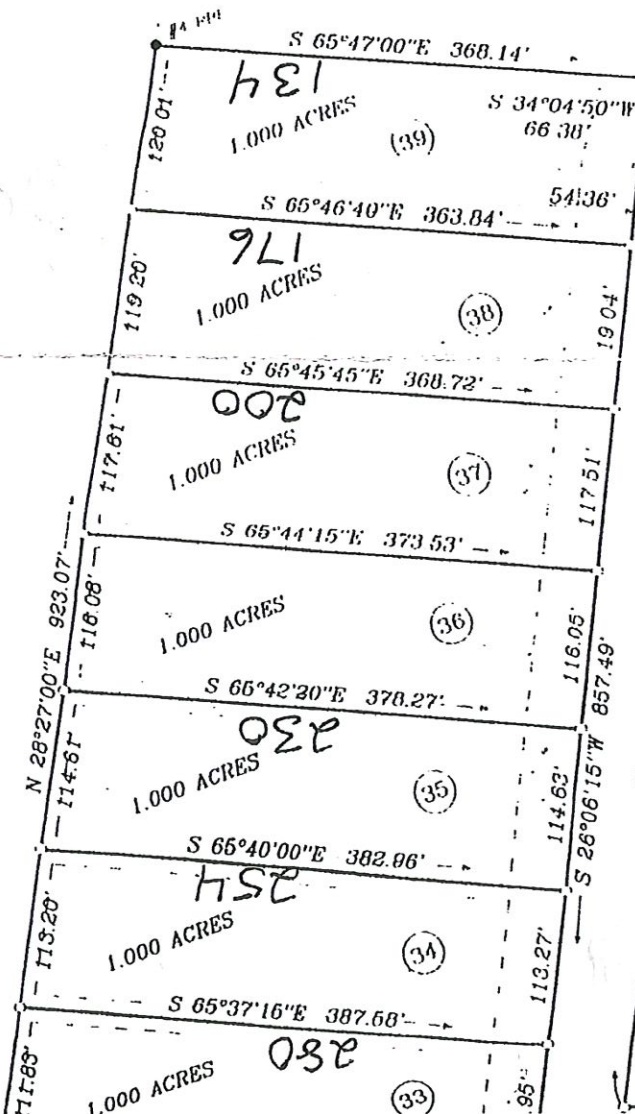
N 74°54'15"W 368.81'

(9)
1.000 ACRES
261

N 75°06'50"W 380.59'

MARY MAYES SEWELL
P.P. 300 156

GERALD V
BUSTER
P.P.
P.P.
P.P.





MEMORANDUM

Terrell Partain,
County Administrator
September 8, 2023

RE: Item 13 A Dean Farms LLC Tax Refund Parcel C15 022 001 (2020, 2021, 2022)

Attached is a request for a tax refund for an error in at the Assessors office where Dean Farms, LLC was assessed for 2 swimming pools on their property the total amount for 2021, 2022, and 2023 is \$3,201.38.

Tax Release Application

Name DEAN FARMS LLC ☒ Request for Refund
 Address 321 PINKSTON D ☐ Request for Tax Credit
 Address LAVONIA GA 30553 Digest Year 3 years
 Map and Parcel C15-022-001 Bill # _____
 Amount \$ 3201.38
 Personal Property _____

I hereby request a (credit/refund) for State, County, and School Taxes in the amount of \$ - 3201.38 illegally or erroneously assessed against me. My claim is based on the following facts: Property Classified for 2 - Swimming Pools instead of 1 -

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 Ray Dean Date 8-18-2023

	Original Liability on Digest	Revised Liability	Relief Granted	Added tax Due
Gross Assessment				
Tax: State				
County M & O				
County Bond				
School M & O				
School Bond				
Total				

Disposition
 Tax Collector/Tax Commissioner
 X Karen Martin ☒ Taxes Paid ☐ Not Pd
 Date 8/28/23
 Comments: _____

Board of Assessors Chairman
 X Amanda Brown ☒ Error ☐ No Error
 Date 8/17/23
 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.

C15 022 001	2020		2021		2022
RES VALUE	132924		142851		153713
POOL VALUE	3744		3744		4680
ASSESSED VALUE	54667		58638		63357
MILL RATE	0.019366		0.018549		0.016652
TAXES	1058.68		1087.68		1055.02
TOTAL REFUND	3201.38				

KAREN MARTIN
HART COUNTY TAX COMMISSIONER
165 WEST FRANKLIN ST.
P. O. DRAWER 748
HARTWELL, GA 30643
706 376-3944

IMPORTANT MESSAGES – PLEASE READ

DEAN FARMS LLC

321 PINKSTON DRIVE
 LAVONIA GA 30553

2020 AD VALOREM TAX NOTICE FOR REAL AND PERSONAL PROPERTY

BILL NUMBER	MAP NUMBER		PROPERTY DESCRIPTION	
2020 004798	C15 022 001		GMD 1117 PB 2E-35 NIX PROP	
FAIR MARKET VALUE	ASSESSED VALUE	HOMESTEAD CODE	TAX DISTRICT	PROPERTY ACCOUNT
354,525	141,810	S1	01	19603R20
TAX ENTITY	EXEMPTION	NET ASSESSMENT	TAX RATE	TAX AMOUNT
COUNTY M&O	38.502	103.308	5.710	589.89
SCHOOL M&O	38.502	103.308	13.156	1,359.12
SCHOOL BND	36.502	105.308		
COUNTY EMS	38.502	103.308	.500	51.65
			TOTAL TAXES	2,000.66
			INTEREST	
			LATE FEES	
			PENALTY	
			BACK TAXES	
			PAYMENTS RECEIVED	2,000.66-
			TOTAL DUE	PAID 12/09/2020
			DATE DUE	12/20/2020

SALES TAX CREDIT SAVINGS 265.09

7/20/23

S.H.X

DEAN FARMS LLC

321 PINKSTON DRIVE
 LAVONIA GA 30553

Please address all payments to

KAREN MARTIN
HART COUNTY TAX COMMISSIONER
165 WEST FRANKLIN ST.
P. O. DRAWER 748
HARTWELL, GA 30643

Please place this bill number on your check →	2020 004798
ACCOUNT NUMBER	19603R20
AMOUNT DUE	PAID 12/09/2020
AMOUNTS VALID THROUGH	07/20/2023
DUE DATE	12/20/2020
Please make check or Money Order Payable to:	
HART COUNTY TAX COMMISSIONER	
If a receipt is desired, please furnish a stamped, self-addressed envelope with your payment.	
Please Note: If taxes are to be paid by your mortgage company, send them this portion only.	

KAREN MARTIN
HART COUNTY TAX COMMISSIONER
165 WEST FRANKLIN ST.
P. O. DRAWER 748
HARTWELL, GA 30643
706 376-3944

IMPORTANT MESSAGES – PLEASE READ

DEAN FARMS LLC

321 PINKSTON DRIVE
 LAVONIA GA 30553

2021 AD VALOREM TAX NOTICE FOR REAL AND PERSONAL PROPERTY				
BILL NUMBER	MAP NUMBER		PROPERTY DESCRIPTION	
2021 004635	C15 022 001		GMD 1117 PB 2E-35 NIX PROP	
FAIR MARKET VALUE	ASSESSED VALUE	HOMESTEAD CODE	TAX DISTRICT	PROPERTY ACCOUNT
375.595	150.238	S1	01	19603R21
TAX ENTITY	EXEMPTION	NET ASSESSMENT	TAX RATE	TAX AMOUNT
COUNTY M&O	42.716	107.522	5.480	589.22
SCHOOL M&O	42.716	107.522	12.569	1,351.44
SCHOOL BND	40.716	109.522		
COUNTY EMS	42.716	107.522	.500	53.76
			TOTAL TAXES	1,994.42
			INTEREST	
			LATE FEES	
			PENALTY	
			BACK TAXES	
			PAYMENTS RECEIVED	1,994.42
			TOTAL DUE	PAID 12/22/2021
			DATE DUE	12/20/2021

SALES TAX CREDIT SAVINGS 311.17

7/20/23
 JHx

DEAN FARMS LLC

321 PINKSTON DRIVE
 LAVONIA GA 30553

Please address all payments to

KAREN MARTIN
HART COUNTY TAX COMMISSIONER
165 WEST FRANKLIN ST.
P. O. DRAWER 748
HARTWELL, GA 30643

Please place this bill number on your check →	2021 004635
ACCOUNT NUMBER	19603R21
AMOUNT DUE	PAID 12/22/2021
AMOUNTS VALID THROUGH	07/20/2023
DUE DATE	12/20/2021
Please make check or Money Order Payable to: HART COUNTY TAX COMMISSIONER	
If a receipt is desired, please furnish a stamped, self-addressed envelope with your payment.	
Please Note: If taxes are to be paid by your mortgage company, send them this portion only.	

IMPORTANT MESSAGES – PLEASE READ

321 PINKSTON DRIVE
LAVONIA GA 30553

Please place this bill number on your check →	2022 005116
ACCOUNT NUMBER	19603R22
AMOUNT DUE	PAID 12/20/2022
AMOUNTS VALID THROUGH	07/20/2023
DUE DATE	12/20/2022
Please make check or Money Order Payable to: HART COUNTY TAX COMMISSIONER	
If a receipt is desired, please furnish a stamped, self-addressed envelope with your payment	
Please Note: If taxes are to be paid by your mortgage company, send them this portion only.	



MEMORANDUM

Terrell Partain,
County Administrator
September 8, 2023

RE: Item 13 B Chapter 46 – Land Development Standards (amended) 1st Reading

A draft of the ordinance. The County Attorney will present the current version with the clarifications / changes requested by the Board at the previous meeting.

Footnotes:

--- (1) ---

Cross reference— Buildings and building regulations, ch. 18; environment, ch. 34; floods, ch. 38; manufactured homes and trailers, ch. 50; planning, ch. 62; roads and bridges, ch. 66; signs, ch. 70.

State Law reference— Georgia Land Sales Act, O.C.G.A. § 44-3-1 et seq.; local restrictions on condominiums, O.C.G.A. § 44-3-114; Georgia Condominium Act, O.C.G.A. § 44-3-70 et seq.

ARTICLE I. - IN GENERAL

Sec. 46-1. - Citation.

This chapter shall be known and may be cited as the Land Development Standards of Hart County, Georgia. The land development standards may be referred to in this chapter as the subdivision regulations.

(Ord. of 3-10-1992, art. I, § 1.01)

Sec. 46-2. - Purpose and intent.

This chapter is enacted for the following purposes:

- (1) To encourage economically sound and stable land development;
- (2) To assure the provision of required streets, utilities, and other facilities and services to land development;
- (3) To assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in land developments;
- (4) To assure the provision of needed public open spaces and building sites in land developments through the dedication or reservation of land for recreational, educational and other public purposes;
- (5) To assure equitable handling of all development of land by providing uniform procedures and standards for observation and enforcement of standards both by the developer and local public bodies; and
- (6) To responsibly manage growth.

(Ord. of 3-10-1992, art. I, § 1.02)

Sec. 46-3. - Highest standard to apply.

Whenever the provisions of this chapter and those of some other section of this Code or statute apply to the same subject matter, that ordinance, section of this Code or statute requiring the highest or most strict standard shall govern.

(Ord. of 3-10-1992, art. I, § 1.03)

Sec. 46-4. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Terms not defined in this section shall have their customary dictionary definitions where not inconsistent with the context.

Administrative officer means the representative appointed by the board of commissioners being assigned any responsibility for administering any provisions this chapter. The office of the administrative officer shall act as staff to the board and shall be given full responsibility for receiving applications, fees and filings from developers and citizens and shall report to the board the status of various proposals and includes the County Administrator, any building inspector, any code enforcement officer, any public works director, and the road maintenance supervisor.

Board means the Hart County Georgia Board of Commissioners.

Developer (see subdivider definition below)

Flag lot means a lot which is connected by a private drive to a public, county, or private road, typically situated behind another lot that abuts the same public, county, or private road, and has less than one-hundred (100) feet of road frontage.

Lot means a portion or parcel of land separated from other portions of parcels by description as on a subdivision plat or record survey map or as described by metes and bounds, and intended for transfer of ownership or for building development. For the purpose of this chapter, the term does not include any portion of a dedicated right-of-way, or land subdivided to achieve a boundary and adjustment with adjoining property. Lots must not be irregular in shape and must contain few angles.

Governmental water system means a system for the provision to the public of piped water for human consumption. Such a system is owned and operated by a municipal, county government, or other legislatively enabled authority.

Non-public water system means a system for the provision to the public of piped water for human consumption. Such a system serves at least one individual but less individuals than the requirements of a public water system.

Plat means a drawing(s) prepared by a professional registered engineer or licensed registered surveyor describing the subdivision of land per this chapter. The plat may consist of multiple sheets and may contain multiple plans depending on the requirements of this chapter.

Plan means a drawing prepared by a registered professional engineer that describes some aspect of the subdivision required by this chapter. An example would be a soil erosion and sedimentation control plan that would describe the methods and procedures to control soil erosion and sedimentation during the construction or development phase.

Public water system means a system for the provision to the public of piped water for human consumption if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year as further defined by the Georgia Safe Drinking Water Act of 1977.

Site plan means _____

Street means a way for vehicular traffic, whether designated as an avenue, boulevard, road, highway, expressway, lane, alley, public easement or other way. The term does not include a private easement used as an access to land not accessible by other means and which serves no more than two separate lots or dwellings. For the purpose of this chapter, streets are divided into the following categories:

- (1) *Rural principal and minor arterial*, which are streets designated as such on the [major thoroughfare plan of the county](#).
- (2) *Rural major and minor collector*, which are those streets serving travel of intra-county [linking and rural arterial system](#).

- (3) *Rural local routes*, which are those streets used primarily for access to the abutting properties and serving minor travel demands.
- (4) *Alley*, which is a minor way used for service access to the back or side of properties otherwise abutting on a street.
- (5) *Cul-de-sac*, which is a residential street with only one outlet and a turnaround at or near the closed end, sometimes called a dead-end street.
- (6) *Marginal-access street*, which is a residential street parallel and adjacent to major thoroughfares and which provides access to abutting properties with protection from through traffic.
- (7) *Easement*, which is a private right of access to no more than two separate lots or dwellings.
- (8) *Public street/road*, which is a street with a 60' right-of-way used by the public but it is not part of the county road system.
- (9) *Private street/road*, which is a street with 60' right-of-way dedicated to a property owner(s) association, of the subdivision involved, or reserved in the name of the developer and not accepted or maintained by the county. A statement that such roads have specifically not been accepted by the county and are to be privately maintained shall be placed on the plat and instrument of transfer, deed, or sales contract. Private streets must meet the road construction requirements of this chapter.
- (10) *County road/street*, which is a road/street having a minimum 60' right-of-way feet and is dedicated to the county or which currently exists on the county road inventory, with or without a stated 60' right-of-way.

Shared Driveway: means a driveway which services two lots along their common border and are permissible provided a driveway sharing agreement is recorded in the public records.

Subdivider (also known as Developer) means the person, firm or corporation having such a proprietary interest in the land to be subdivided as will authorize the maintenance of proceedings to subdivide such land under this chapter, or the authorized agent of such person, firm or corporation for the purpose of proceeding under this chapter.

Subdivision means all division of a tract or parcel of land **into three or more** lots, building sites, or other divisions for the purpose, whether immediate or future, of sale or building development, and includes all division of land involving a new street or a change in existing streets, and includes resubdivision and, where appropriate to the context, relates to the process of subdividing or to the land or area subdivided.

Subdivision of land shall be categorized in three (3) levels herein as follows:

LEVEL I SUBDIVISION: means the division of land into three (3) to six (6) lots/parcels to include the following requirements:

- (A) Each such parcel after division shall abut an existing county road or highway;
- (B) Each such lot/parcel after division shall have a minimum of three (3) acres per parcel;
- (C) Any driveway of each such divided parcel shall be a minimum of three hundred (300) feet from any other driveway on the same side of the roadway, as measured from the centerline of each driveway;
- (D) All driveways must meet minimum site distance requirements per the Georgia Department of Transportation Regulations for Driveway and Encroachment Control, with site distance based upon the posted speed limit of the roadway (which ranges from 335 feet at 30 mph to 610 feet at 55 mph);
- (E) All divided parcels must provide for and grant a right of way of thirty (30) feet from the centerline of the existing county or public road;
- (F) All divided lots shall have a minimum width of one-hundred fifty (150) feet road frontage if serviced by an individual well, or one-hundred (100) feet in width on a public water system.

- (G) All lots must meet health department regulations, and
- (H) All plats must be stamped as approved by the health department prior to submission to the county.
- (I) All Level I divisions of land require posting of a sign visible from the road right of way notifying the public that application has been made for subdivision of the land, together with publication in the legal organ of Hart County, Georgia to include a full legal description and tax map and parcel number for proper identification. The posting and publication shall occur for at least thirty (30) days prior to board approval.

LEVEL II SUBDIVISION: means the division of land up to fifty (50) lots per phase, to include the following requirements;

- (A) Each such parcel after division shall have a minimum acreage of 1 acre up to 4.99 acres per lot;
- (B) Each such lot shall be accessed by an interior road built by the developer/subdivider to Georgia DOT specifications (see section 46-156 hereinbelow);
- (C) There shall be no more than two curb cuts onto an existing county road or state highway (see section 46-156 hereinbelow),
- (D) Each such lot shall a minimum of one hundred (100) feet of road frontage or sixty (60) feet adjacent a cul de sac;
- (E) All interior driveways must be staggered;
- (F) The subdivision must have an entrance sign displaying an approved subdivision name;
- (G) If a governmental water system is within one thousand (1,000) feet of any property line of the subdivision (as measured along road rights of way), the subdivision developer must connect all lots within the subdivision to the governmental water system.
- ~~(H) All Level II divisions of land shall have restrictive covenants imposed, said covenants to be uniform as to all such lots in the subdivision, and a master set of restrictive covenants recorded in the public records of Hart County, Georgia with the recorded deed book and page number to appear on the final plat of survey.~~
- (I) All rules for Level I subdivisions not in conflict herewith apply to Level II subdivisions.

LEVEL III SUBDIVISION: means the division of land greater than five (5) acres up to 9.99 acres, to include the following requirements.

- (A) The survey of such divisions must either be approved by the health department or stamped by the county "not reviewed by Health Department" prior to recording.
- (B) All rules of Level I and Level II subdivisions not in conflict herewith shall remain applicable to Level III land divisions, except that posting and advertising are not required.

See also "Sec. 46-191. - Lot sizes and proportions" hereinbelow for Level I, II and III subdivisions of property.

EXEMPTIONS: The following are not included within these definitions and are otherwise exempt from this Ordinance:

- (1) The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards of this chapter.
- (2) The division of land into parcels of ten (10) acres or more where no new street or change in an existing street is involved.
- (3) One division of land into two total parcels.

(4) A parcel of land that is divided into five or fewer parcels, each parcel being of sufficient size to meet the requirements of the health department, and each parcel is either utilized as a home site for the personal use of the owner or deeded to a member of the owners' immediate family. For the purposes of this paragraph, immediate family is defined as the owners' spouse, mother, father, brother, sister, children, grandchildren.

(5) Divisions of land pursuant to assent or distribution to family members by Estates, provided said parcels meet Health Department requirements.

Although such subdividing of land as described in (1), (2), (3), (4), and (5) above are not included in the subdivision of land categories, each such division shall be surveyed and the plat shall contain the following Note in a prominent fashion, "roads, streets, and easements shown on this plat that are not already county roads as of the plat date, will not be maintained by the county and will not be accepted in the future as county roads unless they are in compliance with county standards".

(Ord. of 3-10-1992, art. II, § 2.01; Res. No. 2000-001, 3-14-00; Amend. of 7-10-2007)

Cross reference— Definitions generally, § 1-2.

Sec. 46-5. - Amendments.

This chapter may be amended. Before enacting an amendment to this chapter, the board shall hold three (3) public hearings on the amendment, notice of which shall be published at least 15 days prior to such hearing in a newspaper of general circulation in the county.

(Ord. of 3-10-1992, art. X, § 10.01)

Sec. 46-6. - Remedies; injunctive relief.

If any land is used in violation of this chapter, the administrative officer, the county attorney, and the board, in addition to other remedies, may institute injunction or other appropriate action or proceeding to stop the violation including a "stop work order."

(Ord. of 3-10-1992, art. XII, § 12.01)

Sec. 46-7. - Penalties for violation.

The procedure for enforcement of this chapter shall be as provided in O.C.G.A. §§ 15-10-60—15-10-66. Any person convicted of a violation of any provision of this chapter shall be punished by a fine not exceeding \$1,000.00 or 60 days imprisonment, or both, except as otherwise provided by general law. Each day any violation continues shall be a separate offense.

(Ord. of 3-10-1992, art. XIII, § 13.01; Res. No. 2000-001, 3-14-00)

Sec. 46-8. - Enforcement and administration.

The Administrative Officer shall have enforcement and administrative responsibilities, in addition to those officers previously granted enforcement and administrative responsibilities, with respect to this chapter.

(Res. of 8-25-1998; Res. No. 2000-001, 3-14-00)

Secs. 46-9—46-40. - Reserved.

ARTICLE II. - PLATTING JURISDICTION AND ENFORCEMENT⁽²⁾

Sec. 46-41. - Platting authority.

The board shall be the official platting authority, and no plat of land subdivision shall be entitled to be recorded in the office of the clerk of the superior court of the county nor shall a certificate of approval be granted in accordance with the Georgia Land Sales Act of 1972 O.C.G.A. § 44-3-1 et seq. unless it shall have the approval of the board inscribed on the certificate. The filing or recording of a plat of a subdivision without the approval of the board as required by this chapter is declared to be a violation of this chapter. The County Administrator may approve/stamps plats of survey for a division of land that is not a subdivision under this ordinance.

(Ord. of 3-10-1992, art. III, § 3.01; Res. No. 2000-001, 3-14-00)

Sec. 46-42. - Use of plat.

The transfer of, sale, agreement to sell, or negotiation to sell land by reference to or exhibition of a plat of a subdivision that has not been given final approval by the board and recorded in the office of the clerk of superior court of the county, or the secretary of state under the Georgia Land Sales Act O.C.G.A. § 44-3-1 et seq. if required, is prohibited, and the description by metes and bounds in the instrument of transfer or other document shall not exempt the transaction from such penalties.

(Ord. of 3-10-1992, art. III, § 3.02)

Sec. 46-43. - Opening and improving public streets.

The board shall not accept, lay out, open, improve, grade, pave, or light any street or lay any utility lines in any street that has not attained the status of a public street prior to the effective date of the ordinance from which this chapter is derived unless such street corresponds to the street location shown on an approved subdivision plat or on an official street map adopted by the board.

(Ord. of 3-10-1992, art. III, § 3.03)

Sec. 46-44. - Erection of buildings.

No building permit shall be issued and no building shall be erected on any subdivision lot in the county unless the lot abuts a public street, county road, or private road, and in which a septic tank permit from the Health Department has been obtained, and a 911 address must be obtained as soon as a driveway location has been determined.

(Ord. of 3-10-1992, art. III, § 3.04; Res. No. 2000-001, 3-14-00)

Footnotes:

---(2) ---**State Law reference**— Approval by planning commission or governing authority on plat of subdivision required for filing or recording in superior court clerk's office, O.C.G.A. § 15-6-67(d).

Sec. 46-45. - Privately maintained streets or roads.

The following statement shall be placed on all plats identifying privately maintained roads in the following words:

"The roads or streets identified as "privately maintained" are private ways and are not and will not be maintained by the county unless accepted into the county road system as a county road".

(Res. No. 2000-001, 3-14-00)

Secs. 46-46—46-75. - Reserved.

ARTICLE III. - PROCEDURE FOR APPROVAL OF PLAT

Sec. 46-76. - Preapplication review.

Whenever the subdivision of a tract of land within the county is proposed, the subdivider/developer is urged to consult early and informally with the County Administrator and/or an administrative officer. The subdivider/developer may submit sketch plans and data showing existing conditions within the site and in its vicinity and the proposed layout and development of the subdivision. No fee shall be charged for the preapplication review, and no formal application shall be required.

(Ord. of 3-10-1992, art. IV, § 4.01; Res. No. 2000-001, 3-14-00)

Sec. 46-77. - Application for plat approval.

The property owner shall submit to the board at least 15 days prior to the next regular meeting of the board the following:

- (1) A letter requesting review and approval of a plat and giving the name and address of a person to whom the notice of the hearing by the board on the plat shall be sent.
- (2) Two copies of the plat, **site plan**, and other documents, as may be specified.
- (3) A plat application fee specified in the schedule of fees and charges. **** {review fees}**
- (4) **Once approved, a plat must be filed in the public records within forty-five (45) days of final board approval. Failure to timely file a plat subjects the developer/subdivider to renewal of the approval process.**

(Ord. of 3-10-1992, art. IV, § 4.02)

Sec. 46-78. - Review of plat.

- (a) The Administrative Officer shall check the plat for conformance to the rules and regulations of this chapter and report his/her findings and recommendations to the board, which shall approve or disapprove the plat at a scheduled board meeting. A notation of the action shall be made in the minutes of the board, including a statement of the reasons for disapproval if the plat is disapproved. One copy of the plat shall be returned to the subdivider/developer or his/her/its agent, and one copy added to the records of the board.
- (b) If action on a plat is not taken by the board within 60 days of the date of submittal, the plat shall be considered approved and a certificate of approval shall be issued on demand. However, the applicant for approval may waive this requirement and consent to an extension of time.

(Ord. of 3-10-1992, art. IV, § 4.03; Res. No. 2000-001, 3-14-00)

Sec. 46-79. - Plat specifications.

- (a) *Generally.* All plats must be drawn by a Georgia registered/licensed surveyor. The plat shall conform to the specifications of this section and contain the required information.
- (b) *Specific specifications.*
 - (1) *Scale.* The preliminary plat shall be clearly and legibly drawn at a scale not smaller than 200 feet to one inch.
 - (2) *Sheet size.* Sheet size shall be no larger than 17 inches in width and 22 inches in length. If the complete plat cannot be shown on one sheet, it may be shown on more than one sheet with an index map on a separate sheet.
 - (3) *Ground elevations.* A contour map of the proposed subdivision will be required if the topography of the land is such that there will be a drainage problem in the subdivision that would require a contour map to develop a proper drainage system. If a contour map is required it shall be based on the following criteria:
 - a. For land that slopes less than approximately two percent, elevations shall be shown at all breaks in grade, along all drainage channels or swales, and at selected points not more than 100 feet apart in all directions.
 - b. For land that slopes more than approximately two percent, contours shall be shown with an interval of not more than 20 feet.
- (c) *Information to be provided on plat.* The plat shall contain the following information and may consist of several plans (sheets):
 - (1) Name and address of owner of record and of subdivider/developer.
 - (2) Proposed name of subdivision.
 - (3) North point, graphic scale and date.
 - (4) Acreage of the subdivision and vicinity map, showing location.
 - (5) Exact boundary lines of the tract by bearing and distances along with setback lines.
 - (6) Names of owners of record of adjoining land.
 - (7) Existing streets, utilities, and all easements on and adjacent to the tract.
 - (8) Proposed layout, including streets and alleys with proposed street names, lot lines and approximate dimensions, easements, land to be reserved or dedicated for public uses, and any land to be used for purposes other than single-family dwellings.
 - (9) Block or section numbers and/or lot numbers.
 - (10) Provisions for water supply, sewage, and, drainage, and soil sedimentation and erosion control (E&S). These items shall be set forth on a plan(s) properly prepared by a registered surveyor, or registered professional engineer for E&S plans and by a registered professional engineer for water supply and sewage plans and must include a certificate evidencing review and approval by the county health department and the National Resources Conservation Service where applicable.
 - (11) Such street cross sections and centerline profiles as may be required by the board.
 - (12) Provisions for open space requirements as required by state statute.
 - (13) The following certifications, affixed before recording:

- a. *Certificate of dedication.* A certificate of dedication by the owner submitted with the plat and in such form as approved by the ~~county attorney~~ **board**, which sets forth the description of the areas and improvements dedicated by the owner to the public and the extent of title which is being dedicated.
- b. *Copy of official action of board.* The resolution adopted by the board accepting the street rights-of-way, improvements, easements and any other property dedicated by the owner for public use as indicated on the plat shall be recorded in the minutes of the board. This acceptance does not relieve the developer of the obligation to guarantee against faulty materials as specified in section 46-157.
- c. *Certificate of approval.* A certificate of approval of the final plat by the board, directly on the plat, as follows:

"Pursuant to the Land Development Standards of Hart County, Georgia, all requirements of approval having been fulfilled, this Plat was given Approval by the Hart County Board of Commissioners on (insert date of approval)"

<u> </u> Date	<u> </u> Chairman, Hart County Board of Commissioners
---------------------------	---

(Ord. of 3-10-1992, art. IV, § 4.04; Res. No. 2000-001, 3-14-00)

Secs. 46-80—46-110. - Reserved.

ARTICLE IV. - GENERAL DESIGN AND OTHER REQUIREMENTS

Sec. 46-111. - Name of subdivision.

The name of the subdivision must have approval of the board. The name shall not duplicate or closely approximate the name of an existing subdivision.

(Ord. of 3-10-1992, art. V, § 5.01)

Sec. 46-112. - Access.

Access to every subdivision shall be provided over a public street or county road but shall be limited to two (2) curb cuts on said public street or county road. Private streets ~~in a platted subdivision~~ within subdivided property shall meet the road standards of this chapter. There shall be no private easements or driveways from interior lots providing access to a public street or county road in an attempt to circumvent this section, except as otherwise set forth herein.

(Ord. of 3-10-1992, art. V, § 5.02; Res. No. 2000-001, 3-14-00)

Sec. 46-113. - ~~Large-scale developments.~~ Deleted

~~A comprehensive group development, including large-scale construction of housing units together with necessary drives and ways of access, may be approved by the board although the design of the project does not include standard streets, lot and subdivision arrangements, if departure from this chapter can be made without destroying its intent, and if substantial evidence can be provided demonstrating the acceptable performance of the nonconformance.~~

(Ord. of 3-10-1992, art. V, § 5.03)

Sec. 46-114. - Utility easements.

- (a) Utility easements shall be provided as required by utility companies for utility lines, underground mains and cables and shall be recorded on the final plat.
- (b) Where a subdivision is traversed by a watercourse, drainage way, channel or stream, there shall be provided a stormwater or drainage right-of-way of adequate width to be reserved as open space. Parallel streets may be required by the board.

(Ord. of 3-10-1992, art. V, § 5.04)

Sec. 46-115. - Reservation of public sites and open spaces.

- (a) Where features of any comprehensive plan, such as school sites, parks, playgrounds and other public spaces are located in whole or in part in a proposed subdivision, such features shall be reserved by the subdivider/developer; however, no more than 25 percent of the total area of the subdivision shall be required for reservation to fulfill the requirements of this section. Whenever the land required for such comprehensive plan features is not dedicated to and accepted, purchased, acquired, optioned or condemned by the appropriate public agency within a four-year period from the date of recording the subdivision or by the time that at least 75 percent of the lots are built on and occupied, whichever is sooner, the subdivider/developer may claim the original reservation and cause it to be subdivided in a manner suitable to the subdivider/developer, subject to the provisions of this chapter. Whenever the board executes a written release, stating that the reserved land is not to be acquired, the board shall waive the reservations requirements.
- (b) Whenever the board finds that proposed reservation of land or dedication of land for public use is not required or is unsuitable for the public use proposed, it may require the rearrangement of lots to include such land in the subdivision.

(Ord. of 3-10-1992, art. V, § 5.05)

Sec. 46-116. - Community assets.

In all subdivisions, due regard shall be shown for all natural features such as watercourses and for historical spots, cemeteries, and similar community assets which, if preserved, will add attractiveness and value to the property or community.

(Ord. of 3-10-1992, art. V, § 5.06; Res. No. 2000-001, 3-14-00)

Sec. 46-117. - Water system design.

- (a) The following paragraphs of this section are not applicable to an individual lot served by a well located on the lot.

- (b) A public water system must be permitted and approved by the Environmental Protection Division of the Department of Natural Resources (EPD). It will be the responsibility of the developer to make all applications.
- (c) If the subdivision is to be served by a water system, the piping size and location are to be shown, as well as other features of the water system, on a water system plan. Further, the location of the well(s) and water storage facility(s) shall be identified and located on the plan. Each water connection shall be equipped with a backflow preventer valve. The water system plan shall be designed by a registered professional engineer and shall be capable of being served in the future by a government water system.
- (d) A completed EPD form, "Intent to Drill", shall be approved by the county health department for non-public water systems and shall accompany the water system plan when the plat is submitted for approval. For a public water system, an approval letter from the state EPD shall accompany the water system plan when the plat is submitted for approval.
- (e) Required well flow rate (gallons/minute) shall be determined by a registered professional engineer for the entire subdivision and shown on the water system plan.
- (f) A certification form from the certified well installer showing the actual well(s) capacity (flow rate in gal./minute) of the public or non-public water system shall accompany the subdivision plat when submitted for approval. The county reserves the right to have the flow rate determined by its engineer. If this flow rate is less than that certified by the well driller, a third determination will be made by the county at the developer's expense. The average of the three flow rates shall be the well(s) flow rate to be compared with the required design flow rate.
- (g) Provision for water hydrants shall be made if the distance between an existing county road to the furthest lot is greater than 750 feet as measured along the centerline of the road leading to the lot. Hydrants are to be spaced no more than 1,000 feet apart within the subdivision and shall be supplied with a minimum 6-inch water line. The hydrant supply line may be separate from the water line supplying water to each lot. In either case, the line shall extend to the row of the existing county road.

(Res. No. 2000-001, 3-14-00)

Sec. 46-118. - Gated communities.

- (a) A gated community is a community which has a lockable security gate(s) at its entrance and/or manned by a security agency whose purpose is to limit access by the general public. All streets/roads in a gated community are private streets/roads and are not maintained by the county.
- (b) Gated community developments shall meet all requirements of this chapter including road construction.
- (c) A written agreement, approved by the board, and recorded with the plat shall detail how county provided emergency services shall have access to the community residents and their property 24 hours a day.

(Res. No. 2000-001, 3-14-00)

Secs. 46-119—46-150. - Reserved.

ARTICLE V. - REQUIREMENTS FOR STREETS AND OTHER RIGHTS-OF-WAY

Sec. 46-151. - Continuation of existing streets.

Existing streets shall be continued at the same or greater width, but in no case less than the width required in this chapter, and all streets/roads must have a sixty (60) foot right of way and pavement twenty feet in width. All paving shall be to Georgia Department of Transportation standards.

(Ord. of 3-10-1992, art. VI, § 6.01)

Sec. 46-152. - Street names.

Proposed streets that are obviously in alignment with others already existing and named shall bear the names of existing streets. In no case shall the name for proposed streets duplicate existing street names, irrespective of the use of the suffix, "street," "avenue," "boulevard," "drive," "place," "way" or "court." Where available, through its index list of street names on file, the board can assist the subdivider/developer in avoiding duplication.

(Ord. of 3-10-1992, art. VI, § 6.02)

Sec. 46-153. - Culs-de-sac or dead-end streets.

- (a) Minor streets or courts designed to have one end permanently closed shall be provided with a turnaround with a minimum radius of ninety-six (96) feet in diameter at or within two hundred (200) feet of the closed end.
- (b) Where in the opinion of the board it is desirable to provide street access to adjoining property, streets shall be extended to the boundary of such property and provided with a temporary turnaround.

(Ord. of 3-10-1992, art. VI, § 6.03)

Sec. 46-154. - Development along major thoroughfares, limited-access highway or railroad right-of-way.

Where a subdivision abuts or contains a major thoroughfare, a limited-access highway, or a railroad right-of-way, the board may require a street approximately parallel to and on each side of such right-of-way either as a marginal-access street or at a distance suitable for an appropriate use of the intervening land, with a nonaccess reservation suitably platted. Due regard should be given requirements for approach grades and future grade separations in determining distances. Lots shall have no access to a major thoroughfare (or limited-access highway) but only to access streets. Setbacks shall be extended on certain major thoroughfares and state highways as set forth in this chapter.

(Ord. of 3-10-1992, art. VI, § 6.04)

Sec. 46-155. - ~~Alleys and Easements.~~

~~Alleys may be required at the rear of all lots used for multifamily, commercial or industrial developments but shall not be provided in one or two family residential developments unless the subdivider provides evidence satisfactory to the board of the need for alleys.~~ Easements shall not be permitted to serve more than two separate dwellings or lots as otherwise set forth in this Chapter as "shared driveways."

(Ord. of 3-10-1992, art. VI, § 6.05)

Sec. 46-156. - Street right-of-way widths and construction requirements.

- (a) *Width.* The right-of-way width shall be the distance across a road or street from property line to property line. The minimum right-of-way width shall be 60 feet.

- (b) *Grade.* A minimum of roadway to be graded shall be 30 feet for 20 feet of pavement. All stumps, rock and other obstructions shall be removed to at least two feet below subgrade. The maximum grade shall not exceed ten percent. Roads to be paved following grading shall be paved with a minimum of two inches of "B" mix. After development activity is complete, or 12 months have elapsed, a minimum of 1½ inches of "E" mix shall be laid. Roads to be paved after development is complete, or twelve months have elapsed, shall be paved with 1½ inches of "E" mix. New subdivision roads leading from existing public or county dirt roads shall meet all standards. All paving shall be in accordance with state department of transportation standards.
- (c) *Fill.* All suitable material from roadway cuts may be used in the construction of fills, approaches or any other places as needed. The fills shall be spread in layers not to exceed six inches loose and compacted with a sheeps foot roller to a density at least 95 percent of standard proctor density. Fill slopes shall not exceed a two to one slope.
- (d) *Subgrade.* The subgrade shall be properly shaped, ditch lines sloped and compacted to conform with grade lines and cross sections and shall have a crown of ½ inch per foot. All unsuitable materials shall be excavated and replaced with suitable material compacted to a density at least 95 percent of standard proctor density. Standard proctor density is determined by a laboratory test where a sample of soil is taken from a given site to test for compaction by measuring the dry unit density versus moisture content.
- (e) *Base.* The base shall be a graded aggregate base course or other approved material. The minimum thickness shall be six inches after being compacted to a density at least 98 percent of standard proctor density.
- (f) *Storm drainage.* The street and roadway must have adequate drainage, including curbs and gutters, necessary open ditches, pipe and culverts; drainage structures shall be provided to accommodate all natural water flow and to be of sufficient length to permit full roadway width and slopes. The diameter of pipe shall be based on water flow, and shall be determined by consultation with a registered professional engineer and approved by the administrative officer.
- (g) *Erosion control.* All banks, shoulders, ditch slopes and other disturbed areas shall be grassed with an approved vegetative cover to prevent washing. Silt fences, hay bales, mulch and/or other erosion control devices that may be necessary shall be used during construction at all places that pose an erosion problem. All applicable provisions of soil erosion and sedimentation control as referenced in chapter 34 shall be complied with.
- (h) *Underground utilities.* All underground utilities shall be installed after the grading has been completed but before the base is installed. Location of all utilities shall be shown on subdivision drawings and cannot be located running parallel underneath or immediately parallel to the asphalt.
- (i) *Intersections with state highways.* Intersections with state highways must meet all regulations and standards promulgated by the state department of transportation for such intersections.
- (j) *Inspection.* Roadways are to be inspected during and after construction by an administrative officer. Test reports of compaction results are to be furnished to the inspector; however, he/she may require additional testing in areas he may deem unsatisfactory. The board will not accept a street without approval of the inspector.
- (k) *Construction Maintenance:* Subdivider/developer must keep all roadways free of mud and dirt. Where road entrances abut county or private roads, gravel must be provided to control mud and dirt from entering the roadway. Construction vehicles, equipment or supplies must not be parked, unloaded or stored in the roadway or road right of way.
- (l) *Performance Bond:* All new subdivision roads will require a performance bond sufficient to cover maintenance costs for the roadway for a period of twelve (12) months and as is acceptable in form to the board.

(Ord. of 3-10-1992, art. VI, § 6.06; Res. No. 2000-001, 3-14-00)

Sec. 46-157. - Guarantee against faulty materials.

Final approval of street improvements shall be granted and streets accepted for maintenance by the county only in accordance with one of the following provisions:

- (1) The street improvements shall have been completed and in place for a period of one year and shall, upon inspection, following such period of time, be found to be free from defective workmanship or material, free from sinkholes or other settling, and have a satisfactory vegetative cover.
- (2) Following otherwise satisfactory completion of such work, the subdivider/developer shall post with the county a guaranty bond in an amount equal to 25 percent of the street and utility improvement cost for the street for which acceptance is sought. The bond will guarantee the county that the street has been installed in a workmanlike manner, that it is free from defects caused by faulty material or workmanship, and that the street will remain in acceptable condition for a period of at least one year. The board may also authorize cash bonds of 25 percent of the street and utility cost in lieu of guaranty bonds. If at the end of the one-year period the street is found to have settled or be otherwise unacceptable because of faulty workmanship or materials, any defects shall be repaired at the cost of the subdivider/developer; and upon his/her failure or refusal to do so within 90 days after demand is made upon him by the board, the county shall make such repairs as are reasonably necessary and recover the cost from the subdivider/developer or the performance bond.

(Ord. of 3-10-1992, art. VI, § 6.07; Res. No. 2000-001, 3-14-00)

Sec. 46-158. - Signage.

No signage or other subdivision identification, wall or decorative fence shall be constructed or placed in the county right-of-way or right-of-way to be dedicated to the county.

(Res. No. 2000-001, 3-14-00)

Secs. 46-159—46-190. - Reserved.

ARTICLE VI. - DESIGN STANDARDS FOR BLOCKS AND LOTS

Sec. 46-191. - Lot sizes, proportions and setbacks.

(a) Residential lots shall have a width as follows:

- (i) Level I and III: All lots shall have a minimum width of one-hundred (100) feet in width or as otherwise required by the health department at the septic site.
- (ii) Level II: All lots shall have a minimum of one hundred (100) feet of road frontage or sixty (60) feet adjacent to a cul de sac, or as otherwise required by the health department at the septic site.

~~(b) Residential lots shall have a depth of not less than 120 feet and width of not less than 100 feet. {completely revise on size, shape, etc. — also on septic served lots}~~

~~(c) Commercial and industrial lots shall be adequate to provide service areas and off-street parking suitable to use intended.~~

(b) The principal building, HVAC, and any structures including retaining walls on any lot shall meet the following setback requirements which shall be clear and unobstructed:

Front:

(i) Sixty (60) feet from the right of way of the county road or the specific state highways of Smith McGee, Cokesbury and Reed Creek Highways for Level I, III and all other land divisions, except Level II.

(ii) Level II shall be forth (40) feet from the right of way of the interior roadway (see corner lots below).

(iii) For all state highways except Smith McGee, Cokesbury and Reed Creek Highways, and for all county roads with a speed limit of 50 miles per hour or more, building setbacks must be one hundred (100) feet from the edge of the right of way which abuts the property line.

(iv) All corner lots on any subdivided property must meet the requirements for either type of roadway that the property line is adjacent to.

Rear: Ten (10) feet from the property line.

Side: Ten (10) feet from the property line.

(Ord. of 3-10-1992, art. VII, § 7.01; Res. No. 2000-00, 3-14-2000; Ord. of 7-17-2018(1); Ord. of 7-17-2018(3))

Sec. 46-192. - Adequate building sites.

Each lot shall contain an adequate building site not subject to flooding and outside the limits of any existing easements or building setback lines required. ~~by the subdivider/developer or any applicable zoning ordinance.~~

(Ord. of 3-10-1992, art. VII, § 7.02)

Sec. 46-193. - Lot line arrangements.

Insofar as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines. ~~Each lot must front for at least _____ feet upon a dedicated public street, private street or county road (not a major thoroughfare) and at least _____ feet when the lot abuts a cul-de-sac.~~

(Ord. of 3-10-1992, art. VII, § 7.03; Res. No. 2000-001, 3-14-00)

Sec. 46-194. - Sidewalks, curbs and gutters.

- (a) *Sidewalks.* Sidewalk specifications do not apply to second home-type developments with seasonal use or to developments that do not have locally centralized public facilities such as schools, churches, etc. The board shall have final authority in determining the need for sidewalks.
- (b) *Concrete curb and gutter.* Curb and gutter may not be required on all developments provided the developer furnishes proof satisfactory to the board that all grades on his/her/its roads and road ditches will be stabilized without the use of curb and guttering. In lieu of curb and guttering, the developer may stabilize road ditches by paving or by road check dams or by methods approved by the board or its designee.

(Ord. of 3-10-1992, art. VII, § 7.04)

Sec. 46-195. - Flag lots.

A subdivision shall not contain flag lots.

(Res. No. 2000-001, 3-14-00)

Secs. 46-196—46-225. - Reserved.

ARTICLE VII. - REQUIRED IMPROVEMENTS

Sec. 46-226. - Performance and specifications.

Every subdivider/developer shall be required to make the improvements outlined in this article in accordance with the specifications in this article or otherwise adopted by the board. The improvements can be made by the county at the expense of the subdivider/developer, or the subdivider/developer can make the improvements with the approval of the board.

(Ord. of 3-10-1992, art. VIII, § 8.01)

Sec. 46-227. - Monuments.

Lot and block corners shall be marked with solid steel rods at the minimum as specified by Georgia Board of Professional Engineers and Land Surveyors.

(Ord. of 3-10-1992, art. VIII, § 8.02)

Sec. 46-228. - Water supply system.

- (a) Water mains within the subdivision must be provided with tap connections to each lot. An exception is if the subdivision will be served by a municipal government water system and the government water system agrees in writing that it will bore under the pavement to make any future connections. When water service is provided by a government entity, the minimum diameter of water pipes shall meet its standards and all installation shall be pre-approved by the government entity. If a government water supply, is not available to the subdivision at the time of development of the subdivision, the developer should provide an adequate water source and an adequate water storage facility. This shall be accomplished by the use of individual wells for each housing unit or by the Environmental Protection Division of the Department of Natural Resources (EPD) or county health department approved public water system, or by a non-public water system, all meeting requirements of section 46-117.
- (b) Individual wells' adequacy of water flow and water quality are the responsibility of the lot purchaser; however, a public water system shall be permitted and approved by the EPD or county Health Department per state regulations. Prior to final approval of the plat the developer must submit a letter from the EPD or Health Department approving plans to construct a public water system and the source of the water supply.
- (c) In the absence of a municipal water supply, public or non-public water system, all lots within the subdivision shall be of sufficient size (taking into account slope and other relevant factors) to accommodate both an individual well and an approved septic system per Department of Human Resources Public Health chapter 290-5-26.
- (d) A subdivision with an exterior property line within 1000 feet of a municipal water system (as measured along road rights of way), or where it is feasible to access a government water system via easement, and the distance to the government water system is within 1000 feet, the developer shall connect the subdivision water system, at his/her/its expense, to the government water system with appropriate size water mains and dedicate the subdivision water system infrastructure to the municipality, the design

of the system, inspections and approval shall be made and had by the government entity owning the system.

(Ord. of 3-10-1992, art. VIII, § 8.03; Res. No. 2000-001, 3-14-00)

Sec. 46-229. - Sanitary sewers. – there shall be no private community sewage systems.

- (a) ~~If the sewage disposal facilities cannot be connected to a trunkline sewer at the time of the development of the subdivision, septic tanks or another approved method of treatment of sanitary sewage shall be installed by and at the expense of the subdivider or lot purchaser for use, in conformity with the requirements of the county health department. No private community systems shall be permitted.~~
- (b) ~~A subdivision, whose entrance is within 500 feet of a municipal sewage system, or where it is feasible to access a municipal sewer system via easement, etc and the distance to the municipal sewer system is within 500 feet, the developer shall build a subdivision sewer system and connect to the municipal sewer system, at his expense, with appropriate size sewer mains and dedicate the subdivision sewer system infrastructure to the municipality. The sewer system shall be designed by a registered professional engineer and meet the municipality's specifications.~~

(Ord. of 3-10-1992, art. VIII, § 8.04; Res. No. 2000-001, 3-14-00)

Sec. 46-230. - Acceleration/deceleration lanes.

Entrances to subdivisions from county or public roads may require, at the discretion of the board or as required by the Georgia DOT, the construction of acceleration and/or deceleration road lanes. These expenses will be the responsibility of the developer or subdivider.

(Res. No. 2000-001, 3-14-00)

Sec. 46-231. - Other utility considerations.

All underground utilities (gas, CATV, telephone, water, sewer, etc) shall be constructed prior to street paving **or in limited exceptions** they shall be bored under the streets following street paving.

(Res. No. 2000-001, 3-14-00)

Sec. 46-232. - Extraterritorial water and sewer services.

- (a) Prior to initiating the development of water and sewer services in extraterritorial boundaries, the local government proposing the new service will notify the adjacent government of the proposed new service by providing information on location of property, size of area, and existing proposed land use associated with the property.
- (b) Within 15 working days following receipt of the above information, the local government receiving the notice of water/sewer extension will forward to the local government proposing the extension a statement either: (a) indicating that the proposal is compatible with that community's land use plan and all applicable ordinances; or (b) describing its bona fide objectives as why the proposal is inconsistent with the land use plan or ordinances providing supporting evidence and listing any possible stipulations or condition that alleviate the objection.
- (c) If the community proposing the service extension does not receive a response in writing within the deadline, the proposal shall be determined to be consistent with the community's land use plan or land use ordinances and the sending local government is free to proceed and the receiving government

loses its right to invoke the dispute resolution process, stop the extension or object to land use changes after the provision of service.

- (d) If the receiving government notifies the sending government that it has a bona fide land use classification objection(s), the sending government will respond to the receiving government in writing within 15 working days of receiving the objection(s) by either: (a) agreeing to implement the receiving government stipulations and conditions and thereby resolving the extension objection(s); (b) agreeing with the receiving government and stopping action on the proposed extension; (c) disagreeing that the receiving government objection(s) are bona fide and notifying the receiving government that they will seek a declaratory judgment in court; or (d) initiating a 30-day (maximum) mediation process to discuss possible compromises.
- (e) If either party initiates mediation, they will each appoint two members to a mediation panel. These four individuals will then select a fifth panel member who is familiar or experienced in land use issues. The Georgia Mountains RDC will provide a list of mediators to the city and county for their selection of a mediator to assist in the process. Any costs associated with the mediation will be shared on a 50/50 basis between the city and the county.
- (f) If no resolution of the receiving government's bona fide land use classification objection(s) results from the mediation, the sending government will not proceed with the proposed extension of services.
- (g) If the parties reach agreement as described in step (d) or as a result of the mediation, they will draft an agreement for execution by the governments within 15 working days from the date of the agreement.

Regardless of future changes in land use or zoning classification, any site-specific mitigation or enhancement measures or site-design stipulations included in the agreement will be binding on the property. The agreement shall become final when signed by the city, the county and property owner(s) and be filed at the courthouse.

This extraterritorial water and sewer services dispute resolution shall remain in force and effect until amended by agreement of each part or unless otherwise terminated by operation of law.

(Res. No. 99-003, 7-13-1999)

Secs. 46-233—46-260. - Reserved.

ARTICLE VIII. - VARIANCES

Sec. 46-261. - Hardship.

Where the board finds that extraordinary hardships may result from strict compliance with this chapter due to unusual topographic or other conditions beyond the control of the subdivider/developer upon due consideration, it may vary the regulations so that substantial justice may be done and the public interest secured; however, such variance will not have the effect of nullifying the intent or purpose of this chapter. Any variance thus authorized is required to be entered in writing in the minutes of the first board meeting following issuance of the variance and the reason that justified the departure set forth. Any hardship approval shall be noted on the recorded subdivision survey.

(Ord. of 3-10-1992, art. IX, § 9.01)

Sec. 46-262. - Experimental subdivisions. – there shall be no experimental subdivisions.

- ~~(a) The board may waive, vary or modify the standards and requirements of this chapter if in its judgment an unusual or experimental subdivision might prove of considerable merit toward:~~
 - ~~(1) The use of unusual materials in constructing required improvements; or~~

- (2) ~~A new or untried design concept in the area which appears promising.~~
- (b) ~~Special attention may be given to experimental subdivisions that are related to low-cost housing design in an effort to provide housing for lower income families. The board shall require the subdivider to provide a written proposal stating the nature of the experiment, and cost-benefit study following the implementation of same.~~
- (c) ~~If a subdivision is approved as an experimental subdivision by the board, this designation shall be noted on the plat and reference to this section made along with reference to those requirements and their section number(s) that are being waived, varied or modified.~~

(Ord. of 3-10-1992, art. IX, § 9.02; Res. No. 2000-001, 3-14-00)

Sec. 46-263. - Comprehensive group housing development.

~~A comprehensive group housing development to be constructed on a plot of ground of at least four acres, including construction of two or more buildings, together with the necessary drives and access ways, and which is not subdivided into the customary lots, blocks and streets, may be approved by the board if, in the opinion of the board, departure from this chapter can be made without destroying the intent of this chapter. Plans for all such developments shall be submitted to the board, whether or not such plat is to be recorded. No sales permits shall be issued until such approval has been given.~~

(Ord. of 3-10-1992, art. IX, § 9.03)

Sec. 46-264. - Conditions.

~~In granting variances and modifications and approval for experimental subdivisions, the board shall require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so varied, modified or approved. They shall include without being limited to personal, surety, performance or maintenance bonds; affidavits; covenants; or other legal instruments.~~

(Ord. of 3-10-1992, art. IX, § 9.04)

Sec. 46-265. - Justification for variances.

~~The burden of proof and/or justification of a need for a variance from this chapter shall be provided by the developer in the form of written documents and/or supporting graphics. The appropriate request for variance forms must be completed and attached. No variances shall be permitted that would nullify the intent of this chapter and the adopted policies of the board.~~

(Ord. of 3-10-1992, art. IX, § 9.05)

Sec 46-266 - Exclusive Requirements for Approval.

The requirements of this Ordinance are permissive in nature. All standards for subdivision approval are contained herein. Any proposed subdivision of land which does not conform to the standards herein shall be denied.



MEMORANDUM

Terrell Partain,
County Administrator
September 8, 2023

RE: Item 13 C Credit for Experience Road Department

Attached is a request from Road Superintendent Teasley for credit for experience be given to a new hire for the mowing crew.

tpartain@hartcountyga.gov

From: Shannon Teasley <steasley@hartcountyga.gov>
Sent: Thursday, September 7, 2023 11:34 AM
To: tpartain@hartcountyga.gov
Subject: Year's credit for new hire

Terrell, I would like to give Zack Heard 6 years credit as a bushog operator at the road department. Started September 7.
Thanks, Shannon Sent from my iPhone



MEMORANDUM

Terrell Partain,
County Administrator
September 8, 2023

RE: Item 13 D Request to bid Basketball Uniforms (Recreation)

The Recreation Department is requesting permission to advertise for bids for the FY24 Basketball uniforms.