



WHITE COUNTY BOARD OF COMMISSIONERS
COMBINED WORK SESSION & REGULAR MEETING

REVISED

MONDAY, JUNE 26, 2023 AT 4:30 P.M.

AGENDA

1. Call to order.
2. Pledge of Allegiance.
3. Invocation - Pastor Tim Morgan, Faith Lutheran Church & White County Ministerial Alliance.
4. Consider adoption of the following meeting minutes:
 - June 5, 2023 Work Session & Regular Meeting; and
 - June 12, 2023 Called Meeting & Executive Session.

PRESENTATIONS

5. Presentation of a status update on the design phase of the Yonah Preserve Recreation Center Project.

LAND USE ITEMS

NOTE: In reference to land use agenda items #6 - #10– Georgia Zoning Procedures Law (O.C.G.A. 36-66-1, et seq.) requires a public hearing be advertised and held prior to any proposed zoning decision with a minimum of 10 minutes (per side) for both proponents and opponents to present data, evidence, and opinion. This requirement was met for the following items at the public hearing held at the Planning Commission Meeting on May 30, 2023. All information presented was then forwarded to the Board of Commissioners.

6. Consider the land use application filed by Susan and Sangsoo Oh to request a conditional use permit at 403 Yonah Valley Road Cleveland, Georgia. Tax map and parcel 045C-034. Total acreage is 13.25. The proposed use is to place in short-term rental program. Present zoning is R-1, Residential Single-Family District.
7. Consider the land use application filed by Jon Schwartz to redistrict property located at 1299 Hwy 17 Sautee Nacoochee, Georgia - tax map and parcel 071-005 / total acreage is 3.98 - from C-1, Community Commercial District to R-1, Single Family Residential District and to request a conditional use permit. The proposed use is for agritourism, wedding tourism, event facilities and attractions.
8. Consider the land use application filed by Yonah Mountain Vineyards to request a conditional use permit at 62 Small Pond Dr. Cleveland, Georgia. Tax map and parcel 060D-047. Total acreage is 2.00. The proposed use is to place in short-term rental program. Present zoning is R-1, Residential Single-Family District.
9. Consider the land use application filed by Blake Boggs, on behalf of Christopher and Alissa Feaster, to request a conditional use permit at 0 Sara Lane Sautee Nacoochee, Georgia. Tax map and parcel 055D-096. Total acreage is 0.927. The proposed use is to place in short-term rental program. Present zoning is R-1, Residential Single-Family District.
10. Consider adoption of proposed amendments (County Resolution No. 2023-10) to the White County Land Use Ordinance (Appendix C. Land Use Regulations, Article XVIII. Amendment, Application, and Procedural Requirements, Section 1809. Public Notice and Public Hearing Required.) related to updates in Zoning Procedures Law (ZPL) made by HB 1405.

NEW BUSINESS

11. Consider approval of the lease contract related to the Turf Tank – Field Marking Robot for Parks & Recreation.
12. Consider approval of the proposal from JM Smith Engineering for surveying and civil design services for planned improvements to Henry Nix Road from the Cleveland City Limits to Chimney Lake Drive.
13. Consider acceptance of the Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant (AFG) for the purchase of replacement automobile extrication equipment.
14. Consider awarding the contract for the flooring project at the Senior Center.
15. Consider approval of a surplus resolution (County Resolution 2023-11) for a 2015 Dodge Caravan assigned to the Senior Center.
16. Consider approval of the 2023-2024 ACCG-IRMA (Association County Commissioners of Georgia-Interlocal Risk Management Agency) Liability Insurance Renewal.
17. Consider making an appointment to the Chamber of Commerce Board of Directors for a two (2) year term expiring June 30, 2025.
18. Consider approval of the Fiscal Year 2023 Audit Engagement Letter with Rushton LLC.
19. Ms. Jodi Ligon, Finance Director, to present the monthly Financial Status Report.
20. County Manager Comments.
21. Public Comment.
22. Announcements:
 - Monday, July 3, 2023 – No Board of Commissioners Meeting will be held
 - Monday, July 4, 2023 – County Offices Closed in observance of Independence Day
 - Monday, July 31, 2023 at 4:30 p.m. – Board of Commissioners Work Session & Called Meeting
23. Adjourn.

WHITE COUNTY BOARD OF COMMISSIONERS

MINUTES OF THE COMBINED WORK SESSION & REGULAR MEETING HELD

MONDAY, JUNE 5, 2023 AT 4:00 P.M.

The White County Board of Commissioners held a combined Work Session & Regular Meeting on Monday, June 5, 2023 at 4:00 p.m. in the Board Room at the Administration Building. Present for the meeting were: Chairman Travis Turner, Commissioner Terry Goodger, Commissioner Lyn Holcomb, Commissioner Edwin Nix, Commissioner Craig Bryant, County Manager Billy Pittard, Finance Director Jodi Ligon, and County Clerk Shanda Murphy.

Chairman Turner called the meeting to order.

Following the Pledge of Allegiance, Pastor Jeff Groves with The Bridge Church and White County Ministerial Alliance, provided the invocation.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Goodger there was a unanimous vote to adopt the minutes of the May 1, 2023 Regular Meeting including Executive Session, the May 8, 2023 Called Meeting including Executive Session, and the May 15, 2023 Called Meeting.

A Public Hearing for the 2023-2024 Budget was held.

Ms. Jodi Ligon presented the proposed 2023-2024 Fiscal Year Budget (see attached).

Chairman Turner opened the floor for public comments on the proposed budget.

Mr. Mike Mays, 1254 Duncan Bridge Road Sautee Nacoochee, Georgia – asked if the new fire station on recently acquired property at Duncan Bridge Road and Starlight Drive was included within the budget.

Chairman Turner advised that the fire station would be funded through SPLOST funds and would be an upcoming project with priority.

With no additional public comments concerning the proposed budget – Chairman Turner closed the floor.

Mr. David Murphy, Director of Public Safety, presented proposed revisions to the County Code Chapter 10 – Animal Control. He stated that this was a complete rewrite of the Animal Control Code which he had been working on with the County Attorney in order to reflect changes to state law and to provide methods for officers to address issues with repeat offenders. Following presentation of the proposed changes, Chairman Turner opened the floor to receive public comment on revisions.

Mr. Bob Slack, 211 Covered Bridge Road Sautee Nacoochee, Georgia – asked when the revisions to the Animal Control Code would be effective if the Board approved them. Chairman Turner advised these changes would be effective immediately.

With no additional public comments on the proposed revisions to the Animal Control Code – Chairman Turner closed the floor.

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Nix there was a unanimous vote to approve County Resolution 2023-07, approving the revisions to the White County Code Chapter 10 – Animal Control:

WHITE COUNTY BOARD OF COMMISSIONERS

ORDINANCE NO. 2023-07

**AN ORDINANCE TO AMEND THE OFFICIAL CODE OF WHITE COUNTY, GEORGIA,
CHAPTER 10 – ANIMAL CONTROL**

WHEREAS, the White County Board of Commissioners wishes to revise portions of the Official Code of White County as it related to Animal Control.

NOW THEREFORE, BE IT RESOLVED by the County Commissioners of White County it is hereby resolved by authority of the same that the regulations be revised as follows.

The effective date of this amendment shall be June 5, 2023.

ADOPTED, this 5th day of June, 2023.

WHITE COUNTY BOARD OF COMMISSIONERS

s/Travis C. Turner

Travis C. Turner, Chairman

s/Terry D. Goodger

Terry D. Goodger, District

s/Lyn Holcomb

Lyn Holcomb, District 2

s/Edwin Nix

Edwin Nix, District 3

s/Craig Bryant

Craig Bryant, District 4

Attest:

s/Shanda Murphy

**Shanda Murphy
County Clerk**

Chapter 10 Animal Control is repealed in its entirety and enacted in its place are new provisions to read as herein set out.

Article I. General Provisions

Sec. 10-1 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:

Abandoned animal means any domesticated dog or cat that has been placed upon public property or within a public building or upon or within the private property of another without the express permission of the owner, custodian or tenant of the private property and is unattended or uncared for. Any domesticated animal shall also

be considered abandoned when it has been unattended and without adequate food and water for a period in excess of 36 hours, regardless of where the animal may be found or kept.

Adequate food means a sufficient quantity of noncontaminated and nutritionally healthy sustenance that is appropriate to the species, breed, size, age and health of the animal, or at the direction of a licensed veterinarian, which is sufficient to prevent starvation, malnutrition, or risk to the animal's health. Garbage, spoiled, rancid or contaminated food is not adequate food.

Adequate shelter means a protective covering for a domestic animal that is of adequate size and provides adequate protection to maintain the domestic animal in a state of good health and that prevents pain, suffering or significant risk to the animal's health. It should also be clean, dry and compatible with current weather conditions and to the breed of the domestic animal. The structure should be of sufficient size to allow the dog to stand, turn around, lie down and go in and out of the structure comfortably. The shelter should have proper bedding, ventilation, and lighting and afford the animal protection from extreme cold or hot temperatures. Examples of inadequate shelter include, but are not limited to, pet carriers, boxes, porches, decks or material that does not provide sufficient protection from the elements.

Adequate space means sufficient space for adequate exercise suitable to the age, size, species and breed of animals.

Adequate water means clear, drinkable water with adequate supply. Examples of inadequate water include, but are not limited to, snow, ice and rancid/contaminated water.

Animal(s). See "Domesticated animal."

Animal at large means any animal not under restraint or voice control and off the property of its owner. If an animal has no known owner or keeper, then it shall be considered "at large" when on any public or private property.

Animal Control Officer means a person employed by White County to pick up, restrain or impound animals and who is responsible for discharging such other duties or functions pertaining to animals as may be prescribed by this or any other ordinance, by state law, or by the lawful order of a county official authorized to supervise and direct Animal Control Officers.

Animal control department carries the same meaning as the animal control Animal Control Officer.

Animal control shelter means the facility designated by the board of commissioners of the county for the impoundment, restraint, care, detention and disposition of animals.

Animal establishment means any pet shop, grooming shop, animal auction, kennel, performing animal exhibition or animal shelter except this term shall not include veterinary medical facilities, licensed research facilities, facilities operated by governmental agencies or licensed animal dealers regulated by the USDA under the provisions of U.S. Pub. Laws 89544 and 91579.

Animal under restraint means any animal secured by a leash or lead or enclosed by way of fence or other enclosure; or under the control of a responsible and competent adult person and obedient to that person's commands and the person being present with the animal; or an animal confined within a vehicle, parked, in motion or in a crate or cage or otherwise secured in a pickup. In the case of a dog possessed by a minor, the term 'owner' includes the parents or persons in loco parentis with custody of the minor.

Appropriate authority means White County, the White County Sheriff's Office, any duly authorized agent thereof, the State of Georgia, any city, any county, or any state or subdivision thereof.

Attack means any biting or attempted biting or other action by an animal that places a person in danger of imminent bodily harm. An attack also means the actual biting of another animal.

Authority see *appropriate authority*.

Cat means any age feline of the domesticated type.

Certificate means a certificate of vaccination on a form furnished or approved by the Georgia Department of Human Services.

County means White County, Georgia.

Dog shall mean a dog, of either sex, vaccinated or not vaccinated against rabies.

Domesticated animals mean animals that are accustomed to living in or about the habitation of men, including, but not limited to, cats, cows, dogs, fowl, horses, swine, domesticated legal wild animals and/or legal exotic animals. It shall be unlawful to purchase, sell, own, possess, harbor or breed coyotes, wolves, hybrid wolves, any hybrid animal that is part wild animal, exotic cats or any other wildlife unless licensed by the respective federal or state department of agriculture to possess such animal.

Governing authority means the White County Board of Commissioners.

Guard dog means any dog which has been trained to attack persons or other animals independently or upon oral command and any dog which, not so trained, is reasonably expected to perform as a guardian of the property upon and within which it is located.

Habitually means an action that lasts for or is repeated over an extended duration.

Harborer means any natural person or any legal entity, including, but not limited to a corporation, partnership, firm, or trust owning, possessing, keeping, or having custody and control of a dog, or allowing a dog to stay upon their premises.

Health department means the White County Health Department or in the absence of a functioning health department, the White County Board of Health.

Humane care means, but is not limited to, making accessible wholesome and adequate food of sufficient quantity and quality and potable water of a drinkable temperature consistent with the normal requirements and feeding habits of the animal's size, species, and breed; providing continuous access to an area with adequate space for exercise necessary for the health of the animal; providing sanitary shelter sufficient to protect the animal from the elements and weather conditions, extreme heat or cold temperatures, adequate ventilation and bedding to protect against cold and dampness suitable for the age, species, and physical condition of the animal so as to maintain the animal in a state of good health; adequate lighting for enclosed shelters; routine and emergency veterinary care in order to maintain an animal in a state of good health; proper grooming consistent with the normal requirements of the animal's size, species, and breed. When necessary, euthanasia as provided under Code 4-11-5.1 to prevent suffering is permitted.

Kennel is an establishment kept for the purpose of breeding, selling or boarding dogs or cats or engaging in the training of dogs or cats.

Livestock means animals of the equine, bovine or swine class, including goats, sheep, mules, horses, hogs, cattle and other grazing animals and all ratites, including, but not limited to, ostriches, emus and rheas.

Local government means White County, Georgia.

Necessary veterinary care means veterinary medical attention appropriate to the circumstances, whenever an animal is known or suspected to have suffered an injury, accidental or deliberate, or exhibits signs of disease process such as shock, temperature fluctuation, tremors, swelling, broken bones, open wounds, inability to eat or drink, blistering, irregular or abnormal breathing, partial or total paralysis, abnormal discharge or bleeding, mange, weight loss, lethargy, dehydration or other signs of health problems.

Neutered/spayed means rendered permanently incapable of reproduction by a licensed veterinarian.

Nuisance means a dog or cat shall be considered a nuisance if it:

- (1) Damages, soils or defecates on private property other than the owner's or on public walks and recreation areas unless such waste is immediately removed and properly disposed of by the owner;
- (2) Causes a disturbance by excessive barking or other noise making;
- (3) Chases vehicles or molests, attacks or interferes with persons or other domestic animals on public or private property; or
- (4) Is found at large more than twice in a period of three months.

Owner means any person, firm, corporation, partnership, association, and/or any other legal entity, who or which owns, possesses, harbors, feeds, maintains, or knowingly causes or knowingly permits an animal to be harbored or kept, or has an animal in his care, or who permits any animal to remain on or about his premises. Without limiting the generality of the foregoing, any adult at whose residence a dangerous dog or a vicious dog is kept or found shall be presumed to be an owner of such a dog and shall have the burden of rebutting such presumption. If an animal has more than one owner, any such owners may be prosecuted for violations whether or not any other owners are also prosecuted. In the case of an animal possessed by a minor, the term 'owner' includes the parents or person in loco parentis with custody of the minor.

Person shall mean any individual, firm, corporation, partnership, municipality, county, society or association.

Proper confinement in motor vehicle means an owner or person shall not confine any animal in a motor vehicle in such a manner that places it in a life or health threatening situation to cause strangulation or by exposure to a prolonged period of extreme heat or cold, without proper ventilation or other protection from such heat or cold.

Proper enclosure means an enclosure on the owner's property for keeping a dangerous dog or vicious dog in a locked pen, fence, or structure suitable to prevent the entry of young children and designed to prevent the dog from escaping. Any such pen or structure shall have secure sides and, in the case of a vicious dog, a secure top, and if the dog is enclosed within a fence, all sides of the fence shall be of sufficient height and the bottom of the fence shall be constructed or secured in such a manner as to prevent the dog's escape either from over or from under the fence. Any such enclosure shall also provide protection from the elements for the dog.

Rabies vaccination tag shall mean a tag furnished or approved by the Georgia Department of Public Health and which tag shall be worn by the vaccinated dog at all times.

Records of an appropriate authority means records of any state, county or municipal law enforcement agency, records of any county or municipal animal control agency, records of any county board of health, records of any federal, state or local court or records of an Animal Control Officer as provided for in this division.

Severe injury means any physical injury that creates a substantial risk of death; results in death, broken or dislocated bones, lacerations requiring multiple sutures, or disfiguring avulsions; requires plastic surgery or admission to a hospital; or results in protracted impairment of health, including transmission of an infection or contagious disease, or impairment of the function of any bodily organ.

Shelter means adequate protection from the elements and weather conditions suitable for the age, species, and physical condition of the animal so as to maintain the animal in a state of good health. Shelter for livestock, includes structures or natural features such as trees or topography. Shelter, for a dog, includes one or more of the following:

- (1) The residence of the dog owner or other individual.
- (2) A doghouse that is an enclosed structure with a roof and of appropriate dimensions for the breed and size of the dog. The doghouse shall meet the minimum requirements of adequate shelter requirements and provide dry bedding.
- (3) A structure, barn, or shed that is sufficiently insulated and ventilated to protect the dog from exposure to extreme temperatures or, if not sufficiently insulated and ventilated, contains a doghouse as provided under subparagraph (2) that is accessible to the dog. Dog must be restrained appropriately as to not be permitted to escape or be in violation of section 10-31.

State of good health means freedom from disease and illness and in a condition of proper body weight and temperature for the age and species of the animal, unless the animal is undergoing appropriate treatment.

Sterilization means rendering an animal unable to reproduce by the surgical removal of its reproductive organs or by rendering a dog unable to reproduce by intratesticular injection.

Vaccinate or *inoculate* shall mean the injection of a specified dose of anti-rabies vaccine by a veterinarian into the proper site of an animal, such vaccine having the U.S. Department of Agriculture Veterinary Biology's Control Section license number approval stamped on the label of the container and having been approved by the Georgia Department of Human Services.

Vaccine means an injectable material containing killed or attenuated rabies virus, licensed by the United States Department of Agriculture, Veterinary Biology's Section, and approved by the Georgia Department of Human Services. Vaccine used for the purpose of this rule shall be stored at the temperature prescribed on the purchase label. Outdated vaccine shall not be used.

Veterinarian shall mean any person who holds a degree of doctor of veterinary medicine (DVM).

Working dog means any dog being used by a law enforcement or military officer to carry out the law enforcement or military officer's official duties. No working dog shall be classified as a dangerous dog or vicious dog if the person injured by such dog was a person who, was committing a trespass, was abusing the dog, or was committing or attempting to commit an unlawful act.

Sec. 10-2 Interpretation of chapter; conflicting provisions

(a) Where there is a conflict among articles or sections within this chapter, the article or section which is more restrictive shall apply.

(b) Definitions in one article of this chapter may be used to define terms in other parts of this chapter unless it is clear from the context that the definition does not apply.

Sec. 10-3 - 10-99 Reserved

Sec. 10-100 - 10-102 Reserved

Sec. 10-103 Abandonment of animals

(a) It shall be unlawful for a person to abandon any domestic animal owned by him. No person shall put out or abandon any dog, cat or other domestic animal on public or private property. It shall be unlawful for anyone to abandon any domesticated animal within the county. Each person who does abandon, permits such abandonment or aids in the abandonment of any domesticated animal shall be in violation of the law and shall be punished as provided in this article.

(b) It shall be unlawful for any person to abandon or to turn out at large any sick, diseased or disabled animal but such animal shall, when rendered worthless by reason of sickness or other disability, be disposed of by the owner thereof in accordance with the rules and regulations of the state.

(c) It shall be unlawful for the owner of any animal or fowl that die or are killed within the limits of the county to fail to remove or bury the carcass of such animal within a reasonable time and, in no event, more than 24 hours after its death.

(d) If the owner, possessor or custodian of an animal is not known and the animal is upon the public streets, alleys, sidewalks, school grounds or other public places or premises or property of another without the property owner's permission as prohibited by this section, any law enforcement officer or agent or employee duly authorized by the county shall be authorized to immediately take possession of such animal and impound it in accordance with the rules and regulations provided by law or by ordinance of the county for the detention, control and disposition of animals.

(e) Once impounded, an animal shall be kept for a period of time as outlined in this article and, thereafter, if the animal is not claimed by anyone after a reasonable effort has been made to locate the owner, possessor or custodian of the animal as provided in this article, the animal may be disposed of via adoption, transfer to rescue group or licensed veterinarian, or if in the opinion of the shelter director or a licensed accredited veterinarian, such animal has a temperament or condition such that euthanasia is the only reasonable course of action, by humanely disposing of the animal.

Sec. 10-104 Liability of owner or custodian for damages done to livestock, poultry, or pet animal by dog

(a) The owner or, if no owner can be found, the custodian exercising care and control over any dog which while off the owner's or custodian's property causes injury, death, or damage directly or indirectly to any livestock, poultry, or pet animal shall be civilly liable to the owner of the livestock, poultry, or pet animal for injury, death, or damage caused by the dog. The owner or, if no owner can be found, the custodian exercising care and control over any dog shall be liable for any damage caused by such dog to public or private property. The liability of the owner or custodian of the dog shall include consequential damages.

(b) This Code section is to be considered cumulative of other remedies provided by law. There is no intent to eliminate or limit other causes of action which might inure to the owner of any livestock, poultry, or pet animal.

Sec. 10-105 Cruelty to dogs; authorized killing of dogs, animal neglect, fighting animals

(a) No person shall perform a cruel act on any dog; nor shall any person harm, maim, or kill any dog, or attempt to do so, except that a person may:

(1) Defend his or her person or property, or the person or property of another, from injury or damage being caused by a dog; or

(2) Kill any dog causing injury or damage to any livestock, poultry, or pet animal.

(b) The method used for killing the dog shall be designed to be as humane as is possible under the circumstances. A person who humanely kills a dog under the circumstances indicated in subsection (a) of this Code section shall incur no liability for such death.

(c) This Code section shall not be construed to limit in any way the authority or duty of any law enforcement officer, dog or rabies control officer, humane society, or veterinarian.

(d) No person shall by act, omission or neglect cause unjustifiable physical pain, suffering or death to any domestic animal. This section shall not apply to the killing of animals raised for the purpose of providing food nor does it apply to any person who shall hunt wild animals in compliance with the game and fish laws of the State of Georgia. Furthermore, this section shall not apply to the killing or injuring of animals for humane purposes or in the furtherance of medical or scientific research or in the necessary defense of one's person or personal property.

(1) Whoever willfully or purposefully kills, abuses, maims or disfigures any domestic animal or willfully or maliciously administers poison to an animal or exposes any poisonous substance with intent that the substance shall be taken and swallowed by a domestic animal shall be in violation of this article. Cropping, docking and dew claw removal performed by a veterinarian shall not be considered maiming or disfiguring.

(2) Whoever overloads, overdrives, tortures, torments or deprives a domestic animal of adequate food or beats, mutilates, hobbles or kills any animal or causes such acts to be done, or carries in or upon a vehicle or otherwise any domestic animal in a cruel or inhumane manner, shall be deemed in violation of this article. This section shall not prohibit the hobbling of a domestic animal for legitimate training or approved medical care purposes.

(3) Whoever confines a domestic animal and fails to supply adequate food, adequate water, sanitary conditions, and necessary vet care, fails to provide the domestic animal with access to adequate space, or causes unnecessary suffering or abandons any domestic animal shall be deemed in violation of this article.

(4) No person shall:

A. Own, possess, keep, train or transport any domestic animal with the intent that such animal shall be engaged in an exhibition of unlawful fighting;

B. For amusement or gain, cause any dog to fight with another dog or for amusement or gain, cause any dogs to injure each other;

C. Wager money or anything of value on the result of such dogfighting;

D. Knowingly permits any act in violation of paragraph (1) or (2) of this subsection on any premises under the ownership or control of such person or knowingly aids or abets any such act; or

E. Knowingly promotes or advertises an exhibition of fighting with another dog shall be guilty of a felony and, upon the first conviction thereof, shall be punished by imprisonment of not less than one nor more than five years, a fine of not less than \$5,000.00, or both such fine and imprisonment. On a second or subsequent conviction, such person shall be punished by imprisonment of not less than one nor more than ten years, a fine

of not less than \$15,000.00, or both such fine and imprisonment. Each act or omission in violation of this subsection shall constitute a separate offense.

F. Any person who is knowingly present only as a spectator at any place for the fighting of dogs shall, upon a first conviction thereof, be guilty of a misdemeanor of a high and aggravated nature. On a second conviction, such person shall be guilty of a felony and shall be punished by imprisonment of not less than one nor more than five years, a fine of not less than \$5,000.00, or both such fine and imprisonment. On a third or subsequent conviction, such person shall be punished by imprisonment of not less than one nor more than ten years, a fine of not less than \$15,000.00, or both such fine and imprisonment. Each act in violation of this subsection shall constitute a separate offense.

(5) Any dog subject to fighting may be impounded pursuant to the provisions of O.C.G.A. §§ 4-11-9.2 through 4-11-9.6.

(6) This Code section shall not prohibit, impede, or otherwise interfere with animal husbandry, training techniques, competition, events, shows, or practices not otherwise specifically prohibited by law.

(7) Any animal control Animal Control Officer may impound any animal that has been treated in a cruel or neglectful manner.

Sec. 10-106 Running at large prohibited; duties of animal owners

(a) It shall be the duty of the owner of any animal or anyone having an animal in his possession to keep the animal under control at all times while the animal is off the real property limits of the owner, possessor or custodian. For the purposes of this section, an animal is deemed under control when it is confined within a vehicle; is secured by a leash or other device held by a competent person; is under voice control or is properly confined within an enclosure with permission of the owner of the property where the enclosure is located.

(b) The owner or custodian of any animal that is proven to be at large shall be in violation of this section, regardless of the precautions taken to prevent the escape of the animal and regardless of lack of knowledge of the offense at the time it occurs.

(c) Any such animal at large may be impounded by the Animal Control Officer or an authorized representative thereof.

(d) It shall be the duty of every owner or custodian of an animal or livestock within the county to exercise reasonable care and take all necessary steps and precautions to protect other people and property from injuries and damage which might result from the animal's behavior, regardless of whether such behavior is motivated by mischievousness, playfulness or ferocity. Every animal shall be restrained or controlled so as to prevent it from chasing vehicles or chasing, menacing, or attacking persons or other animals. Citations under this section shall not replace or be a substitute for enforcement of the section of this chapter dealing with dangerous or vicious dogs, and an owner may be subject to enforcement under both sections.

(e) It shall be the responsibility of every owner of a domesticated animal to notify animal control if an animal is missing.

(f) It shall be the duty of any animal owner or person residing with an animal owner to respond within 24 hours, or no later than 10:00 a.m. of the next business day, whichever is later, to a notice or request for information from animal control left or posted at the premises on or near where an animal is living or kept. The notice, which shall not be a citation, shall be posted prominently in full view, or left with an adult on the premises, may be delivered as part of an investigation, as the result of a complaint, or part of a follow up, and requires a response, either in person or by telephone. If the response is by telephone, any message left must provide a return number or other reliable way to make contact. Each notice that is ignored shall constitute a separate offense.

(g) Except as provided in the following section, every owner of an unsterilized animal, i.e., a dog, cat or ferret, is hereby required to confine the animal at all times. Confinement shall include keeping the animal within a fence, a proper enclosure, a house, other enclosure or structure that affords the animal humane care and in all cases prevents access to other animals not kept in the same enclosure. Any time an unsterilized animal is not confined, the animal must be on a secure and sturdy leash while being walked by a responsible person. Any unsterilized animal that is unconfined or not on a leash shall be subject to confiscation and impoundment, and, in addition to being subject to citation, the owner shall be required to have the animal sterilized within 30 days. The burden shall be on the owner of a sterilized animal to have proof available that the animal is sterilized.

(h) Unsterilized working animals (including show dogs) are exempt from the above confinement requirements while working, but their owners are required to keep such animals under control. The burden shall be on the owners to prove the animal was working at the time of the citation. Owners who negligently allow working animals to roam and run free at any time shall be subject to citation and sterilization under this section and under any other applicable section of this article.

(i) It is the policy of animal control that tethering an animal as a permanent means of confinement is an unsafe, unwise, and dangerous practice. In the event an owner uses a tether to confine an animal, it shall be of sufficient construction as to not constitute abuse or a danger to the animal and shall allow the animal sufficient freedom to safely perform its necessary activities and functions in the judgment of animal control. Improper, inhumane, and unsafe tethering as a permanent means of confinement shall be considered animal cruelty.

(j) It shall be unlawful for the owner of any dog or anyone having a dog in his possession and control to permit the dog to be out of control off the premises of the owner, or upon the property of another person without permission of the owner or person in possession thereof.

(k) A dog within the property limits of its owner or custodian shall be under the immediate supervision of a responsible party when invitees are allowed on the property by owner.

(l) An Animal Control Officer investigating a complaint has discretion to impound an animal being investigated and to impound an animal for which repeated complaints have been received.

(m) No person shall tie, stake or fasten any animal within any street, alley, sidewalk or other public place or in such manner that the animal has access to any portion of any street, alley, sidewalk or other public place.

(n) Every female dog or cat in heat shall be confined in a building or other enclosure in such manner that such female dog or cat cannot come into contact with a male animal except for planned breeding. Appropriate confinement does not include, among other things, tethering. No owner or custodian of any dog in heat shall permit the dog to roam or leave the property of its owner.

(o) Every animal shall be restrained or controlled so as to prevent it from chasing vehicles or attacking persons or other domestic animals.

(p) Any animal with no known keeper (e.g., feral cats) shall be considered stray and subject to impoundment.

Sec. 10-106.1 Removal of certain collars from dogs; restitution; exemption

(a) For the purposes of this Code section, the term "collar" means any electronic or radio transmitting collar that has the purpose of tracking the location of a dog.

(b) No person shall remove a collar from a dog without permission from the dog's owner with the intention of preventing or hindering the owner from locating such dog, and if such dog is lost or killed as a result of the violator's removal of such collar, the violator shall be required to pay the dog's owner restitution in the amount of the actual value of the dog and any associated veterinary expenses.

(c) This Code section shall not apply to an owner or lessee of real property who removes a collar from a dog caught on his or her owned or leased property while such dog remains on such property if such owner or lessee gives notice of such action within 24 hours to the county or municipal law enforcement agency having territorial jurisdiction.

Sec. 10-107 Penalty for violations of article

Except as provided in Code Sections 16-12-4 and 16-12-37, any person who violates any provision of this article shall be guilty of a misdemeanor. For a second conviction hereunder, a fine of not less than \$500.00 shall be imposed and for a third offense or subsequent conviction a fine of not less than \$750.00 shall be imposed.

Sec. 10-108 - 10-110 Reserved

Sec. 10-120 - 10-129 Reserved

Sec. 10-130 - 10-131 Reserved

Sec. 10-132 Livestock running at large or straying, impoundment

(a) All livestock shall be properly housed with adequate food and adequate water and confined within a fenced enclosure. The fenced enclosure shall be maintained in such a manner as to keep any average livestock animal from escaping the enclosed compound and causing damage, accidents or injury to any person or property. Owners of such livestock shall be liable for any damage, accidents or injuries. Such maintenance shall include, but not be limited to, repair or replacement of anchor post assemblies whenever they show signs of weakness, refastening loose wires to posts, splicing broken wires when necessary, and keeping the fence wires properly stretched. Those who provide boarding/pasturing space and/or services for hire shall have the responsibility for enclosure maintenance as described in this paragraph.

(b) Owners or possessors of livestock impounded for violation of this article or any state and/or federal laws, will be charged in accordance with actual costs of impoundment plus impounding and boarding fees, as adopted by the board of commissioners.

(c) Impounded livestock shall be held for a period of five days. If such impounded animals are not claimed by the owner during that period of time, the animals may be given to persons willing to accept them, in the discretion of the director of animal control.

(d) It shall be unlawful to tether any equine species outdoors without the owner or adult custodian being with the equine species. Any person owning an equine species needs to provide adequate and proper fencing to keep the equine enclosed safely.

Sec. 10-133 - 10-134 Reserved

Sec. 10-135 Animals disturbing the peace

(a) No owner or keeper of a domestic animal shall allow a domestic animal to annoy or disturb any person not on the premises of the owner or keeper of the animal by unreasonable barking or other noises. For the purpose of this section, unreasonable barking or other noises shall mean barks, bays, cries, howls or other noises that are continuous or incessant for a period of 30 minutes or are intermittent for a period of one hour or more. Barking or noises shall not be considered unreasonable if the domestic animal is responding to a trespass or attempted trespass on private property. This section shall have no application to noises or disturbances made by livestock,

poultry or other animals emanating from a legitimate farming operation on property zoned for agricultural use or properly permitted.

(b) Any person that knowingly keeps, owns, harbors, has custody or control of or acts as custodian of a domestic animal that constitutes a nuisance shall be guilty of an unlawful act and shall be punished as provided in this chapter.

(c) Any investigation resulting from a nuisance must have a minimum of two separate complainants in order to be considered a possible violation of this section.

Sec. 10-136 Enforcement

Enforcement authority of this chapter shall be vested with the Animal Control Officer or any other duly authorized sheriff's deputy of the county. Enforcement shall be based upon a complaint lodged with the animal control department or the county sheriff's office. In carrying out the duties of this chapter, the animal control department may employ equipment including, but not limited to, control poles, nets, leashes of any construction, chemical capture devices, snake tongs, oleoresin capsicum aerosols, snake hooks, humane traps, collapsible batons, firearms and metal carrying cages.

Sec. 10-137 Commercial guard/security dogs

(a) It shall be the duty of all persons who keep, use or maintain any guard/security dog to have signs conspicuously posted on the premises where the guard/security dog is located to warn of the presence of the dog. This warning shall consist of a warning sign placed at each entrance and exit to the premises and in a position to be legible from the sidewalk or ground level adjacent to the sign (eye level). If the premises are not enclosed by a wall or fence, a sign shall be placed at every entrance and exit to each structure on the premises in which a guard/security dog is located. Each sign shall measure at least ten inches by ten inches and shall contain block lettering stating "Warning, Guard Dog on Duty." In addition, for dogs rented or leased, the sign shall set forth the name, address and phone number of the responsible person to be notified during any hour of the day or night.

(b) It shall be the duty of all persons who keep, use or maintain a guard/security dog to ensure the dog is vaccinated against rabies and licensed as required by state and county laws and ordinances. The dog also must have the current vaccination tag affixed to a collar worn by the dog at all times as required by state and county laws and ordinances.

(c) It shall be unlawful to transport any guard/security dog in an open bed truck and the vehicle transporting guard dogs shall be identified as to the business owner. It shall be unlawful to transport any guard dog in the county except under the following conditions:

(1) Each dog shall be placed in separate holding bins.

(2) Each holding bin shall be enclosed and measure 48 inches long by 18 inches wide by 30 inches high.

(3) Each holding bin will be adequately ventilated.

(d) No guard/security dog shall be chained, tethered or otherwise tied to any inanimate object, such as a tree, post or building, outside of its own enclosure.

(e) A guard/security dog shall be confined by the owner/custodian/harbinger within a building or secure enclosure out of which it cannot climb, dig, and jump or otherwise escape of its own volition.

Sec. 10-138 Vicious animals; precautions to be taken by owners

(a) This ordinance shall apply to all animals, except dogs. Article II of this chapter, pertaining to dangerous dogs and vicious dogs, shall apply to dogs as defined in that article.

(1) "Vicious animal" means an animal that inflicts serious injury on a person or causes serious injury to a person resulting from reasonable attempts to escape from the animal's attack or has already been classified as dangerous and attacks or bites a human or pet animal. An animal that bites its owner is exempted from this section, except the mandatory reporting requirement of section 10-407 shall still apply.

(b) Exception: An animal is not considered vicious if it attacks, bites or menaces:

(1) Anyone attacking its owner;

(2) Unlawful trespassers on the property of its owner;

(3) Any person or animal that has tormented or abused it;

(4) If it is defending its young or other animal; or

(5) Any non-domesticated animal being hunted as part of lawful hunting activities.

(c) An animal will not be classified as vicious simply by nature of its size, breed, phenotype or other physical characteristics.

(d) No person owning or having custody or control of any animal known to be vicious shall permit it to run at large or permit it to run loose on or within the premises of such person in such a manner as to endanger the life or limb of any person lawfully entering such premises.

(e) For owners of vicious animals who maintain their animal out-of-doors, a portion of their property shall be fenced with a perimeter or area fence. Within this perimeter fence the vicious animal must be provided adequate shelter and adequate space. The pen or kennel shall not share common fencing with the area or perimeter fence. The kennel or pen must have secure sides, with a secure top attached to all sides, and the sides must be securely set into the ground or onto a concrete pad or securely attached to a wire bottom, out of which it cannot climb, dig, jump or otherwise escape on its own volition. Such an enclosure must be securely locked.

(f) A warning sign (e.g., BEWARE OF VICIOUS ANIMAL) shall be conspicuously posted denoting a vicious animal is on the premises and if said vicious animal is kept in a secure enclosure such signs will be posted on all four sides of said enclosure. It is the intention of this article to make all persons who have legitimate business at the place where a vicious animal is kept to be fully warned that such vicious animal is present.

(g) No vicious animal shall be chained, tethered, or otherwise tied to any inanimate object such as a tree, post or building.

(h) Whenever outside of its enclosure, but on the owner's property, a vicious animal must be attended by the owner and restrained by a secure collar and leash of not more than four feet in length and of sufficient strength to prevent escape.

(i) It shall be unlawful for any person to cause, permit, accompany or be responsible for any vicious animal on the streets or in any other public place, at any time, unless, in addition to the other requirements of this article, such animal is humanely and securely muzzled and under the control of a competent person to effectively prevent it from biting any person or other animal.

(j) The owner of any vicious animal which is not confined in a building or secure enclosure or any person who shall release, either willfully or through a failure to exercise due care or control or take such animal out of such building or secure enclosure in a manner which is likely to cause injury to another person or damage to the property of another person, shall be in violation of this article and such animal shall be permanently confined or humanely destroyed.

Sec. 10-139 Reserved

Sec. 10-140 Detention of animals

It shall be unlawful for any person to detain or hold the animal of another without notifying the Animal Control Officer or law enforcement agency. If animal is presumed stray, and the owner is not currently known, it shall be the responsibility of the finder to notify animal control. If animal control is not notified within five days, and no owner is found, the animal will be considered detained by finder and surrendering said animal to animal control will incur a surrender fee.

Sec. 10-141 Interference with officer

(a) It shall be unlawful for any person to interfere with, molest, obstruct, hinder or prevent any law enforcement officer or Animal Control Officer in the discharge of their duties as prescribed in this chapter.

(b) Any person who shall hinder, delay, interfere with or obstruct any law enforcement officer or Animal Control Officer while engaged in capturing, securing or taking to the animal shelter any animal or animals liable to be impounded, or who shall break open in any manner, directly or indirectly aid, counsel or advise the breaking open of any animal control vehicle or other vehicle or live traps used for the collecting of any such animals shall be deemed in violation of this chapter.

Sec. 10-142 Reserved

Sec. 10-143 Confinement in motor vehicle

No owner or person shall confine any animal in a motor vehicle in such a manner that places it in a life or health threatening situation by exposure to a prolonged period of extreme heat or cold, without proper ventilation or other protection from such heat or cold. In order to protect the health and safety of an animal, an Animal Control Officer, law enforcement officer, or department of agriculture investigator who has probable cause to believe that this section is being violated shall have authority to enter such motor vehicle by any reasonable means under the circumstances after making a reasonable effort to locate the owner or person. White County shall not be liable for any damages to personal vehicles resulting from the retrieval of an animal found to be in a life or health threatening situation.

Sec. 10-144 Prohibited animals

It shall be unlawful to purchase, sell, own, possess, harbor or breed skunks, foxes, prairie dogs, raccoons, coyotes, wolves, hybrid wolves, any hybrid animal that is part wild animal, exotic cats or any other wildlife unless licensed by the respective federal or state departments to possess such animal.

Sec. 10-145 Prohibited animals – breeding without a license

It is unlawful for any person who does not hold a license from the respective federal or state departments to breed an animal if they are required by the respective federal or state departments to have breeding license(s) or permit(s). Owners of an animal having more than one litter delivered during any 12-month period will require a license from the appropriate federal or state departments.

Sec. 10-146 Hoarders

It shall be unlawful for any person to collect animals and fail to provide them with humane/adequate care, collect dead animals that are not properly disposed of as required by this article, or collect, house, or harbor animals in filthy, unsanitary conditions that constitute a health hazard to the animals being kept, and/or to the animals or residents of adjacent property.

Sec. 10-147 – 10-169 Reserved

Sec. 10-170 The animal control department

The animal control department, under the office of public safety shall consist of the Animal Control Officer designated as the division chief of the animal control department and the Animal Control Officers.

Sec. 10-171 Animal Control Officer appointment

The public safety director under the direction of the county manager as empowered by the governing authority shall appoint an Animal Control Officer who shall be designated as the division chief of the animal control department.

Sec. 10-172 Powers and duties of division chief of the animal control department

The animal control division chief shall be primarily responsible for the enforcement of this article and his duties shall include but not be limited to the following:

- (1) Cooperation with the county board of health in the enforcement of rabies control regulations and of animal control directives.
- (2) Cooperation in the promotion of animal control and welfare.
- (3) Taking up and impounding animals that are in violation of this chapter, using any and all means available which are humane in nature; however, the Animal Control Officer shall be authorized but not required to impound animals or fowl not on the owner's or custodian's property. The Animal Control Officer can, in lieu of impoundment, issue a citation for violations of this chapter,
- (4) The Animal Control Officer shall be authorized to enter either public or private property to impound any animal which he has reasonable cause to believe is in violation of this chapter.
- (5) The Animal Control Officer may destroy any animal which presents a threat of immediate harm to public health or safety or other innocent animals and which cannot be taken for impoundment without threat of serious harm to the Animal Control Officer or his agents. The destruction shall be in the most humane method available to the officer on scene.
- (6) Keeping a record of the number and description of all animals impounded or otherwise taken into custody, showing in detail in the case of each animal a general description by sex, breed and approximate age, together with any identification tag, vaccination tag or other marking, including micro-chipping and the date of receipt.
- (7) The animal control division chief may designate any Animal Control Officer to perform any of the duties of the animal control division chief.

Sec. 10-173 Notice to owners of impounded animals; redemption by owner

(a) Any animal seized or impounded under any provision of this article shall be detained in the animal control shelter or any other such facility that the governing authority may so designate.

- (b) Upon receipt of any impounded animal having a microchip or wearing a tag, the Animal Control Officer shall immediately make diligent efforts to ascertain the identity of the animal's owner and shall, within three business days of receipt, telephone the owner to give notice of the impoundment or notify the owner by personal contact or notice attached to the residence of the owner or provide notification by certified U.S. mail if owner's address is outside of White County.
- (c) The owner of the impounded animal may, after receiving such notice, regain possession of the animal upon payment of all applicable fees specified in this section. Such redemption shall not affect any criminal liability of the owner which may exist with respect to any violation of this article and shall not preclude proceedings against the owner for the purpose of pursuing sanctions under this article.
- (d) Animals impounded must be claimed in three days, or are subject to adoption or euthanasia.
- (e) Owners must pay an impound fee as described in section 10-175 if claimed within the appointed three-day period.
- (f) If not claimed within the three-day period all impound fees described in section 10-175 apply, including but not limited to reimbursement to animal control for all medical expenses incurred.
- (g) Notwithstanding any provisions in this chapter to the contrary. The animal control unit may refuse to release any animal impounded in the shelter or other director approved location for rabies or contagious disease quarantine or for the use of evidence of criminal prosecution for such time period as the animal control unit may determine or until released by a court order.

Sec. 10-174 Commencement of period of impoundment

All periods of impoundment specified in this article shall be deemed to commence at 12:01 a.m. of the day following the date of confinement. All animals reclaimed through White County once entering the shelter are still subject to the necessary fees in regards to a current rabies vaccination and all applicable impoundment fees as adopted by the board of commissioners.

Sec. 10-175 Fees and requirements for violations and impounds

- (a) The fees with respect to services performed, in connection with the enforcement of this article, shall be set by the board of commissioners from time to time. A copy of such fee schedule shall be posted at the headquarters of the Animal Control Officer. Such fees may be changed at any time and from time to time as determined by the board of commissioners.
- (b) The fees established and collected under this article are not penalties but are imposed for the sole purpose of defraying expenses borne by the county for animal control and welfare under this article. Such fees are subject to change at any time. Such fees shall include but not be limited to the following:
 - (1) An impounding fee.
 - (2) A boarding fee on a per-day basis.
 - (3) A rabies inoculation deposit/fee, if needed. All dogs and cats over the age of three months will require a rabies vaccination as required by O.C.G.A. § 31-19-5.
- (c) Absent exigent circumstances, in no event shall any animal be redeemed by its lawful possessor, owner or custodian unless those fees established for boarding and/or the administration of necessary medical treatment to the animal are paid.

Sec. 10-176 Consequences of animal impounded and not claimed

If for any reason an animal is impounded and not claimed by the owner after proper notification is made, the animal shall be considered abandoned and the following subsections shall apply.

- (1) If the animal is not claimed by the owner within 72 hours of being telephoned or personally contacted or 72 hours of a notice being left at the owner's residence, the animal shall be deemed abandoned and representatives of the animal control shelter may at their discretion adopt such animal or dispose of such animal in accordance with state law. If the owner cannot be located or no residence of the owner identified, the animal shall be presumed abandoned within 72 hours of impoundment.
- (2) If any of the time periods in the subsection (1) of this section expire, the owner shall be deemed to have given his consent to the adoption of the impounded animal or to give his consent to the disposal of the animal in a humane fashion in accordance with O.C.G.A. § 4-11-5.1. All rights of ownership in such animal will immediately cease and the owner shall have no further claims to such animal.
- (3) If an animal is impounded and through its appearance seems to have been abandoned or is stray, such animal will be kept for a period of 72 hours before it will be considered for adoption or destroyed. The appearance of being abandoned or stray would include, but not be limited to, the following: no collar, tag, brand, micro-chipping or other identifiable marks, an appearance of being malnourished, excessively dirty or mangle-like fur coat or any other condition that would lead the Animal Control Officer to conclude that such animal is a stray.
- (4) Any animal impounded which is found to be diseased or injured and whose ownership is unknown or is relinquished in writing or whose owner cannot be immediately contacted, may be immediately destroyed if in the opinion of the animal control director or licensed veterinarian the severity of the injury or disease of the animal indicates that euthanasia is a humane course of action.
- (5) The Animal Control Officer may destroy any animal which presents a threat of immediate harm to public health or safety or other innocent animals while in custody of animal control.

Sec. 10-177 Adoption

Personnel from the animal control shelter may offer for adoption or placement with any person or any organization approved by the county or its agent an animal otherwise scheduled to be disposed of (euthanized) under the provisions of this chapter. No animal impounded shall be released to any person or organization for the purpose of animal experimentation. Any person or organization adopting an animal from the county or the county's designated animal control shelter shall pay the county or the designated animal control shelter for rabies inoculation, necessary medical treatment and any other administrative fees designated by the county.

Sec. 10-178 Destruction of animals due to disease, overcrowding, injury or likelihood of danger or injury to humans or other animals

Notwithstanding any provisions of this chapter to the contrary, the animal control unit may humanely destroy any animal impounded in the shelter when the animal control unit reasonably believes that destruction of the animal is necessary to prevent unnecessary suffering of animal, or prevent disease or injury to the animals or humans, due to overcrowding in the shelter, the presence or threatened presence of contagious disease, the likelihood of danger or injury to humans or animals, or any other condition.

Sec. 10-179 Holding animals due to quarantine or as evidence in a criminal prosecution

Notwithstanding any provisions in this chapter to the contrary, the animal control unit may refuse to release any animal impounded in the shelter or other director approved location for rabies or contagious disease quarantine or for the use as evidence in a criminal prosecution for such time period as the animal control unit may determine or until released by a court order.

Sec. 10-180 Records

It shall be the duty of the animal control department to keep and maintain current and accurate records of all activities and transactions pertaining to the enforcement and impoundment of animals under this chapter. Such records shall include but not be limited to the name, address and phone numbers of persons filing complaints and owners of the animals impounded. Other information which shall be recorded will be the description and condition of each animal impounded; date, time and circumstances of impoundment. Records shall also be maintained of all fees of any kind collected and any other records deemed proper for accurate accounting of activities.

Article II. Responsible Dog Ownership Law

Sec. 10-221 Definitions

(a) As used in this article, the term:

(1) "Classified dog" means any dog that has been classified as either a dangerous dog or vicious dog pursuant to this article.

(2) "Dangerous dog" means any dog that:

(A) Causes a substantial puncture of a person's skin by teeth without causing serious injury; provided, however, that a nip, scratch, or abrasion shall not be sufficient to classify a dog as dangerous under this subparagraph;

(B) Aggressively attacks in a manner that causes a person to reasonably believe that the dog posed an imminent threat of serious injury to such person or another person although no such injury occurs; provided, however, that the acts of barking, growling, or showing of teeth by a dog shall not be sufficient to classify a dog as dangerous under this subparagraph;

(C) While off the owner's property, kills or seriously injures a pet animal; provided, however, that this subparagraph shall not apply where the death of such pet animal is caused by a dog that is working or training as a hunting dog, herding dog, or predator control dog and is under the control or command of its owner or possessor; or no dog may be declared dangerous or vicious if the injury or damage to a domestic animal was sustained while the dog was working as a hunting dog, herding dog, or predator control dog on the property of, or under the control of, its owner or keeper, and the damage or injury was to a species or type of domestic animal appropriate to the work of the dog; or

(D) Because of temperament, conditioning or training, has a known propensity to kill, attack, bite or injure other living creatures without provocation;

(1.1) Any dog which, when unprovoked, in a vicious or terrorizing manner approaches any person in an apparent attitude of attack upon the streets, sidewalks or any public grounds or places;

(1.2) Any dog with a known propensity, tendency or disposition to unprovoked attack to cause injury or to otherwise endanger the safety of human beings or domestic animals;

- (1.3) Any dog which bites, inflicts injury, assaults or otherwise attacks a human being or domestic animal without provocation on public or private property;
- (1.4) Any dog owned or harbored primarily or in part for the purpose for dogfighting or any dog trained for dogfighting; or
- (1.5) Any dog owned or harbored, not used for police or military purposes, primarily or in part for the purpose attack or guard training or any dog trained to attack humans.
- (3) "Local government" means White County or any county or municipality of this state.
- (4) "Owner" means any natural person or any legal entity, including, but not limited to, a corporation, partnership, firm, or trust owning, possessing, harboring, keeping, or having custody or control of a dog. In the case of a dog owned by a minor, the term "owner" includes the parents or person in loco parentis with custody of the minor.
- (5) "Serious injury" means any physical injury that creates a substantial risk of death; results in death, broken or dislocated bones, lacerations requiring multiple sutures, or disfiguring avulsions; requires plastic surgery or admission to a hospital; or results in protracted impairment of health, including transmission of an infection or contagious disease, or impairment of the function of any bodily organ.
- (6) "Vicious dog" means a dog that inflicts serious injury on a person or causes serious injury to a person resulting from reasonable attempts to escape from the dog's attack or has already been classified as dangerous and attacks or bites a human or pet animal or any dog previously determined to be and currently classified as a dangerous dog or was a potentially dangerous dog, which, after its owner or keeper has been notified of this determination, continues the behavior described in this chapter or is maintained in violation of this chapter.
- (b) No dog shall be classified as a dangerous dog or vicious dog for actions that occur while the dog is being used by a law enforcement or military officer to carry out the law enforcement or military officer's official duties. No dog shall be classified as a dangerous dog or a vicious dog if the person injured by such dog was a person who, at the time, was committing a trespass, was abusing the dog, or was committing or attempting to commit an offense under Chapter 5 of Title 16 of the Official Code of Georgia.

Sec. 10-223 Investigations by Animal Control Officer; notice to owner; hearings; determinations by hearing authority; judicial review

- (a) For purposes of this Section, the term:
- (1) "Animal shelter" means any facility operated by or under contract for the state or any county, municipal corporation, or other political subdivision of the state for the purpose of impounding or harboring seized, stray, homeless, abandoned, or unwanted dogs, cats, and other animals; any veterinary hospital or clinic operated by a veterinarian or veterinarians which operates for such purpose in addition to its customary purposes; and any facility operated, owned, or maintained by a duly incorporated humane society, animal welfare society, or other nonprofit organization for the purpose of providing for and promoting the welfare, protection, and humane treatment of animals.
- (2) "Authority" means White County Board of Health, or other designee, as determined by the governing authority of a White County.
- (3) "Mail" means to send by certified mail or statutory overnight delivery to the recipient's last known address.

- (b) Upon receiving a report of a dog believed to be subject to classification as a dangerous dog or vicious dog, the Animal Control Officer shall make such investigations as necessary to determine whether such dog is subject to classification as a dangerous dog or vicious dog.
- (c) When an Animal Control Officer determines that a dog is subject to classification as a dangerous dog or vicious dog, the officer shall mail a dated notice to the dog's owner within 72 hours. Such notice shall include a summary of the Animal Control Officer's determination and shall state that the owner has a right to request a hearing from the White County Board of Health on the Animal Control Officer's determination within seven days after the date shown on the notice. The notice shall provide a form for requesting the hearing and shall state that if a hearing is not requested within the allotted time, the Animal Control Officer's determination shall become effective for all purposes under this article. If an owner cannot be located within ten days of an Animal Control Officer's determination that a dog is subject to classification as a dangerous dog or vicious dog, such dog may be released to an animal shelter or humanely euthanized, as determined by the Animal Control Officer.
- (d) When a hearing is requested by a dog owner in accordance with subsection (c) of this Code section, such hearing shall be scheduled within 30 days after the request is received; provided, however, that such hearing may be continued by the White County Board of Health for good cause shown. At least ten days prior to the hearing, the Board of Health shall mail to the dog owner written notice of the date, time, and place of the hearing. At the hearing, the dog owner shall be given the opportunity to testify and present evidence and the Board of Health shall receive other evidence and testimony as may be reasonably necessary to sustain, modify, or overrule the Animal Control Officer's determination.
- (e) Within ten days after the hearing, the White County Board of Health shall mail written notice to the dog owner of its determination on the matter. If such determination is that the dog is a dangerous dog or a vicious dog, the notice of classification shall specify the date upon which that determination shall be effective. If the determination is that the dog is to be euthanized pursuant to Code Section 4-8-26, the notice shall specify the date by which the euthanasia shall occur.
- (f) Judicial review of the final decision by the Board of Health may be had in accordance with O.C.G.A. §15-9-30.9.
- (g) Any irregularity in classification proceedings shall not be a defense to any prosecution under this article so long as the owner of the dog received actual notice of the classification and did not pursue a civil remedy for the correction of the irregularity.
- (h) Confinement during pendency of hearing or appeal. During the pendency of any hearing or appeal of a determination that a dog is a dangerous or vicious dog as provided for in this section, the owner of such dog shall cause such dog to be confined at the expense of such owner of such dog, at a veterinary hospital, licensed kennel facility, or in a proper enclosure deemed suitable by the Animal Control Officer.
- (i) Authority of Animal Control Officer to confiscate and confine. If an owner fails or refuses to abide by subsection (c) of this section, the Animal Control Officer is authorized and empowered to confiscate such animal, confine it at the expense of such owner at a veterinary hospital, kennel facility, or proper enclosure deemed suitable by the Animal Control Officer during the pendency of any hearing or appeal mentioned in the subsection (c) of this section.
- (j) Retrieval of dog from veterinary hospital. After notification from the hearing board that a dog has been determined to be a dangerous or vicious dog, the owner of such dog shall have three business days within which to pick up his dog from the veterinary hospital, provided the owner is in compliance with all requirements of the

animal control ordinance. After such notification, the owner may appeal from any adverse decision rendered by the hearing board to White County Probate Court in such manner as provided by the laws of the state. Written notification of such an appeal shall be given immediately to the county animal control department.

Sec. 10-224 Impoundment; Confiscation of dogs

(a) A law enforcement officer or Animal Control Officer shall immediately impound a dog if the officer believes the dog poses a threat to the public safety.

(b) A classified dog shall be immediately confiscated by any Animal Control Officer or by a law enforcement officer in the case of any violation of this article. A refusal to surrender a dog subject to confiscation shall be a violation of this article.

(c) The owner of any dog that has been confiscated pursuant to this article may recover such dog upon payment of reasonable confiscation and housing costs and proof of compliance with the provisions of this article. All fines and all charges for services performed by a law enforcement or Animal Control Officer shall be paid prior to owner recovery of the dog. Criminal prosecution shall not be stayed due to owner recovery or euthanasia of the dog. All fines are exclusive of court costs, court fees, etc.

(d) In the event the owner has not complied with the provisions of this article within 14 days of the date the dog was confiscated, such dog shall be destroyed in an expeditious and humane manner and the owner may be required to pay the costs of housing and euthanasia.

Sec. 10-226 Euthanasia for dogs with repeat offenses

A dog that is found, after notice and opportunity for hearing as provided by this Article, to have caused a serious injury to a human on more than one occasion shall be euthanized.

Sec. 10-227 Certificates of registration; requirements for issuance of certificate; individuals excluded from receiving registration; limitation of ownership; annual renewal

(a) It shall be unlawful for an owner to have or possess within this state a classified dog without a certificate of registration issued in accordance with the provisions of this ordinance. Certificates of registration shall be nontransferable and shall only be issued to a person 18 years of age or older. No more than one certificate of registration shall be issued per domicile.

(b) Unless otherwise specified by this Code section, a certificate of registration for a dangerous dog shall be issued if the Animal Control Officer determines that the following requirements have been met:

(1) The owner has maintained an enclosure designed to securely confine the dangerous dog on the owner's property, indoors, or in a securely locked and enclosed pen, fence, or structure suitable to prevent the dangerous dog from leaving such property;

(2) Clearly visible warning signs have been posted at all entrances to the premises where the dog resides;

(3) A microchip containing an identification number and capable of being scanned has been injected under the skin between the shoulder blades of the dog, classified as vicious, and will be confirmed and registered with the White County Animal Control; and

(4) The owner of the dangerous dog has written permission of the property owner or homeowners' association where the dangerous dog will be kept if applicable.

(c) Except as provided in subsections (e) and (f) of this Code section, a certificate of registration for a vicious dog shall be issued if the Animal Control Officer determines that the following requirements have been met:

- (1) The owner has maintained an enclosure designed to securely confine the vicious dog on the owner's property, indoors, or in a securely locked and enclosed pen, fence, or structure suitable to prevent the vicious dog from leaving such property;
- (2) Clearly visible warning signs have been posted at all entrances to the premises where the dog resides;
- (3) A microchip containing an identification number and capable of being scanned has been injected under the skin between the shoulder blades of the dog; and
- (4) The owner maintains and can provide proof of general or specific liability insurance in the amount of at least \$50,000.00 issued by an insurer authorized to transact business in this state insuring the owner of the vicious dog against liability for any bodily injury or property damage caused by the dog.
- (5) The owner or the owners of the dangerous dog has written permission of the property owner or homeowner's association where the dangerous dog will be kept

(d) No certificate of registration shall be issued to any person who has been convicted of two or more violations of this chapter.

(e) No person shall be the owner of more than one vicious dog.

(f) No certificate of registration for a vicious dog shall be issued to any person who has been convicted of:

- (1) A serious violent felony as defined in Code Section 17-10-6.1;
- (2) The felony of dogfighting as provided for in Code Section 16-12-37 or the felony of aggravated cruelty to animals as provided for in Code Section 16-12-4; or
- (3) A felony involving trafficking in cocaine, illegal drugs, marijuana, methamphetamine, or ecstasy as provided for in Code Sections 16-13-31 and 16-13-31.1 from the time of conviction until two years after completion of his or her sentence, nor to any person residing with such person.

(g) Certificates of registration shall be renewed on an annual basis. At the time of renewal of a certificate of registration for a vicious dog, an Animal Control Officer shall verify that the owner is continuing to comply with provisions of this article. Failure to renew a certificate of registration within ten days of the renewal date or initial classification date shall constitute a violation of this article.

Sec. 10-228 Notifications by owner; change in ownership of dog; changes in residence

(a) The owner of a classified dog shall notify the Animal Control Officer within 24 hours if the dog is on the loose or has attacked a human and shall notify the Animal Control Officer within 24 hours if the dog has died or has been euthanized.

(b) A vicious dog shall not be transferred, sold, or donated to any other person unless it is relinquished to a governmental facility or veterinarian to be euthanized.

(c) The owner of a classified dog who moves from one jurisdiction to another within the State of Georgia shall register the classified dog in the new jurisdiction within ten days of becoming a resident and notify the Animal Control Officer of the jurisdiction from which he or she moved. The owner of a similarly classified dog who moves into this state shall register the dog as required in Code Section 4-8-27 within 30 days of becoming a resident.

Sec. 10-228.1 Requirements for possessing classified dogs

- (a) Restraint required. Any dangerous or vicious dog, as determined by the director, shall be securely confined indoors or in a securely enclosed and locked pen or kennel, except when leashed and muzzled as provided in this section. Such pen, kennel or structure must have secure sides and a secure top attached to the sides. All structures used to confine a dangerous or vicious dog must be locked with a key or combination lock when such animal is within the structure. Such structure must have a secure bottom or floor attached to the sides of the pen or the sides of the pens must be embedded in the ground no less than two feet. All structures erected to house dangerous or vicious dogs must comply with all zoning and building regulations of the county. All such structures must be in a clean and sanitary condition. If dangerous dog is abutting property or an easement - a visible barrier must be included so that the dog cannot harass person who has a right to be on property adjoining owner's property.
- (b) Leash and muzzle. No person shall permit a dangerous or vicious dog to go outside its kennel or pen unless such dog is securely leashed with a leash no longer than four feet in length and in control of an adult. No person shall permit a dangerous or vicious dog to be kept on a chain, rope or other type of leash outside its kennel or pen unless an adult person is in physical control of the leash. Such dogs may not be leashed to inanimate objects such as trees, posts, buildings, etc. In addition, all vicious dogs on a leash outside the dog's kennel must be muzzled by a muzzling device sufficient to prevent such dog from biting persons or other animals.
- (c) Confinement indoors. No dangerous or vicious dog may be kept on a porch, patio or any part of a house or structure that would allow the dog to exit such building on its own volition. In addition, no such animal may be kept in a house or structure when the windows are open or when the screen windows or screen doors are the only obstacle preventing the dog from exiting the structure.
- (d) Signs. All owners, keepers or harborers of dangerous or vicious dogs within the county shall display in a prominent place on their premises a sign easily readable by the public indicating that a dangerous or vicious dog is on the premises.
- (e) Insurance. All owners, keepers or harborers of vicious dogs must provide proof to the animal control department of general or specific liability insurance in a single-incident amount of a minimum of \$50,000.00 for bodily injury to or death of any person which may result from the ownership, keeping or maintenance of such dog with a maximum deductible of \$100.00. Such insurance policy shall provide that no cancellation of the policy will be made unless ten days' written notice is first given to the animal control department. An effective insurance policy with the coverage and in the amounts specified in this section must be maintained by the owner, keeper or harbinger at all times. A copy of the policy (and not the insurance binder) must be provided to the director of animal control for review and confirmation that the policy meets all requirements.
- (f) Euthanasia authorized. If it shall appear to the magistrate judge that a dog is dangerous or vicious and that the owner, keeper or harbinger of the dog is willfully allowing the dog to run at large, or has violated any of the provisions of this section, the magistrate judge may, in addition to the usual judgment, order the Animal Control Officer to take possession of and euthanize the dog.
- (g) Owner must notify the Animal Control Officer within 24 hours if the dog is on the loose or has attacked a human or pet animal on public or private property and shall notify the Animal Control Officer within 24 hours if the dog has died or has been euthanized.
- (h) Impoundment. If the animal control director has probable cause to believe that a dog determined or acknowledged dangerous or vicious pursuant to this section, and said dog is in violation of this section, said dog

may be impounded and held pending the ruling of the magistrate judge for disposition. The owner, keeper or harbinger of said dog shall be liable for all cost associated with impoundment, including impoundment fees, board fees, medical fee, euthanasia fee, and disposal fee.

(i) A person who owns a dangerous dog and who rents property from another where the dog will reside must disclose to the property owner of the classification and provide proof from landlord granting permission to allow dog to live at the location. You may also include the same for homeowners' association boards.

(j) The owner of a classified dog shall notify the Animal Control Officer if the owner is moving out of the county. The owner of a classified dog who moves to the county from another jurisdiction within the State of Georgia shall register the classified dog with the county within ten days of becoming a resident and notify the Animal Control Officer of the jurisdiction from which he or she moved. The owner of a similarly classified dog who is a new resident of the state shall register the dog as required in this section within 30 days after becoming a resident.

(k) Issuance of a certificate of registration or renewal of a certificate of registration by the Animal Control Officer in the county does not warrant or guarantee that the requirements specified in this section are maintained by the owner of a classified dog on a continuous basis following the date of the issuance of the initial certificate of registration or following the date of any annual renewal of such certificate.

(l) An Animal Control Officer is authorized to make whatever inquiry is deemed necessary to ensure compliance with the provisions of this article. Pursuant to state law, law enforcement agencies, including those of the county and the municipalities within the county, will cooperate with Animal Control Officers in enforcing the provisions of this article.

(m) An annual fee, which may be set from time to time in an amount deemed reasonable by the board of commissioners, in addition to any regular dog licensing fees shall be paid to register classified dogs as required by this article. Certificates of registration shall be renewed on an annual basis. At the time of the annual renewal of a certificate of registration, an Animal Control Officer shall require evidence from the owner or make such investigation as may be necessary to verify that the classified dog is continuing to be confined in a proper enclosure and that the owner is continuing to comply with other provisions of the animal control ordinance. Failure to renew a certificate of registration within ten days of the renewal date or initial classification date shall constitute a violation of this article.

(n) Once an animal has been declared dangerous or vicious, animal control may require that the owner takes special preventative measures on a case by case basis in addition to those contained in this article including but not limited to further leash requirements, further fencing/enclosure requirements, immediate sterilization, etc. In considering whether to impose a special preventative measure, animal control is authorized to consider additional factors as aggravating circumstances such as:

- (1) Child under the age of 13 living near or found to usually walk by or is otherwise in close proximity to the animal;
- (2) The animal has bitten a human being or other animal;
- (3) A dog has been training for fighting or attack;
- (4) The animal, without provocation, has approached a person in an apparent attitude of attack; or
- (5) The individual animal's known propensity, reputation, or tendency or disposition to attack unprovoked, to cause injury or otherwise endanger the safety of human beings, domestic animals, livestock, or other animals.

Sec. 10-229 Limitations on dog's presence off of owner's premises; penalty for violation; defense

- (a) It shall be unlawful for an owner of a dangerous dog to permit the dog to be off the owner's property unless:
- (1) The dog is restrained by a leash not to exceed four feet in length and is under the immediate physical control of a person capable of preventing the dog from engaging any other human or animal when necessary;
 - (2) The dog is contained in a closed and locked cage or crate; or
 - (3) The dog is working or training as a hunting dog, herding dog, or predator control dog.
- (b) It shall be unlawful for an owner of a vicious dog to permit the dog to be:
- (1) Outside an enclosure designed to securely confine the vicious dog while on the owner's property or outside a securely locked and enclosed pen, fence, or structure suitable to prevent the vicious dog from leaving such property unless:
 - (A) The dog is muzzled and restrained by a leash not to exceed four feet in length and is under the immediate physical control of a person capable of preventing the dog from engaging any other human or animal when necessary; or
 - (B) The dog is contained in a closed and locked cage or crate; or
 - (2) Unattended with minors.
- (c) A person who violates subsection (b) of this Code section shall be guilty of a misdemeanor of high and aggravated nature.
- (d) An owner with a previous conviction for a violation of this article whose classified dog causes serious injury to a human being under circumstances constituting another violation of this article shall be guilty of a felony and upon conviction thereof shall be punished by imprisonment for not less than one nor more than ten years, a fine of not less than \$5,000.00 nor more than \$10,000.00, or both. In addition, the classified dog shall be euthanized at the cost of the owner.
- (e) Any irregularity in classification proceedings shall not be a defense to any prosecution under this article so long as the owner of the dog received actual notice of the classification and did not pursue a civil remedy for the correction of the irregularity.

Sec. 10-230 Confiscation by Animal Control Officer; payment of costs for recovery; euthanasia

- (a) A dangerous dog or vicious dog shall be immediately confiscated by any Animal Control Officer or by a law enforcement officer in the case of any violation of this article. A refusal to surrender a dog subject to confiscation shall be a violation of this article.
- (b) The owner of any dog that has been confiscated pursuant to this article may recover such dog upon payment of all reasonable confiscation and housing costs and proof of compliance with the provisions of this article, unless such confiscation is deemed to be in error by an Animal Control Officer, an authority, as defined in Code Section 4-8-23, or a probate court. All fines and all charges for services performed by a law enforcement or Animal Control Officer shall be paid prior to owner recovery of the dog. Criminal prosecution shall not be stayed due to owner recovery or euthanasia of the dog. All fines are exclusive of court costs, court fees, etc.

(c) In the event the owner has not complied with the provisions of this article within 14 days of the date the dog was confiscated, such dog shall be released to an animal shelter or euthanized in an expeditious and humane manner. The owner may be required to pay the costs of housing and euthanasia.

Sec. 10-231 Governmental liability for enforcement

Under no circumstances shall a local government or any employee or official of a local government be held liable for any damages to any person who suffers an injury inflicted by a dog as a result of a failure to enforce the provisions of this article.

Sec. 10-232 Penalty for violation

Except as otherwise specified in this article, any person who violates any provision of this article shall be guilty of a misdemeanor. For a second conviction hereunder, a fine of not less than \$500.00 shall be imposed and for a third offense or subsequent conviction a fine of not less than \$750.00 shall be imposed.

Sec. 10-233 – 10-234 Reserved

Sec. 10-235 Summons

Upon a complaint lodged with the county animal control department regarding any section of this article, a summons may be issued requiring the owner of any domesticated animal, or any person, firm or corporation violating any of the provisions set forth in this article to appear before the judge of the magistrate court of the county on a day and time certain to answer for the violation of this article. If such violation of this article has not been witnessed by an officer of the county, a subpoena may be issued to the person making the complaint, requiring such person to appear on the day and time of the hearing set by the court to testify on behalf of the county.

Sec. 10-236 - 10-299 Reserved

ARTICLE III. Reserved

Sec. 10-300 – 10-399 Reserved

ARTICLE IV. RABIES CONTROL

Sec. 10-401 Purpose

To state the prescribed rules of the prevention and control of rabies within White County by requiring the vaccination, tagging, and certification of dogs and other animals, the confinement and/or quarantine of dogs and other animals, for the establishment of a rabies control officer, and for other purposes.

Sec. 10-402 Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Board means the White County Board of Health, State of Georgia.

Certificate means a certificate of vaccination on a form approved by the CDC and the Georgia Department of Public Health and signed by the veterinarian administering the vaccine.

Department means the Department of Public Health, State of Georgia.

Director means the chief executive of the county board of health as defined in O.C.G.A. 31-3-11 et seq.

Dog means any member of the canine family.

Owner means any person having a right of property in a dog or other animal, or any person who permits a dog or other animal to remain on his premises.

Person means any individual, firm, corporation, partnership, municipality, county, society, or association.

Tag means a rabies vaccination collar tag furnished by a veterinarian as evidence of the vaccination of an animal against rabies.

Vaccinate or *inoculate* means the injection of a specified dose of anti-rabies vaccine by a veterinarian into an animal.

Vaccine means any anti-rabies vaccine approved by the Georgia Department of Public Health.

Veterinarian means a person holding a license to practice the profession of veterinary medicine in the State of Georgia.

Sec. 10-403 Vaccinations required

Every owner of a dog, cat, or ferret shall cause the dog, cat, or ferret to be vaccinated against rabies, the first or primary vaccination to occur at no later than three months of age, followed by revaccination on an annual or triennial, in accordance with the compendium of animal rabies prevention and control or as described on the individual vaccine label. If a previously vaccinated animal is overdue for a booster, it should be revaccinated with a single dose of vaccine. Immediately following the booster, the animal is considered currently vaccinated and should be placed on a schedule depending on the labeled duration of the vaccine used.

Evidence of vaccination shall consist of a tag and certificate of vaccination, furnished by the veterinarian administering the vaccine. The owner shall retain a copy of the certificate. The tag, bearing the same number and year as the certificate, shall be securely attached to the collar or harness worn by the dog for which the certificate and tag have been issued.

Clinics.

- (1) The director may operate or cause to operate county sponsored clinics for the vaccination of dogs, cats, and ferrets against rabies.
- (2) Vaccination will be performed by a licensed veterinarian. Payment for these services shall be the animal owner's responsibility paid to the veterinarian.
- (3) The vaccination fee for such clinics, including the administering and cost of the vaccine, the issuance of the certificates and tags, and other necessary expense shall be determined at least 15 days in advance of a scheduled clinic. Public notice of the schedule of the clinics shall be made at least 15 days in advance of the first clinic appearing on the schedule. Such notice shall include the schedule of each clinic including the day, the hour, the place, and the vaccination fee.
- (4) In emergencies or during quarantine the 15 days' notice prior to the operation of a clinic shall not apply.

Sec. 10-404 Rabies control officer

- (a) The White County Environmental Health Manager is appointed by the board to be the White County Rabies Control Officer.
- (b) Duties of the rabies control officer will include:

- (1) Investigate and maintain a record of animal bites in the county.
- (2) Ensure proper confinement of an animal involved in a bite; or if the animal is dead or killed, preparation and submission of the head for laboratory examination.
- (3) Ensure proper disposition of animals exposed to known rabid animals.
- (4) Assist in county-sponsored rabies vaccination clinics.
- (5) Other duties as stated in these rabies control regulations.

Sec. 10-405. Confinement

- (a) The rabies control officer will maintain enforcement of all regulations pertaining to confinement of dogs or other animals for rabies control.
- (b) The owner of any dog or other animal as defined in this section shall confine or cause to be confined such dog or animal as herein prescribed:
 - (1) A dog or other animal, whether vaccinated or not, which has bitten a person (or other animal) shall be confined for a period of ten days following the date of the bite in White County, Georgia, except where conditions for confinement in an area outside the limits of this jurisdiction shall meet the provisions of these rules and regulations and be certified with the appropriate authority having jurisdiction.
 - (2) A dog, or other animal, whether vaccinated or not, having signs suggestive of rabies shall be confined and in isolation until its death or until its freedom from suspicion of having rabies is established.
 - (3) A dog or other animal not vaccinated and bitten by a known rabid animal should be immediately destroyed or, if the owner is unwilling to destroy the exposed animal, strict isolation of the animal in an approved kennel for six months shall be enforced.
 - (4) Any dog or other animal with a current rabies vaccination, as evidenced by the certificate of vaccination, bitten by a known rabid animal, may be revaccinated, then confined in an approved manner for 45 days, and then released if no signs of rabies are present.
 - (5) Every dog, or other animal, whether vaccinated or not, in a quarantined area shall be kept confined and isolated during the entire quarantine period.
 - (6) Any vaccinated dog impounded because of a lack of rabies vaccination tag may be reclaimed by its owner by furnishing proof of rabies vaccination. Any unvaccinated dog impounded because of a lack of rabies vaccination tag may be reclaimed by its owner by giving satisfactory assurance of compliance with the rabies vaccination requirement of this chapter within 72 hours of release.

Sec. 10-406 Confinement area or facility

The rabies control officer shall approve all confinement areas or facilities, ensuring that the confinement area is safe and secure, that it provides for isolation of the animal from all other animals and humans, and that the area is clean and humane, providing adequate food, water, and exercise, and appropriate temperature and shelter from the elements to the animal.

Sec. 10-407 Reporting

The owner or custodian of any animal having signs suggestive of rabies shall confine the animal and immediately notify the rabies control officer, reporting any information regarding any persons bitten or attacked by said animal. Any person bitten by any animal reasonably suspected of being rabid shall immediately notify the rabies control officer.

Sec. 10-408 Penalty

Any person who violates any provision of this chapter shall be guilty of a misdemeanor.

-End of County Resolution 2023-07-

Mr. John Sell, Director of Community & Economic Development, presented proposed revisions to the County Code Chapter 14 – Buildings & Building Regulations, Article 3 Construction Codes & Enforcement, Section 14-73 Scope, Addition of a minimum square footage for dwellings. He advised that at the direction of the Board of Commissioners a study committee had been formed to look at this issue in an effort to prevent an onslaught of tiny homes and the committee developed the suggested minimum square footage of 672 square feet for dwellings, which is based on a small singlewide mobile home. He advised that both Commissioner Goodger and Commissioner Bryant had participated in the committee. Commissioner Goodger stated that it might be possible to establish a specific zoning category for higher density homes less than 672 square feet if issues with water & sewer could be addressed. Commissioner Holcomb and Commissioner Bryant both stated that they are not opposed to a tiny home development. Mr. Sell said the planned unit development process within the land use code does provide structure for that type of development process. Following presentation of the proposed changes, Chairman Turner opened the floor to receive public comment on revisions.

Mr. Paul Veen, 414 Briarwood Drive Cleveland, Georgia – wanted to understand why the local government felt it necessary to dictate the size of home someone has. He asked about the 320 square feet listed in Section 14-101. Mr. Sell stated that was part of a definition which referred to a national standard for mobile homes, not what would be specifically allowed within the code.

Matthew, 3959 Asbury Mill Road Cleveland, Georgia - stated that he did not understand the logic used to force people to live in a larger home on land that they own with the issues that had already been discussed regarding no workforce housing. He said he moved from middle Georgia to White County to get away from some of these regulations.

Marie, 329 Savage Trail Cleveland, Georgia – she asked about projects that were already in process. She stated that she had received a variance for the construction of a small residence on her property for her father. It was stated that if a variance (or permit) was already granted, she was vested and that project could continue.

Mr. Bob Slack, 211 Covered Bridge Road Sautee Nacoochee, Georgia – asked if it matters how many acres a person has, does the minimum still apply? Commissioner Goodger stated that the number of acres is not relevant, however the committee planned to meet in the future to discuss these types of issues.

With no additional public comments on the proposed revisions to the Building Regulations, addition of minimum square footage– Chairman Turner closed the floor.

Upon a motion made by Commissioner Goodger, seconded by Commissioner Bryant there was a vote to approve County Resolution 2023-08, approving the revisions to the White County Code Chapter 14 – Buildings &

Building Regulations, Article 3 Construction Codes & Enforcement, Section 14-73 Scope, Addition of a minimum square footage for dwellings:

WHITE COUNTY BOARD OF COMMISSIONERS

RESOLUTION NO. 2023-08

A RESOLUTION TO AMEND THE OFFICIAL CODE OF WHITE COUNTY, GEORGIA, CHAPTER 14 (BUILDINGS AND BUILDING REGULATIONS), ARTICLE III (CONSTRUCTION CODES AND ENFORCEMENT), SECTION 14-73 (SCOPE)

WHEREAS, the White County Board of Commissioners wishes to revise the White County Code as hereinafter set out;

NOW THEREFORE, BE IT RESOLVED by the County Commissioners of White County, and it is hereby resolved by authority of the same, that the White County Code be revised as follows:

The effective date of this amendment shall be June 5, 2023.

RESOLVED, this 5th day of June, 2023.

Sec. 14-73. Scope.

(a) Applicability.

(2) Building.

b. Residential - One- and two-family dwellings. The provisions of the state minimum standard one- and two-family dwelling code (International Residential Code), as adopted and amended by the state department of community affairs, shall apply to the construction, alteration, repair, equipment, use and occupancy, location, maintenance, of every one- or two-family dwelling or any appurtenances connected or attached to such buildings or structures. Every one – or two-family dwelling shall meet a minimum size requirement of 672 square feet of heated space.

-End of County Resolution 2023-08-

Chairman Turner stated that in the past, at his discretion, he had asked for a show of hands in support or in opposition of land use requests. He had been made aware of some issues surrounding this and would be discontinuing this practice effective immediately.

Mr. John Sell presented the land use application filed by Hetrip Unit, LLC, on behalf of Kirt Koch, to redistrict property located at the intersection of Highway 255 South and Highway 115 East Cleveland, Georgia from A-1, Agriculture Forestry District to C-2, Highway Business District – tax map & parcel 061-230 / 2.03 acres. He advised that a prior request by the same applicant to rezone the property for the purpose of building a convenience store was presented to the Board and denied by the Board in February 2022. He noted that the applicant had revised the plans to address the Board’s concerns regarding access, stormwater, etc. Mr. Sell stated the Planning Commission held a public hearing on the application, at which there was opposition, and the Planning Commission recommended denial of the application due to traffic safety and environmental concerns. Mr. Stanton Porter represented the applicant. He requested that the application be tabled until the Board’s next voting meeting in order to provide an opportunity for him to reach out to members of the community to assure that all of their

concerns were addressed. He stated that the elevation of the project had increased dramatically with the new design, the size of the building had been reduced, and if tabled this would provide time to have an actual traffic study done.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Holcomb there was a unanimous voted to deny the land use application filed by Hetrip Unit, LLC, on behalf of Kirt Koch, to redistrict property located at the intersection of Highway 255 South and Highway 115 East Cleveland, Georgia from A-1, Agriculture Forestry District to C-2, Highway Business District – tax map & parcel 061-230 / 2.03 acres due to safety concerns and in an effort to preserve the integrity of the neighborhood.

Mr. Sell presented the land use application filed by Jacob Daniel Wiley to redistrict property located at 7042 Highway 254 Cleveland, Georgia from R-1, Residential Single-Family District to C-2, Highway Business District – tax map & parcel 051-133 / 3.98 acres. He stated that on March 27, 2023 the Board of Commissioners had unanimously voted to send this application back to the Planning Commission for the consideration of certain conditions (access property only off Hwy 254, no access off Donald Alexander Road, plant greenery along the Donald Alexander Road side of the property, there would be no containers washed out on the property, and to maintain a 25' buffer from the property lines). With reconsideration of the application, the property was reposted, and a second public hearing was held by the Planning Commission, at which there was continued opposition from surrounding residents and property owners. With the addition of those stated conditions, the Planning Commission recommended approval of the application. It was stated that Mr. Wiley had obtained a private access permit from the Georgia Department of Transportation from Hwy 254. Mr. Wiley confirmed that he understood and would accept the conditions discussed. Commissioner Holcomb stated that he had received many calls opposing this commercial property in a residential area.

Commissioner Holcomb made a motion to deny the land use application filed by Jacob Daniel Wiley to redistrict property located at 7042 Highway 254 Cleveland, Georgia from R-1, Residential Single-Family District to C-2, Highway Business District – tax map & parcel 051-133 / 3.98 acres due to safety concerns and this being a residential area. The motion died for lack of a second.

Upon a motion made by Commissioner Goodger, seconded by Commissioner Bryant there was a vote to approve the land use application filed by Jacob Daniel Wiley to redistrict property located at 7042 Highway 254 Cleveland, Georgia from R-1, Residential Single-Family District to C-2, Highway Business District – tax map & parcel 051-133 / 3.98 acres with the following conditions: access property only off Hwy 254, no access off Donald Alexander Road, plant greenery along the Donald Alexander Road side of the property, there would be no containers washed out on the property, and to maintain a 25' buffer from the property lines. Commissioner Nix and Chairman Turner voted in favor of the motion. Commissioner Holcomb opposed the motion. The motion passed by a 4-1 vote.

Chairman Turner advised Derick Canupp, Director of Public Works, to post Donald Alexander Road with a “No Commercial Traffic Allowed” sign.

Mr. Sell presented the land use application filed by Zachary Wilkerson to request a conditional use permit at 255 Sandra Lane Cleveland, Georgia – tax map & parcel 073-206 / 2.41 acres – with the proposed use of placing in a short-term rental program within the current zoning of R-1, Residential Single-Family District. He stated that the property is located in Yonah View Estates subdivision which does not have covenants and Mr. Wilkerson was able to obtain the required signatures from neighboring property owners. He advised the Planning Commission held the public hearing on the application and recommended approval by a 3-2 vote. Commissioner Bryant asked Mr. Sell why Mr. Wilkerson did not have to obtain signatures from the other phases of the subdivision. Mr. Sell

explained that the recorded plat for this property only shows this phase of the subdivision. Mr. Wilkerson stated that he would be self-managing the short-term rental and planned to rent it about once per month.

Commissioner Bryant made a motion to deny the land use application filed by Zachary Wilkerson to request a conditional use permit at 255 Sandra Lane Cleveland, Georgia – tax map & parcel 073-206 / 2.41 acres – with the proposed use of placing in a short-term rental program within the current zoning of R-1, Residential Single-Family District due to the different phases of the subdivision not being accounted for with the signatures obtained. The motion died for lack of a second.

Upon a motion made by Commissioner Goodger, seconded by Commissioner Nix there was a vote to approve the land use application filed by Zachary Wilkerson for a conditional use permit at 255 Sandra Lane Cleveland, Georgia – tax map & parcel 073-206 / 2.41 acres – with the approved use of placing in a short-term rental program within the current zoning of R-1, Residential Single-Family District. Chairman Turner voted in favor of the motion. Commissioner Holcomb and Commissioner Bryant opposed the motion. The motion to approve passed by a 3-2 vote.

Mr. Derick Canupp, Director of Public Works, stated that the 2-year waiting period (from preliminary road acceptance) for The Reserve at Mossy Creek Subdivision (Samson Way and Charleston Lane) final road acceptance had been met and upon inspection the roads met all requirements to be accepted as county roads, contingent on right of way acquisition.

Upon a motion made by Commissioner Goodger, seconded by Commissioner Nix there was a unanimous vote to approve final road acceptance for The Reserve at Mossy Creek Subdivision – being Samson Way and Charleston Lane, contingent upon right of way acquisition.

Mr. Canupp presented a grant application for approval from the Georgia Department of Natural Resources, Environmental Protection Division for a Scrap Tire Amnesty Day in White County. He advised this would be the second year for this event in the county and that last year was a great success with the collection of four (4) roll-off containers of scrap tires. He estimated for 2023 that five (5) containers or approximately 1,070 tires would be collected – through the \$15,907.00 grant. He stated that October 7, 2023 was the tentative date for Scrap Tire Amnesty Day.

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Goodger there was a unanimous vote to approve the application for the Georgia Department of Natural Resources, Environmental Protection Division Grant in the amount of \$15,907.00 for a Scrap Tire Amnesty Day in White County.

Mr. David Murphy, Director of Public Safety, requested acceptance of the GFSTC (Georgia Firefighter Standards & Training Council) Firework Tax Grant for the purchase of structural firefighting gear. He advised the grant amount would be \$19,980.00 with a local match of \$2,220.00, which was budgeted in the grant fund. He stated that five (5) sets (of the needed ten (10) sets) of turnout gear would be purchased with the funds.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Nix there was a unanimous vote to accept the GFSTC (Georgia Firefighter Standards & Training Council) Firework Tax Grant for the purchase of structural firefighting gear in the amount of \$19,980.00 with a local match of \$2,220.00, from the grant fund.

Mr. Joel Witcher, Director of IT, presented a quote from ACG Solutions for the equipment and installation of a security camera system in the amount of \$22,589.18 and a quote from ACG Solutions for equipment and

installation for the access control system in the amount of \$15,162.08 - both at the new Tax Commissioners Office location.

Upon a motion made by Commissioner Goodger, seconded by Commissioner Nix there was a unanimous vote to approve the expenditures with ACG Solutions for equipment and installation of the security camera system in the amount of \$22,589.18 and for equipment and installation for the access control system in the amount of \$15,162.08 at the new Tax Commissioners Office location – to be funded by SPLOST.

Ms. Jodi Ligon, Finance Director, discussed the preliminary Enotah Judicial Circuit Budget for the 2023-2024 Fiscal Year. She reviewed the increases in each section of this budget and summarized with the following:

- The FY2024 proposed Circuit budget uses \$90,000 of fund balance.
- The FY2024 proposed Public Defender budget uses \$42,892 of fund balance.
- The FY2024 proposed Enotah Circuit budget increased overall by \$264,258 or 23.31%.
- The FY2024 proposed Public Defender budget increased overall by \$18,214 or 3.71%.
- White County's annual Circuit contribution is increasing from \$275,484 to \$326,481 or \$12,749 quarterly.
- White County's annual Public Defender contribution is increasing from \$133,920 to \$135,903 or \$678 quarterly.

White County's total increase would be \$53,709.00 per year for the county paid expenses in the Enotah Judicial Circuit. There was a consensus that approval of the Enotah Judicial Circuit budget would be considered at the same time as the county budget adoption on June 12, 2023.

Upon a motion made by Commissioner Nix, seconded by Commissioner Holcomb there was a unanimous vote to take the following actions concerning mid-year board appointments:

Georgia Mountains Regional Commission Council (GMRC) Private Sector Representative: Ms. Susan Cremering was reappointed to a one (1) year term expiring June 30, 2024.

Chamber of Commerce Board of Directors: The appointment for a two (2) year term expiring June 30, 2025 was tabled.

Convention & Visitor's Bureau (CVB) Board of Directors: Ms. Nita Decker was reappointed for a three (3) year term expiring June 30, 2026.

Department of Family & Children's Services (DFACS) Board: Ms. Anna Robertson was reappointed for a five (5) year term expiring June 30, 2028.

Ms. Jodi Ligon presented the monthly Financial Status Report (see attached).

During County Manager Comments, Mr. Pittard stated that he along with staff are working diligently on revisions to the short-term rental related ordinances in order to address current issues.

Chairman Turner opened the floor for public participation.

Ms. Lillian Hall – stated that public hearings concerning land use applications related to short-term rentals should be held with the Commissioners, not the Planning Commission.

Ms. Monika Knight – expressed appreciation to the Board for improvements made to Poplar Stump Road. She said her and her husband enjoy riding their bikes on this road and the improvements were very appreciated. She also advised the Board that Superior Court had issued an injunction concerning the land were the glamping project

June 5, 2023 – Work Session & Regular Meeting Minutes (continued)

had been proposed on Stansel Road, ruling that the property was a part of the Logan’s Ridge Subdivision and subject to the subdivision’s restrictive covenants.

With no further public comments, the floor was closed.

Commissioner Goodger stated that the county would be submitting an application for a \$3 million grant for a new library to the state by the end of June.

Commissioner Nix expressed his appreciation to the Road Department for the excellent work on Kanady Road.

Chairman Turner asked Mr. Canupp about repairs to Windy Acres Road. Mr. Canupp stated that they would be working on a permanent fix during the upcoming week.

Upon a motion made by Commissioner Nix, seconded by Commissioner Goodger there was a unanimous vote to adjourn the meeting.

The minutes of the June 5, 2023 Work Session & Regular Meeting were approved as stated this 26th day of June, 2023.

WHITE COUNTY BOARD OF COMMISSIONERS

Travis C. Turner, Chairman

Terry D. Goodger, District 1

Lyn Holcomb, District 2

Edwin Nix, District 3

Craig Bryant, District 4

Shanda Murphy, County Clerk

WHITE COUNTY BOARD OF COMMISSIONERS

MINUTES OF THE CALLED MEETING HELD

MONDAY, JUNE 12, 2023 AT 4:30 P.M.

The White County Board of Commissioners held a Called Meeting on Monday, June 12, 2023 at 4:30 p.m. in the Board Room at the Administration Building. Present for the meeting were: Chairman Travis Turner, Commissioner Terry Goodger, Commissioner Lun Holcomb, Commissioner Edwin Nix, Commissioner Criag Bryant, County Manager Billy Pittard, Finance Director Jodi Ligon, and County Clerk Shanda Murphy.

Chairman Turner called the meeting to order.

The following Recreation Volleyball Teams were recognized for their team’s outstanding performance in the 2023 Spring Mountain Area Conference (MAC) end of season tournament: 4th Grade McCallister placed 1st, 6th Grade Brookshire placed 1st, 3rd Grade Montgomery placed as runner-up, 6th Grade Cornelius placed as runner-up, and 7th Grade Friel placed as runner-up.

Ms. Jodi Ligon presented the proposed Fiscal Year 2023-2024 Budget (see attached).

Chairman Turner opened the floor for any public comments on the proposed budget - there were none and the floor was closed.

Upon a motion made by Commissioner Goodger, seconded by Commissioner Bryant there was a unanimous vote to adopt County Resolution 2023-09, approving the Fiscal Year 2023-2024 Budget for White County as follows:

WHITE COUNTY BOARD OF COMMISSIONERS

RESOLUTION NO. 2023- 09

A RESOLUTION

WHEREAS, Budgets for the fiscal year beginning July 1, 2023 and ending June 30, 2024 have been prepared and submitted to the Governing Authority; and

WHEREAS, the Board of Commissioners of White County has studied and revised the proposed budgets; and it is considered in the best interest of White County to adopt them;

THEREFORE, BE IT RESOLVED by the Board of Commissioners of White County that the budgets attached hereto for the fiscal year beginning July 1, 2023 and ending June 30, 2024 are approved.

This 12th day of June, 2023.

WHITE COUNTY BOARD OF COMMISSIONERS

s/Travis C. Turner
Travis C. Turner, Chairman

s/Terry D. Goodger
Terry D. Goodger, District 1

s/Lyn Holcomb
Lyn Holcomb, District 2

s/Edwin Nix
Edwin Nix, District 3

s/Criag Bryant
Craig Bryant, District 4

ATTEST:

s/Shanda Murphy
Shanda Murphy, County Clerk

White County General Fund		FY2021-FY2024 Comparison						
Department	Page #	FY2021 Amended Budget	FY2022 Approved Budget	FY2022 Amended Budget	FY2023 Approved Budget	FY2023 Amended Budget	FY2024 Requested Budget	Expanded & New
General Fund FY19-FY24	1							
Separate Funds FY19-FY24	2							
General Fund Revenue Sources	3							
General Fund Expenditures	4							
Agencies / Hotel/Motel	5							
County Wide-110	6	2,239,905.00	2,950,486.00	2,397,636.00	4,116,120.00	3,086,229.00	4,593,804.00	
Building Maint-115	7	757,753.00	845,932.00	870,490.00	671,874.00	705,688.00	721,926.00	
Elections-120	8	23,880.00	151,005.00	156,263.00	167,771.00	205,090.00	436,239.00	(1) FT Position
Commission Office-125	9	589,444.00	683,054.00	706,805.00	777,420.00	825,557.00	948,215.00	
Network-130	11	337,329.00	489,880.00	511,763.00	519,542.00	534,856.00	575,398.00	
Registrar-140	12	89,680.00	0.00	0.00	0.00	0.00	0.00	Moved to 120
Human Resources-145	13	117,310.00	121,342.00	124,204.00	128,700.00	135,748.00	134,172.00	
Finance-150	14	168,838.00	181,473.00	188,380.00	246,110.00	261,692.00	304,511.00	
Comm & Econ Dev-160	15	136,877.00	153,816.00	159,122.00	147,289.00	154,533.00	156,410.00	
Animal Control-210	16	391,601.00	389,499.00	400,246.00	410,803.00	436,968.00	392,271.00	
Coroner-220	17	63,265.00	67,642.00	67,642.00	73,374.00	76,902.00	109,723.00	
Detention Ctr-240	18	2,669,312.00	2,681,720.00	2,754,052.00	2,924,051.00	3,068,560.00	3,049,033.00	
EMA-260	19	220,607.00	287,642.00	297,151.00	303,680.00	322,999.00	381,270.00	(1) FT Position
GIS-270	20	115,065.00	120,186.00	123,292.00	113,999.00	120,494.00	126,791.00	
Fire Dept-280	21	1,675,562.00	1,847,055.00	1,900,527.00	2,150,408.00	2,272,995.00	2,592,950.00	(4) FT Positions
Sheriff-290	22	3,817,199.00	4,344,392.00	4,487,305.00	4,528,120.00	4,960,864.00	5,168,643.00	
Tax Comm.-310	24	648,433.00	671,276.00	693,136.00	712,666.00	752,395.00	779,827.00	
Tax Assessors-320	26	585,501.00	584,561.00	606,152.00	612,992.00	651,588.00	658,236.00	
Board of Equalization-321	27	13,050.00	12,858.00	12,858.00	12,437.00	12,547.00	13,370.00	
Road Dept-410	28	1,725,138.00	1,797,011.00	1,845,018.00	1,928,877.00	2,006,894.00	2,139,602.00	
Senior Center-540	29	440,093.00	507,023.00	520,646.00	516,642.00	534,582.00	555,599.00	
Extension Svc.-550	31	46,375.00	56,571.00	56,571.00	63,334.00	63,334.00	74,920.00	PT 4H Assist/COLA
Libraries-580	32	252,598.00	253,695.00	263,253.00	252,203.00	269,212.00	273,998.00	
Park & Rec-590	33	719,064.00	797,355.00	814,550.00	1,198,178.00	1,246,670.00	1,329,579.00	Pos. Promotion
Building Insp.-610	35	197,299.00	276,488.00	286,438.00	265,077.00	280,718.00	217,741.00	
Planning-620	36	143,211.00	149,928.00	156,192.00	160,235.00	168,238.00	197,869.00	
Code Enf.-630	37	4,730.00	5,210.00	5,210.00	7,412.00	6,992.00	97,398.00	
Clerk-Sup. Ct.-710	38	576,100.00	591,237.00	608,044.00	602,740.00	636,138.00	603,579.00	
Clerk-Mag. Ct.-720	39	60,136.00	58,129.00	60,421.00	61,810.00	65,280.00	77,487.00	
Clerk Juv Ct.-725	40	7,290.00	6,809.00	6,809.00	8,288.00	8,725.00	8,273.00	
District Att.-740	41	6,400.00	6,400.00	6,400.00	7,400.00	7,400.00	7,400.00	
Juvenile Ct.-750	42	112,300.00	128,500.00	128,500.00	136,478.00	136,241.00	128,741.00	
Magistrate Ct.-760	43	242,555.00	239,599.00	244,150.00	247,777.00	262,037.00	268,698.00	
Probate Ct.-770	44	375,624.00	365,292.00	373,840.00	400,361.00	422,019.00	408,142.00	
Public Defender-775	45	142,897.00	142,897.00	142,897.00	133,191.00	133,191.00	135,903.00	
Superior Ct.-780	46	111,600.00	121,600.00	121,600.00	121,600.00	122,241.00	57,091.00	
Baliffs-790	47	12,953.00	6,484.00	6,484.00	8,639.00	8,701.00	8,700.00	
Contingency-900	48	254,174.00	400,000.00	390,000.00	400,000.00	263,280.00	250,000.00	
Insurance Premium Increase								
FY22 - 2.5% COLA / 2.5% Merit			-		-	-		
Transfers Out (Contingency Use)								
General Fund Total		20,091,148.00	22,494,047.00	22,494,047.00	25,137,598.00	25,227,598.00	27,983,509.00	2,755,911.00

White County Separate Funds FY2018-FY2024	Page #	FY2021 Amended Budget	FY2022 Approved Budget	FY2022 Amended Budget	FY2023 Approved Budget	FY2023 Amended Budget	FY2024 Requested Budget	Expanded & New
101 Sheriff Telephone Co	49	\$33,000	\$66,000	\$66,000	\$40,000	\$40,000	\$35,330	
205 Law Library	50	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$17,350	
210 Confiscated assets	51	\$2,000	\$2,000	\$2,000	\$3,000	\$3,000	\$3,000	
222 Jail Fund	52	\$29,000	\$29,000	\$29,000	\$27,000	\$27,000	\$27,345	
223 Inmate Commissary	53	\$20,555	\$22,000	\$22,000	\$15,685	\$15,685	\$15,685	
224 Drug Education Fund	54	\$49,000	\$49,000	\$49,000	\$51,000	\$51,000	\$51,000	
225 Drug Task Force	55	\$851,897	\$788,359	\$793,258	\$837,040	\$842,635	\$909,595	
230 Juvenile Supervision	57	\$300	\$100	\$100	\$200	\$200	\$200	
250 Grants (contingent u	58	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	
275 Hotel/Motel	59	\$890,900	\$1,510,500	\$1,510,500	\$2,384,500	\$2,384,500	\$2,375,000	
430 Debt Service (SPLO)	60	\$1,043,227	\$732,095	\$732,095	\$732,631	\$732,631	\$732,828	
540 Solid Waste (Enterpr	61	\$104,211	\$128,436	\$130,186	\$121,728	\$123,509	\$180,420	
565 Development Author	66	\$9,412	\$9,412	\$9,412	\$4,882	\$4,882	\$6,050	
570 E-911 Fund (Includin	67	\$1,162,704	\$1,208,929	\$1,241,376	\$1,345,483	\$1,415,157	\$1,372,999	
710 Enotah	68	\$801,146	\$819,318	\$819,318	\$855,956	\$1,133,456	\$1,397,714	
Transfers In (Contingency Use								
Total Other Funds		\$5,037,352	\$5,405,149	\$5,444,245	\$6,459,105	\$6,813,655	\$7,144,516	\$330,861.00
General Fund Total		\$20,091,148	\$22,494,047	\$22,494,047	\$25,137,598	\$25,227,598	\$27,983,509	
Other Separate Funds Total		\$5,037,352	\$5,405,149	\$5,444,245	\$6,459,105	\$6,813,655	\$7,144,516	
Grand Total		\$25,128,500	\$27,899,196	\$27,938,292	\$31,596,703	\$32,041,253	\$35,128,025	\$3,086,772.00

-End of County Resolution 2023-09-

Commissioner Bryant stated that he would like to go back to having the Enotah Judicial Circuit Budget Meetings with the full Boards from each county as an open meeting. Chairman Turner advised him that he was welcome to take the place of Commissioner Holcomb who normally attends on behalf of White County.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Nix there was a unanimous vote to reappoint David Murphy to the Region 2 Emergency Medical Services Advisory Council for a three-year term to expire June 30, 2026.

Upon a motion made by Commissioner Nix, seconded by Commissioner Goodger there was a unanimous vote to enter into Executive Session.

-See The Following Closed Meeting Affidavit-

Upon a motion made by Commissioner Nix, seconded by Commissioner Holcomb there was a unanimous vote to exit Executive Session.

Commissioner Bryant asked that Mr. Pittard to see if access on Church Street is being restricted during the times at Woodlands Camp is doing drop-off and pick-up.

Chairman Turner asked Commissioner Goodger if the grant application process for construction of a new library is tracking well. Commissioner Goodger advised that it is tracking and coming together very well.

June 12, 2023 – Called Meeting Minutes (continued)

Upon a motion made by Commissioner Goodger, seconded by Commissioner Holcomb there was a unanimous vote to adjourn the meeting.

The minutes of the June 12, 2023 Called Meeting were approved as stated this 26th day of June, 2023.

WHITE COUNTY BOARD OF COMMISSIONERS

Travis C. Turner, Chairman

Terry D. Goodger, District 1

Lyn Holcomb, District 2

Edwin Nix, District 3

Craig Bryant, District 4

Shanda Murphy, County Clerk



WHITE COUNTY

Board of Commissioners

Agenda Request Form

Item Title: Conditional Use Permit for Short Term Rental for Susan and Sangsoo Oh 403 Yonah Valley Rd

For Meeting Date: 6/26/2023

Work Session **Regular Meeting** **Public Hearing**

Category (Select One): Land Use Application

Submitted By: John Sell

Attachments: Yes **If yes, please list each file name below:**

1. Application #19901
2. Public Hearing minutes of 5/30/2023
3. Regular Meeting minutes of 6/5/2023

Purpose:

Consider the application of Susan and Sangsoo Oh to request a conditional use permit located at 403 Yonah Valley Road, Cleveland, Georgia, 30528. Tax map and parcel 045C-034. Total acreage is 13.25. Proposed use is to place in "Short Term Rental" program. Present zoning is R-1 Residential Single Family.

Background / Summary:

- Applicant is requesting a conditional use permit for short term rental. The property is not part of a subdivision. Mrs. Oh said it would have a maximum of 12 guests with parking for 10 vehicles on 13 acres. It is a 4 bedroom, 4 bath home. She intends to self-manage with her next door neighbor as the local contact. Tammy Chambers of 250 Yonah Valley Road expressed concerns about traffic on the narrow road, potential for more rentals due to the size of the property and noise. She said the owner has already been renting with three to six vehicles at a time and loud children. Mrs. Oh admitted to renting off and on, but did not know she needed a license until the county contacted her. The Planning Commission recommended approval of the application and the motion passed by unanimous vote.

Department Recommendation:

Planning Commission recommended approval by unanimous vote.

Options:

- Uphold Planning Commission recommendation and approve the application
- Reverse Planning Commission recommendation and deny the application.
- Table the application for further review or to send back to Planning Commission

Budget Information: Applicable Not Applicable

Budgeted: Yes No

Finance Director's Comments (if applicable):

-

County Manager Comments:

-

WHITE COUNTY CHANGE OF LAND USE DISTRICT APPLICATION

OFFICE USE ONLY	Land Use Application #: <u>19901</u>
Public Hearing Date: <u>5/30/2023</u>	Commission District: <u>1</u>
Fees Assessed: <u>\$250</u>	Paid via: <input type="checkbox"/> cash <input type="checkbox"/> credit card <input checked="" type="checkbox"/> check# <u>2455</u>

APPLICANT INFORMATION	
Status: <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Authorized Agent <input type="checkbox"/> Lessee <input type="checkbox"/> Option to Purchase	
Printed Name(s): <u>SUSAN & Sangsoo Oh</u>	
Address: <u>403 Yonah Valley Rd Cleveland, GA 30528</u>	
Phone Number: [REDACTED]	Alternate Contact Number: [REDACTED]
Email: [REDACTED]	
Owner Information (if different from Applicant/Agent):	
Name:	Phone #:
PROPERTY INFORMATION	
Parcel ID: <u>045C034</u>	Total acreage being changed: <u>\$ 13.25</u>
Address: <u>403 Yonah Valley Rd. Cleveland, GA 30528.</u>	
Directions to Property: <u>Take N 75 — left at Asbestos Rd. — left at Yonah Valley Rd.</u>	
Current Use/Zoning of Property: <u>R1</u>	Type of Road Surface: <u>Yonah Valley Paved</u>
Any prior redistricting requests for property: <u>No</u> If yes, provide redistricting application #: _____	
SURROUNDING PROPERTY LAND USE CLASSIFICATION:	
North: <u>R1</u>	South: <u>R1</u> East: <u>R1</u> West: <u>R1</u>
REQUESTED ACTION AND DETAILS OF PROPOSED USE (check all that apply)	
<input type="checkbox"/>	Redistrict from district: _____ Redistrict to district: _____
<input checked="" type="checkbox"/>	Conditional Use - specify: <u>short term rental</u>
<input type="checkbox"/>	Special Use - specify: _____
<input type="checkbox"/>	Land Use Variance from Code Section: _____
Proposed use if not listed above: _____	
Is this property part of a subdivision? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If so, please list number of lots: _____	
Are there covenants? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Is there an active homeowner's association? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Subdivision Name (if applicable): _____	

Existing Utilities (check all that apply):
 County or City Water Well Septic Gas Electric Broadband

Proposed Utilities (check all that apply):
 County or City Water Well Septic Gas Electric Broadband

COMMERCIAL AND INDUSTRIAL REDISTRICT INFORMATION

Building Area: _____ No. of Parking Spaces: _____

RESIDENTIAL REDISTRICT INFORMATION

No. of Lots: _____ Minimum Lot Size in acres: _____ No. of Units: _____

Minimum Heated Floor Area (ft²): _____ Density/Acre: _____

Is an Amenity area proposed (specify if yes)? _____

Apartments Condominiums Townhomes Single Family

Rental Cabins Recreational Vehicle Park Other- Specify: _____

LIST OF ADJACENT PROPERTY OWNERS

It is the responsibility of the Applicant to provide a list of adjacent property owners that has property bordering your property or who has property directly across the street from your property (additional sheet may be included, if necessary).

PARCEL	PROPERTY OWNER NAME	MAILING ADDRESS
1	IVEY KEITH Clinton Beasley Keith and Amy Ivey	468 Yonah Valley RD.
2	XXXXXXXXXX Angelo VIDA Jr. & sydney marie Sinopoli	482 Yonah Valley RD
3	Janet & Bradeford Billy	514 Yonah valley Rd.
4	Randy & Michelle Sands	578 Yonah Valley RD
5	Jensen Kathryn P Trustee of Mary L Price Family Trust	591 Yonah Valley RD.
6	Chambers DREM Rev Liv TRUST & Jessie Trustees.	187 Yonah valley RD.
7	Wilbert Smith & Gennie Ray	309 Yonah Valley RD.

8.045C 024 Ottavio & Barbara Ranalli 428 Yonah Valley RD

APPLICANT CERTIFICATION

I hereby request the action contained within this application relative to the property shown on the attached plats and site plan and further request that this item be placed on both the Planning Commission and Board of Commissioners meeting agendas.

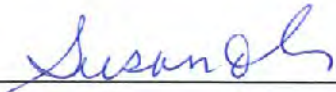
I understand that the Planning Department staff may either accept or reject my request upon review. My request will be rejected if all the necessary data is not presented.

I understand that I have the obligation to present all data necessary and required by statute to enable the Planning Commission and Board of Commissioners to make an informed determination on my request. I understand that I may seek legal advice if I am not familiar with the land use requirements and procedures.

I understand that my request will be acted upon at the Planning Commission and Board of Commissioners meetings and that I am required to be present or to be represented by someone able to present all facts and answer all questions. I understand that failure to appear at a meeting shall result in the postponement or denial of my application request. I further understand that it is my responsibility to be aware of relevant meeting dates and times regardless of notification from White County.

I hereby certify that I have read the above and that the above information, as well as the attached information, is true and correct.

Applicant Signature:



Date:

4/17/23

2023 DEADLINES AND MEETING DATES

Submittal Date Planning Dept. Office 5:00 p.m. Deadline	Planning Commission Public Hearing 1239 Helen Hwy 6:00 p.m.	Planning Commission Regular Session 1239 Helen Hwy 6:00 p.m.	Board of Commissioners Work Session 1235 Helen Hwy 4:30 p.m.
Wednesday, January 4, 2023	Monday, January 30, 2023	Monday, February 6, 2023	Monday, February 27, 2023
Wednesday, February 1, 2023	Monday, February 27, 2023	Monday, March 6, 2023	Monday, March 27, 2023
Wednesday, March 1, 2023	Monday, March 27, 2023	Monday, April 3, 2023	Monday, April 24, 2023
Wednesday, March 29, 2023	Monday, April 24, 2023	Monday, May 1, 2023	TBA
Wednesday, May 3, 2023	TBA 31 Tues 5:30	Monday, June 5, 2023	Monday, June 26, 2023
Wednesday, May 31, 2023	Monday, June 26, 2023	Monday, July 3, 2023	Monday, July 31, 2023
Wednesday, June 28, 2023	Monday, July 31, 2023	Monday, August 7, 2023	Monday, August 28, 2023
Wednesday, August 2, 2023	Monday, August 28, 2023	TBA	Monday, September 25, 2023
Wednesday, August 30, 2023	Monday, September 25, 2023	Monday, October 2, 2023	Monday, October 30, 2023
Wednesday, October 4, 2023	Monday, October 30, 2023	Monday, November 6, 2023	Monday, November 27, 2023
Wednesday, November 1, 2023	Monday, November 27, 2023	Monday, December 4, 2023	TBA
Wednesday, November 29, 2023	TBA	TBA	Monday, January 29, 2024
Wednesday, January 3, 2024	Monday, January 29, 2024	Monday, February 5, 2024	Monday, February 26, 2024

NOTICE OF AGRICULTURAL DISTRICT ADJACENCY

Future abutting developers in non-agricultural land use districts shall be provided with this "Notice of Agricultural Adjacency" prior to administrative action on either land use district, the issuance of a building or occupancy permit or approval of a subdivision of property. Prior to administrative action, the applicant shall be required to sign this waiver which indicates that the applicant understands that a use is ongoing, adjacent to his/her use, which can produce odors, noise, dust and other effects which may not be compatible with the applicant's development. Nevertheless, understanding the effects of the adjacent Agricultural District uses, the applicant agrees by executing this form to waive any objection to those effects and understands that his/her district change and/or permits or other approvals are issued and processed in reliance on his agreement not to bring any action asserting that the adjacent uses in the Agricultural District constitute a nuisance against the local government and adjoining land owners whose property is located in an Agricultural District. This waiver shall be provided and made applicable for subsequent purchasers and owners or heirs of his/her property. This notice and acknowledgement shall be public record.

Applicant Signature: *Susannah* **Date:** *4/17/23*

**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS
(APPLICANTS AND REPRESENTATIVE(S) OF REQUESTED ACTION)**

Pursuant to O.C.G.A. Section 36-67 A-3.A, the disclosure of any campaign contributions aggregating \$250.00 or more to a local government official who will consider an application for re-classification or for a conditional use or special use permit is mandatory when an application or any representation of application for re-classification of district or for conditional use or special use permit has been made within two (2) years immediately preceding the filing of a request for reclassification or conditional use or special use permit by the same applicant and/or representative of said applicant. It shall be the duty of the applicant and/or any representatives of the applicant to file a disclosure with the governing authority of the respective local government to show the following:

Name of local official(s) to whom campaign contribution was made:

The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two (2) years immediately preceding the filing of this application for action for district re-classification, conditional use or special use permit.

Amount \$: _____ Date: _____

Enumeration and description of each gift (when the total value of all gifts is \$250.00 or more) made to the local government official during the two (2) years immediately preceding the filing of this application. **Please attach additional sheets if needed.**

Check box if no contributions made

Applicant Signature: *Susannah* **Date:** *4/17/23*

PROPERTY OWNER AUTHORIZATION

To be completed by the property owner to certify ownership of subject property and to provide authorization for other person(s) to represent the owner on their behalf.

I/WE (print), SUSAN Oh,
hereby swear that I/we own the property for which this land use change application is being made.

Property Address and/or Parcel ID: 403 Yonah Valley RD Cleveland, GA 30528

PROPERTY OWNER INFORMATION

Printed Name of Owner(s):
SUSAN & Sangsoo Oh

Mailing Address:
1100 Burycove Lane Lawrenceville GA 30043

Phone Number: [REDACTED]

Alternate Contact Number: [REDACTED]

Email: [REDACTED]

I/we hereby authorize the person named below to act as the applicant or agent in the pursuit of the requested action on this property. I/we understand that any action granted and/or conditions or stipulations placed on the property will be binding upon the property regardless of ownership. The person named below is authorized to make this application. The person named below is aware that no application or re-application affecting the same land shall be acted upon within six (6) months from the date of the last action by the White County Board of Commissioners.

Printed Name of applicant or agent(s): SUSAN Oh & Sangsoo Oh

Signature of Owner(s): _____ Date Signed: _____

[Handwritten Signature]

4/17/23

PROPERTY OWNER AUTHORIZATION DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this 17 day of April, 2023 by Susan Oh (name of signer(s)). The named signer(s) is/are personally known by me or produced the identification type of DL.

[Handwritten Signature]

(Signature of Notary)

{Seal}

**Mercedes Dodd
NOTARY PUBLIC**

White County, GEORGIA

My Commission Expires 06/02/2026

(Name of Notary Typed, Stamped, or Printed)

SHORT TERM RENTAL CERTIFICATIONS

To be completed and notarized for any application where the proposed use is short term rental.

I/WE (print), SUSAN Oh,
hereby swear that I/we own/will own the property referenced below for which this land use change application is being made.

*Property Address and/or Parcel ID: 403 Yonah Valley Rd. Cleveland, GA 30528

PROPERTY OWNER AUTHORIZATION ACKNOWLEDGEMENT OF GUESTS

I acknowledge to keep the total number of guests to that number which can safely stay in the premises and may be subject to the State of Georgia's fire safety code regulations.

Signature of Owner/Future Owner(s): Susan Oh (MP)

PROPERTY OWNER AUTHORIZATION CERTIFIED BY OWNER OR THIRD PARTY INSPECTOR

I attest by owner or third party inspector that short term rentals meet applicable International Building Code, International Fire Code regulations and NFPA 101 Life Safety codes.

Signature of Owner/Future Owner(s): Susan Oh (MP)

PROPERTY OWNER AUTHORIZATION CERTIFIED DEED RESTRICTION

I certify that there are no deed restriction and/or covenants on the property that prohibits the use of the property as a short-term rental.

Signature of Owner/Future Owner(s): Susan Oh (MP)

PROPERTY OWNER AUTHORIZATION CERTIFIED SHORT-TERM RENTAL INSURANCE

I certify that the owner/future owner has commercial or specific short-term rental insurance for the property. If insurance *has not been obtained* at time of application, I certify that owner/future owner will obtain prior to renting if application approval is granted.

Signature of Owner/Future Owner(s): Susan Oh (MP)

OFFICIAL CODE OF WHITE COUNTY APPENDIX C/ARTICLE VII – SHORT TERM RENTALS & BUSINESS LICENSES NOTIFICATION

I certify that I have been informed of and provided a copy of Appendix C/Article VII - Short Term Rentals. I certify that I have also been informed that I will need to contact the White County Business Tax Office (706-865-2235) to obtain the proper business licensing, host licensing, and subsequent tax information prior to operation of my short-term rental.

Signature of Owner/Future Owner(s): Susan Oh (MP)

SHORT TERM RENTAL CERTIFICATIONS DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this 17 day of April, 20 23 by Susan Oh (name of signer(s)). The named signer(s) is/are personally known by me or produced the identification type of DL.

{Seal} Mercedes Dodd
NOTARY PUBLIC
White County, GEORGIA
My Commission Expires 06/02/2026

Mercedes Dodd
(Signature of Notary)

(Name of Notary Typed, Stamped, or Printed)

APPLICANT ACKNOWLEDGEMENT OF MEETING DATES

I, SUSAN OH (print name) have been advised that I or someone to represent me must be in attendance when my application is before the White County Planning Commission and the White County Board of Commissioners or it will be tabled. I also acknowledge that I have been made aware of the below dates upon submission of my application.

Senior Center, 1239 Helen Hwy, Cleveland 6:00pm

Public Hearing Date (Planning Commission): 5/30/2023

Regular Meeting Date (Planning Commission): 6/5/2023

Administration Building, 1235 Helen Hwy, Cleveland 4:30pm

Board of Commissioners Meeting Date: 6/26/2023

**Meeting dates are subject to change*


Susan Oh
Signature of Applicant or Authorized Agent

4/17/23
Date

<p><u>OFFICE USE ONLY</u></p> <p>Copy given to applicant: <u>4/17/23</u> (date)</p> <p>Staff Initials: <u>MO</u></p> <p>Flag (circle): <u>Y</u> N</p>
--

<p>WITHDRAWAL</p> <p><i>Notice: This section only to be completed if application is being withdrawn.</i></p>
<p>PART II - OFFICIAL CODE/APPENDIX C - LAND USE REGULATIONS/ARTICLE XVIII. AMENDMENT, APPLICATION AND PROCEDURAL REQUIREMENTS</p> <p><i>Section 1803. Withdrawal of amendment application.</i> Any petition for an amendment to these regulations, official land use district map, conditional use approval, variance or special use permit may be withdrawn, at the discretion of the person or agency initiating such request, at any time prior to final action by the board of commissioners upon written notice to the planning director. Any required fees shall be forfeited</p>
<p>I hereby withdraw application #:</p>
<p>Applicant Signature: _____ Date: _____</p>

Sangsoo Oh : Susan Oh
403 Yonah Valley RD
Cleveland, GA 30528



Purpose of Rental:

To Whom It may concern:

I would like to do short Rental for this property as AIRBNB. The house has 4 bed Rooms and 4 Bathrooms. Please review of well and septic.

Maximum of 14 People:

Thank You

Susan Oh



Public Health
Prevent. Promote. Protect.

White County Environmental Health

Zachary Taylor, M.D., M.S., Health Director

1241 Helen Highway, Unit 210 • Cleveland, GA 30528

PH: 706-348-7698 • FAX: 706-348-1670 • www.phdistrict2.org

Banks, Dawson, Forsyth, Franklin, Habersham, Hall, Hart, Lumpkin, Rabun, Stephens, Towns, Union and White Counties

Evaluation Applied For

Appropriate Permit Applied For

Appropriate Permit Issued to Applicant

Evaluation, Permit Not Applied For At This Time

DATE: 04/17/2023

APPLICANT NAME: SUSAN OH

PROPERTY ADDRESS: 403 YONAH VALLEY RD
CLEVELAND, GA 30528

White County Planning Department:

In reference to a request for a change of zoning/land use or a building permit, application may need to be made for an existing system evaluation to determine:

- that the permit on file is the correct permit for the property in question;
- that there is no evidence of system failure;
- that the septic system is appropriately sized for the current and proposed use;
- that there is adequate repair after the proposed addition;
- that there are no conditions that could adversely affect the functionality of the system.

Please note that this is NOT an all-inclusive list. Based upon the information submitted and/or the outcome of the evaluation, it may be determined that a septic system needs additional capacity or upgrade. If so, the appropriate permit will need to be obtained and the work completed before an approval can be given.

If, based upon information submitted, no septic systems exist on the property, this zoning/land use change and/or building permit request should not affect the property with respect to septic use.

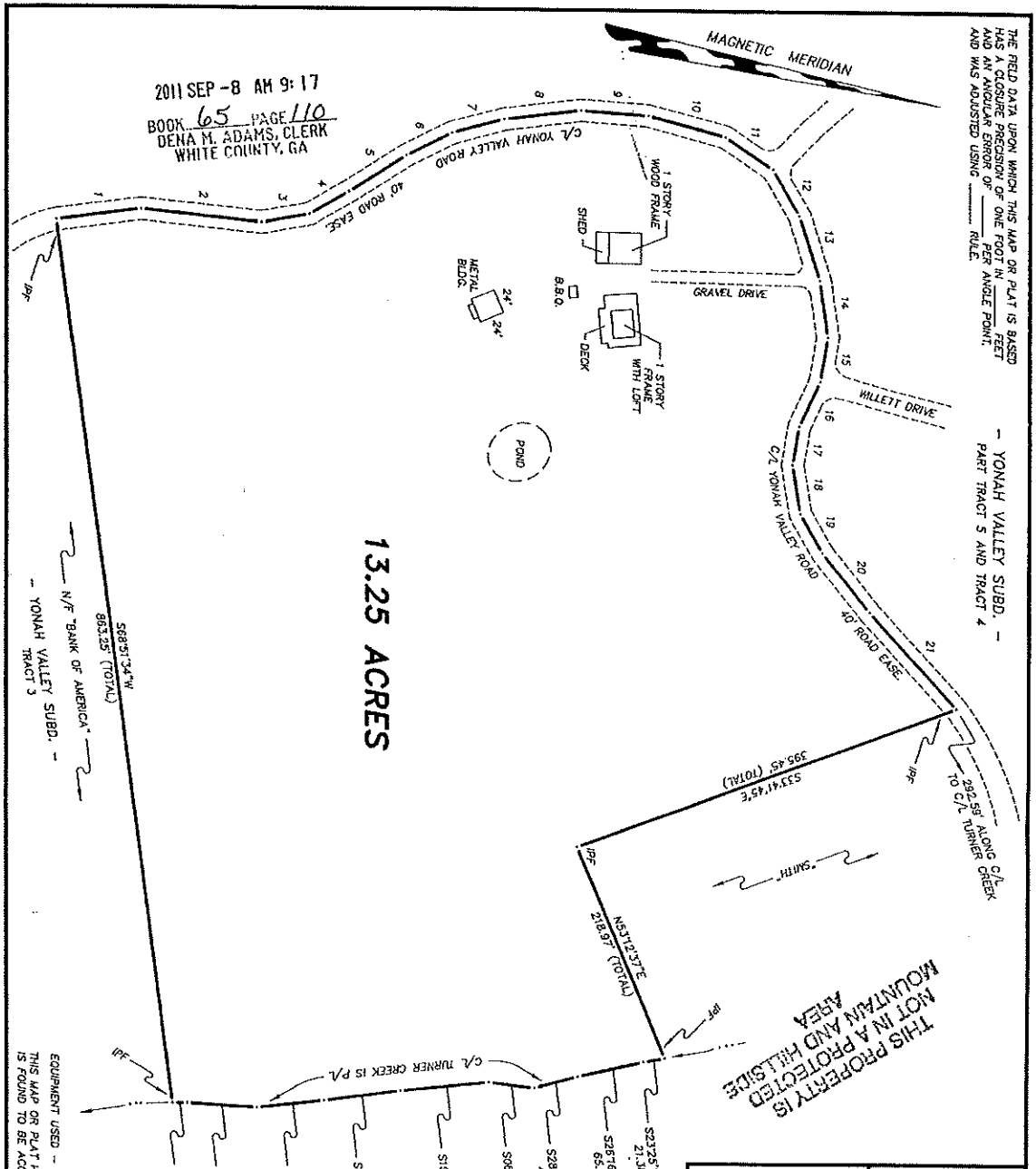
White County Environmental Health
District 2 Public Health

By signing below, I certify all information submitted is accurate and true to the best of my knowledge.

 
Applicant Signature

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN _____ FEET AND AN ANGULAR ERROR OF _____ PER ANGLE POINT, AND WAS ADJUSTED USING _____ RULE.

YONAH VALLEY SUBD. - PART TRACT 5 AND TRACT 4



2011 SEP -8 AM 9:17
 BOOK 65 PAGE 110
 DENA M. ADAMS, CLERK
 WHITE COUNTY, GA

13.25 ACRES

THIS PROPERTY IS NOT IN A PROTECTED MOUNTAIN AND HILLSIDE AREA

MAP PREPARED FOR
SANGSOO OH
 AND
SUSAN K. OH

LAND LOT 157 - 3rd DISTRICT
 WHITE COUNTY, GEORGIA
 DATE: 09-01-2011 SCALE: 1" = 100'

GRAPHIC SCALE
 100' 50' 0 100' 200' 300'

THIS PROPERTY IS NOT IN A DESIGNATED FLOOD HAZARD AREA.

C/O YONAH VALLEY ROAD

1	N20°49'25"W	82.35'	12	N45°24'30"E	52.20'
2	N07°42'24"W	117.10'	13	N58°40'47"E	55.28'
3	N23°20'24"W	48.46'	14	N68°15'22"E	55.51'
4	N43°39'41"W	44.80'	15	N88°20'05"E	43.78'
5	N45°21'47"W	66.88'	16	S78°51'56"E	48.70'
6	N55°47'33"W	50.39'	17	N85°32'24"E	38.35'
7	N50°44'08"W	75.20'	18	N7°11'43"E	48.87'
8	N20°44'08"W	75.20'	19	N69°31'39"W	65.52'
9	N09°31'39"W	65.52'	20	N56°18'37"E	74.47'
10	N01°22'38"E	78.71'	21	N34°07'10"E	126.49'
11	N19°14'31"E	56.47'			

WHITE COUNTY PLANNING DEPARTMENT
 THIS PLAT IS APPROVED
 DATE: 9/1/2011
 BY: [Signature]

JOB NO. 11-053

EQUIPMENT USED - TOPCON GTS-28 TOTAL STATION
 THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN _____ FEET.

EDDIE HOOD & ASSOCIATES
 8 COURTHOUSE SQUARE
 CLEVELAND, GA 30528
 PHONE: (706) 865-3676
 FAX: (706) 865-7303

9-1-11

2022 Property Tax Statement

Cindy Cannon

White County Tax Commissioner

113 North Brooks Street

Cleveland, GA 30528

Phone 1 (706) 865-2225 - Fax 1 (706) 219-0078

wctc@whitecounty.net

BILL NO.	PRINTED	LAST PAYMENT MADE ON	PAYMENT GOOD THROUGH	DUE DATE	TOTAL DUE
2022-12819	04/17/2023	01/17/2023	04/17/2023	03/05/2023	0.00
PID		LOCATION			
045C 034		403 YONAH VALLEY RD			

MAKE CHECK OR MONEY ORDER PAYABLE TO:

White County Tax Commissioner

This is your 2022 Ad Valorem Property Tax Statement. This bill must be paid in full by November 15, 2022 in order to avoid interest and penalty charges. Interest and penalties are governed by Georgia Code. If payment is made after the due date, please call the office for the current amount due. State law requires all bills be mailed to the owner of record as of January 1st of the tax year. If you have sold this property, please forward this bill to the new owner and notify our office. Please note that your Tax Commissioner is responsible for billing and collections and is not responsible for the property value on your bill or the millage rate. Thank you for the privilege of serving you as your Tax Commissioner. Cindy Cannon



OH SANGSOO OH SUSAN K
1100 Burycove Lane
Lawrenceville, GA 30043

RETURN THIS PORTION WITH PAYMENT (Interest will be added per month if not paid by due date)



2022

Property Tax Statement

Cindy Cannon

White County Tax Commissioner

113 North Brooks Street

Cleveland, GA 30528

Phone 1 (706) 865-2225 - Fax 1 (706) 219-0078

Email: wctc@whitecounty.net

PROPERTY OWNER(S)	OH SANGSOO OH SUSAN K
PID	045C 034 RFAI
DESCRIPTION	LL157 LD3 PT LT5&4
LOCATION	403 YONAH VALLEY RD
BILL NUMBER	2022-12819
DISTRICT	001 WHITE COUNTY UNINCORPORATED
PRINTED ON	04/17/2023

BUILDING VALUE	LAND VALUE	ACRES/LOTS	TOTAL FAIR MARKET VALUE	DUE DATE	BILLING DATE	PAYMENT GOOD THROUGH	EXEMPTIONS
192,450.00	119,960.00	13.2600	312,410.00	03/05/2023		04/17/2023	SV

FIRST NOTICE

ENTITY	ADJUSTED FAIR MARKET VALUE	NET ASSESSMENT	EXEMPTIONS	TAXABLE VALUE	MILLAGE RATE	GROSS TAX	CREDIT TAX AMT	NET TAX AMT
COUNTY M&O	312,410.00	124,964.00	36,632.00	88,332.00	12.9490	1,143.81		839.59
SALES TAX ROLLBACK				88,332.00	-3.4410		-304.22	
SCHOOL M&O	312,410.00	124,964.00	36,632.00	88,332.00	14.2220	1,256.26		1,256.26
TOTALS					23.7270	2,400.07	-304.22	2,095.85

Each resident of White County is eligible for a Homestead Exemption on the property they own and occupy as their permanent residence on January 1st of the taxable year. Homestead Exemption applications are accepted year round by the White County Assessors office however, your application must be made before April 1st to apply to the taxable year. All tax returns are filed with the White County Assessors office between January 1st and April 1st of the taxable year. For questions about your Homestead Exemption or filing a tax return, you may reach the Assessors office at (706) 865-5328. Thanks



CURRENT DUE	2095.85
+ PENALTY	0.00
+ INTEREST	0.00
+ OTHER FEES	0.00
PREVIOUS PAYMENTS	2095.85
+ BACK TAXES	0.00
= Total Due	0.00



OFFICIAL TAX RECEIPT

White County Tax Commissioner

Cindy Cannon

113 North Brooks Street

Cleveland GA 30528

Phone 17068652225 - Fax 17062190078

Email: wctc@whitecounty.net

OWNER

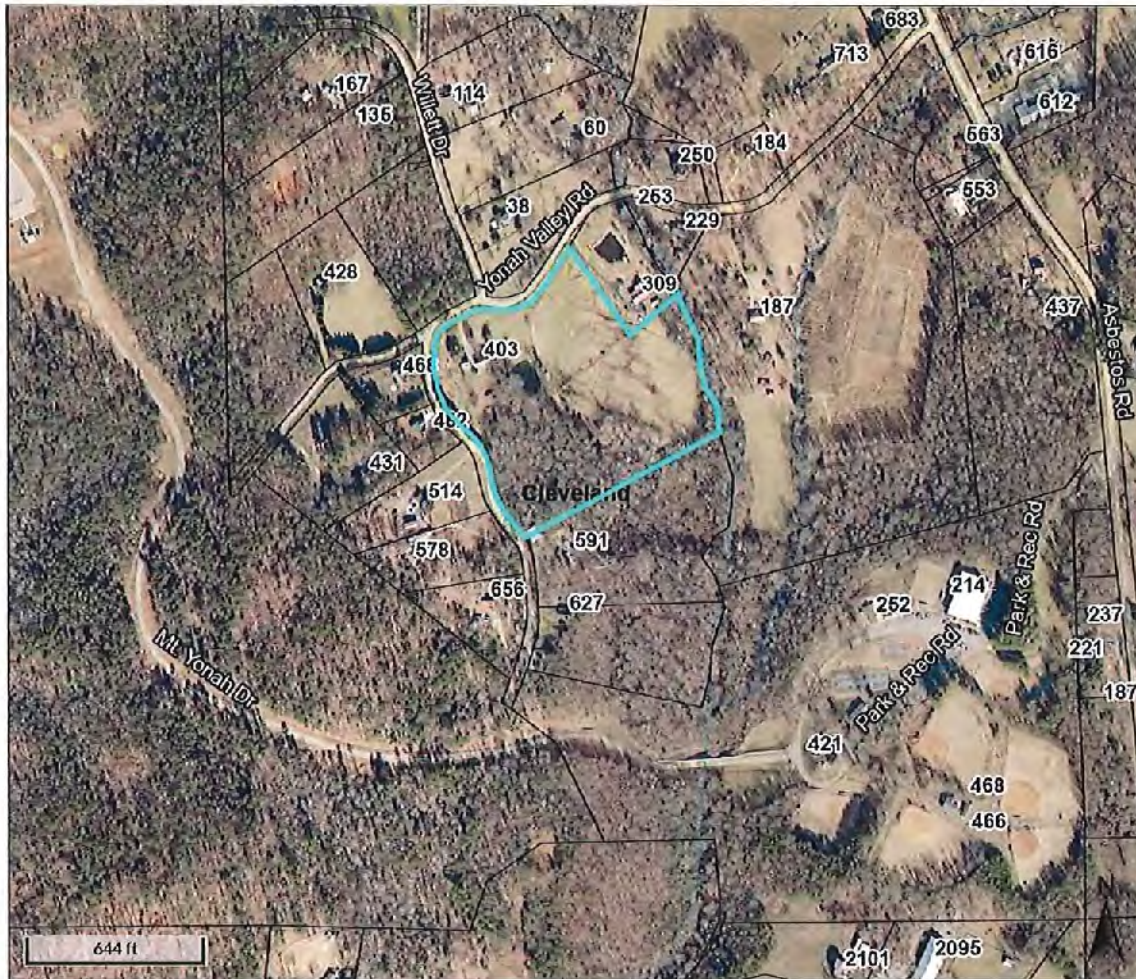
OH SANGSOO OH SUSAN K

1100 Burvcove Lane

lawrenceville. GA 30043

PAID DATE		1/17/2023	
RECEIPT PRINTED		4/17/2023 12:03:20 PM	
CASH AMOUNT	CHECK AMOUNT	CHARGE AMOUNT	CHECK NUMBER(s) CHARGE APPROVAL CODE
\$0.00	\$444.76	\$0.00	2317
REFUND AMOUNT		\$0.00	
OVERPAY AMOUNT		\$0.00	
CHANGE AMOUNT		\$0.00	
REGISTER		3	
CASHIER			
TOTAL PAID		\$444.76	

Tax Year- Bill Number FMV Property ID	Property Description Property Address District Serial Number Decal Number	Due Date Original Due	Interest Penalty Other Fees	Previous Paid Amount	Current Amount Due	Amount Paid	Tax Bill New Balance	
2022-12819 FMV: 312410.00 045C 034	LL157 LD3 PT LT5&4 403 YONAH VALLEY RD DISTRICT: 001 SERIAL NUMBER: DECAL NUMBER: 0	03/05/2023 \$2,095.85	\$0.00 \$0.00 \$0.00	\$1,651.09	\$444.76	\$444.76	\$0.00	
Paid By: OH SANGSOO OH SUSAN K 404-384-1377 Check Number: 2317				Overpayment Amount: 0.00				
Transaction(s): 45096 - 45096		Total(s):	\$2,095.85	\$0.00	\$1,651.09	\$444.76	\$444.76	\$0.00



Overview



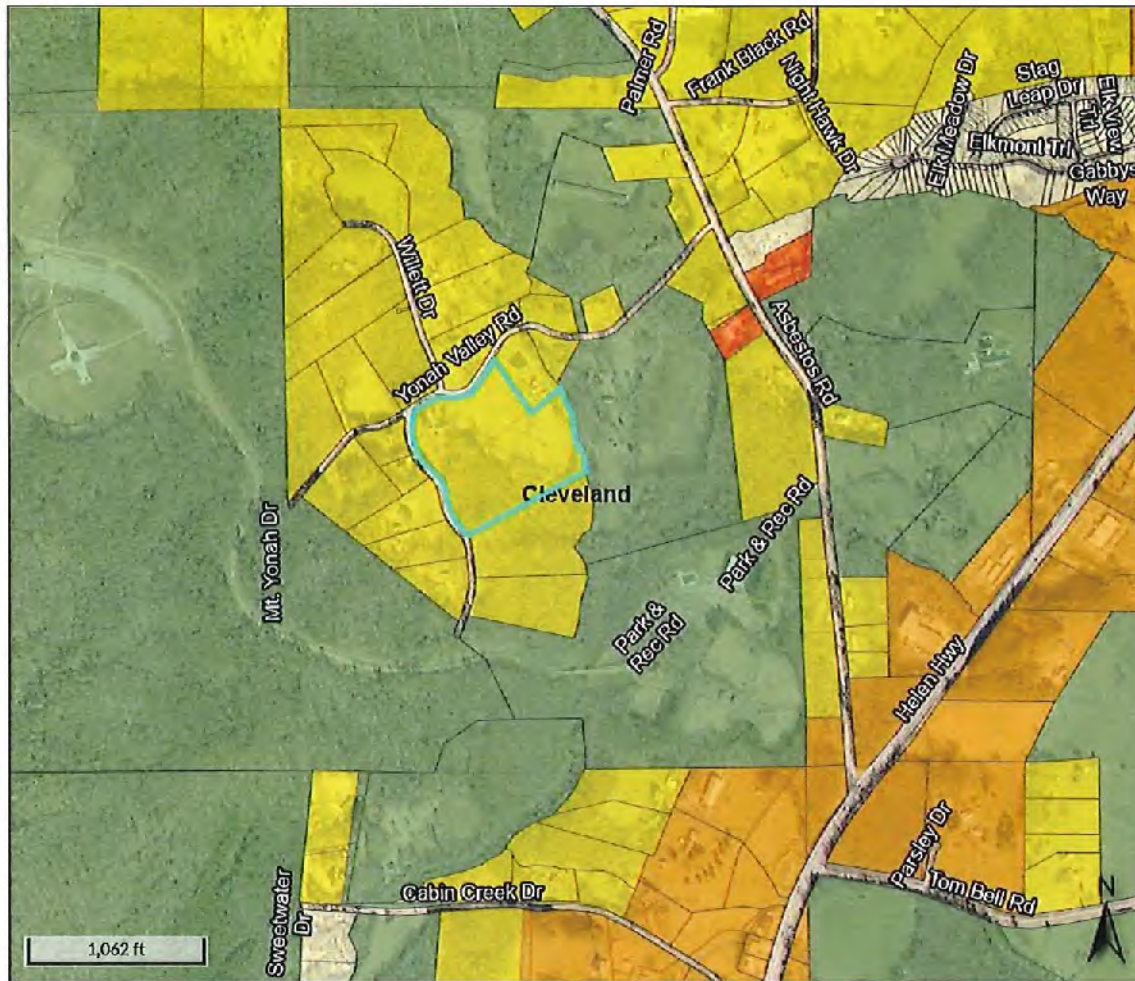
Legend

- Parcels
- Address Numbers
- Roads
- Railroads
- Lakes
- Streams and River
- City Labels

Parcel ID	045C 034	Alternate ID	5038619	Owner Address	OH SANGSOO
Sec/Twp/Rng	n/a	Class	A		OII SUSAN K
Property Address	403 YONAH VALLEY RD	Acreage	13.26		1100 BURYCOVELN
	01				LAWRENCEVILLE GA 30043-6287

District 01
 Brief Tax Description LL157 LD3 PT LT5&4
 (Note: Not to be used on legal documents)

Date created: 4/17/2023
 Last Data Uploaded: 4/17/2023 5:30:44 AM



Overview



Legend

- Parcels
- Zoning**
- Agriculture Forest District (A-1)
- Residential Single Family District (R-1)
- Residential Multi-Family District (R-2)
- Residential Seasonal District (R-3)
- Community Commercial District (C-1)
- Highway Business District (C-2)
- Industrial District (I-1)
- Address Numbers**
- Roads**
- Railroads
- Lakes
- Streams and River
- City Labels

Parcel ID	045C 034	Alternate ID	5038619	Owner Address	OH SANGSOO
Sec/Twp/Rng	n/a	Class	A		OH SUSAN K
Property Address	403 YONAH VALLEY RD	Acreage	13.26		1100 BURYCOVE LN
	01				LAWRENCEVILLE GA 30043-6287
District	01				
Brief Tax Description	LL157 LD3 PTLT5&4				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 4/17/2023
 Last Data Uploaded: 4/17/2023 5:30:44 AM

WHITE COUNTY PLANNING DEPARTMENT
STAFF COMMENT

SUSAN OH

- PROPERTY IS LOCATED AT 403 YONAH VALLEY RD IN CLEVELAND. IT IS IN THE R-1 SINGLE FAMILY RESIDENTIAL DISTRICT AND WILL REQUIRE A CONDITIONAL USE PERMIT FROM THE WHITE COUNTY BOARD OF COMMISSIONERS TO PLACE THE PROPERTY IN THE SHORT TERM RENTAL PROGRAM.
- PROPERTY ADJOINS TO THE NORTH, SOUTH, AND WEST R-1 RESIDENTIAL SINGLE-FAMILY DISTRICT; TO THE EAST A-1 AGRICULTURE FORESTRY DISTRICT.
- THE WHITE COUNTY COMPREHENSIVE PLAN FUTURE LAND USE MAP INDICATES SINGLE FAMILY RESIDENTIAL.
- TOTAL ACREAGE IS 13.25.
- PROPERTY SUPPLIED BY WELL AND SEPTIC.



WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

Monday, June 5th, 2023
6:00 pm

White County Senior Center
1239 Helen Hwy, Cleveland, Ga. 30528

Those present were Larry Freeman, R.K. Ackerman, Charlie Thomas, Linda Dixon, and John Yarbrough. Staff members present were Harry Barton, John Sell, and Mercedes Dodd.

Chairman Thomas called the meeting to order. Mr. Yarbrough gave the invocation. No changes made to the agenda. Motion to approve the minutes of April 24th, 2023 and May 1st, 2023 made by Ms. Dixon and seconded by Mr. Yarbrough. Motion was unanimous.

Application of Nancy Dorsey to request a variance from Section 601 Access. Property is located on Valley View Drive, Cleveland, GA, 30528. Tax map and parcel is 003-027. Total acreage is 2.64. The applicant, Nancy Dorsey of 48 Stover Road in Cleveland, was present. Mr. Barton gave a summary of the application. Ms. Dorsey explained she and her sister purchased the property from their grandparents and want to split it for their wills.

Motion to approve the variance made by Mr. Ackerman and seconded by Ms. Dixon. Motion was unanimous. Mr. Barton advised the applicant to contact the Environmental Health department for plat approval.

Application of Sharon Hustedt to request a variance from Section 802 for Second Dwelling. Property is located at 899 Kanady Road, Cleveland, GA, 30528. Tax map and parcel is 036-089A. Total acreage is 2.50.

The applicant, Sharon Hustedt of 899 Kanady Road, was present. Mr. Barton gave a summary of the application. Ms. Hustedt explained the second dwelling is for family.

Motion to approve the variance made by Mr. Yarbrough and seconded by Ms. Dixon. Motion was unanimous. Mr. Barton advised the applicant to contact the Building Department for a building permit.

Application of Matthew Knaus to request a variance from Section 601 Access. Property is located on 216 Welcome Lane, Cleveland, GA, 30528. Tax map and parcel is 045A-040. Total acreage is 3.00. The applicant, Matthew Knaus of 216 Welcome Lane, was present. Mr. Barton gave a summary of the application. Mr. Knaus explained he is giving property to family.

Motion to approve the variance made by Mr. Freeman and seconded by Mr. Ackerman. Motion was unanimous. Mr. Barton advised the applicant that he would contact him when his plats were stamped.

Application of Keith and Jody McCallister to request a variance from Section 601 Access. Property is located on Webster Lake Road, Cleveland, GA, 30528. Tax map and parcel is 078-087. Total acreage is 15.00.

The applicant, Jody McCallister of 746 Dean Mountain Road, was present. Mr. Barton gave a summary of the application. Ms. McCallister explained the second tract is for family. When asked if she was made aware of a road needing to be built due to the amount of tracts already split from this parcel, Ms. McCallister said no but the seller did mention this would be the last tract that could be divided. She

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

explained that she did not purchase the property to split for sale and understands that it could not be divided again without a road being built to subdivision regulations.

Motion to approve the variance made by Mr. Freeman and seconded by Mr. Ackerman. Motion was unanimous. Mr. Barton advised the applicant that he would contact her when the plats were stamped by the Planning Department.

Application of Carlos Barnes to request a variance from Section 601 Access. Property is located on Tulip Trail, Cleveland, GA, 30528. Tax map and parcel is 050-065. Total acreage is 1.89. The applicant, Carlos Barnes of 120 Tulip Trail, was present. Mr. Barton gave a summary of the application. Mr. Barnes explained that he would eventually be living on this property and it was not for resale.

Motion to approve the variance made by Ms. Dixon and seconded by Mr. Yarbrough. Motion was unanimous. Mr. Barton advised the applicant to contact his office once he received the plats for the other tracts from Environmental Health so they could discuss next steps.

Application of Jimmy Daniel to request a variance from Section 804 Building Setback for building within a building setback. Property is located at 2034 Helen Hwy, GA, 30528. Tax and parcel is 096-035. Total acreage is 0.477. The applicant, Jimmy Daniel of 2034 Helen Highway, was present. Mr. Barton gave a summary of the application. Mr. Daniel explained the original foundation was not good so he building new. He said he received a letter for the first variance and this request is for the same distance from the property line- three feet and six inches.

Motion to approve the variance contingent upon receiving a new letter from the adjoining property owner made by Mr. Ackerman and seconded by Ms. Dixon. Motion was unanimous. Mr. Barton advised the applicant to call his office once he receives the letter from the adjoining property owner.

Application of Kathy Chastain to request a variance from Section 802 for Second Dwelling. Property is located at 260 Mulberry Drive, Cleveland, GA, 30528. Tax and parcel is 068-049. Total acreage is 5.70. The applicant, Kathy Chastain of 260 Mulberry Drive, was present. Mr. Barton gave a summary of the application. Ms. Chastain explained the second dwelling is for her children.

Motion to approve the variance made by Ms. Dixon and seconded by Mr. Freeman. Motion was unanimous. Mr. Barton advised the applicant to contact the Building Department regarding a building permit.

Application of Beverly Sosbee to request a variance from Section 601 Access. Property is located on Sal Mountain Way, Sautee Nacoochee, GA, 30571. Tax map and parcel is 072-014. Total acreage is 4.31. Representatives, PJ Campanella and Allison Suazo of 324 Leisure Acres Drive, were present on behalf of the applicant. Mr. Barton gave a summary of the application. Mr. Campanella explained they are purchasing the property and received permission to access this property from the two other lot owners. He stated the existing access would not be feasible due to needing multiple switchbacks on the steep grade.

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

Motion to approve the variance made by Mr. Yarbrough and seconded by Ms. Dixon. Motion was unanimous. Mr. Barton advised the representatives he would contact them once the plats were stamped by the Planning Department.

Application of Wayne Quarles to request a variance from Section 601 Access. Property is located at 2601 Toll Gate Road, Cleveland, GA, 30528. Tax map and parcel is 002-001. Total acreage is 3.74. The applicant, Wayne Quarles of 2601 Toll Gate Road, was present. Mr. Barton gave a summary of the application, adding that the request is for mortgage purposes and the acreage would revert back once the mortgage is satisfied. Mr. Quarles did not have anything to add.

Motion to approve the variance made by Ms. Dixon and seconded by Mr. Freeman. Motion was unanimous. Mr. Barton advised the applicant he would contact them once the plats were stamped by the Planning Department.

Application of Susan and Sangsoo Oh to request a conditional use permit located at 403 Yonah Valley Road, Cleveland, Georgia, 30528. Tax map and parcel 045C-034. Total acreage is 13.25. Proposed use is to place in "Short Term Rental" program. Present zoning is R-1 Residential Single Family. The applicant, Susan Oh of 403 Yonah Valley Road was present. Mr. Barton gave a summary of the application. Ms. Oh stated there is a fence around the property, which is large acreage that has pastures and a pond. She said the properties nearby are on large acreage, as well.

Motion to recommend approval to the Board of Commissioners made by Mr. Freeman and seconded by Mr. Ackerman. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on Monday, June 26th.

Application of Jon Schwartz to redistrict property located at 1299 Hwy 17 in Sautee Nacoochee, Georgia, 30571 from C-1 Community Commercial District to R-1 Single Family Residential District and conditional use permit. Tax map and parcel 071-005. Total acreage is 3.98. Proposed use is for agri-tourism, wedding tourism, event facilities and attractions. Present use is C-1 Community Commercial District.

The applicant, Jon Schwartz of 1299 Highway 17, was present. Mr. Barton gave a summary of the application. Mr. Schwartz explained the previous application for an event facility was to rezone to C-2, but he plans to have small events instead. He said the maximum occupancy for outdoor events would be 50 and 24 for indoor events, adding that he did not plan on having indoor and outdoor at the same time. When asked about the steepness of the road, he said only left turns have limited views.

Motion to recommend approval to the Board of Commissioners made by Mr. Yarbrough and seconded by Mr. Ackerman. Those opposed were Mr. Freeman and Mr. Yarbrough. Chairman Thomas as the tiebreaker voted in favor of the motion due to the strong support present during the public hearing. Motion carried by majority of 3-2. Mr. Barton advised the applicant of the next meeting on Monday, June 26th.

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

Application of Yonah Mountain Vineyards to request a conditional use permit located at 62 Small Pond Dr., Cleveland, Georgia, 30528. Tax map and parcel 060D-047. Total acreage is 2.0. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family. The applicant, Eric Miller- owner of Yonah Mountain Vineyards- of 1717 Highway 255 S, was present. Mr. Barton gave a summary of the application. When asked if he would be willing to provide access to the property from the vineyard, Mr. Miller explained that he would prefer to not build in order to keep the vineyard secure and he was unsure how enforceable that access would be since the property is the first house on Small Pond Drive. He stated the maximum occupancy would be eight, but he would most likely rent to six. He said he is coordinating with the neighborhood to improve the road on Small Pond Drive.

Motion to recommend approval to the Board of Commissioners made by Mr. Ackerman and seconded by Ms. Dixon. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on Monday, June 26th.

Application of Blake Boggs, on behalf of Christopher and Alissa Feaster, to request a conditional use permit located at 0 Sara Lane, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 055D-096. Total acreage is 0.927. Proposed use is to place in “Short Term Rental” program, Present zoning is R-1 Residential Single Family.

A representative, Alan Boggs with ALCO Realty of 182 S Main Street in Cleveland, was present on behalf of the applicant. Mr. Barton gave a summary of the application. Mr. Boggs stated a letter of support from the homeowner’s association was provided at the public hearing. He said the road is in good condition.

Motion to recommend approval to the Board of Commissioners made by Ms. Dixon and seconded by Mr. Yarbrough. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on Monday, June 26th.

Application of Jude M. Beckman to request a conditional use permit located at 2609 Post Road, Cleveland, Georgia, 30528. Tax map and parcel 063-038A. Total acreage is 1.50. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family. The applicant was not present; the applicant was postponed to the next Regular Session.

Consider proposed amendments to the White County Land Use Ordinance related to updates in Zoning Procedures Law (ZPL).

Mr. Barton gave a summary of the proposed amendments.

Motion to recommend approval to the Board of Commissioners made by Mr. Yarbrough and seconded by Ms. Dixon. Motion was unanimous.

Consider proposed amendments to the White County Land Use Ordinance related to provisions for Historic Preservation.

Chairman Thomas recommend the board wait to vote on a recommendation until the full board was present and have discussions in a work session for proposed changes.

Motion to table the proposed Historic Preservation Ordinance made by Mr. Ackerman and seconded by Mr. Yarbrough. Mr. Ackerman said the room was full of support but no opposition at the public hearing

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

and he would like both sides to be represented so it is good for everyone. Additionally, due to several questions not answered in the changes, he would like to see the final draft before making a recommendation to the Board of Commissioners. Motion was unanimous.

Mr. Sell stated the proposed ordinance would be added to the next Work Session to discuss all requested changes to be made to the draft.

There was no citizen comment.

Motion to adjourn made by Ms. Dixon and seconded by Mr. Ackerman. Motion was unanimous.

DRAFT

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

Tuesday, May 30th, 2023
6:00 pm

White County Senior Center
1239 Helen Hwy, Cleveland, Ga. 30528

Board members present were Larry Freeman, R.K. Ackerman, Charlie Thomas, Linda Dixon, and John Yarbrough. Staff members present were Harry Barton, John Sell, and Mercedes Dodd.

Chairman Thomas called the meeting to order. Mr. Yarbrough gave the invocation. Chairman Thomas outlined the public hearing procedures. No changes made to the agenda.

Application of Susan and Sangsoo Oh to request a conditional use permit located at 403 Yonah Valley Road, Cleveland, Georgia, 30528. Tax map and parcel 045C-034. Total acreage is 13.25. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Susan Oh of 403 Yonah Valley Road, was present. Mr. Barton gave a summary of the application. Mrs. Oh explained the proposed short-term rental would have a maximum occupancy of 12 people, parking for more than 10 vehicles on the 13 acres, and her next-door neighbor would be the emergency contact. She said she plans to utilize online platforms and has rented on and off due to not knowing she needed a license until the county notified her. Mrs. Oh said she has owned the property for ten years and began renting in the last year, but has had family and friends stay at the property. When asked if there were other short-term rentals nearby, she said no.

Chairman Thomas asked if anyone would like to speak for the application, there was no response. He asked if anyone would like to speak against the application.

Tammy Chambers of 250 Yonah Valley Road expressed concerns of the narrow road, traffic, potential for more rentals on the property due to its size, and noise. She said the owner has already been renting with three to six vehicles at a time and loud children.

Chairman Thomas asked Mrs. Oh if she had anything to add, she said no. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, June 5th.

Application of Jon Schwartz to redistrict property located at 1299 Hwy 17 in Sautee Nacoochee, Georgia, 30571 from C-1 Community Commercial District to R-1 Single Family Residential District and conditional use permit. Tax map and parcel 071-005. Total acreage is 3.98. Proposed use is for agri-tourism, wedding tourism, event facilities and attractions. Present use is C-1 Community Commercial District.

The applicant, Jon Schwartz of 1299 Highway 17, was present. Mr. Barton gave a summary of the application. Mr. Schwartz explained the proposed use would be small events that would start and end early, which is why he is requesting to move from C-1 Community Commercial to R-1 Residential Single Family. He said he hosted an indoor event in February with 24 people for the Sautee Nacoochee Cultural Center, which was a small gathering. He said his maximum occupancy would be 24-25 for the indoor space where he would host mystery dinners and has experience hosting events in Atlanta. Mr. Schwartz said he is not looking to host weddings, but would be able to have 50 people in an outdoor area for “boutique weddings” or other outdoor events. He said the majority of his events would be indoor and does not intend to host indoor and outdoor at the same time so he can keep the gatherings small. Mr. Schwartz explained the paved parking would hold 12-15 vehicles and the gravel road to the barn would

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

hold another 15 vehicles. He explained that indoor noise is not easily heard over highway traffic and outdoor events would end no later than 11pm.

Chairman Thomas asked if anyone would like to speak for the application.

Savannah Essigman, address not provided, said she is a wedding and event coordinator in Helen and the church keeper. She said the owners reached out to her with humble intentions, and she cannot see them being disruptive since they want to conserve the community.

JoAnn Sweeney of 320 Sal Mountain Way said she has known the owners for years, and they are good neighbors and people who she believes will do a good job.

Tommy Williams, who lives next door, said he has known the owner for years and has not noticed any of the events so far. He said they are good people with good intentions of keeping the events “low-key”.

Mel Whitehead, the Executive Director of the Sautee Nacoochee Cultural Center, said he has known the owner for years and his intention is for small groups with concerns about preserving the community and environment. He said the owner has offered to hold events for the cultural center and Mr. Whitehead believes this will be good for the community.

Chairman Thomas asked if anyone would like to speak against the application.

Jeff McCrew of 303 Richardson Road said he is not for or against, but wanted to know if the county does anything to preserve the residential area if approved and would hate to see it move more toward a business area.

Barbara Williams, address not provided, said she lives on the county line, said she wished to follow up to the previous speaker. She stated that the reason Mr. Schwartz wants to rezone to R-1 is to keep the property in the residential area and that if the property would be rezoned back to C-1 is when any issues about commercial could be addressed. She said C-1 to R-1 is great.

Chairman Thomas asked Mr. Schwartz if he had anything to add.

Mr. Schwartz said the property is zoned commercial now and the reason they wish for R-1 is because they plan to live there and the property has family history. He said this would be their home and where they plan to stay.

Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, June 5th.

Application of Yonah Mountain Vineyards to request a conditional use permit located at 62 Small Pond Dr., Cleveland, Georgia, 30528. Tax map and parcel 060D-047. Total acreage is 2.0. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

A representative, Danny McIntosh of 1717 Highway 255 S, was present. Mr. Barton gave a summary of the application. Mr. McIntosh explained the proposed use is to rent in conjunction with events at the facility, managed through the vineyard, and it would have a maximum occupancy of eight to ten people and four vehicles. When asked if a road could be built from the vineyard to the home, he said the property is the first house from the highway and there would not be a good way to make access to the vineyard but it does have a small trail for mowing and utilities. Mr. McIntosh said he would be the emergency contact and would coordinate with the local person on duty to go to the home. He said there is one other short-term rental on the road, which is the property the vineyard just had approved and said the second access has already been cut.

Chairman Thomas asked if anyone would like to speak for the application, there was no response. He asked if anyone would like to speak against the application.

Linda Seabolt of 106 Small Pond Drive expressed concerns of the proximity of the proposed rental to her home, previous failed long-term rentals at this home, and said this home is on her private access. She said the vineyard is still using Small Pond Drive for access after being told to gate off that access and does not understand how so many short-term rentals in the county have been approved. She said she wants to keep White County beautiful.

Stacy Brown of 248 Small Pond Drive, next door to the other short-term rental, said she is not for or against, but had questions. She said the vineyard did what they were supposed to do with the fence and so far do not seem to be disruptive. Ms. Brown stated there is always a chance for bad neighbors and it is a good thing for them to be there, but wanted to know the end goal of how many rentals on Small Pond Drive does the vineyard plan to own.

Chairman Thomas asked Mr. McIntosh if he had anything to add.

Mr. McIntosh explained they do not have a master plan and were approached by the previous owner to purchase, but plan to improve the homes they purchase. He said the road to the other rental took longer to build so they did have to use Small Pond Drive but were not closing the gate unless people were in the home. However, he said the gate will now remain closed, even if not rented, after being approached by a neighbor with the request. He said they are trying to be good neighbors and spoke with the person that does most of the road maintenance to determine improvements, which are done once a year. He said a road could be built to this home, but he was not sure if it could be enforceable since it is the first house.

Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, June 5th.

Application of Blake Boggs, on behalf of Christopher and Alissa Feaster, to request a conditional use permit located at 0 Sara Lane, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 055D-096. Total acreage is 0.927. Proposed use is to place in "Short Term Rental" program. Present zoning is R-1 Residential Single Family.

The applicant, Blake Boggs of 182 S Main Street in Cleveland, was present. Mr. Barton gave a summary of the application. Mr. Boggs explained the proposed short-term rental has not been built yet, so

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

maximum occupancy has not been determined. He said the covenants allow short-term rentals by their interpretation and he received a letter from the homeowner's association in support, which he gave to Mr. Barton for the application file. Mr. Boggs believed there was one other short-term rental in the subdivision and one property zoned R-3 Residential Seasonal. He said the property is under contract contingent upon approval of the conditional use permit.

Chairman Thomas asked if anyone would like to speak for the application, there was no response. He asked if anyone would like to speak against the application, there was no response. Mr. Boggs did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, June 5th.

Application of Jude M. Beckman to request a conditional use permit located at 2609 Post Road, Cleveland, Georgia, 30528. Tax map and parcel 063-038A. Total acreage is 1.50. Proposed use is to place in "Short Term Rental" program. Present zoning is R-1 Residential Single Family. The applicant, Jude Beckman of 2609 Post Road, was present. Mr. Barton gave a summary of the application. Mr. Beckman explained the proposed short-term rental would have a maximum occupancy of eight with parking for eight vehicles, though he doubted there would be that many. He said he plans to self-manage and lives 30 minutes away so he will be the emergency contact. Mr. Beckman stated he has been doing short-term rentals for ten years, is particular who he rents to, and does not allow parties.

Chairman Thomas asked if anyone would like to speak for the application, there was no response. He asked if anyone would like to speak against the application, there was no response. Mr. Beckman did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, June 5th.

Mr. Barton presented proposed amendments to the White County Land Use Ordinance pertaining to advertising requirements that are consistent with updates in the Georgia Zoning Procedures Law effective July 1st, 2023.

Chairman Thomas asked if there was any public comment, there was no response.

Mr. Sell presented updates made to the proposed Historic Preservation Overlay Ordinance, including changes to verbiage, withdrawal and opt in processes, and owner notification processes. Mr. Sell explained the compliance process in regard to steps to be taken by code enforcement should policy not be adhered to. He explained the buffer requirements for the affected properties and adjoining landowners. Chairman Thomas, Mr. Ackerman, and Mr. Freeman expressed concerns of the rights of the adjoining landowners. Mr. Sell stated the map would be finalized after the process for adoption if approved and properties are verified.

Chairman Thomas asked if there was any public comment.

John Erbele of 1037 Joe Black Road, Historic Committee Board Member, stated the intention for the ordinance was the least amount of government and some amount of protection. He said not much changed from last year, but the committee tried putting something together to keep White County a great place.

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

Mr. Erbele stated growth is coming and the county needs to be prepared for overflow from Helen and Gainesville.

Barbara Williams, address not provided, said the setbacks are not just residential places but are properties like Mossy Creek Church. She said that if the adjoining landowners decide to sell their properties to develop, then it would come with the caveat that they have to stay so many feet away from the church and she does not see anything wrong with that.

William Huff of 3605 Town Creek Road said he was opposed at the last meeting, but supports this revision with the new opt in and out processes. He said he does have concerns about view sheds and buffers.

Jonna Tuttle of 125 Wilderness End in Clarkesville, Georgia, said she has an appreciation for the community and is a fan of White County history and stories. She said this is what makes White County unique and it is important to hold onto not only for the economy but for families.

Spencer Robbie of 2220 Highway 17 said the community and beauty of the land in White County keeps him from moving away. He expressed support of historic preservation because it keeps the beauty and sense of life in Sautee as well as the rest of the county. He said as tourism increases, there will be growth so it is important to protect the area.

Ashley Harris of 3273 Post Road said it is important to do something to protect what makes the county beautiful and unique.

Linda Harris of 853 Laurelwood said it is important to educate people about historic areas and give them the opportunity to protect it.

Chairman Thomas asked everyone in support of the ordinance to raise their hand; the majority of the room did so. He asked everyone in opposition to raise their hands, there were none. Chairman Thomas closed the hearing.

After questions about further meetings on the historic preservation ordinance, Mr. Barton announce the Planning Commission would make a recommendation to the Board of Commissioners, who would make a decision on the ordinance at a later date to be determined. Chairman Thomas stated, due to two board members being out, that he would like the entire board to be present when the Planning Commission makes their recommendation.

There was no other citizen comments.

Motion to adjourn made by Ms. Dixon and seconded by Mr. Ackerman. Motion was unanimous.



WHITE COUNTY

Board of Commissioners

Agenda Request Form

Item Title: Rezone from C-1 to R-1 with Conditional Use Permit for event facility for Jon Schwartz 1288 Highway 17, Sautee Nacoochee

For Meeting Date: 6/26/2023

Work Session **Regular Meeting** **Public Hearing**

Category (Select One): Land Use Application

Submitted By: John Sell

Attachments: Yes **If yes, please list each file name below:**

1. Application #19934
2. Public Hearing minutes of 5/30/2023
3. Regular Meeting minutes of 6/5/2023

Purpose:

Consider the application of Jon Schwartz to redistrict property located at 1299 Hwy 17 in Sautee Nacoochee, Georgia, 30571 from C-1 Community Commercial District to R-1 Single Family Residential District and conditional use permit. Tax map and parcel 071-005. Total acreage is 3.98. Proposed use is for agri-tourism, wedding tourism, event facilities and attractions. Present use is C-1 Community Commercial District.

Background / Summary:

- Applicant is requesting a rezone from C-1 to R-1 to live on the property and a conditional use permit for a small event facility on the property. The property is not part of a subdivision. There was a previous request to rezone the property to C-2 by a previous owner, but it was withdrawn prior to the BOC meeting as the Planning Commission had recommended denial of the application. Mr. Schwartz explained the maximum for outdoor events would be 50 people for boutique weddings and indoor events, such as a dinner theater or corporate retreat would be 24. He does not plan to do both indoor and outdoor events at the same time. Paved parking can hold 12-15 vehicles and the gravel road to the barn would hold another 15 vehicles. Several people spoke in favor of the application including the next door neighbor Tommy Williams. One person said he hoped the residential area would be preserved. The Planning Commission recommended approval of the application by a 3-2 vote.

Department Recommendation:

Planning Commission recommended approval by a 3-2 vote.

Options:

- Uphold Planning Commission recommendation and approve the application
- Reverse Planning Commission recommendation and deny the application.
- Table the application for further review or to send back to Planning Commission

Budget Information: Applicable Not Applicable

Budgeted: Yes No

Finance Director's Comments (if applicable):

-

County Manager Comments:

-

WHITE COUNTY CHANGE OF LAND USE DISTRICT APPLICATION

OFFICE USE ONLY	Land Use Application #: <u>19934</u>
Public Hearing Date: <u>5/30/2023</u>	Commission District: <u>4</u>
Fees Assessed: <u>\$250</u>	Paid via: <input type="checkbox"/> cash <input type="checkbox"/> credit card <input checked="" type="checkbox"/> check# <u>1018</u>

APPLICANT INFORMATION

Status: <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Authorized Agent <input type="checkbox"/> Lessee <input type="checkbox"/> Option to Purchase	
Printed Name(s): Jon Schwartz	
Address: 1299 Hwy 17 Sautee Nacoochee, GA 30571	
Phone Number: [REDACTED]	Alternate Contact Number: [REDACTED]
Email: [REDACTED]	
Owner Information (if different from Applicant/Agent):	
Name:	Phone #:

PROPERTY INFORMATION

Parcel ID: 071 005	Total acreage being changed: 3.98
Address: 1299 Hwy 17, Sautee Nacoochee, GA 30571	
Directions to Property: From Helen Highway take Highway 17 headed East.	
Travel 1.3 miles. At mile marker 3 turn left into the asphalt driveway	
Current Use/Zoning of Property: C1	Type of Road Surface: paved
Any prior redistricting requests for property: <u>Yes</u> If yes, provide redistricting application #: <u>18339</u>	

SURROUNDING PROPERTY LAND USE CLASSIFICATION:

North: <u>C1</u>	South: <u>A1</u>	East: <u>R1</u>	West: <u>R1</u>
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REQUESTED ACTION AND DETAILS OF PROPOSED USE (check all that apply)

Redistrict from district: C1	Redistrict to district: R1
Conditional Use - specify: Agri-tourism, wedding tourism, event facilities and attractions	
Special Use - specify:	
Land Use Variance from Code Section:	

Proposed use if not listed above:

Is this property part of a subdivision? Yes No If so, please list number of lots:

Are there covenants? Yes No Is there an active homeowner's association? Yes No

Subdivision Name (if applicable):

Existing Utilities (check all that apply):
 County or City Water Well Septic Gas Electric Broadband

Proposed Utilities (check all that apply):
 County or City Water Well Septic Gas Electric Broadband

COMMERCIAL AND INDUSTRIAL REDISTRICKT INFORMATION

Building Area: _____ No. of Parking Spaces: _____

RESIDENTIAL REDISTRICKT INFORMATION

No. of Lots: _____ Minimum Lot Size in acres: _____ No. of Units: _____

Minimum Heated Floor Area (ft²): _____ Density/Acre: _____

Is an Amenity area proposed (specify if yes)? _____

Apartments Condominiums Townhomes Single Family

Rental Cabins Recreational Vehicle Park Other- Specify: _____

LIST OF ADJACENT PROPERTY OWNERS

It is the responsibility of the Applicant to provide a list of adjacent property owners that has property bordering your property or who has property directly across the street from your property (additional sheet may be included, if necessary).

PARCEL	MAILING ADDRESS
1 071 004 Steve Winter	0 Hwy 17
2 071 004B Robert T Williams	279 Wright Rd
3 071 004A Grau Terra D	275 Wright Rd
4 071 005A Bacchus Productions, LLC	0 Rabun Rd
5 071 003A Yvonne Caudwell	119 Rabun Rd
6 071 003B John Westmoreland	93 Rabun Rd
7 071 006 Timothy Tinius	1321 Hwy 17
8 071 009 Scott Handcock	1304 Hwy 17

APPLICANT CERTIFICATION

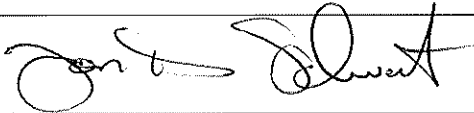
I hereby request the action contained within this application relative to the property shown on the attached plats and site plan and further request that this item be placed on both the Planning Commission and Board of Commissioners meeting agendas.

I understand that the Planning Department staff may either accept or reject my request upon review. My request will be rejected if all the necessary data is not presented.

I understand that I have the obligation to present all data necessary and required by statute to enable the Planning Commission and Board of Commissioners to make an informed determination on my request. I understand that I may seek legal advice if I am not familiar with the land use requirements and procedures.

I understand that my request will be acted upon at the Planning Commission and Board of Commissioners meetings and that I am required to be present or to be represented by someone able to present all facts and answer all questions. I understand that failure to appear at a meeting shall result in the postponement or denial of my application request. I further understand that it is my responsibility to be aware of relevant meeting dates and times regardless of notification from White County.

I hereby certify that I have read the above and that the above information, as well as the attached information, is true and correct.

Applicant Signature:  Date: 04/28/2023

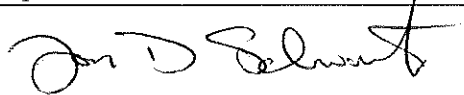
2023 DEADLINES AND MEETING DATES

Submittal Date Planning Dept. Office 5:00 p.m. Deadline	Planning Commission Public Hearing 1239 Helen Hwy 6:00 p.m.	Planning Commission Regular Session 1239 Helen Hwy 6:00 p.m.	Board of Commissioners Work Session 1235 Helen Hwy 4:30 p.m.
Wednesday, January 4, 2023	Monday, January 30, 2023	Monday, February 6, 2023	Monday, February 27, 2023
Wednesday, February 1, 2023	Monday, February 27, 2023	Monday, March 6, 2023	Monday, March 27, 2023
Wednesday, March 1, 2023	Monday, March 27, 2023	Monday, April 3, 2023	Monday, April 24, 2023
Wednesday, March 29, 2023	Monday, April 24, 2023	Monday, May 1, 2023	TBA
→ Wednesday, May 3, 2023	TBA	Monday, June 5, 2023	Monday, June 26, 2023
Wednesday, May 31, 2023	Monday, June 26, 2023	Monday, July 3, 2023	Monday, July 31, 2023
Wednesday, June 28, 2023	Monday, July 31, 2023	Monday, August 7, 2023	Monday, August 28, 2023
Wednesday, August 2, 2023	Monday, August 28, 2023	TBA	Monday, September 25, 2023
Wednesday, August 30, 2023	Monday, September 25, 2023	Monday, October 2, 2023	Monday, October 30, 2023
Wednesday, October 4, 2023	Monday, October 30, 2023	Monday, November 6, 2023	Monday, November 27, 2023
Wednesday, November 1, 2023	Monday, November 27, 2023	Monday, December 4, 2023	TBA
Wednesday, November 29, 2023	TBA	TBA	Monday, January 29, 2024
Wednesday, January 3, 2024	Monday, January 29, 2024	Monday, February 5, 2024	Monday, February 26, 2024

NOTICE OF AGRICULTURAL DISTRICT ADJACENCY

Future abutting developers in non-agricultural land use districts shall be provided with this "Notice of Agricultural Adjacency" prior to administrative action on either land use district, the issuance of a building or occupancy permit or approval of a subdivision of property. Prior to administrative action, the applicant shall be required to sign this wavier which indicates that the applicant understands that a use is ongoing, adjacent to his/her use, which can produce odors, noise, dust and other effects which may not be compatible with the applicant's development. Nevertheless, understanding the effects of the adjacent Agricultural District uses, the applicant agrees by executing this form to waive any objection to those effects and understands that his/her district change and/or permits or other approvals are issued and processed in reliance on his agreement not to bring any action asserting that the adjacent uses in the Agricultural District constitute a nuisance against the local government and adjoining land owners whose property is located in an Agricultural District. This wavier shall be provided and made applicable for subsequent purchasers and owners or heirs of his/her property. This notice and acknowledgement shall be public record.

Applicant Signature:



Date: 04/28/2023

**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS
(APPLICANTS AND REPRESENTATIVE(S) OF REQUESTED ACTION)**

Pursuant to O.C.G.A. Section 36-67 A-3.A, the disclosure of any campaign contributions aggregating \$250.00 or more to a local government official who will consider an application for re-classification or for a conditional use or special use permit is mandatory when an application or any representation of application for re-classification of district or for conditional use or special use permit has been made within two (2) years immediately preceding the filing of a request for reclassification or conditional use or special use permit by the same applicant and/or representative of said applicant. It shall be the duty of the applicant and/or any representatives of the applicant to file a disclosure with the governing authority of the respective local government to show the following:

Name of local official(s) to whom campaign contribution was made:

The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two (2) years immediately preceding the filing of this application for action for district re-classification, conditional use or special use permit.

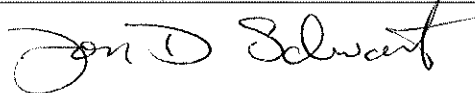
Amount \$:

Date:

Enumeration and description of each gift (when the total value of all gifts is \$250.00 or more) made to the local government official during the two (2) years immediately preceding the filing of this application. **Please attach additional sheets if needed.**

Check box if no contributions made

Applicant Signature:

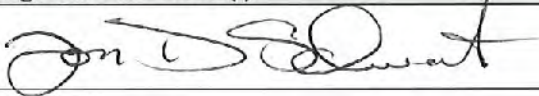


Date: 04/28/2023

PROPERTY OWNER AUTHORIZATION

To be completed by the property owner to certify ownership of subject property and to provide authorization for other person(s) to represent the owner on their behalf.

I/WE (print), Jon D. Schwartz and Virginia W. King,
hereby swear that I/we own the property for which this land use change application is being made.

Property Address and/or Parcel ID: 1299 Hwy 17, Sautee Nacoochee 071 005	
PROPERTY OWNER INFORMATION	
Printed Name of Owner(s):	Jon D. Schwartz & Virginia W. King
Mailing Address:	1299 Hwy 17, Sautee Nacoochee, GA 30571
Phone Number:	[REDACTED]
Alternate Contact Number:	[REDACTED]
Email:	[REDACTED]
I/we hereby authorize the person named below to act as the applicant or agent in the pursuit of the requested action on this property. I/we understand that any action granted and/or conditions or stipulations placed on the property will be binding upon the property regardless of ownership. The person named below is authorized to make this application. The person named below is aware that no application or re-application affecting the same land shall be acted upon within six (6) months from the date of the last action by the White County Board of Commissioners.	
Printed Name of applicant or agent(s):	
Signature of Owner(s):	Date Signed:
	4/28/2023

PROPERTY OWNER AUTHORIZATION DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this 28 day of April, 2023 by Jon Schwartz (name of signer(s)). The named signer(s) is/are personally known by me or produced the identification type of DL.

{Seal} **Mercedes Dodd**
NOTARY PUBLIC
White County, GEORGIA
My Commission Expires 06/02/2026

Mercedes Dodd (Signature of Notary)

(Name of Notary Typed, Stamped, or Printed)

NA

SHORT TERM RENTAL CERTIFICATIONS

To be completed and notarized for any application where the proposed use is short term rental.

I/WE (print), _____, hereby swear that I/we own/will own the property referenced below for which this land use change application is being made.

*Property Address and/or Parcel ID:

PROPERTY OWNER AUTHORIZATION ACKNOWLEDGEMENT OF GUESTS

I acknowledge to keep the total number of guests to that number which can safely stay in the premises and may be subject to the State of Georgia's fire safety code regulations.

Signature of Owner/Future Owner(s):

PROPERTY OWNER AUTHORIZATION CERTIFIED BY OWNER OR THIRD PARTY INSPECTOR

I attest by owner or third party inspector that short term rentals meet applicable International Building Code, International Fire Code regulations and NFPA 101 Life Safety codes.

Signature of Owner/Future Owner(s):

PROPERTY OWNER AUTHORIZATION CERTIFIED DEED RESTRICTION

I certify that there are no deed restriction and/or covenants on the property that prohibits the use of the property as a short-term rental.

Signature of Owner/Future Owner(s):

PROPERTY OWNER AUTHORIZATION CERTIFIED SHORT-TERM RENTAL INSURANCE

I certify that the owner/future owner has commercial or specific short-term rental insurance for the property. If insurance *has not been obtained* at time of application, I certify that owner/future owner will obtain prior to renting if application approval is granted.

Signature of Owner/Future Owner(s):

OFFICIAL CODE OF WHITE COUNTY APPENDIX C/ARTICLE VII – SHORT TERM RENTALS & BUSINESS LICENSES NOTIFICATION

I certify that I have been informed of and provided a copy of Appendix C/Article VII - Short Term Rentals. I certify that I have also been informed that I will need to contact the White County Business Tax Office (706-865-2235) to obtain the proper business licensing, host licensing, and subsequent tax information prior to operation of my short-term rental.

Signature of Owner/Future Owner(s):

SHORT TERM RENTAL CERTIFICATIONS DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this ____ day of _____, 20____ by _____ (name of signer(s)). The named signer(s) is/are personally known by me or produced the identification type of _____.

{Seal}

(Signature of Notary)

(Name of Notary Typed, Stamped, or Printed)

APPLICANT ACKNOWLEDGEMENT OF MEETING DATES

I, Jon D. Schwartz (print name) have been advised that I or someone to represent me must be in attendance when my application is before the White County Planning Commission and the White County Board of Commissioners or it will be tabled. I also acknowledge that I have been made aware of the below dates upon submission of my application.

Senior Center, 1239 Helen Hwy, Cleveland 6:00pm

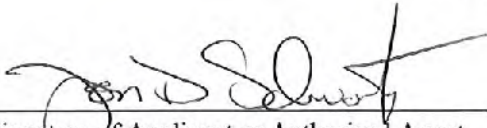
Public Hearing Date (Planning Commission): 5/30/2023

Regular Meeting Date (Planning Commission): 6/5/2023

Administration Building, 1235 Helen Hwy, Cleveland 4:30pm

Board of Commissioners Meeting Date: 6/26/2023

**Meeting dates are subject to change*



 Signature of Applicant or Authorized Agent

April 28, 2023

 Date

<p><u>OFFICE USE ONLY</u></p> <p>Copy given to applicant: <u>4/28/23</u> (date)</p> <p>Staff Initials: <u>MD</u></p> <p>Flag (circle): <u>Y</u> N</p>
--

<p>WITHDRAWAL</p> <p><i>Notice: This section only to be completed if application is being withdrawn.</i></p>
<p align="center">PART II - OFFICIAL CODE/APPENDIX C - LAND USE REGULATIONS/ARTICLE XVIII. AMENDMENT, APPLICATION AND PROCEDURAL REQUIREMENTS</p> <p><i>Section 1803. Withdrawal of amendment application.</i> Any petition for an amendment to these regulations, official land use district map, conditional use approval, variance or special use permit may be withdrawn, at the discretion of the person or agency initiating such request, at any time prior to final action by the board of commissioners upon written notice to the planning director. Any required fees shall be forfeited</p>
<p>I hereby withdraw application #:</p>
<p>Applicant Signature: _____ Date: _____</p>

Bacchus Productions, LLC

Jon D. Schwartz & Virginia W. King

April 27, 2023

LETTER OF INTENT

My wife's connection to this Valley stretches back 200 years. Ginny's great-great-great-grandfather, Major Edward Williams, is buried in the Methodist Church cemetery less than a block away from our new home. We both have a deep respect for the land and for the people on the land.


ZONNING CHANGE:

For the past 15 years we have been living 5 miles away in Habersham County operating a small dance studio. In August we Purchased the property at 1299 Hwy 17, a beautiful home that just happened to come with a vineyard and 2 event facilities. We have no desired to run a business full time or to be open to the public. This property, first and foremost, is our home and the reason we are requesting a zoning change from C1 to R1.

CONDITIONAL USE:

To help subsidize the upkeep of the vineyard, we intend to host small private events. This would include board meetings and retreats as well as mastermind and writing retreats. In addition, the indoor event space can seat 24 for an intimate mystery dinner party. (See the accompanying photos). The small amphitheater on the property is perfect for small weddings, up to 50 people. We have parking for approximately 30 cars on the paved driveway and the adjacent gravel road leading towards the barn. For this reason, we are seeking a Conditional Use under Section 1002 use 6, event facilities.

Jon D. Schwartz
Virginia W. King





Public Health
Prevent. Promote. Protect.

White County Environmental Health

Zachary Taylor, M.D., M.S., Health Director

1241 Helen Highway, Unit 210 • Cleveland, GA 30528

PH: 706-348-7698 • FAX: 706-348-1670 • www.phdistrict2.org

Banks, Dawson, Forsyth, Franklin, Habersham, Hall, Hart, Lumpkin, Rabun, Stephens, Towns, Union and White Counties

- | | | | |
|-------------------------------------|---|--------------------------|--|
| <input checked="" type="checkbox"/> | Evaluation Applied For | <input type="checkbox"/> | Appropriate Permit Applied For |
| <input type="checkbox"/> | Appropriate Permit Issued to Applicant | <input type="checkbox"/> | Evaluation, Permit Not Applied For At This Time |

DATE: 04/28/2023

APPLICANT NAME: JON SCHWARTZ

PROPERTY ADDRESS: 1299 HWY 17
SAUTTEE NACOOCHEE, GA 30571

White County Planning Department:

In reference to a request for a change of zoning/land use or a building permit, application may need to be made for an existing system evaluation to determine:

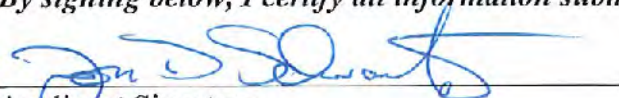
- that the permit on file is the correct permit for the property in question;
- that there is no evidence of system failure;
- that the septic system is appropriately sized for the current and proposed use;
- that there is adequate repair after the proposed addition;
- that there are no conditions that could adversely affect the functionality of the system.

Please note that this is NOT an all-inclusive list. Based upon the information submitted and/or the outcome of the evaluation, it may be determined that a septic system needs additional capacity or upgrade. If so, the appropriate permit will need to be obtained and the work completed before an approval can be given.

If, based upon information submitted, no septic systems exist on the property, this zoning/land use change and/or building permit request should not affect the property with respect to septic use.

White County Environmental Health
District 2 Public Health

By signing below, I certify all information submitted is accurate and true to the best of my knowledge.


 Applicant Signature

Existing On-site Sewage Management System Performance Evaluation Report Form

Applicant: ALETHA BARRETT		Reason for Existing Sewage System Evaluation: REZONING & OCCUPANCY
Property/System Address: 1299 HWY 17 SAUTEE NACOOCHEE, GA 30571		
Subdivision Name:	Lot: Block:	
Existing System Information: Water Supply (circle) (1) Public (2) Private Well (3) Community	Number of Bedrooms/GPD: 5/0 Garbage Grinder: (circle) (1) Yes (2) No	

*** One of Section A, B, or C should be Completed ***

SECTION A - System on Record

<input checked="" type="radio"/> Yes (2) No	Existing On-site Sewage Management System inspection records indicate that all components of the system were properly constructed and installed at the time of the original inspection.	Comments: SEPTIC SYSTEM APPEARED TO BE FUNCTIONING @ TIME OF INSPECTION. TANK IS PARTIALLY UNDER CONCRETE AND OUTLET MAY NOT BE ACCESSIBLE. DETAILED LETTER OF INTENT AS TO THE USE AND HOURS OF USE OF THIS FACILITY WILL BE NEEDED TO DETERMINE ADEQUATE CAPACITY.	
<input checked="" type="radio"/> Yes (2) No	A copy of the original On-site Sewage Management System Inspection Report is attached.		
(1) Yes <input checked="" type="radio"/> No	Maintenance records indicate that the system has been pumped out or serviced within the last five (5) years or the system was installed within that time frame.		
(1) Yes <input checked="" type="radio"/> No	A site evaluation of the system on this date revealed no evidence of system failure or of conditions which would adversely affect the functioning of the system.		
Evaluating Environmentalist	Title: Environmental Health County Manager	Date: 25-Feb-22	Verify this data to be correct at the time of the evaluation. This verification shall not be construed as a guarantee of the proper functioning of this system for any given period of time. No liability is assumed for future damages that may be caused by malfunction.

SECTION B - System Not on Record

<input type="radio"/> Yes	No inspection records are on file showing the On-site Sewage Management System was inspected and approved at the time of the installation	Comments:	
(1) Yes (2) No	The septic tank was uncovered at the time of the evaluation and it appears to meet the required design, construction and installation criteria.		
(1) Yes (2) No	Documentation from a Georgia Certified Installer has been provided as to the condition of the septic tank and its respective components, certifying its design, construction, and installation criteria. A copy is attached.		
(1) Yes (2) No	Maintenance records indicate that the system has been pumped out or serviced within the last five (5) years or the system was installed within that time frame.		
(1) Yes (2) No	A site evaluation of the system on this date revealed no evidence of system failure or of conditions which would adversely affect the functioning of the system; however, appropriateness of the sizing and installation cannot be verified since no initial inspection records exist.		
Evaluating Environmentalist	Title:	Date:	Verify this data to be correct at the time of the evaluation. This verification shall not be construed as a guarantee of the proper functioning of this system for any given period of time. No liability is assumed for future damages that may be caused by malfunction.

SECTION C - System Not Approved

<input type="radio"/> Yes (2) No	The On-site Sewage Management System was disapproved at the time of the initial and is thus not considered an approved system.	Comments:	
(1) Yes (2) No	Evaluation of the system revealed evidence of system failure or malfunction, and will therefore require corrective action in order to obtain approval of the system.		
(1) Yes (2) No	Evaluation of the system revealed conditions which would adversely affect the proper functioning of the system, and will therefore require corrective action in order to obtain approval of the system.		
Evaluating Environmentalist	Title:	Date:	Verify this data to be correct at the time of the evaluation. This verification shall not be construed as a guarantee of the proper functioning of this system for any given period of time. No liability is assumed for future damages that may be caused by malfunction.

SECTION D - Addition to Property or Relocation of Home (section completed in conjunction with A, B, or C above)

<input checked="" type="radio"/> Yes (2) No	An existing On-site Sewage Management System is located on the property listed above and has been evaluated in accordance with Section A or B above.	Comments:	
(1) Yes <input checked="" type="radio"/> No	A site evaluation on this date as well as the provided information indicate that the proposed construction to home or property or that the proposed relocation of the home should not adversely affect the proper functioning of the existing system provided that no additional sewage load is added to the system for the listed size home adjacent.		
		Number of Bedrooms/GPD: 0	Garbage Grinder: (circle) (1) Yes <input checked="" type="radio"/> No
Evaluating Environmentalist	Title: Environmental Health County Manager	Date: 25-Feb-22	Verify this data to be correct at the time of the evaluation. This verification shall not be construed as a guarantee of the proper functioning of this system for any given period of time. No liability is assumed for future damages that may be caused by malfunction.

FINAL APPROVAL

WHITE COUNTY BOARD OF HEALTH
1241 HELEN HWY, UNIT 210
CLEVELAND, GA 30528 (706) 348-7698

Type Permit:

PERMIT NUMBER: S-154-2008-00270
PROPERTY ADDRESS: 1299 Hwy 17

Owners Name: Huc Rainey
Builder/Company:
Water Supply: Individual
Bedrooms: 3
Gallons Per Day:
Garbage Disposal: No
Plumbing Level:

Facility Type:
Subdivision:
Lot/Unit Number:
Lot Size:
Perc Rate:
Soil Type:

Directions To Property: Hwy 75N Rt on Hwy 17 property at 3 mile marker

Septic Tank Installer: Clyde Broadway Certification #: I-13325R

Company Name: Broadway Clearing & Grading Expiration Date: 2/28/10

Type System Installed: Inf. Quick-4 Linear Ft. 212 Trench Width: 36 Trench Depth: 36

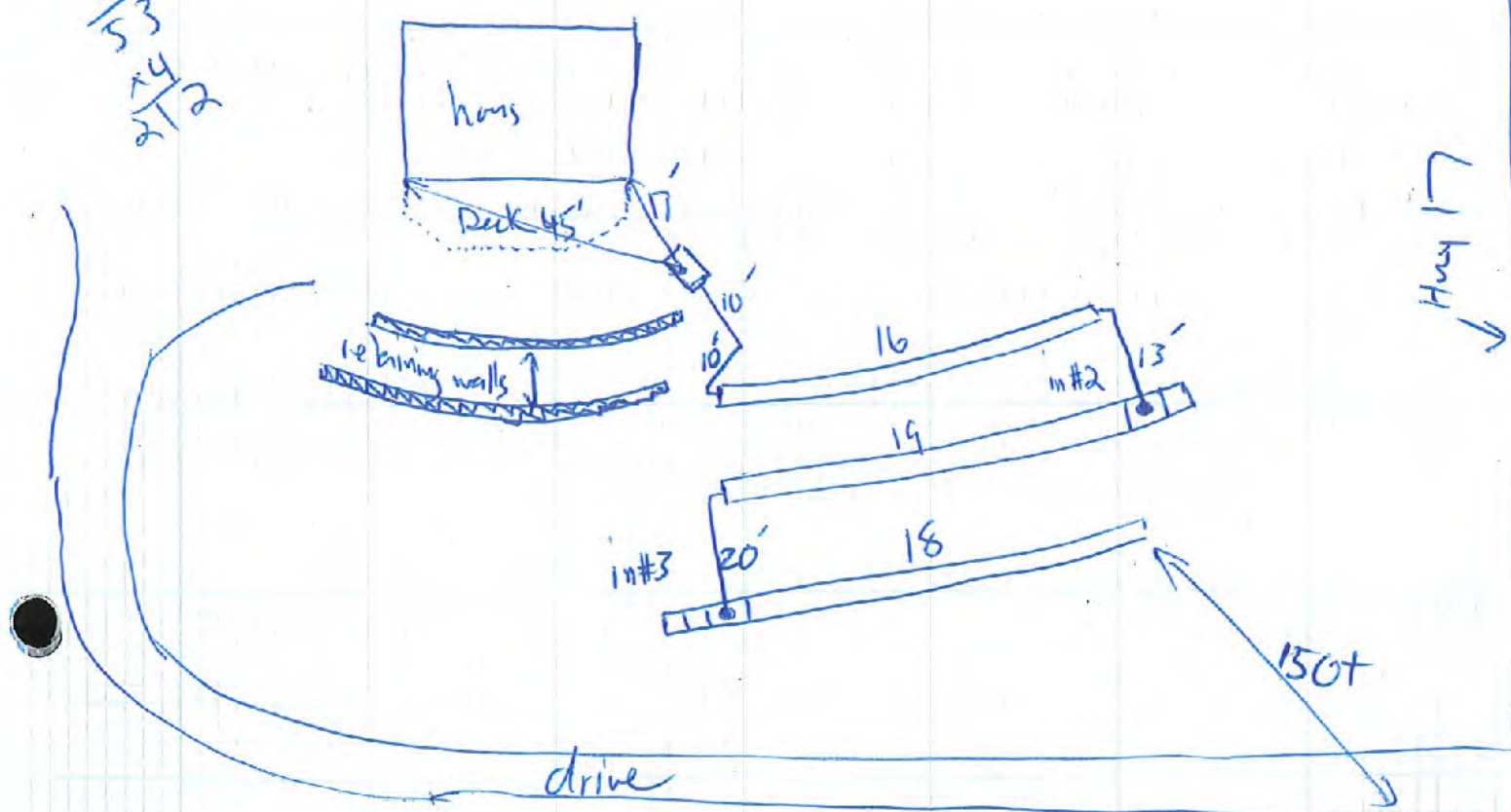
Septic Tank: 1050 Gallons Manufacturer: Snyder Filter: poly, locks

Pump Tank: _____ Gallons Grease Trap: _____ Gallons

Distance Septic Tank From Well/Well Site: _____ Distance Drain Line From Well/Well Site: _____

Final Approval By: [Signature] Date: 11-12-08

16
-5
-5
5
5
5
4
1/2



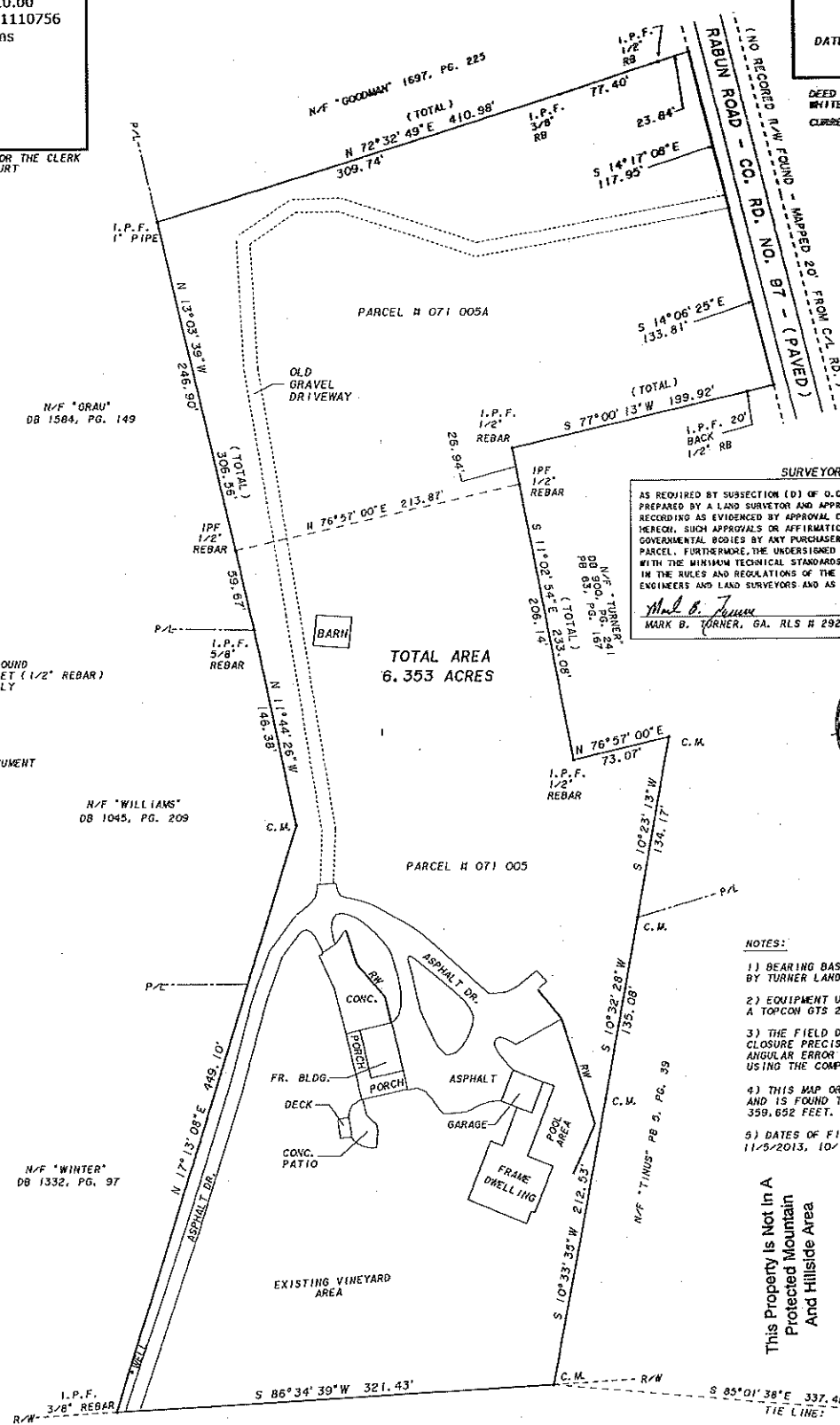
eFiled & eRecorded
 DATE: 4/19/2023
 TIME: 4:34 PM
 PLAT BOOK: 02023
 PAGE: 00072
 RECORDING FEES: \$10.00
 PARTICIPANT ID: 4541110756
 CLERK: Dena M. Adams
 White County, GA

PREPARED BY
TURNER LAND SURVEYING
 1841 UNIT B HWY. 129 SOUTH
 CLEVELAND, GEORGIA 30528
 PHONE: 706-865-0010
 GA. LS FIRM # 000982 (COA)

RETRACEMENT SURVEY/COMBINATION OF TRACTS
 PREPARED FOR
JON D. SCHWARTZ
 AND
VIRGINIA W. KING
 LOCATED IN
 LAND LOT 74 3rd DISTRICT
 WHITE COUNTY, GEORGIA
 DATE: APRIL 14, 2023 SCALE: 1" = 60'
 JOB NO. 07651-23 FB - 4/27

DEED REFERENCE: DEED BOOK 1867, PAGE 304-306.
 WHITE COUNTY, GEORGIA RECORDS.
 CURRENT OWNER OF RECORD: 122 E. WATER, LLC

THIS BLOCK RESERVED FOR THE CLERK
 OF SUPERIOR COURT



TOTAL AREA
 6.353 ACRES

SURVEYOR CERTIFICATION
 AS REQUIRED BY SUBSECTION (b) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE COMPLIED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

Mark B. Turner
 MARK B. TURNER, GA. RLS # 2927
 DATE: 4/19/23



LEGEND:
 I.P.F. - IRON PIN FOUND
 I.P.S. - IRON PIN SET (1/2" REBAR)
 N/F - NOW OR FORMERLY
 DB - DEED BOOK
 PB - PLAT BOOK
 R/W - RIGHT OF WAY
 C/L - CENTERLINE
 P/L - PROPERTY LINE
 RB - REBAR
 C.M. - CONCRETE MONUMENT
 RW - RETAINING WALL

- NOTES:**
- 1) BEARING BASIS TAKEN FROM SURVEY FOR DORIS S. TURNER, BY TURNER LAND SURVEYING, R.L.S., DATED MARCH 17, 2008.
 - 2) EQUIPMENT USED FOR ANGULAR & LINEAR MEASUREMENTS WAS A TOPCON GTS 235W TOTAL STATION.
 - 3) THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 14,783 FEET AND AN ANGULAR ERROR OF 0'00'08" PER ANGLE AND WAS ADJUSTED USING THE COMPASS RULE.
 - 4) THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 359,652 FEET.
 - 5) DATES OF FIELD SURVEY: 3/5/2008, 4/15/2008, 11/5/2013, 10/15/2018 & 3/29/2023.

This Property is Not in A
 Protected Mountain
 And Hillside Area

WHITE COUNTY
 PLANNING
 DEPARTMENT
 THIS PLAN
 IS APPROVED
 DATE: 4/19/23
R/K

GEORGIA HWY. 17 100' R/W





OFFICIAL TAX RECEIPT

White County Tax Commissioner

Cindy Cannon

113 North Brooks Street

Cleveland GA 30528

Phone 17068652225 - Fax 17062190078

Email: wctc@whitecounty.net

OWNER

DIPUMA DAVID

660 GLEN IRIS DR NE APT 202

ATLANTA, GA 30308-2845

PAID DATE			10/27/2022
RECEIPT PRINTED			3/29/2023 2:06:05 PM
CASH AMOUNT	CHECK AMOUNT	CHARGE AMOUNT	CHECK NUMBER(S) CHARGE APPROVAL CODE
\$0.00	\$4,732.30	\$0.00	1212
REFUND AMOUNT			\$0.00
OVERPAY AMOUNT			\$0.00
CHANGE AMOUNT			\$0.00
REGISTER			5
CASHIER			
TOTAL PAID			\$4,732.30

Tax Year- Bill Number FMV Property ID	Property Description Property Address District Serial Number Decal Number	Due Date Original Due	Interest Penalty Other Fees	Previous Paid Amount	Current Amount Due	Amount Paid	Tax Bill New Balance	
2022-4692 FMV: 495620.00 071 005	LL 74 LD 3 1299 HWY 17 DISTRICT: 001 SERIAL NUMBER: DECAL NUMBER: 0	11/15/2022 \$4,732.30	\$0.00 \$0.00 \$0.00	\$0.00	\$4,732.30	\$4,732.30	\$0.00	
Paid By: 122 e water llc 706-754-2351						Overpayment Amount: 0.00		
Check Number: 1212								
Transaction(s): 36612 - 36612		Total(s):	\$4,732.30	\$0.00	\$0.00	\$4,732.30	\$4,732.30	\$0.00



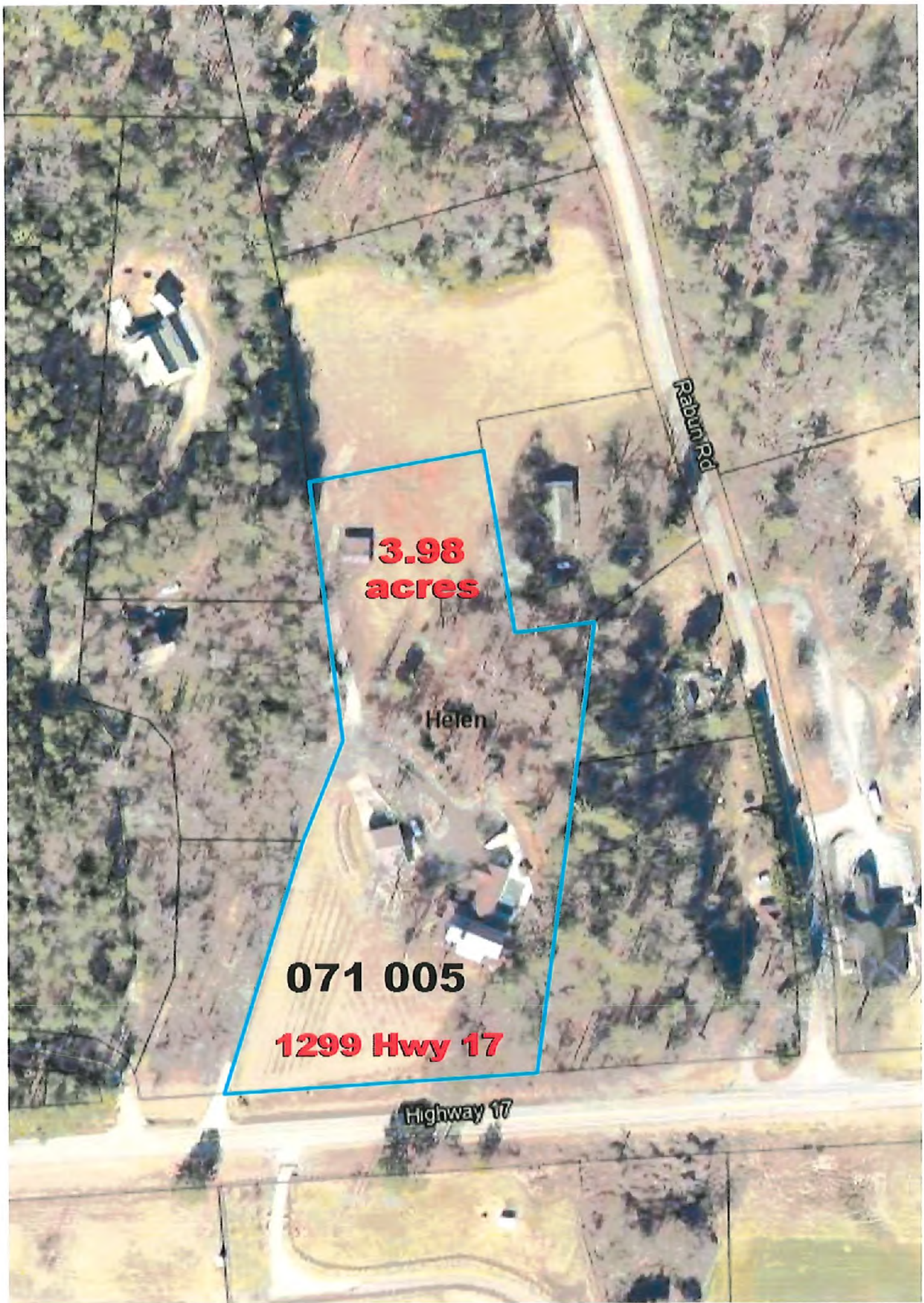


P# 2009-270
Playhouse (room)
Prev. Wine Tasting Room

2011

P# 2011-1500
1500 sq ft

KROGER RD



**3.98
acres**

Helen

071 005

1299 Hwy 17

Highway 17

Rabbit Rd



SNCA BOARD RETREAT 2/25/2023



Room Set for Mystery Dinner 24 seats



071 004A
 GRAU TERRA D
 GRAU RICARDO A
 275 WRIGHT RD
 2.50 Acres Value \$396,900
[View: Report](#) | [Homestead Application](#)

071 004B
 WILLIAMS ROBERT T
 WILLIAMS KELLY
 279 WRIGHT RD
 1.50 Acres Value \$356,550
[View: Report](#) | [Homestead Application](#)

071 004
 WINTERSTEVE
 WINTERINDIA L
 0 HWY 17
 1.08 Acres Value \$27,120
[View: Report](#) | [Homestead Application](#)

071 009
 HANCOCK SCOTT EMBRY
 HANCOCK JUDY ANNE THOMPSON
 1304 HWY 17
 16.86 Acres Value \$526,120
[View: Report](#) | [Homestead Application](#)

071 005A
 122 E WATER LLC
 RABUN RD
 2.37 Acres Value \$49,770
[View: Report](#) | [Homestead Application](#)

071 003A
 CAUPELL YVONNE
 119 RABUN RD
 1.00 Acres Value \$81,880
[View: Report](#) | [Homestead Application](#)

071 003B
 WESTMORELAND JOHN KNOX
 83 RABUN RD
 0.60 Acres Value \$54,200
[View: Report](#) | [Homestead Application](#)

071 006
 TINIUS TIMOTHY
 TINIUS CYNTHIA
 1321 HWY 17
 2.31 Acres Value \$149,080
[View: Report](#) | [Homestead Application](#)

071 005
 122 E WATER LLC
 1299 HWY 17
 3.98 Acres Value \$498,620
[View: Report](#) | [Homestead Application](#)

Parcel ID 071 005
 Sec/Twp/Rng n/a
 Property Address 1299 HWY 17
 District 01
 Brief Tax Description LL 74 LD 3
 Alternate ID 5105505
 Class R
 Acreage 3.98

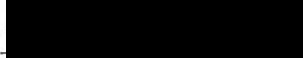
Owner Address 122 E WATER LLC
 110 WINDVANE LN
 CLARKESVILLE GA 30523-2884

**Current zoning with surrounding properties.
 122 E. Water, LLC is owned by Jon Schwartz & Virginia King**

(Note: Not to be used on legal documents)

White County Planning and Economic Development
Pre-Development Checklist

Date 3/28/23

Developers/Owners Name John Schwantz Phone 

Project Name _____

Location (Directions if necessary) 1299 Hwy 17

Map Parcel 071 005 Staff Member Initials JAS

THIS INITIALED FORM MUST ACCOMPANY PLAN SUBMITTALS

Preliminary Sketch/Plan Presented Yes No

Resolutions Discussed:

Land Disturbance RV Park Mobile Home Park

Subdivision Rental Cabins Commercial

Development Guide Given Yes No

Part V Criteria:

Mountain Protection Groundwater Recharge

Watershed River Corridor Wetlands

TMDL Yes No

Notes: Rezone from C-1 to R-1 w/ CUP for Agritourism
event centers.

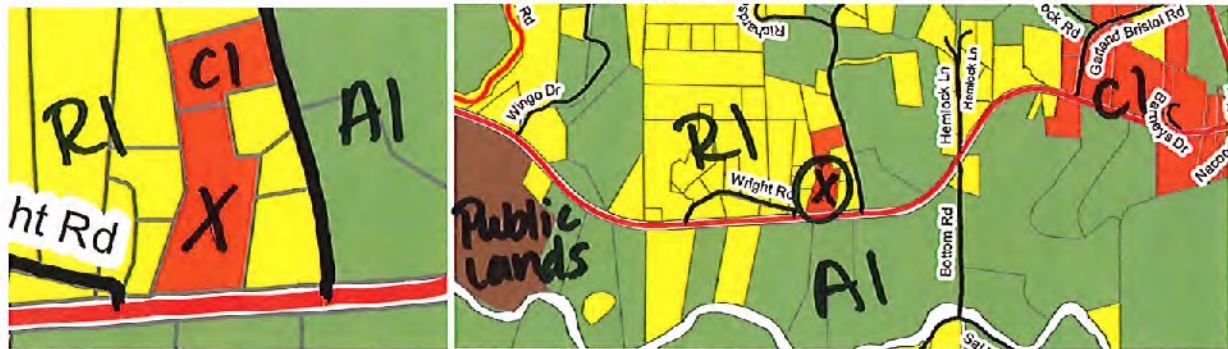
WHITE COUNTY PLANNING DEPARTMENT

STAFF COMMENT

JON SCHWARTZ

- PROPERTY IS LOCATED AT 1299 HIGHWAY 17 IN SAUTEE NACOOCHEE. APPLICATION REQUEST TO CONSIDER REDISTRICTING FROM C-1 COMMUNITY COMMERCIAL DISTRICT TO R-1 RESIDENTIAL SINGLE FAMILY DISTRICT AND WILL REQUIRE A CONDITIONAL USE PERMIT FROM THE WHITE COUNTY BOARD OF COMMISSIONERS FOR AGRI-TOURISM, WEDDING TOURISM, EVENT FACILITIES, AND ATTRACTIONS.
- PROPERTY ADJOINS TO THE NORTH C-1 COMMUNITY COMMERCIAL DISTRICT; TO THE EAST AND WEST R-1 RESIDENTIAL SINGLE-FAMILY DISTRICT; TO THE SOUTH A-1 AGRICULTURE FORESTRY DISTRICT.
- THE WHITE COUNTY COMPREHENSIVE PLAN FUTURE LAND USE MAP INDICATES COMMUNITY COMMERCIAL DISTRICT.
- TOTAL ACREAGE IS 3.98.
- PROPERTY SUPPLIED BY WELL AND SEPTIC.

EXISTING LAND USE



FUTURE LAND USE



WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

Monday, June 5th, 2023
6:00 pm

White County Senior Center
1239 Helen Hwy, Cleveland, Ga. 30528

Those present were Larry Freeman, R.K. Ackerman, Charlie Thomas, Linda Dixon, and John Yarbrough. Staff members present were Harry Barton, John Sell, and Mercedes Dodd.

Chairman Thomas called the meeting to order. Mr. Yarbrough gave the invocation. No changes made to the agenda. Motion to approve the minutes of April 24th, 2023 and May 1st, 2023 made by Ms. Dixon and seconded by Mr. Yarbrough. Motion was unanimous.

Application of Nancy Dorsey to request a variance from Section 601 Access. Property is located on Valley View Drive, Cleveland, GA, 30528. Tax map and parcel is 003-027. Total acreage is 2.64. The applicant, Nancy Dorsey of 48 Stover Road in Cleveland, was present. Mr. Barton gave a summary of the application. Ms. Dorsey explained she and her sister purchased the property from their grandparents and want to split it for their wills.

Motion to approve the variance made by Mr. Ackerman and seconded by Ms. Dixon. Motion was unanimous. Mr. Barton advised the applicant to contact the Environmental Health department for plat approval.

Application of Sharon Hustedt to request a variance from Section 802 for Second Dwelling. Property is located at 899 Kanady Road, Cleveland, GA, 30528. Tax map and parcel is 036-089A. Total acreage is 2.50.

The applicant, Sharon Hustedt of 899 Kanady Road, was present. Mr. Barton gave a summary of the application. Ms. Hustedt explained the second dwelling is for family.

Motion to approve the variance made by Mr. Yarbrough and seconded by Ms. Dixon. Motion was unanimous. Mr. Barton advised the applicant to contact the Building Department for a building permit.

Application of Matthew Knaus to request a variance from Section 601 Access. Property is located on 216 Welcome Lane, Cleveland, GA, 30528. Tax map and parcel is 045A-040. Total acreage is 3.00. The applicant, Matthew Knaus of 216 Welcome Lane, was present. Mr. Barton gave a summary of the application. Mr. Knaus explained he is giving property to family.

Motion to approve the variance made by Mr. Freeman and seconded by Mr. Ackerman. Motion was unanimous. Mr. Barton advised the applicant that he would contact him when his plats were stamped.

Application of Keith and Jody McCallister to request a variance from Section 601 Access. Property is located on Webster Lake Road, Cleveland, GA, 30528. Tax map and parcel is 078-087. Total acreage is 15.00.

The applicant, Jody McCallister of 746 Dean Mountain Road, was present. Mr. Barton gave a summary of the application. Ms. McCallister explained the second tract is for family. When asked if she was made aware of a road needing to be built due to the amount of tracts already split from this parcel, Ms. McCallister said no but the seller did mention this would be the last tract that could be divided. She

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

explained that she did not purchased the property to split for sale and understands that it could not be divided again without a road being built to subdivision regulations.

Motion to approve the variance made by Mr. Freeman and seconded by Mr. Ackerman. Motion was unanimous. Mr. Barton advised the applicant that he would contact her when the plats were stamped by the Planning Department.

Application of Carlos Barnes to request a variance from Section 601 Access. Property is located on Tulip Trail, Cleveland, GA, 30528. Tax map and parcel is 050-065. Total acreage is 1.89. The applicant, Carlos Barnes of 120 Tulip Trail, was present. Mr. Barton gave a summary of the application. Mr. Barnes explained that he would eventually be living on this property and it was not for resale.

Motion to approve the variance made by Ms. Dixon and seconded by Mr. Yarbrough. Motion was unanimous. Mr. Barton advised the applicant to contact his office once he received the plats for the other tracts from Environmental Health so they could discuss next steps.

Application of Jimmy Daniel to request a variance from Section 804 Building Setback for building within a building setback. Property is located at 2034 Helen Hwy, GA, 30528. Tax and parcel is 096-035. Total acreage is 0.477. The applicant, Jimmy Daniel of 2034 Helen Highway, was present. Mr. Barton gave a summary of the application. Mr. Daniel explained the original foundation was not good so he building new. He said he received a letter for the first variance and this request is for the same distance from the property line- three feet and six inches.

Motion to approve the variance contingent upon receiving a new letter from the adjoining property owner made by Mr. Ackerman and seconded by Ms. Dixon. Motion was unanimous. Mr. Barton advised the applicant to call his office once he receives the letter from the adjoining property owner.

Application of Kathy Chastain to request a variance from Section 802 for Second Dwelling. Property is located at 260 Mulberry Drive, Cleveland, GA, 30528. Tax and parcel is 068-049. Total acreage is 5.70. The applicant, Kathy Chastain of 260 Mulberry Drive, was present. Mr. Barton gave a summary of the application. Ms. Chastain explained the second dwelling is for her children.

Motion to approve the variance made by Ms. Dixon and seconded by Mr. Freeman. Motion was unanimous. Mr. Barton advised the applicant to contact the Building Department regarding a building permit.

Application of Beverly Sosbee to request a variance from Section 601 Access. Property is located on Sal Mountain Way, Sautee Nacoochee, GA, 30571. Tax map and parcel is 072-014. Total acreage is 4.31. Representatives, PJ Campanella and Allison Suazo of 324 Leisure Acres Drive, were present on behalf of the applicant. Mr. Barton gave a summary of the application. Mr. Campanella explained they are purchasing the property and received permission to access this property from the two other lot owners. He stated the existing access would not be feasible due to needing multiple switchbacks on the steep grade.

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

Motion to approve the variance made by Mr. Yarbrough and seconded by Ms. Dixon. Motion was unanimous. Mr. Barton advised the representatives he would contact them once the plats were stamped by the Planning Department.

Application of Wayne Quarles to request a variance from Section 601 Access. Property is located at 2601 Toll Gate Road, Cleveland, GA, 30528. Tax map and parcel is 002-001. Total acreage is 3.74. The applicant, Wayne Quarles of 2601 Toll Gate Road, was present. Mr. Barton gave a summary of the application, adding that the request is for mortgage purposes and the acreage would revert back once the mortgage is satisfied. Mr. Quarles did not have anything to add.

Motion to approve the variance made by Ms. Dixon and seconded by Mr. Freeman. Motion was unanimous. Mr. Barton advised the applicant he would contact them once the plats were stamped by the Planning Department.

Application of Susan and Sangsoo Oh to request a conditional use permit located at 403 Yonah Valley Road, Cleveland, Georgia, 30528. Tax map and parcel 045C-034. Total acreage is 13.25. Proposed use is to place in "Short Term Rental" program. Present zoning is R-1 Residential Single Family. The applicant, Susan Oh of 403 Yonah Valley Road was present. Mr. Barton gave a summary of the application. Ms. Oh stated there is a fence around the property, which is large acreage that has pastures and a pond. She said the properties nearby are on large acreage, as well.

Motion to recommend approval to the Board of Commissioners made by Mr. Freeman and seconded by Mr. Ackerman. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on Monday, June 26th.

Application of Jon Schwartz to redistrict property located at 1299 Hwy 17 in Sautee Nacoochee, Georgia, 30571 from C-1 Community Commercial District to R-1 Single Family Residential District and conditional use permit. Tax map and parcel 071-005. Total acreage is 3.98. Proposed use is for agri-tourism, wedding tourism, event facilities and attractions. Present use is C-1 Community Commercial District.

The applicant, Jon Schwartz of 1299 Highway 17, was present. Mr. Barton gave a summary of the application. Mr. Schwartz explained the previous application for an event facility was to rezone to C-2, but he plans to have small events instead. He said the maximum occupancy for outdoor events would be 50 and 24 for indoor events, adding that he did not plan on having indoor and outdoor at the same time. When asked about the steepness of the road, he said only left turns have limited views.

Motion to recommend approval to the Board of Commissioners made by Mr. Yarbrough and seconded by Mr. Ackerman. Those opposed were Mr. Freeman and Mr. Yarbrough. Chairman Thomas as the tiebreaker voted in favor of the motion due to the strong support present during the public hearing. Motion carried by majority of 3-2. Mr. Barton advised the applicant of the next meeting on Monday, June 26th.

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

Application of Yonah Mountain Vineyards to request a conditional use permit located at 62 Small Pond Dr., Cleveland, Georgia, 30528. Tax map and parcel 060D-047. Total acreage is 2.0. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family. The applicant, Eric Miller- owner of Yonah Mountain Vineyards- of 1717 Highway 255 S, was present. Mr. Barton gave a summary of the application. When asked if he would be willing to provide access to the property from the vineyard, Mr. Miller explained that he would prefer to not build in order to keep the vineyard secure and he was unsure how enforceable that access would be since the property is the first house on Small Pond Drive. He stated the maximum occupancy would be eight, but he would most likely rent to six. He said he is coordinating with the neighborhood to improve the road on Small Pond Drive.

Motion to recommend approval to the Board of Commissioners made by Mr. Ackerman and seconded by Ms. Dixon. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on Monday, June 26th.

Application of Blake Boggs, on behalf of Christopher and Alissa Feaster, to request a conditional use permit located at 0 Sara Lane, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 055D-096. Total acreage is 0.927. Proposed use is to place in “Short Term Rental” program, Present zoning is R-1 Residential Single Family.

A representative, Alan Boggs with ALCO Realty of 182 S Main Street in Cleveland, was present on behalf of the applicant. Mr. Barton gave a summary of the application. Mr. Boggs stated a letter of support from the homeowner’s association was provided at the public hearing. He said the road is in good condition.

Motion to recommend approval to the Board of Commissioners made by Ms. Dixon and seconded by Mr. Yarbrough. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on Monday, June 26th.

Application of Jude M. Beckman to request a conditional use permit located at 2609 Post Road, Cleveland, Georgia, 30528. Tax map and parcel 063-038A. Total acreage is 1.50. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family. The applicant was not present; the applicant was postponed to the next Regular Session.

Consider proposed amendments to the White County Land Use Ordinance related to updates in Zoning Procedures Law (ZPL).

Mr. Barton gave a summary of the proposed amendments.

Motion to recommend approval to the Board of Commissioners made by Mr. Yarbrough and seconded by Ms. Dixon. Motion was unanimous.

Consider proposed amendments to the White County Land Use Ordinance related to provisions for Historic Preservation.

Chairman Thomas recommend the board wait to vote on a recommendation until the full board was present and have discussions in a work session for proposed changes.

Motion to table the proposed Historic Preservation Ordinance made by Mr. Ackerman and seconded by Mr. Yarbrough. Mr. Ackerman said the room was full of support but no opposition at the public hearing

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

and he would like both sides to be represented so it is good for everyone. Additionally, due to several questions not answered in the changes, he would like to see the final draft before making a recommendation to the Board of Commissioners. Motion was unanimous.

Mr. Sell stated the proposed ordinance would be added to the next Work Session to discuss all requested changes to be made to the draft.

There was no citizen comment.

Motion to adjourn made by Ms. Dixon and seconded by Mr. Ackerman. Motion was unanimous.

DRAFT

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

Tuesday, May 30th, 2023
6:00 pm

White County Senior Center
1239 Helen Hwy, Cleveland, Ga. 30528

Board members present were Larry Freeman, R.K. Ackerman, Charlie Thomas, Linda Dixon, and John Yarbrough. Staff members present were Harry Barton, John Sell, and Mercedes Dodd.

Chairman Thomas called the meeting to order. Mr. Yarbrough gave the invocation. Chairman Thomas outlined the public hearing procedures. No changes made to the agenda.

Application of Susan and Sangsoo Oh to request a conditional use permit located at 403 Yonah Valley Road, Cleveland, Georgia, 30528. Tax map and parcel 045C-034. Total acreage is 13.25. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Susan Oh of 403 Yonah Valley Road, was present. Mr. Barton gave a summary of the application. Mrs. Oh explained the proposed short-term rental would have a maximum occupancy of 12 people, parking for more than 10 vehicles on the 13 acres, and her next-door neighbor would be the emergency contact. She said she plans to utilize online platforms and has rented on and off due to not knowing she needed a license until the county notified her. Mrs. Oh said she has owned the property for ten years and began renting in the last year, but has had family and friends stay at the property. When asked if there were other short-term rentals nearby, she said no.

Chairman Thomas asked if anyone would like to speak for the application, there was no response. He asked if anyone would like to speak against the application.

Tammy Chambers of 250 Yonah Valley Road expressed concerns of the narrow road, traffic, potential for more rentals on the property due to its size, and noise. She said the owner has already been renting with three to six vehicles at a time and loud children.

Chairman Thomas asked Mrs. Oh if she had anything to add, she said no. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, June 5th.

Application of Jon Schwartz to redistrict property located at 1299 Hwy 17 in Sautee Nacoochee, Georgia, 30571 from C-1 Community Commercial District to R-1 Single Family Residential District and conditional use permit. Tax map and parcel 071-005. Total acreage is 3.98. Proposed use is for agri-tourism, wedding tourism, event facilities and attractions. Present use is C-1 Community Commercial District.

The applicant, Jon Schwartz of 1299 Highway 17, was present. Mr. Barton gave a summary of the application. Mr. Schwartz explained the proposed use would be small events that would start and end early, which is why he is requesting to move from C-1 Community Commercial to R-1 Residential Single Family. He said he hosted an indoor event in February with 24 people for the Sautee Nacoochee Cultural Center, which was a small gathering. He said his maximum occupancy would be 24-25 for the indoor space where he would host mystery dinners and has experience hosting events in Atlanta. Mr. Shwartz said he is not looking to host weddings, but would be able to have 50 people in an outdoor area for “boutique weddings” or other outdoor events. He said the majority of his events would be indoor and does not intend to host indoor and outdoor at the same time so he can keep the gatherings small. Mr. Schwartz explained the paved parking would hold 12-15 vehicles and the gravel road to the barn would

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

hold another 15 vehicles. He explained that indoor noise is not easily heard over highway traffic and outdoor events would end no later than 11pm.

Chairman Thomas asked if anyone would like to speak for the application.

Savannah Essigman, address not provided, said she is a wedding and event coordinator in Helen and the church keeper. She said the owners reached out to her with humble intentions, and she cannot see them being disruptive since they want to conserve the community.

JoAnn Sweeney of 320 Sal Mountain Way said she has known the owners for years, and they are good neighbors and people who she believes will do a good job.

Tommy Williams, who lives next door, said he has known the owner for years and has not noticed any of the events so far. He said they are good people with good intentions of keeping the events “low-key”.

Mel Whitehead, the Executive Director of the Sautee Nacoochee Cultural Center, said he has known the owner for years and his intention is for small groups with concerns about preserving the community and environment. He said the owner has offered to hold events for the cultural center and Mr. Whitehead believes this will be good for the community.

Chairman Thomas asked if anyone would like to speak against the application.

Jeff McCrew of 303 Richardson Road said he is not for or against, but wanted to know if the county does anything to preserve the residential area if approved and would hate to see it move more toward a business area.

Barbara Williams, address not provided, said she lives on the county line, said she wished to follow up to the previous speaker. She stated that the reason Mr. Schwartz wants to rezone to R-1 is to keep the property in the residential area and that if the property would be rezoned back to C-1 is when any issues about commercial could be addressed. She said C-1 to R-1 is great.

Chairman Thomas asked Mr. Schwartz if he had anything to add.

Mr. Schwartz said the property is zoned commercial now and the reason they wish for R-1 is because they plan to live there and the property has family history. He said this would be their home and where they plan to stay.

Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, June 5th.

Application of Yonah Mountain Vineyards to request a conditional use permit located at 62 Small Pond Dr., Cleveland, Georgia, 30528. Tax map and parcel 060D-047. Total acreage is 2.0. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

A representative, Danny McIntosh of 1717 Highway 255 S, was present. Mr. Barton gave a summary of the application. Mr. McIntosh explained the proposed use is to rent in conjunction with events at the facility, managed through the vineyard, and it would have a maximum occupancy of eight to ten people and four vehicles. When asked if a road could be built from the vineyard to the home, he said the property is the first house from the highway and there would not be a good way to make access to the vineyard but it does have a small trail for mowing and utilities. Mr. McIntosh said he would be the emergency contact and would coordinate with the local person on duty to go to the home. He said there is one other short-term rental on the road, which is the property the vineyard just had approved and said the second access has already been cut.

Chairman Thomas asked if anyone would like to speak for the application, there was no response. He asked if anyone would like to speak against the application.

Linda Seabolt of 106 Small Pond Drive expressed concerns of the proximity of the proposed rental to her home, previous failed long-term rentals at this home, and said this home is on her private access. She said the vineyard is still using Small Pond Drive for access after being told to gate off that access and does not understand how so many short-term rentals in the county have been approved. She said she wants to keep White County beautiful.

Stacy Brown of 248 Small Pond Drive, next door to the other short-term rental, said she is not for or against, but had questions. She said the vineyard did what they were supposed to do with the fence and so far do not seem to be disruptive. Ms. Brown stated there is always a chance for bad neighbors and it is a good thing for them to be there, but wanted to know the end goal of how many rentals on Small Pond Drive does the vineyard plan to own.

Chairman Thomas asked Mr. McIntosh if he had anything to add.

Mr. McIntosh explained they do not have a master plan and were approached by the previous owner to purchase, but plan to improve the homes they purchase. He said the road to the other rental took longer to build so they did have to use Small Pond Drive but were not closing the gate unless people were in the home. However, he said the gate will now remain closed, even if not rented, after being approached by a neighbor with the request. He said they are trying to be good neighbors and spoke with the person that does most of the road maintenance to determine improvements, which are done once a year. He said a road could be built to this home, but he was not sure if it could be enforceable since it is the first house.

Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, June 5th.

Application of Blake Boggs, on behalf of Christopher and Alissa Feaster, to request a conditional use permit located at 0 Sara Lane, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 055D-096. Total acreage is 0.927. Proposed use is to place in "Short Term Rental" program. Present zoning is R-1 Residential Single Family.

The applicant, Blake Boggs of 182 S Main Street in Cleveland, was present. Mr. Barton gave a summary of the application. Mr. Boggs explained the proposed short-term rental has not been built yet, so

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

maximum occupancy has not been determined. He said the covenants allow short-term rentals by their interpretation and he received a letter from the homeowner's association in support, which he gave to Mr. Barton for the application file. Mr. Boggs believed there was one other short-term rental in the subdivision and one property zoned R-3 Residential Seasonal. He said the property is under contract contingent upon approval of the conditional use permit.

Chairman Thomas asked if anyone would like to speak for the application, there was no response. He asked if anyone would like to speak against the application, there was no response. Mr. Boggs did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, June 5th.

Application of Jude M. Beckman to request a conditional use permit located at 2609 Post Road, Cleveland, Georgia, 30528. Tax map and parcel 063-038A. Total acreage is 1.50. Proposed use is to place in "Short Term Rental" program. Present zoning is R-1 Residential Single Family. The applicant, Jude Beckman of 2609 Post Road, was present. Mr. Barton gave a summary of the application. Mr. Beckman explained the proposed short-term rental would have a maximum occupancy of eight with parking for eight vehicles, though he doubted there would be that many. He said he plans to self-manage and lives 30 minutes away so he will be the emergency contact. Mr. Beckman stated he has been doing short-term rentals for ten years, is particular who he rents to, and does not allow parties.

Chairman Thomas asked if anyone would like to speak for the application, there was no response. He asked if anyone would like to speak against the application, there was no response. Mr. Beckman did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, June 5th.

Mr. Barton presented proposed amendments to the White County Land Use Ordinance pertaining to advertising requirements that are consistent with updates in the Georgia Zoning Procedures Law effective July 1st, 2023.

Chairman Thomas asked if there was any public comment, there was no response.

Mr. Sell presented updates made to the proposed Historic Preservation Overlay Ordinance, including changes to verbiage, withdrawal and opt in processes, and owner notification processes. Mr. Sell explained the compliance process in regard to steps to be taken by code enforcement should policy not be adhered to. He explained the buffer requirements for the affected properties and adjoining landowners. Chairman Thomas, Mr. Ackerman, and Mr. Freeman expressed concerns of the rights of the adjoining landowners. Mr. Sell stated the map would be finalized after the process for adoption if approved and properties are verified.

Chairman Thomas asked if there was any public comment.

John Erbele of 1037 Joe Black Road, Historic Committee Board Member, stated the intention for the ordinance was the least amount of government and some amount of protection. He said not much changed from last year, but the committee tried putting something together to keep White County a great place.

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

Mr. Erbele stated growth is coming and the county needs to be prepared for overflow from Helen and Gainesville.

Barbara Williams, address not provided, said the setbacks are not just residential places but are properties like Mossy Creek Church. She said that if the adjoining landowners decide to sell their properties to develop, then it would come with the caveat that they have to stay so many feet away from the church and she does not see anything wrong with that.

William Huff of 3605 Town Creek Road said he was opposed at the last meeting, but supports this revision with the new opt in and out processes. He said he does have concerns about view sheds and buffers.

Jonna Tuttle of 125 Wilderness End in Clarkesville, Georgia, said she has an appreciation for the community and is a fan of White County history and stories. She said this is what makes White County unique and it is important to hold onto not only for the economy but for families.

Spencer Robbie of 2220 Highway 17 said the community and beauty of the land in White County keeps him from moving away. He expressed support of historic preservation because it keeps the beauty and sense of life in Sautee as well as the rest of the county. He said as tourism increases, there will be growth so it is important to protect the area.

Ashley Harris of 3273 Post Road said it is important to do something to protect what makes the county beautiful and unique.

Linda Harris of 853 Laurelwood said it is important to educate people about historic areas and give them the opportunity to protect it.

Chairman Thomas asked everyone in support of the ordinance to raise their hand; the majority of the room did so. He asked everyone in opposition to raise their hands, there were none. Chairman Thomas closed the hearing.

After questions about further meetings on the historic preservation ordinance, Mr. Barton announce the Planning Commission would make a recommendation to the Board of Commissioners, who would make a decision on the ordinance at a later date to be determined. Chairman Thomas stated, due to two board members being out, that he would like the entire board to be present when the Planning Commission makes their recommendation.

There was no other citizen comments.

Motion to adjourn made by Ms. Dixon and seconded by Mr. Ackerman. Motion was unanimous.



WHITE COUNTY

Board of Commissioners

Agenda Request Form

Item Title: Conditional Use Permit for Short Term Rental for Yonah Mountain Vineyards, 62 Small Pond Dr.

For Meeting Date: 6/26/2023

Work Session **Regular Meeting** **Public Hearing**

Category (Select One): Land Use Application

Submitted By: John Sell

Attachments: Yes **If yes, please list each file name below:**

1. Application #19943
2. Public Hearing minutes of 5/30/2023
3. Regular Meeting minutes of 6/5/2023

Purpose:

Consider the application of Yonah Mountain Vineyards to request a conditional use permit located at 62 Small Pond Dr., Cleveland, Georgia, 30528. Tax map and parcel 060D-047. Total acreage is 2.0. Proposed use is to place in "Short Term Rental" program. Present zoning is R-1 Residential Single Family.

Background / Summary:

- Applicant is requesting a conditional use permit for short term rental. The property is not part of a subdivision as it is a singular plat. Danny McIntosh represented the winery and said the property would be rented through the event staff at the winery in conjunction with events. It will have a maximum of 10 people and four vehicles. Because of the location at the front of Small Pond Drive they are not planning on building a road from the winery as they had for the previous house they bought on Small Pond. Linda Seabolt, who lives at 106 Small Pond, said this property had been cut off from her property and was basically in her front yard. She said the winery is still using Small Pond Drive for access to the other property even though they said they would gate it off. Stacy Brown of 248 Small Pond Drive said so far the winery has done what they said they would do at the property next to hers but she wanted to know how many other homes they planned on making STRs? Mr. McIntosh explained there is no master plan for the area but they were approached by the previous owner. He also said the gate is closed full-time now that renovations are complete. The Planning Commission recommended approval of the application and the motion passed by unanimous vote.

Department Recommendation:

Planning Commission recommended approval by unanimous vote.

Options:

- Uphold Planning Commission recommendation and approve the application
- Reverse Planning Commission recommendation and deny the application.
- Table the application for further review or to send back to Planning Commission

Budget Information: Applicable Not Applicable

Budgeted: Yes No

Finance Director's Comments (if applicable):

-

County Manager Comments:

-

WHITE COUNTY CHANGE OF LAND USE DISTRICT APPLICATION

OFFICE USE ONLY	Land Use Application #: <u>19943</u>
Public Hearing Date: <u>5/30/23</u>	Commission District: <u>1</u>
Fees Assessed: <u>\$250</u>	Paid via: <input type="checkbox"/> cash <input type="checkbox"/> credit card <input checked="" type="checkbox"/> check# <u>2612</u>

APPLICANT INFORMATION	
Status: <input type="checkbox"/> Owner <input type="checkbox"/> Authorized Agent <input type="checkbox"/> Lessee <input type="checkbox"/> Option to Purchase	
Printed Name(s): <u>Yonah Mountain Vineyards LLC</u>	
Address: <u>1717 Hwy 255 South, Cleveland GA 30528</u>	
Phone Number: <u>404 588 2036</u>	Alternate Contact Number: <u>706 878 5522</u>
Email: <u>eric@yonahmountainvineyards.com</u>	

Owner Information (if different from Applicant/Agent):	
Name:	Phone #:

PROPERTY INFORMATION	
Parcel ID: <u>060D 047</u>	Total acreage being changed: <u>2</u>
Address: <u>62 Small Pond Dr</u>	
Directions to Property: <u>115 to Hwy 255, Left on Small Pond 1st Property on Right</u>	

Current Use/Zoning of Property: <u>R1</u>	Type of Road Surface: <u>Gravel</u>
Any prior redistricting requests for property: <u>N</u> If yes, provide redistricting application #: _____	

SURROUNDING PROPERTY LAND USE CLASSIFICATION:			
North: <u>R1</u>	South: <u>A1+R1</u>	East: <u>A1</u>	West: <u>R1</u>

REQUESTED ACTION AND DETAILS OF PROPOSED USE (check all that apply)	
<input type="checkbox"/>	Redistrict from district: _____ Redistrict to district: _____
<input checked="" type="checkbox"/>	Conditional Use - specify: <u>Short Term Rental</u>
<input type="checkbox"/>	Special Use - specify: _____
<input type="checkbox"/>	Land Use Variance from Code Section: _____

Proposed use if not listed above: _____	
Is this property part of a subdivision? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If so, please list number of lots: _____
Are there covenants? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Is there an active homeowner's association? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Subdivision Name (if applicable): _____	

Existing Utilities (check all that apply):
 County or City Water Well Septic Gas Electric Broadband

Proposed Utilities (check all that apply):
 County or City Water Well Septic Gas Electric Broadband

COMMERCIAL AND INDUSTRIAL REDISTRICT INFORMATION

Building Area: _____ No. of Parking Spaces: _____

RESIDENTIAL REDISTRICT INFORMATION

No. of Lots: _____ Minimum Lot Size in acres: _____ No. of Units: _____

Minimum Heated Floor Area (ft²): _____ Density/Acre: _____

Is an Amenity area proposed (specify if yes)? _____

Apartments Condominiums Townhomes Single Family

Rental Cabins Recreational Vehicle Park Other- Specify: _____

LIST OF ADJACENT PROPERTY OWNERS

It is the responsibility of the Applicant to provide a list of adjacent property owners that has property bordering your property or who has property directly across the street from your property (additional sheet may be included, if necessary).

PARCEL	PROPERTY OWNER NAME	MAILING ADDRESS
1	060D045 Harold/Linda Seabolt	106 Small Pond Dr Cleveland Ga 30528
2	060D062 R J Miller Family Farms	1717 Hwy 255 South Cleveland Ga 30528
3	060D039 Bernice Wilson	89 Small Pond Dr Cleveland Ga 30528
4	061138 Cody Reed	1610 Hwy 255 South Cleveland Ga 30528
5	_____	_____
6	_____	_____
7	_____	_____

APPLICANT CERTIFICATION

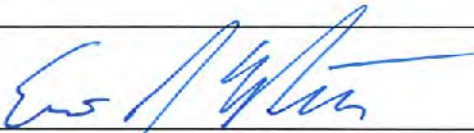
I hereby request the action contained within this application relative to the property shown on the attached plats and site plan and further request that this item be placed on both the Planning Commission and Board of Commissioners meeting agendas.

I understand that the Planning Department staff may either accept or reject my request upon review. My request will be rejected if all the necessary data is not presented.

I understand that I have the obligation to present all data necessary and required by statute to enable the Planning Commission and Board of Commissioners to make an informed determination on my request. I understand that I may seek legal advice if I am not familiar with the land use requirements and procedures.

I understand that my request will be acted upon at the Planning Commission and Board of Commissioners meetings and that I am required to be present or to be represented by someone able to present all facts and answer all questions. I understand that failure to appear at a meeting shall result in the postponement or denial of my application request. I further understand that it is my responsibility to be aware of relevant meeting dates and times regardless of notification from White County.

I hereby certify that I have read the above and that the above information, as well as the attached information, is true and correct.

Applicant Signature:  Date: 5/2/23

2023 DEADLINES AND MEETING DATES

Submittal Date Planning Dept. Office 5:00 p.m. Deadline	Planning Commission Public Hearing 1239 Helen Hwy 6:00 p.m.	Planning Commission Regular Session 1239 Helen Hwy 6:00 p.m.	Board of Commissioners Work Session 1235 Helen Hwy 4:30 p.m.
Wednesday, January 4, 2023	Monday, January 30, 2023	Monday, February 6, 2023	Monday, February 27, 2023
Wednesday, February 1, 2023	Monday, February 27, 2023	Monday, March 6, 2023	Monday, March 27, 2023
Wednesday, March 1, 2023	Monday, March 27, 2023	Monday, April 3, 2023	Monday, April 24, 2023
Wednesday, March 29, 2023	Monday, April 24, 2023	Monday, May 1, 2023	TBA
Wednesday, May 3, 2023	TBA	Monday, June 5, 2023	Monday, June 26, 2023
Wednesday, May 31, 2023	Monday, June 26, 2023	Monday, July 3, 2023	Monday, July 31, 2023
Wednesday, June 28, 2023	Monday, July 31, 2023	Monday, August 7, 2023	Monday, August 28, 2023
Wednesday, August 2, 2023	Monday, August 28, 2023	TBA	Monday, September 25, 2023
Wednesday, August 30, 2023	Monday, September 25, 2023	Monday, October 2, 2023	Monday, October 30, 2023
Wednesday, October 4, 2023	Monday, October 30, 2023	Monday, November 6, 2023	Monday, November 27, 2023
Wednesday, November 1, 2023	Monday, November 27, 2023	Monday, December 4, 2023	TBA
Wednesday, November 29, 2023	TBA	TBA	Monday, January 29, 2024
Wednesday, January 3, 2024	Monday, January 29, 2024	Monday, February 5, 2024	Monday, February 26, 2024

NOTICE OF AGRICULTURAL DISTRICT ADJACENCY

Future abutting developers in non-agricultural land use districts shall be provided with this "Notice of Agricultural Adjacency" prior to administrative action on either land use district, the issuance of a building or occupancy permit or approval of a subdivision of property. Prior to administrative action, the applicant shall be required to sign this waiver which indicates that the applicant understands that a use is ongoing, adjacent to his/her use, which can produce odors, noise, dust and other effects which may not be compatible with the applicant's development. Nevertheless, understanding the effects of the adjacent Agricultural District uses, the applicant agrees by executing this form to waive any objection to those effects and understands that his/her district change and/or permits or other approvals are issued and processed in reliance on his agreement not to bring any action asserting that the adjacent uses in the Agricultural District constitute a nuisance against the local government and adjoining land owners whose property is located in an Agricultural District. This waiver shall be provided and made applicable for subsequent purchasers and owners or heirs of his/her property. This notice and acknowledgement shall be public record.

Applicant Signature:  **Date:** 5/2/23

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS
(APPLICANTS AND REPRESENTATIVE(S) OF REQUESTED ACTION)

Pursuant to O.C.G.A. Section 36-67 A-3.A, the disclosure of any campaign contributions aggregating \$250.00 or more to a local government official who will consider an application for re-classification or for a conditional use or special use permit is mandatory when an application or any representation of application for re-classification of district or for conditional use or special use permit has been made within two (2) years immediately preceding the filing of a request for reclassification or conditional use or special use permit by the same applicant and/or representative of said applicant. It shall be the duty of the applicant and/or any representatives of the applicant to file a disclosure with the governing authority of the respective local government to show the following:

Name of local official(s) to whom campaign contribution was made:

The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two (2) years immediately preceding the filing of this application for action for district re-classification, conditional use or special use permit.

Amount \$: **Date:**

Enumeration and description of each gift (when the total value of all gifts is \$250.00 or more) made to the local government official during the two (2) years immediately preceding the filing of this application. **Please attach additional sheets if needed.**

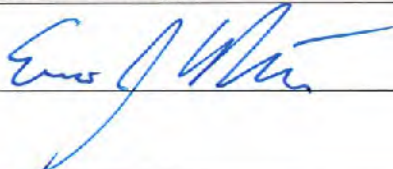
Check box if no contributions made

Applicant Signature:  **Date:** 5/2/23

PROPERTY OWNER AUTHORIZATION

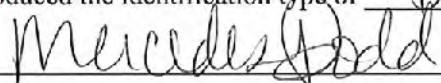
To be completed by the property owner to certify ownership of subject property and to provide authorization for other person(s) to represent the owner on their behalf.

I/WE (print), Eric Miller,
hereby swear that I/we own the property for which this land use change application is being made.

Property Address and/or Parcel ID:	
PROPERTY OWNER INFORMATION	
Printed Name of Owner(s):	<u>Eric Miller</u>
Mailing Address:	<u>1717 Hwy 255 South Cleveland Ga 30528</u>
Phone Number:	<u>404-558-2036</u>
Alternate Contact Number:	<u>706-878-5522</u>
Email:	<u>eric@Yonahmountainvineyards.com</u>
<p>I/we hereby authorize the person named below to act as the applicant or agent in the pursuit of the requested action on this property. I/we understand that any action granted and/or conditions or stipulations placed on the property will be binding upon the property regardless of ownership. The person named below is authorized to make this application. The person named below is aware that no application or re-application affecting the same land shall be acted upon within six (6) months from the date of the last action by the White County Board of Commissioners.</p>	
Printed Name of applicant or agent(s):	<u>Danny McIntosh</u>
Signature of Owner(s):	Date Signed:
<u></u>	<u>5/2/23</u>

PROPERTY OWNER AUTHORIZATION DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this 2 day of May, 2023 by
Eric Miller (name of signer(s)). The
named signer(s) is/are personally known by me or produced the identification type of DL.


(Signature of Notary)

{Seal} **Mercedes Dodd**
NOTARY PUBLIC
White County, GEORGIA
My Commission Expires 06/02/2026

(Name of Notary Typed, Stamped, or Printed)

SHORT TERM RENTAL CERTIFICATIONS

To be completed and notarized for any application where the proposed use is short term rental.

I/WE (print), Eric Miller,
hereby swear that I/we own/will own the property referenced below for which this land use change application is being made.

*Property Address and/or Parcel ID:

PROPERTY OWNER AUTHORIZATION ACKNOWLEDGEMENT OF GUESTS

I acknowledge to keep the total number of guests to that number which can safely stay in the premises and may be subject to the State of Georgia's fire safety code regulations.

Signature of Owner/Future Owner(s): Eric Miller

PROPERTY OWNER AUTHORIZATION CERTIFIED BY OWNER OR THIRD PARTY INSPECTOR

I attest by owner or third party inspector that short term rentals meet applicable International Building Code, International Fire Code regulations and NFPA 101 Life Safety codes.

Signature of Owner/Future Owner(s): Eric Miller

PROPERTY OWNER AUTHORIZATION CERTIFIED DEED RESTRICTION

I certify that there are no deed restriction and/or covenants on the property that prohibits the use of the property as a short-term rental.

Signature of Owner/Future Owner(s): Eric Miller

PROPERTY OWNER AUTHORIZATION CERTIFIED SHORT-TERM RENTAL INSURANCE

I certify that the owner/future owner has commercial or specific short-term rental insurance for the property. If insurance *has not been obtained* at time of application, I certify that owner/future owner will obtain prior to renting if application approval is granted.

Signature of Owner/Future Owner(s): Eric Miller

OFFICIAL CODE OF WHITE COUNTY APPENDIX C/ARTICLE VII - SHORT TERM RENTALS & BUSINESS LICENSES NOTIFICATION

I certify that I have been informed of and provided a copy of Appendix C/Article VII - Short Term Rentals. I certify that I have also been informed that I will need to contact the White County Business Tax Office (706-865-2235) to obtain the proper business licensing, host licensing, and subsequent tax information prior to operation of my short-term rental.

Signature of Owner/Future Owner(s): Eric Miller

Signature of Owner/Future Owner(s): Eric Miller

SHORT TERM RENTAL CERTIFICATIONS DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this 2 day of May, 2023 by Eric Miller (name of signer(s)). The named signer(s) is/are personally known by me or produced the identification type of DL.

Mercedes Dodd
(Signature of Notary)

{Seal} Mercedes Dodd
NOTARY PUBLIC
White County, GEORGIA
My Commission Expires 06/02/2026

(Name of Notary Typed, Stamped, or Printed)

APPLICANT ACKNOWLEDGEMENT OF MEETING DATES

I, Eric Miller (print name) have been advised that I or someone to represent me must be in attendance when my application is before the White County Planning Commission and the White County Board of Commissioners or it will be tabled. I also acknowledge that I have been made aware of the below dates upon submission of my application.

Senior Center, 1239 Helen Hwy, Cleveland 6:00pm

Public Hearing Date (Planning Commission): 5/30/2023
 Regular Meeting Date (Planning Commission): 6/5/2023

Administration Building, 1235 Helen Hwy, Cleveland 4:30pm

Board of Commissioners Meeting Date: 6/26/2023

**Meeting dates are subject to change*

Eric Miller
 Signature of Applicant or Authorized Agent
5/2/23
 Date

<p><u>OFFICE USE ONLY</u></p> <p>Copy given to applicant: <u>5/2/23</u> (date)</p> <p>Staff Initials: <u>EMD</u></p> <p>Flag (circle): Y <input checked="" type="radio"/> N</p>
--

<p>WITHDRAWAL</p> <p><i>Notice: This section only to be completed if application is being withdrawn.</i></p>
<p>PART II - OFFICIAL CODE/APPENDIX C - LAND USE REGULATIONS/ARTICLE XVIII. AMENDMENT, APPLICATION AND PROCEDURAL REQUIREMENTS</p> <p><i>Section 1803. Withdrawal of amendment application.</i> Any petition for an amendment to these regulations, official land use district map, conditional use approval, variance or special use permit may be withdrawn, at the discretion of the person or agency initiating such request, at any time prior to final action by the board of commissioners upon written notice to the planning director. Any required fees shall be forfeited</p>
<p>I hereby withdraw application #:</p>
<p>Applicant Signature: _____ Date: _____</p>



YONAH
MOUNTAIN
Vineyards

LETTER OF INTENT

Please allow this to serve as a letter of intent to operate a short-term rental property at 62 Small Ponds Dr. Cleveland, GA 30528.

Said property is a single-family dwelling of three bedrooms, two baths, with the availability to hold up to six persons for overnight lodging.


Daniel McIntosh, Operation Manager



Public Health
Prevent. Promote. Protect.

White County Environmental Health

Zachary Taylor, M.D., M.S., Health Director
1241 Helen Highway, Unit 210 • Cleveland, GA 30528
PH: 706-348-7698 • FAX: 706-348-1670 • www.phdistrict2.org

Banks, Dawson, Forsyth, Franklin, Habersham, Hall, Hart, Lumpkin, Rabun, Stephens, Towns, Union and White Counties

- | | | | |
|-------------------------------------|---|--------------------------|--|
| <input checked="" type="checkbox"/> | Evaluation Applied For | <input type="checkbox"/> | Appropriate Permit Applied For |
| <input type="checkbox"/> | Appropriate Permit Issued to Applicant | <input type="checkbox"/> | Evaluation, Permit Not Applied For At This Time |

DATE: 05/01/2023

APPLICANT NAME: ERIC MILLER

PROPERTY ADDRESS: 1717 HWY 255 S
CLEVELAND, GA 30528

White County Planning Department:

In reference to a request for a change of zoning/land use or a building permit, application may need to be made for an existing system evaluation to determine:


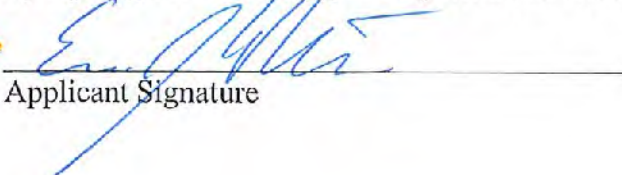
- that the permit on file is the correct permit for the property in question;
- that there is no evidence of system failure;
- that the septic system is appropriately sized for the current and proposed use;
- that there is adequate repair after the proposed addition;
- that there are no conditions that could adversely affect the functionality of the system.

Please note that this is NOT an all-inclusive list. Based upon the information submitted and/or the outcome of the evaluation, it may be determined that a septic system needs additional capacity or upgrade. If so, the appropriate permit will need to be obtained and the work completed before an approval can be given.

If, based upon information submitted, no septic systems exist on the property, this zoning/land use change and/or building permit request should not affect the property with respect to septic use.

White County Environmental Health
District 2 Public Health

By signing below, I certify all information submitted is accurate and true to the best of my knowledge.

Applicant Signature

Performance Evaluation Report Form (continued)

PROPERTY/SYSTEM ADDRESS: 1717 HWY 255 CLEVELAND, GA 30528	EVALUATION ID: 001429
	SUBDIVISION/LOT/BLOCK: YONAH MOUNTAIN VINEYARDS, LLC/WINERY/TASTING ROOM/N/A

Adverse Conditions (i.e. malfunctioning or damaged system or clear evidence of a condition, or conditions, that would likely contribute to system malfunction or unacceptable risk to public health):

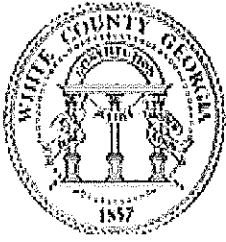
None Noted

Additional Notes/Comments:

4 bedroom system on record. STR approved for 4 persons based on 75 gallons per person per day.

Inspector: Padraic Thompson	Signature:	Date: 01/11/2023
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*I verify the above information to be correct at the date and time of this evaluation only. **Disclaimer:** This verification shall not be construed as a guarantee of the proper functioning of this system for any given period of time. No liability is assumed for future damages that may be caused by system malfunction.*



Official Tax Receipt
White County, GA
113 N. Brooks St.
Cleveland, 30528
--Online Receipt--

Phone: 706-865-2225

Trans No	Map Code	Property ID & District Description	Original Due	Interest & Penalty	Amount Due	Amount Paid	Transaction Balance
2022-10677	060D 047	LL108 LD2 PB34-72	\$2,240.97	\$0.00 Fees: \$0.00	\$0.00	\$2,240.97	\$0.00
Totals:			\$2,240.97	\$0.00	\$0.00	\$2,240.97	\$0.00

Paid Date: 11/08/2022

Charge Amount: \$2,240.97

LUSNIA CHERYL K
342 ROY POWERS RD
CLEVELAND, GA 30528



Scan this code with your mobile phone to view this bill

Layer List Legend

Quick Links: Property Search View Map

Layers: Parcels

- Parcels
- Zonings
- Parcel Numbers
- Address Numbers
- City of Cleveland
- City of Helen
- Elementary School Areas
- School Board Districts
- Voting Precincts
- Board of Commissioners Districts
- Senate Districts 2021
- House Districts 2021
- Sales
- Routes
- Public Lands
- USA Major Highways
- Railroads
- Flood Maps
- Lakes
- Streams and Rivers
- Cleveland Hydrants
- Helen Hydrants
- Hydrants
- Road Type
- 5-ft. Contours
- Mountain Protection Areas
- City Labels
- County Boundary
- 2023 Aerial Photos
- 2019 Aerial Photos
- 2011 Aerial Photos
- Google Imagery
- Residential/Default

50ft



Parcel ID: 0600 047
 Sect/Trp/Rng: 0/0
 Property/Address: 2 SMALL POND DR
 DT

Alternate ID: 0600065
 Class: R
 Acreage: 2

Owner Address: LUSNIA CHERYL K
 342 ROY POWERS RD
 CLEVELAND GA 30528

24971120, 167786942B



Results:

Parcel ID - 0600 047
 Alt ID - 0600065
 Address - 02 SMALL POND DR
 Owner - LUSNIA CHERYL K
 Acres - 2
[View Contact Information](#)

District: Brier Tax Description

C1 LL308 LD2 PB94-72

(Please Note: Not to be used on legal documents)

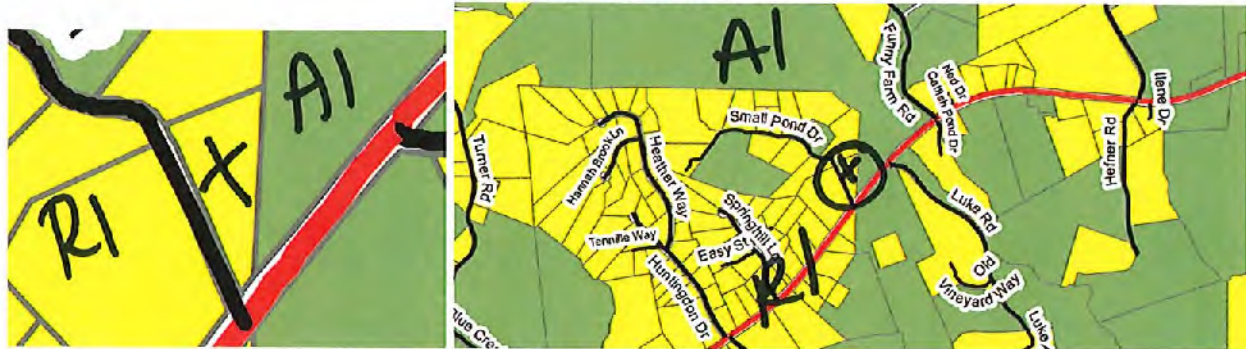
WHITE COUNTY PLANNING DEPARTMENT

STAFF COMMENT

YONAH MOUNTAIN VINEYARD

- PROPERTY IS LOCATED AT 62 SMALL POND DRIVE IN CLEVELAND. IT IS IN THE R-1 SINGLE FAMILY RESIDENTIAL DISTRICT AND WILL REQUIRE A CONDITIONAL USE PERMIT FROM THE WHITE COUNTY BOARD OF COMMISSIONERS TO PLACE THE PROPERTY IN THE SHORT TERM RENTAL PROGRAM.
- PROPERTY ADJOINS TO THE EAST AND SOUTH A-1 AGRICULTURE FORESTRY DISTRICT; TO THE NORTH AND WEST R-1 RESIDENTIAL SINGLE-FAMILY DISTRICT.
- THE WHITE COUNTY COMPREHENSIVE PLAN FUTURE LAND USE MAP INDICATES SINGLE FAMILY RESIDENTIAL.
- TOTAL ACREAGE IS 2.00.
- PROPERTY SUPPLIED BY WELL AND SEPTIC.

EXISTING LAND USE



FUTURE LAND USE



WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

Monday, June 5th, 2023
6:00 pm

White County Senior Center
1239 Helen Hwy, Cleveland, Ga. 30528

Those present were Larry Freeman, R.K. Ackerman, Charlie Thomas, Linda Dixon, and John Yarbrough. Staff members present were Harry Barton, John Sell, and Mercedes Dodd.

Chairman Thomas called the meeting to order. Mr. Yarbrough gave the invocation. No changes made to the agenda. Motion to approve the minutes of April 24th, 2023 and May 1st, 2023 made by Ms. Dixon and seconded by Mr. Yarbrough. Motion was unanimous.

Application of Nancy Dorsey to request a variance from Section 601 Access. Property is located on Valley View Drive, Cleveland, GA, 30528. Tax map and parcel is 003-027. Total acreage is 2.64. The applicant, Nancy Dorsey of 48 Stover Road in Cleveland, was present. Mr. Barton gave a summary of the application. Ms. Dorsey explained she and her sister purchased the property from their grandparents and want to split it for their wills.

Motion to approve the variance made by Mr. Ackerman and seconded by Ms. Dixon. Motion was unanimous. Mr. Barton advised the applicant to contact the Environmental Health department for plat approval.

Application of Sharon Hustedt to request a variance from Section 802 for Second Dwelling. Property is located at 899 Kanady Road, Cleveland, GA, 30528. Tax map and parcel is 036-089A. Total acreage is 2.50.

The applicant, Sharon Hustedt of 899 Kanady Road, was present. Mr. Barton gave a summary of the application. Ms. Hustedt explained the second dwelling is for family.

Motion to approve the variance made by Mr. Yarbrough and seconded by Ms. Dixon. Motion was unanimous. Mr. Barton advised the applicant to contact the Building Department for a building permit.

Application of Matthew Knaus to request a variance from Section 601 Access. Property is located on 216 Welcome Lane, Cleveland, GA, 30528. Tax map and parcel is 045A-040. Total acreage is 3.00. The applicant, Matthew Knaus of 216 Welcome Lane, was present. Mr. Barton gave a summary of the application. Mr. Knaus explained he is giving property to family.

Motion to approve the variance made by Mr. Freeman and seconded by Mr. Ackerman. Motion was unanimous. Mr. Barton advised the applicant that he would contact him when his plats were stamped.

Application of Keith and Jody McCallister to request a variance from Section 601 Access. Property is located on Webster Lake Road, Cleveland, GA, 30528. Tax map and parcel is 078-087. Total acreage is 15.00.

The applicant, Jody McCallister of 746 Dean Mountain Road, was present. Mr. Barton gave a summary of the application. Ms. McCallister explained the second tract is for family. When asked if she was made aware of a road needing to be built due to the amount of tracts already split from this parcel, Ms. McCallister said no but the seller did mention this would be the last tract that could be divided. She

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

explained that she did not purchase the property to split for sale and understands that it could not be divided again without a road being built to subdivision regulations.

Motion to approve the variance made by Mr. Freeman and seconded by Mr. Ackerman. Motion was unanimous. Mr. Barton advised the applicant that he would contact her when the plats were stamped by the Planning Department.

Application of Carlos Barnes to request a variance from Section 601 Access. Property is located on Tulip Trail, Cleveland, GA, 30528. Tax map and parcel is 050-065. Total acreage is 1.89. The applicant, Carlos Barnes of 120 Tulip Trail, was present. Mr. Barton gave a summary of the application. Mr. Barnes explained that he would eventually be living on this property and it was not for resale.

Motion to approve the variance made by Ms. Dixon and seconded by Mr. Yarbrough. Motion was unanimous. Mr. Barton advised the applicant to contact his office once he received the plats for the other tracts from Environmental Health so they could discuss next steps.

Application of Jimmy Daniel to request a variance from Section 804 Building Setback for building within a building setback. Property is located at 2034 Helen Hwy, GA, 30528. Tax and parcel is 096-035. Total acreage is 0.477. The applicant, Jimmy Daniel of 2034 Helen Highway, was present. Mr. Barton gave a summary of the application. Mr. Daniel explained the original foundation was not good so he building new. He said he received a letter for the first variance and this request is for the same distance from the property line- three feet and six inches.

Motion to approve the variance contingent upon receiving a new letter from the adjoining property owner made by Mr. Ackerman and seconded by Ms. Dixon. Motion was unanimous. Mr. Barton advised the applicant to call his office once he receives the letter from the adjoining property owner.

Application of Kathy Chastain to request a variance from Section 802 for Second Dwelling. Property is located at 260 Mulberry Drive, Cleveland, GA, 30528. Tax and parcel is 068-049. Total acreage is 5.70. The applicant, Kathy Chastain of 260 Mulberry Drive, was present. Mr. Barton gave a summary of the application. Ms. Chastain explained the second dwelling is for her children.

Motion to approve the variance made by Ms. Dixon and seconded by Mr. Freeman. Motion was unanimous. Mr. Barton advised the applicant to contact the Building Department regarding a building permit.

Application of Beverly Sosbee to request a variance from Section 601 Access. Property is located on Sal Mountain Way, Sautee Nacoochee, GA, 30571. Tax map and parcel is 072-014. Total acreage is 4.31. Representatives, PJ Campanella and Allison Suazo of 324 Leisure Acres Drive, were present on behalf of the applicant. Mr. Barton gave a summary of the application. Mr. Campanella explained they are purchasing the property and received permission to access this property from the two other lot owners. He stated the existing access would not be feasible due to needing multiple switchbacks on the steep grade.

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

Motion to approve the variance made by Mr. Yarbrough and seconded by Ms. Dixon. Motion was unanimous. Mr. Barton advised the representatives he would contact them once the plats were stamped by the Planning Department.

Application of Wayne Quarles to request a variance from Section 601 Access. Property is located at 2601 Toll Gate Road, Cleveland, GA, 30528. Tax map and parcel is 002-001. Total acreage is 3.74. The applicant, Wayne Quarles of 2601 Toll Gate Road, was present. Mr. Barton gave a summary of the application, adding that the request is for mortgage purposes and the acreage would revert back once the mortgage is satisfied. Mr. Quarles did not have anything to add.

Motion to approve the variance made by Ms. Dixon and seconded by Mr. Freeman. Motion was unanimous. Mr. Barton advised the applicant he would contact them once the plats were stamped by the Planning Department.

Application of Susan and Sangsoo Oh to request a conditional use permit located at 403 Yonah Valley Road, Cleveland, Georgia, 30528. Tax map and parcel 045C-034. Total acreage is 13.25. Proposed use is to place in "Short Term Rental" program. Present zoning is R-1 Residential Single Family. The applicant, Susan Oh of 403 Yonah Valley Road was present. Mr. Barton gave a summary of the application. Ms. Oh stated there is a fence around the property, which is large acreage that has pastures and a pond. She said the properties nearby are on large acreage, as well.

Motion to recommend approval to the Board of Commissioners made by Mr. Freeman and seconded by Mr. Ackerman. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on Monday, June 26th.

Application of Jon Schwartz to redistrict property located at 1299 Hwy 17 in Sautee Nacoochee, Georgia, 30571 from C-1 Community Commercial District to R-1 Single Family Residential District and conditional use permit. Tax map and parcel 071-005. Total acreage is 3.98. Proposed use is for agri-tourism, wedding tourism, event facilities and attractions. Present use is C-1 Community Commercial District.

The applicant, Jon Schwartz of 1299 Highway 17, was present. Mr. Barton gave a summary of the application. Mr. Schwartz explained the previous application for an event facility was to rezone to C-2, but he plans to have small events instead. He said the maximum occupancy for outdoor events would be 50 and 24 for indoor events, adding that he did not plan on having indoor and outdoor at the same time. When asked about the steepness of the road, he said only left turns have limited views.

Motion to recommend approval to the Board of Commissioners made by Mr. Yarbrough and seconded by Mr. Ackerman. Those opposed were Mr. Freeman and Mr. Yarbrough. Chairman Thomas as the tiebreaker voted in favor of the motion due to the strong support present during the public hearing. Motion carried by majority of 3-2. Mr. Barton advised the applicant of the next meeting on Monday, June 26th.

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

Application of Yonah Mountain Vineyards to request a conditional use permit located at 62 Small Pond Dr., Cleveland, Georgia, 30528. Tax map and parcel 060D-047. Total acreage is 2.0. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family. The applicant, Eric Miller- owner of Yonah Mountain Vineyards- of 1717 Highway 255 S, was present. Mr. Barton gave a summary of the application. When asked if he would be willing to provide access to the property from the vineyard, Mr. Miller explained that he would prefer to not build in order to keep the vineyard secure and he was unsure how enforceable that access would be since the property is the first house on Small Pond Drive. He stated the maximum occupancy would be eight, but he would most likely rent to six. He said he is coordinating with the neighborhood to improve the road on Small Pond Drive.

Motion to recommend approval to the Board of Commissioners made by Mr. Ackerman and seconded by Ms. Dixon. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on Monday, June 26th.

Application of Blake Boggs, on behalf of Christopher and Alissa Feaster, to request a conditional use permit located at 0 Sara Lane, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 055D-096. Total acreage is 0.927. Proposed use is to place in “Short Term Rental” program, Present zoning is R-1 Residential Single Family.

A representative, Alan Boggs with ALCO Realty of 182 S Main Street in Cleveland, was present on behalf of the applicant. Mr. Barton gave a summary of the application. Mr. Boggs stated a letter of support from the homeowner’s association was provided at the public hearing. He said the road is in good condition.

Motion to recommend approval to the Board of Commissioners made by Ms. Dixon and seconded by Mr. Yarbrough. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on Monday, June 26th.

Application of Jude M. Beckman to request a conditional use permit located at 2609 Post Road, Cleveland, Georgia, 30528. Tax map and parcel 063-038A. Total acreage is 1.50. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant was not present; the applicant was postponed to the next Regular Session.

Consider proposed amendments to the White County Land Use Ordinance related to updates in Zoning Procedures Law (ZPL).

Mr. Barton gave a summary of the proposed amendments.

Motion to recommend approval to the Board of Commissioners made by Mr. Yarbrough and seconded by Ms. Dixon. Motion was unanimous.

Consider proposed amendments to the White County Land Use Ordinance related to provisions for Historic Preservation.

Chairman Thomas recommend the board wait to vote on a recommendation until the full board was present and have discussions in a work session for proposed changes.

Motion to table the proposed Historic Preservation Ordinance made by Mr. Ackerman and seconded by Mr. Yarbrough. Mr. Ackerman said the room was full of support but no opposition at the public hearing

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

and he would like both sides to be represented so it is good for everyone. Additionally, due to several questions not answered in the changes, he would like to see the final draft before making a recommendation to the Board of Commissioners. Motion was unanimous.

Mr. Sell stated the proposed ordinance would be added to the next Work Session to discuss all requested changes to be made to the draft.

There was no citizen comment.

Motion to adjourn made by Ms. Dixon and seconded by Mr. Ackerman. Motion was unanimous.

DRAFT

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

Tuesday, May 30th, 2023
6:00 pm

White County Senior Center
1239 Helen Hwy, Cleveland, Ga. 30528

Board members present were Larry Freeman, R.K. Ackerman, Charlie Thomas, Linda Dixon, and John Yarbrough. Staff members present were Harry Barton, John Sell, and Mercedes Dodd.

Chairman Thomas called the meeting to order. Mr. Yarbrough gave the invocation. Chairman Thomas outlined the public hearing procedures. No changes made to the agenda.

Application of Susan and Sangsoo Oh to request a conditional use permit located at 403 Yonah Valley Road, Cleveland, Georgia, 30528. Tax map and parcel 045C-034. Total acreage is 13.25. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Susan Oh of 403 Yonah Valley Road, was present. Mr. Barton gave a summary of the application. Mrs. Oh explained the proposed short-term rental would have a maximum occupancy of 12 people, parking for more than 10 vehicles on the 13 acres, and her next-door neighbor would be the emergency contact. She said she plans to utilize online platforms and has rented on and off due to not knowing she needed a license until the county notified her. Mrs. Oh said she has owned the property for ten years and began renting in the last year, but has had family and friends stay at the property. When asked if there were other short-term rentals nearby, she said no.

Chairman Thomas asked if anyone would like to speak for the application, there was no response. He asked if anyone would like to speak against the application.

Tammy Chambers of 250 Yonah Valley Road expressed concerns of the narrow road, traffic, potential for more rentals on the property due to its size, and noise. She said the owner has already been renting with three to six vehicles at a time and loud children.

Chairman Thomas asked Mrs. Oh if she had anything to add, she said no. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, June 5th.

Application of Jon Schwartz to redistrict property located at 1299 Hwy 17 in Sautee Nacoochee, Georgia, 30571 from C-1 Community Commercial District to R-1 Single Family Residential District and conditional use permit. Tax map and parcel 071-005. Total acreage is 3.98. Proposed use is for agri-tourism, wedding tourism, event facilities and attractions. Present use is C-1 Community Commercial District.

The applicant, Jon Schwartz of 1299 Highway 17, was present. Mr. Barton gave a summary of the application. Mr. Schwartz explained the proposed use would be small events that would start and end early, which is why he is requesting to move from C-1 Community Commercial to R-1 Residential Single Family. He said he hosted an indoor event in February with 24 people for the Sautee Nacoochee Cultural Center, which was a small gathering. He said his maximum occupancy would be 24-25 for the indoor space where he would host mystery dinners and has experience hosting events in Atlanta. Mr. Shwartz said he is not looking to host weddings, but would be able to have 50 people in an outdoor area for “boutique weddings” or other outdoor events. He said the majority of his events would be indoor and does not intend to host indoor and outdoor at the same time so he can keep the gatherings small. Mr. Schwartz explained the paved parking would hold 12-15 vehicles and the gravel road to the barn would

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

hold another 15 vehicles. He explained that indoor noise is not easily heard over highway traffic and outdoor events would end no later than 11pm.

Chairman Thomas asked if anyone would like to speak for the application.

Savannah Essigman, address not provided, said she is a wedding and event coordinator in Helen and the church keeper. She said the owners reached out to her with humble intentions, and she cannot see them being disruptive since they want to conserve the community.

JoAnn Sweeney of 320 Sal Mountain Way said she has known the owners for years, and they are good neighbors and people who she believes will do a good job.

Tommy Williams, who lives next door, said he has known the owner for years and has not noticed any of the events so far. He said they are good people with good intentions of keeping the events “low-key”.

Mel Whitehead, the Executive Director of the Sautee Nacoochee Cultural Center, said he has known the owner for years and his intention is for small groups with concerns about preserving the community and environment. He said the owner has offered to hold events for the cultural center and Mr. Whitehead believes this will be good for the community.

Chairman Thomas asked if anyone would like to speak against the application.

Jeff McCrew of 303 Richardson Road said he is not for or against, but wanted to know if the county does anything to preserve the residential area if approved and would hate to see it move more toward a business area.

Barbara Williams, address not provided, said she lives on the county line, said she wished to follow up to the previous speaker. She stated that the reason Mr. Schwartz wants to rezone to R-1 is to keep the property in the residential area and that if the property would be rezoned back to C-1 is when any issues about commercial could be addressed. She said C-1 to R-1 is great.

Chairman Thomas asked Mr. Schwartz if he had anything to add.

Mr. Schwartz said the property is zoned commercial now and the reason they wish for R-1 is because they plan to live there and the property has family history. He said this would be their home and where they plan to stay.

Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, June 5th.

Application of Yonah Mountain Vineyards to request a conditional use permit located at 62 Small Pond Dr., Cleveland, Georgia, 30528. Tax map and parcel 060D-047. Total acreage is 2.0. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

A representative, Danny McIntosh of 1717 Highway 255 S, was present. Mr. Barton gave a summary of the application. Mr. McIntosh explained the proposed use is to rent in conjunction with events at the facility, managed through the vineyard, and it would have a maximum occupancy of eight to ten people and four vehicles. When asked if a road could be built from the vineyard to the home, he said the property is the first house from the highway and there would not be a good way to make access to the vineyard but it does have a small trail for mowing and utilities. Mr. McIntosh said he would be the emergency contact and would coordinate with the local person on duty to go to the home. He said there is one other short-term rental on the road, which is the property the vineyard just had approved and said the second access has already been cut.

Chairman Thomas asked if anyone would like to speak for the application, there was no response. He asked if anyone would like to speak against the application.

Linda Seabolt of 106 Small Pond Drive expressed concerns of the proximity of the proposed rental to her home, previous failed long-term rentals at this home, and said this home is on her private access. She said the vineyard is still using Small Pond Drive for access after being told to gate off that access and does not understand how so many short-term rentals in the county have been approved. She said she wants to keep White County beautiful.

Stacy Brown of 248 Small Pond Drive, next door to the other short-term rental, said she is not for or against, but had questions. She said the vineyard did what they were supposed to do with the fence and so far do not seem to be disruptive. Ms. Brown stated there is always a chance for bad neighbors and it is a good thing for them to be there, but wanted to know the end goal of how many rentals on Small Pond Drive does the vineyard plan to own.

Chairman Thomas asked Mr. McIntosh if he had anything to add.

Mr. McIntosh explained they do not have a master plan and were approached by the previous owner to purchase, but plan to improve the homes they purchase. He said the road to the other rental took longer to build so they did have to use Small Pond Drive but were not closing the gate unless people were in the home. However, he said the gate will now remain closed, even if not rented, after being approached by a neighbor with the request. He said they are trying to be good neighbors and spoke with the person that does most of the road maintenance to determine improvements, which are done once a year. He said a road could be built to this home, but he was not sure if it could be enforceable since it is the first house.

Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, June 5th.

Application of Blake Boggs, on behalf of Christopher and Alissa Feaster, to request a conditional use permit located at 0 Sara Lane, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 055D-096. Total acreage is 0.927. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Blake Boggs of 182 S Main Street in Cleveland, was present. Mr. Barton gave a summary of the application. Mr. Boggs explained the proposed short-term rental has not been built yet, so

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

maximum occupancy has not been determined. He said the covenants allow short-term rentals by their interpretation and he received a letter from the homeowner's association in support, which he gave to Mr. Barton for the application file. Mr. Boggs believed there was one other short-term rental in the subdivision and one property zoned R-3 Residential Seasonal. He said the property is under contract contingent upon approval of the conditional use permit.

Chairman Thomas asked if anyone would like to speak for the application, there was no response. He asked if anyone would like to speak against the application, there was no response. Mr. Boggs did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, June 5th.

Application of Jude M. Beckman to request a conditional use permit located at 2609 Post Road, Cleveland, Georgia, 30528. Tax map and parcel 063-038A. Total acreage is 1.50. Proposed use is to place in "Short Term Rental" program. Present zoning is R-1 Residential Single Family. The applicant, Jude Beckman of 2609 Post Road, was present. Mr. Barton gave a summary of the application. Mr. Beckman explained the proposed short-term rental would have a maximum occupancy of eight with parking for eight vehicles, though he doubted there would be that many. He said he plans to self-manage and lives 30 minutes away so he will be the emergency contact. Mr. Beckman stated he has been doing short-term rentals for ten years, is particular who he rents to, and does not allow parties.

Chairman Thomas asked if anyone would like to speak for the application, there was no response. He asked if anyone would like to speak against the application, there was no response. Mr. Beckman did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, June 5th.

Mr. Barton presented proposed amendments to the White County Land Use Ordinance pertaining to advertising requirements that are consistent with updates in the Georgia Zoning Procedures Law effective July 1st, 2023.

Chairman Thomas asked if there was any public comment, there was no response.

Mr. Sell presented updates made to the proposed Historic Preservation Overlay Ordinance, including changes to verbiage, withdrawal and opt in processes, and owner notification processes. Mr. Sell explained the compliance process in regard to steps to be taken by code enforcement should policy not be adhered to. He explained the buffer requirements for the affected properties and adjoining landowners. Chairman Thomas, Mr. Ackerman, and Mr. Freeman expressed concerns of the rights of the adjoining landowners. Mr. Sell stated the map would be finalized after the process for adoption if approved and properties are verified.

Chairman Thomas asked if there was any public comment.

John Erbele of 1037 Joe Black Road, Historic Committee Board Member, stated the intention for the ordinance was the least amount of government and some amount of protection. He said not much changed from last year, but the committee tried putting something together to keep White County a great place.

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

Mr. Erbele stated growth is coming and the county needs to be prepared for overflow from Helen and Gainesville.

Barbara Williams, address not provided, said the setbacks are not just residential places but are properties like Mossy Creek Church. She said that if the adjoining landowners decide to sell their properties to develop, then it would come with the caveat that they have to stay so many feet away from the church and she does not see anything wrong with that.

William Huff of 3605 Town Creek Road said he was opposed at the last meeting, but supports this revision with the new opt in and out processes. He said he does have concerns about view sheds and buffers.

Jonna Tuttle of 125 Wilderness End in Clarkesville, Georgia, said she has an appreciation for the community and is a fan of White County history and stories. She said this is what makes White County unique and it is important to hold onto not only for the economy but for families.

Spencer Robbie of 2220 Highway 17 said the community and beauty of the land in White County keeps him from moving away. He expressed support of historic preservation because it keeps the beauty and sense of life in Sautee as well as the rest of the county. He said as tourism increases, there will be growth so it is important to protect the area.

Ashley Harris of 3273 Post Road said it is important to do something to protect what makes the county beautiful and unique.

Linda Harris of 853 Laurelwood said it is important to educate people about historic areas and give them the opportunity to protect it.

Chairman Thomas asked everyone in support of the ordinance to raise their hand; the majority of the room did so. He asked everyone in opposition to raise their hands, there were none. Chairman Thomas closed the hearing.

After questions about further meetings on the historic preservation ordinance, Mr. Barton announce the Planning Commission would make a recommendation to the Board of Commissioners, who would make a decision on the ordinance at a later date to be determined. Chairman Thomas stated, due to two board members being out, that he would like the entire board to be present when the Planning Commission makes their recommendation.

There was no other citizen comments.

Motion to adjourn made by Ms. Dixon and seconded by Mr. Ackerman. Motion was unanimous.



WHITE COUNTY

Board of Commissioners

Agenda Request Form

Item Title: Conditional Use Permit for Short Term Rental for Christopher and Alissa Feaster at 0 Sara Lane

For Meeting Date: 6/26/2023

Work Session **Regular Meeting** **Public Hearing**

Category (Select One): Land Use Application

Submitted By: John Sell

Attachments: Yes **If yes, please list each file name below:**

1. Application #19944
2. Public Hearing minutes of 5/30/2023
3. Regular Meeting minutes of 6/5/2023

Purpose:

Consider the application of 4. Application of Blake Boggs, on behalf of Christopher and Alissa Feaster, to request a conditional use permit located at 0 Sara Lane, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 055D-096. Total acreage is 0.927. Proposed use is to place in "Short Term Rental" program. Present zoning is R-1 Residential Single Family.

Background / Summary:

- Applicant is requesting a conditional use permit for short term rental. The property is part of Laurel Woods subdivision, (formerly Tanglewood Cabins Phase II). The HOA provided a letter of support for the application. Blake Boggs represented the owners and said the house has not been built yet so a maximum occupancy has not been determined. He said the covenants allow STRs. No one spoke for or against the application. The Planning Commission recommended approval of the application and the motion passed by unanimous vote.

Department Recommendation:

Planning Commission recommended approval by unanimous vote.

Options:

- Uphold Planning Commission recommendation and approve the application

- Reverse Planning Commission recommendation and deny the application.
- Table the application for further review or to send back to Planning Commission

Budget Information: Applicable Not Applicable

Budgeted: Yes No

Finance Director's Comments (if applicable):

-

County Manager Comments:

-

WHITE COUNTY CHANGE OF LAND USE DISTRICT APPLICATION

OFFICE USE ONLY	Land Use Application #: <u>19944</u>
Public Hearing Date: <u>5/30/2023</u>	Commission District: <u>4</u>
Fees Assessed: <u>\$250</u>	Paid via: <input type="checkbox"/> cash <input type="checkbox"/> credit card <input checked="" type="checkbox"/> check# <u>8718</u>

APPLICANT INFORMATION

Status: Owner Authorized Agent Lessee Option to Purchase

Printed Name(s): Alan Boggs, Blake Boggs, Robert L. Johnson

Address: P.O. Box 3095 Cleveland, GA 30528

Phone Number: 706 878 6741 Alternate Contact Number: 706 892 8986

Email: aboggs@alcorealty.com bboggs@alcorealty.com

Owner Information (if different from Applicant/Agent):

Name: Christopher + Alissa Feaster Phone #: [REDACTED]

PROPERTY INFORMATION

Parcel ID: 055D 096 Total acreage being changed: 0.927

Address: 0 Sara Ln. Sautee Nacoochee, GA 30571

Directions to Property: From Helen: Hwy 75 N to R on Hwy 356
Go approx 3.4 miles to R on Chastain Rd. Go 0.1
mile to L on Sara Ln. Lot is on the left.

Current Use/Zoning of Property: R1 Type of Road Surface: Gravel

Any prior redistricting requests for property: If yes, provide redistricting application #: _____

SURROUNDING PROPERTY LAND USE CLASSIFICATION:

North: C South: R1 East: R1 West: R1

REQUESTED ACTION AND DETAILS OF PROPOSED USE (check all that apply)

Redistrict from district:	Redistrict to district:
Conditional Use - specify: <u>Short term rental</u>	
Special Use - specify:	
Land Use Variance from Code Section:	

Proposed use if not listed above:

Is this property part of a subdivision? Yes No If so, please list number of lots: 16

Are there covenants? Yes No Is there an active homeowner's association? Yes No

Subdivision Name (if applicable): Tanglewood Phase II

Existing Utilities (check all that apply): Community
 ___ County or City Water Well ___ Septic ___ Gas Electric ___ Broadband
 Proposed Utilities (check all that apply):
 ___ County or City Water ___ Well ___ Septic ___ Gas ___ Electric ___ Broadband

COMMERCIAL AND INDUSTRIAL REDISTRRICT INFORMATION

Building Area: _____ No. of Parking Spaces: _____

RESIDENTIAL REDISTRRICT INFORMATION

No. of Lots: _____ Minimum Lot Size in acres: _____ No. of Units: _____

Minimum Heated Floor Area (ft²): _____ Density/Acre: _____

Is an Amenity area proposed (specify if yes)? _____

___ Apartments ___ Condominiums ___ Townhomes ___ Single Family

___ Rental Cabins ___ Recreational Vehicle Park ___ Other- Specify: _____

LIST OF ADJACENT PROPERTY OWNERS

It is the responsibility of the Applicant to provide a list of adjacent property owners that has property bordering your property or who has property directly across the street from your property (additional sheet may be included, if necessary).

PARCEL	PROPERTY OWNER NAME	MAILING ADDRESS
1 OSSD 097	Joshua Durgin Luciana Durgin	9160 Grand Island Way Winter Garden, FL 34787
2 OSSD 100	Elizabeth Lynette Guy	3664 Preakness Dr. Decatur, GA 30034
3 OSS 062	Michael Hand Windy Williams	10420 SW 82nd Ave Miami, FL 33156
4 OSSD 095	Eric Ehlenbach Heather Ehlenbach	3642 Belgray Dr. NW Kennesaw, GA 30152
5 OSSD 089	Nilo Marin Peggy Marin	6481 SW 10th St. North Lauderdale, FL 33068
6 OSSD 088	Gary Dosey Cheryl Dosey	18600 NE 238th Ave Salt Springs, FL 32134
7		

APPLICANT CERTIFICATION

I hereby request the action contained within this application relative to the property shown on the attached plats and site plan and further request that this item be placed on both the Planning Commission and Board of Commissioners meeting agendas.

I understand that the Planning Department staff may either accept or reject my request upon review. My request will be rejected if all the necessary data is not presented.

I understand that I have the obligation to present all data necessary and required by statute to enable the Planning Commission and Board of Commissioners to make an informed determination on my request. I understand that I may seek legal advice if I am not familiar with the land use requirements and procedures.

I understand that my request will be acted upon at the Planning Commission and Board of Commissioners meetings and that I am required to be present or to be represented by someone able to present all facts and answer all questions. I understand that failure to appear at a meeting shall result in the postponement or denial of my application request. I further understand that it is my responsibility to be aware of relevant meeting dates and times regardless of notification from White County.

I hereby certify that I have read the above and that the above information, as well as the attached information, is true and correct.

Applicant Signature:



Date: 4-27-23

2023 DEADLINES AND MEETING DATES

Submittal Date Planning Dept. Office 5:00 p.m. Deadline	Planning Commission Public Hearing 1239 Helen Hwy 6:00 p.m.	Planning Commission Regular Session 1239 Helen Hwy 6:00 p.m.	Board of Commissioners Work Session 1235 Helen Hwy 4:30 p.m.
Wednesday, January 4, 2023	Monday, January 30, 2023	Monday, February 6, 2023	Monday, February 27, 2023
Wednesday, February 1, 2023	Monday, February 27, 2023	Monday, March 6, 2023	Monday, March 27, 2023
Wednesday, March 1, 2023	Monday, March 27, 2023	Monday, April 3, 2023	Monday, April 24, 2023
Wednesday, March 29, 2023	Monday, April 24, 2023	Monday, May 1, 2023	TBA
Wednesday, May 3, 2023	TBA	Monday, June 5, 2023	Monday, June 26, 2023
Wednesday, May 31, 2023	Monday, June 26, 2023	Monday, July 3, 2023	Monday, July 31, 2023
Wednesday, June 28, 2023	Monday, July 31, 2023	Monday, August 7, 2023	Monday, August 28, 2023
Wednesday, August 2, 2023	Monday, August 28, 2023	TBA	Monday, September 25, 2023
Wednesday, August 30, 2023	Monday, September 25, 2023	Monday, October 2, 2023	Monday, October 30, 2023
Wednesday, October 4, 2023	Monday, October 30, 2023	Monday, November 6, 2023	Monday, November 27, 2023
Wednesday, November 1, 2023	Monday, November 27, 2023	Monday, December 4, 2023	TBA
Wednesday, November 29, 2023	TBA	TBA	Monday, January 29, 2024
Wednesday, January 3, 2024	Monday, January 29, 2024	Monday, February 5, 2024	Monday, February 26, 2024

NOTICE OF AGRICULTURAL DISTRICT ADJACENCY

Future abutting developers in non-agricultural land use districts shall be provided with this "Notice of Agricultural Adjacency" prior to administrative action on either land use district, the issuance of a building or occupancy permit or approval of a subdivision of property. Prior to administrative action, the applicant shall be required to sign this waiver which indicates that the applicant understands that a use is ongoing, adjacent to his/her use, which can produce odors, noise, dust and other effects which may not be compatible with the applicant's development. Nevertheless, understanding the effects of the adjacent Agricultural District uses, the applicant agrees by executing this form to waive any objection to those effects and understands that his/her district change and/or permits or other approvals are issued and processed in reliance on his agreement not to bring any action asserting that the adjacent uses in the Agricultural District constitute a nuisance against the local government and adjoining land owners whose property is located in an Agricultural District. This waiver shall be provided and made applicable for subsequent purchasers and owners or heirs of his/her property. This notice and acknowledgement shall be public record.

Applicant Signature:

Date:

**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS
(APPLICANTS AND REPRESENTATIVE(S) OF REQUESTED ACTION)**

Pursuant to O.C.G.A. Section 36-67 A-3.A, the disclosure of any campaign contributions aggregating \$250.00 or more to a local government official who will consider an application for re-classification or for a conditional use or special use permit is mandatory when an application or any representation of application for re-classification of district or for conditional use or special use permit has been made within two (2) years immediately preceding the filing of a request for reclassification or conditional use or special use permit by the same applicant and/or representative of said applicant. It shall be the duty of the applicant and/or any representatives of the applicant to file a disclosure with the governing authority of the respective local government to show the following:

Name of local official(s) to whom campaign contribution was made:

The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two (2) years immediately preceding the filing of this application for action for district re-classification, conditional use or special use permit.

Amount \$:

Date:

Enumeration and description of each gift (when the total value of all gifts is \$250.00 or more) made to the local government official during the two (2) years immediately preceding the filing of this application. **Please attach additional sheets if needed.**

Check box if no contributions made

Applicant Signature:




Date: 4-27-23

PROPERTY OWNER AUTHORIZATION

To be completed by the property owner to certify ownership of subject property and to provide authorization for other person(s) to represent the owner on their behalf.

I/WE (print), Christopher J. Feaster & Alissa Feaster, hereby swear that I/we own the property for which this land use change application is being made.

Property Address and/or Parcel ID: <u>OSSD 096</u>	
PROPERTY OWNER INFORMATION	
Printed Name of Owner(s): <u>Christopher J. Feaster & Alissa Feaster</u>	
Mailing Address: <u>11243 Marseilles Blvd.</u> <u>Clermont FL 34711</u>	
Phone Number:	[REDACTED]
Alternate Contact Number:	
Email: [REDACTED]	
I/we hereby authorize the person named below to act as the applicant or agent in the pursuit of the requested action on this property. I/we understand that any action granted and/or conditions or stipulations placed on the property will be binding upon the property regardless of ownership. The person named below is authorized to make this application. The person named below is aware that no application or re-application affecting the same land shall be acted upon within six (6) months from the date of the last action by the White County Board of Commissioners.	
Printed Name of applicant or agent(s): <u>Alan Boggs, Blake Boggs, Robert L. Johnson</u>	
Signature of Owner(s):	Date Signed:
	<u>5/2/2023</u>
<u>Alissa Feaster</u>	<u>5/2/2023</u>

PROPERTY OWNER AUTHORIZATION DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this 2nd day of May, 2023 by Christopher J. Feaster & Alissa Feaster (name of signer(s)). The named signer(s) is/are personally known by me or produced the identification type of _____.

{Seal}

Darcie L. Hunt-Rooney
(Signature of Notary)



(Name of Notary Typed, Stamped, or Printed)

SHORT TERM RENTAL CERTIFICATIONS

To be completed and notarized for any application where the proposed use is short term rental.

I/WE (print), Alan Boggs, Blake Boggs, Robert L. Johnson, hereby swear that I/we own/will own the property referenced below for which this land use change application is being made.

*Property Address and/or Parcel ID: 0550 096

PROPERTY OWNER AUTHORIZATION ACKNOWLEDGEMENT OF GUESTS

I acknowledge to keep the total number of guests to that number which can safely stay in the premises and may be subject to the State of Georgia's fire safety code regulations.

Signature of Owner/Future Owner(s): [Signature]

PROPERTY OWNER AUTHORIZATION CERTIFIED BY OWNER OR THIRD PARTY INSPECTOR

I attest by owner or third party inspector that short term rentals meet applicable International Building Code, International Fire Code regulations and NFPA 101 Life Safety codes.

Signature of Owner/Future Owner(s): [Signature]

PROPERTY OWNER AUTHORIZATION CERTIFIED DEED RESTRICTION

I certify that there are no deed restriction and/or covenants on the property that prohibits the use of the property as a short-term rental.

Signature of Owner/Future Owner(s): [Signature]

PROPERTY OWNER AUTHORIZATION CERTIFIED SHORT-TERM RENTAL INSURANCE

I certify that the owner/future owner has commercial or specific short-term rental insurance for the property. If insurance *has not been obtained* at time of application, I certify that owner/future owner will obtain prior to renting if application approval is granted.

Signature of Owner/Future Owner(s): [Signature]

OFFICIAL CODE OF WHITE COUNTY APPENDIX C/ARTICLE VII – SHORT TERM RENTALS & BUSINESS LICENSES NOTIFICATION

I certify that I have been informed of and provided a copy of Appendix C/Article VII - Short Term Rentals. I certify that I have also been informed that I will need to contact the White County Business Tax Office (706-865-2235) to obtain the proper business licensing, host licensing, and subsequent tax information prior to operation of my short-term rental.

Signature of Owner/Future Owner(s): [Signature]

SHORT TERM RENTAL CERTIFICATIONS DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this 2nd day of May, 2023 by Blake Boggs (name of signer(s)). The named signer(s) is/are personally known by me or produced the identification type of _____.

{Seal}



[Signature] (Signature of Notary)

Kim Campbell (Name of Notary Typed, Stamped, or Printed)

APPLICANT ACKNOWLEDGEMENT OF MEETING DATES

I, Blake Boggs (print name) have been advised that I or someone to represent me must be in attendance when my application is before the White County Planning Commission and the White County Board of Commissioners or it will be tabled. I also acknowledge that I have been made aware of the below dates upon submission of my application.

Senior Center, 1239 Helen Hwy, Cleveland 6:00pm


Public Hearing Date (Planning Commission): 5/30/2023

Regular Meeting Date (Planning Commission): 6/5/2023

Administration Building, 1235 Helen Hwy, Cleveland 4:30pm

Board of Commissioners Meeting Date: 6/24/2023

**Meeting dates are subject to change*


Signature of Applicant or Authorized Agent

4-28-23
Date

OFFICE USE ONLY	
Copy given to applicant:	<u>5/2/23</u> (date) <i>via email</i>
Staff Initials:	<u>MB</u>
Flag (circle):	Y <input checked="" type="radio"/> <i>ALCO</i> <input type="radio"/> <i>realty sign on property</i>

WITHDRAWAL	
<i>Notice: This section only to be completed if application is being withdrawn.</i>	
PART II - OFFICIAL CODE/APPENDIX C - LAND USE REGULATIONS/ARTICLE XVIII. AMENDMENT, APPLICATION AND PROCEDURAL REQUIREMENTS	
<i>Section 1803. Withdrawal of amendment application. Any petition for an amendment to these regulations, official land use district map, conditional use approval, variance or special use permit may be withdrawn, at the discretion of the person or agency initiating such request, at any time prior to final action by the board of commissioners upon written notice to the planning director. Any required fees shall be forfeited</i>	
I hereby withdraw application #:	
Applicant Signature:	Date:

Letter of Intent

Re: Conditional Use Permit Request for 0 Sara Ln. Sautee Nacoochee, Ga 30571

I/we as the future owners of the subject property are requesting a conditional use permit be granted for the potential use of a short term rental. We feel as if this use conforms with other current uses in the neighborhood and the general area and that it also reflects the highest and best use of the subject property per the covenants and restrictions of record.

Sincerely,

Blake Boggs

A handwritten signature in blue ink, appearing to be 'B. Boggs', with a long horizontal flourish extending to the right.

4-28-23



Public Health
Prevent. Promote. Protect.

White County Environmental Health

Zachary Taylor, M.D., M.S., Health Director

1241 Helen Highway, Unit 210 • Cleveland, GA 30528

PH: 706-348-7698 • FAX: 706-348-1670 • www.phdistrict2.org

Banks, Dawson, Forsyth, Franklin, Habersham, Hall, Hart, Lumpkin, Rabun, Stephens, Towns, Union and White Counties

- | | |
|---|---|
| <input type="checkbox"/> Evaluation Applied For | <input type="checkbox"/> Appropriate Permit Applied For |
| <input type="checkbox"/> Appropriate Permit Issued to Applicant | <input checked="" type="checkbox"/> Evaluation, Permit Not Applied For At This Time |

DATE: 05/01/2023

APPLICANT NAME: BLAKE BOGGS

PROPERTY ADDRESS: SARA LN (PARCEL 055D 096)
SAUTEE NACOOCHIEE, GA 30571
VACANT LAND

White County Planning Department:

In reference to a request for a change of zoning/land use or a building permit, application may need to be made for an existing system evaluation to determine:



- that the permit on file is the correct permit for the property in question;
- that there is no evidence of system failure;
- that the septic system is appropriately sized for the current and proposed use;
- that there is adequate repair after the proposed addition;
- that there are no conditions that could adversely affect the functionality of the system.

Please note that this is NOT an all-inclusive list. Based upon the information submitted and/or the outcome of the evaluation, it may be determined that a septic system needs additional capacity or upgrade. If so, the appropriate permit will need to be obtained and the work completed before an approval can be given.

If, based upon information submitted, no septic systems exist on the property, this zoning/land use change and/or building permit request should not affect the property with respect to septic use.

White County Environmental Health
District 2 Public Health

By signing below, I certify all information submitted is accurate and true to the best of my knowledge.

 Applicant Signature



OFFICIAL TAX RECEIPT

White County Tax Commissioner

Gindy Cannon

113 North Brooks Street
Cleveland GA 30528

Phone 17068852225 - Fax 17062190078

Email: wctc@whitecounty.net

OWNER

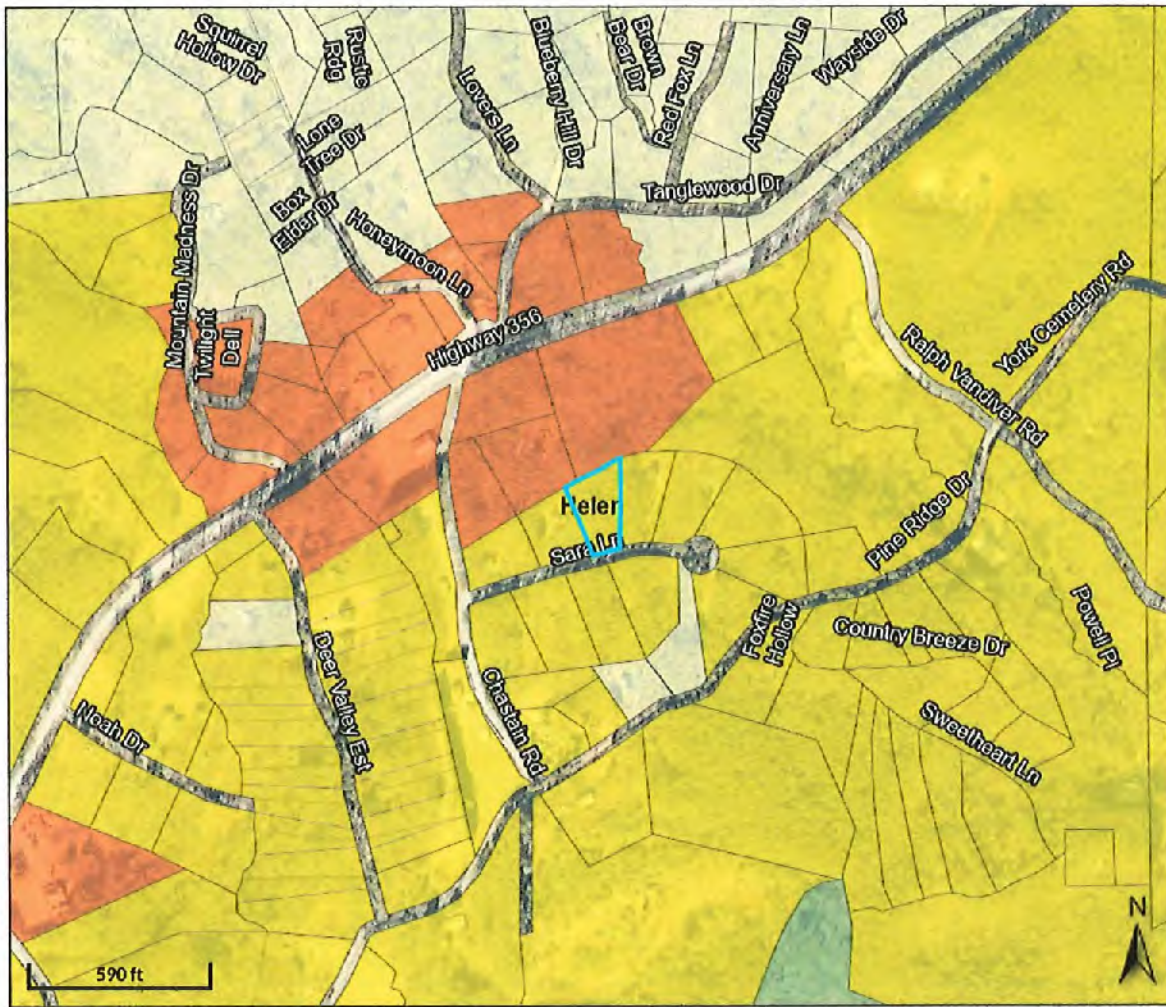
MARTINEZ-ALONSO TERESA

1121 SW 126TH PL

MIAMI, FL 33184-2316

PAID DATE			2/7/2023
RECEIPT PRINTED			4/27/2023 10:48:37 AM
CASH AMOUNT	CHECK AMOUNT	CHARGE AMOUNT	CHECK NUMBER(s) CHARGE APPROVAL CODE
\$0.00	\$251.81	\$0.00	2780
REFUND AMOUNT			\$0.00
OVERPAY AMOUNT			\$0.00
CHANGE AMOUNT			\$0.00
REGISTER			2
CASHIER			
TOTAL PAID			\$251.81

Tax Year- Bill Number FMV Property ID	Property Description Property Address District Serial Number Decal Number	Due Date Original Due	Interest Penalty Other Fees	Previous Paid Amount	Current Amount Due	Amount Paid	Tax Bill New Balance	
2022-10981 FMV: 25000.00 066D 098	LL13 LD6 LT6 PHH TNGLWD SARA LN DISTRICT: 001 SERIAL NUMBER: DECAL NUMBER: 0	11/15/2022 \$237.27	\$4.54 \$0.00 \$10.00	\$0.00	\$251.81	\$251.81	\$0.00	
Paid By: feaster alissa or christophar 352-321-0910				Overpayment Amount: 0.00				
Check Number: 2780								
Transaction(s): 215815 - 215816		Total(s):	\$237.27	\$14.54	\$0.00	\$251.81	\$251.81	\$0.00



Overview



Legend

- Parcels
- Zoning**
- Agriculture Forestry District (A-1)
- Residential Single Family District (R-1)
- Residential Multi-Family District (R-2)
- Residential Seasonal District (R-3)
- Community Commercial District (C-1)
- Highway Business District (C-2)
- Industrial District (I-1)
- Roads**
- Railroads
- Lakes
- Streams and Rivers
- City Labels

Parcel ID 055D 096
 Sec/Twp/Rng n/a
 Property Address 0 SARA LN
 01

Alternate ID 4946972
 Class R
 Acreage 0.93

Owner Address FEASTER CHRISTOPHER J
 FEASTER ALISSA
 11243 MARSEILLES BLVD
 CLERMONT FL 34711-7362

District 01
 Brief Tax Description LL13 LD6 LT6 PHII TNLWD
 (Note: Not to be used on legal documents)

Date created: 5/1/2023
 Last Data Uploaded: 5/1/2023 5:30:05 AM



Overview



Legend

-  Parcels
-  Roads
-  Railroads
-  Lakes
-  Streams and Rivers
-  City Labels

Parcel ID	055D 096	Alternate ID	4946972	Owner Address	FEASTER CHRISTOPHER J
Sec/Twp/Rng	n/a	Class	R		FEASTER ALISSA
Property Address	0 SARA LN	Acreage	0.93		11243 MARSEILLES BLVD
	01				CLERMONT FL 34711-7362
District	01				
Brief Tax Description	LL13 LD6 LT6 PHII TNLWD				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 5/1/2023
 Last Data Uploaded: 5/1/2023 5:30:05 AM

**WHITE COUNTY PLANNING DEPARTMENT
STAFF COMMENT**

FEASTER / BOGGS

- PROPERTY IS LOCATED ON SARA LANE IN SAUTEE NACOOCHEE. IT IS IN THE R-1 SINGLE FAMILY RESIDENTIAL DISTRICT AND WILL REQUIRE A CONDITIONAL USE PERMIT FROM THE WHITE COUNTY BOARD OF COMMISSIONERS TO PLACE THE PROPERTY IN THE SHORT TERM RENTAL PROGRAM.
- PROPERTY ADJOINS TO THE SOUTH, EAST, AND WEST R-1 RESIDENTIAL SINGLE-FAMILY DISTRICT; TO THE NORTH C-1 COMMUNITY COMMERCIAL DISTRICT.
- THE WHITE COUNTY COMPREHENSIVE PLAN FUTURE LAND USE MAP INDICATES SINGLE FAMILY RESIDENTIAL.
- TOTAL ACREAGE IS 0.927.
- PROPERTY WILL BE SUPPLIED BY COMMUNITY WELL AND SEPTIC.

EXISTING LAND USE



FUTURE LAND USE



WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

Monday, June 5th, 2023
6:00 pm

White County Senior Center
1239 Helen Hwy, Cleveland, Ga. 30528

Those present were Larry Freeman, R.K. Ackerman, Charlie Thomas, Linda Dixon, and John Yarbrough. Staff members present were Harry Barton, John Sell, and Mercedes Dodd.

Chairman Thomas called the meeting to order. Mr. Yarbrough gave the invocation. No changes made to the agenda. Motion to approve the minutes of April 24th, 2023 and May 1st, 2023 made by Ms. Dixon and seconded by Mr. Yarbrough. Motion was unanimous.

Application of Nancy Dorsey to request a variance from Section 601 Access. Property is located on Valley View Drive, Cleveland, GA, 30528. Tax map and parcel is 003-027. Total acreage is 2.64. The applicant, Nancy Dorsey of 48 Stover Road in Cleveland, was present. Mr. Barton gave a summary of the application. Ms. Dorsey explained she and her sister purchased the property from their grandparents and want to split it for their wills.

Motion to approve the variance made by Mr. Ackerman and seconded by Ms. Dixon. Motion was unanimous. Mr. Barton advised the applicant to contact the Environmental Health department for plat approval.

Application of Sharon Hustedt to request a variance from Section 802 for Second Dwelling. Property is located at 899 Kanady Road, Cleveland, GA, 30528. Tax map and parcel is 036-089A. Total acreage is 2.50.

The applicant, Sharon Hustedt of 899 Kanady Road, was present. Mr. Barton gave a summary of the application. Ms. Hustedt explained the second dwelling is for family.

Motion to approve the variance made by Mr. Yarbrough and seconded by Ms. Dixon. Motion was unanimous. Mr. Barton advised the applicant to contact the Building Department for a building permit.

Application of Matthew Knaus to request a variance from Section 601 Access. Property is located on 216 Welcome Lane, Cleveland, GA, 30528. Tax map and parcel is 045A-040. Total acreage is 3.00. The applicant, Matthew Knaus of 216 Welcome Lane, was present. Mr. Barton gave a summary of the application. Mr. Knaus explained he is giving property to family.

Motion to approve the variance made by Mr. Freeman and seconded by Mr. Ackerman. Motion was unanimous. Mr. Barton advised the applicant that he would contact him when his plats were stamped.

Application of Keith and Jody McCallister to request a variance from Section 601 Access. Property is located on Webster Lake Road, Cleveland, GA, 30528. Tax map and parcel is 078-087. Total acreage is 15.00.

The applicant, Jody McCallister of 746 Dean Mountain Road, was present. Mr. Barton gave a summary of the application. Ms. McCallister explained the second tract is for family. When asked if she was made aware of a road needing to be built due to the amount of tracts already split from this parcel, Ms. McCallister said no but the seller did mention this would be the last tract that could be divided. She

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

explained that she did not purchase the property to split for sale and understands that it could not be divided again without a road being built to subdivision regulations.

Motion to approve the variance made by Mr. Freeman and seconded by Mr. Ackerman. Motion was unanimous. Mr. Barton advised the applicant that he would contact her when the plats were stamped by the Planning Department.

Application of Carlos Barnes to request a variance from Section 601 Access. Property is located on Tulip Trail, Cleveland, GA, 30528. Tax map and parcel is 050-065. Total acreage is 1.89. The applicant, Carlos Barnes of 120 Tulip Trail, was present. Mr. Barton gave a summary of the application. Mr. Barnes explained that he would eventually be living on this property and it was not for resale.

Motion to approve the variance made by Ms. Dixon and seconded by Mr. Yarbrough. Motion was unanimous. Mr. Barton advised the applicant to contact his office once he received the plats for the other tracts from Environmental Health so they could discuss next steps.

Application of Jimmy Daniel to request a variance from Section 804 Building Setback for building within a building setback. Property is located at 2034 Helen Hwy, GA, 30528. Tax and parcel is 096-035. Total acreage is 0.477. The applicant, Jimmy Daniel of 2034 Helen Highway, was present. Mr. Barton gave a summary of the application. Mr. Daniel explained the original foundation was not good so he building new. He said he received a letter for the first variance and this request is for the same distance from the property line- three feet and six inches.

Motion to approve the variance contingent upon receiving a new letter from the adjoining property owner made by Mr. Ackerman and seconded by Ms. Dixon. Motion was unanimous. Mr. Barton advised the applicant to call his office once he receives the letter from the adjoining property owner.

Application of Kathy Chastain to request a variance from Section 802 for Second Dwelling. Property is located at 260 Mulberry Drive, Cleveland, GA, 30528. Tax and parcel is 068-049. Total acreage is 5.70. The applicant, Kathy Chastain of 260 Mulberry Drive, was present. Mr. Barton gave a summary of the application. Ms. Chastain explained the second dwelling is for her children.

Motion to approve the variance made by Ms. Dixon and seconded by Mr. Freeman. Motion was unanimous. Mr. Barton advised the applicant to contact the Building Department regarding a building permit.

Application of Beverly Sosbee to request a variance from Section 601 Access. Property is located on Sal Mountain Way, Sautee Nacoochee, GA, 30571. Tax map and parcel is 072-014. Total acreage is 4.31. Representatives, PJ Campanella and Allison Suazo of 324 Leisure Acres Drive, were present on behalf of the applicant. Mr. Barton gave a summary of the application. Mr. Campanella explained they are purchasing the property and received permission to access this property from the two other lot owners. He stated the existing access would not be feasible due to needing multiple switchbacks on the steep grade.

WHITE COUNTY PLANNING COMMISSION MINUTES
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Motion to approve the variance made by Mr. Yarbrough and seconded by Ms. Dixon. Motion was unanimous. Mr. Barton advised the representatives he would contact them once the plats were stamped by the Planning Department.

Application of Wayne Quarles to request a variance from Section 601 Access. Property is located at 2601 Toll Gate Road, Cleveland, GA, 30528. Tax map and parcel is 002-001. Total acreage is 3.74. The applicant, Wayne Quarles of 2601 Toll Gate Road, was present. Mr. Barton gave a summary of the application, adding that the request is for mortgage purposes and the acreage would revert back once the mortgage is satisfied. Mr. Quarles did not have anything to add.

Motion to approve the variance made by Ms. Dixon and seconded by Mr. Freeman. Motion was unanimous. Mr. Barton advised the applicant he would contact them once the plats were stamped by the Planning Department.

Application of Susan and Sangsoo Oh to request a conditional use permit located at 403 Yonah Valley Road, Cleveland, Georgia, 30528. Tax map and parcel 045C-034. Total acreage is 13.25. Proposed use is to place in "Short Term Rental" program. Present zoning is R-1 Residential Single Family. The applicant, Susan Oh of 403 Yonah Valley Road was present. Mr. Barton gave a summary of the application. Ms. Oh stated there is a fence around the property, which is large acreage that has pastures and a pond. She said the properties nearby are on large acreage, as well.

Motion to recommend approval to the Board of Commissioners made by Mr. Freeman and seconded by Mr. Ackerman. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on Monday, June 26th.

Application of Jon Schwartz to redistrict property located at 1299 Hwy 17 in Sautee Nacoochee, Georgia, 30571 from C-1 Community Commercial District to R-1 Single Family Residential District and conditional use permit. Tax map and parcel 071-005. Total acreage is 3.98. Proposed use is for agri-tourism, wedding tourism, event facilities and attractions. Present use is C-1 Community Commercial District.

The applicant, Jon Schwartz of 1299 Highway 17, was present. Mr. Barton gave a summary of the application. Mr. Schwartz explained the previous application for an event facility was to rezone to C-2, but he plans to have small events instead. He said the maximum occupancy for outdoor events would be 50 and 24 for indoor events, adding that he did not plan on having indoor and outdoor at the same time. When asked about the steepness of the road, he said only left turns have limited views.

Motion to recommend approval to the Board of Commissioners made by Mr. Yarbrough and seconded by Mr. Ackerman. Those opposed were Mr. Freeman and Mr. Yarbrough. Chairman Thomas as the tiebreaker voted in favor of the motion due to the strong support present during the public hearing. Motion carried by majority of 3-2. Mr. Barton advised the applicant of the next meeting on Monday, June 26th.

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

Application of Yonah Mountain Vineyards to request a conditional use permit located at 62 Small Pond Dr., Cleveland, Georgia, 30528. Tax map and parcel 060D-047. Total acreage is 2.0. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family. The applicant, Eric Miller- owner of Yonah Mountain Vineyards- of 1717 Highway 255 S, was present. Mr. Barton gave a summary of the application. When asked if he would be willing to provide access to the property from the vineyard, Mr. Miller explained that he would prefer to not build in order to keep the vineyard secure and he was unsure how enforceable that access would be since the property is the first house on Small Pond Drive. He stated the maximum occupancy would be eight, but he would most likely rent to six. He said he is coordinating with the neighborhood to improve the road on Small Pond Drive.

Motion to recommend approval to the Board of Commissioners made by Mr. Ackerman and seconded by Ms. Dixon. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on Monday, June 26th.

Application of Blake Boggs, on behalf of Christopher and Alissa Feaster, to request a conditional use permit located at 0 Sara Lane, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 055D-096. Total acreage is 0.927. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

A representative, Alan Boggs with ALCO Realty of 182 S Main Street in Cleveland, was present on behalf of the applicant. Mr. Barton gave a summary of the application. Mr. Boggs stated a letter of support from the homeowner’s association was provided at the public hearing. He said the road is in good condition.

Motion to recommend approval to the Board of Commissioners made by Ms. Dixon and seconded by Mr. Yarbrough. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on Monday, June 26th.

Application of Jude M. Beckman to request a conditional use permit located at 2609 Post Road, Cleveland, Georgia, 30528. Tax map and parcel 063-038A. Total acreage is 1.50. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family. The applicant was not present; the applicant was postponed to the next Regular Session.

Consider proposed amendments to the White County Land Use Ordinance related to updates in Zoning Procedures Law (ZPL).

Mr. Barton gave a summary of the proposed amendments.

Motion to recommend approval to the Board of Commissioners made by Mr. Yarbrough and seconded by Ms. Dixon. Motion was unanimous.

Consider proposed amendments to the White County Land Use Ordinance related to provisions for Historic Preservation.

Chairman Thomas recommend the board wait to vote on a recommendation until the full board was present and have discussions in a work session for proposed changes.

Motion to table the proposed Historic Preservation Ordinance made by Mr. Ackerman and seconded by Mr. Yarbrough. Mr. Ackerman said the room was full of support but no opposition at the public hearing

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

and he would like both sides to be represented so it is good for everyone. Additionally, due to several questions not answered in the changes, he would like to see the final draft before making a recommendation to the Board of Commissioners. Motion was unanimous.

Mr. Sell stated the proposed ordinance would be added to the next Work Session to discuss all requested changes to be made to the draft.

There was no citizen comment.

Motion to adjourn made by Ms. Dixon and seconded by Mr. Ackerman. Motion was unanimous.

DRAFT

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

Tuesday, May 30th, 2023
6:00 pm

White County Senior Center
1239 Helen Hwy, Cleveland, Ga. 30528

Board members present were Larry Freeman, R.K. Ackerman, Charlie Thomas, Linda Dixon, and John Yarbrough. Staff members present were Harry Barton, John Sell, and Mercedes Dodd.

Chairman Thomas called the meeting to order. Mr. Yarbrough gave the invocation. Chairman Thomas outlined the public hearing procedures. No changes made to the agenda.

Application of Susan and Sangsoo Oh to request a conditional use permit located at 403 Yonah Valley Road, Cleveland, Georgia, 30528. Tax map and parcel 045C-034. Total acreage is 13.25. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Susan Oh of 403 Yonah Valley Road, was present. Mr. Barton gave a summary of the application. Mrs. Oh explained the proposed short-term rental would have a maximum occupancy of 12 people, parking for more than 10 vehicles on the 13 acres, and her next-door neighbor would be the emergency contact. She said she plans to utilize online platforms and has rented on and off due to not knowing she needed a license until the county notified her. Mrs. Oh said she has owned the property for ten years and began renting in the last year, but has had family and friends stay at the property. When asked if there were other short-term rentals nearby, she said no.

Chairman Thomas asked if anyone would like to speak for the application, there was no response. He asked if anyone would like to speak against the application.

Tammy Chambers of 250 Yonah Valley Road expressed concerns of the narrow road, traffic, potential for more rentals on the property due to its size, and noise. She said the owner has already been renting with three to six vehicles at a time and loud children.

Chairman Thomas asked Mrs. Oh if she had anything to add, she said no. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, June 5th.

Application of Jon Schwartz to redistrict property located at 1299 Hwy 17 in Sautee Nacoochee, Georgia, 30571 from C-1 Community Commercial District to R-1 Single Family Residential District and conditional use permit. Tax map and parcel 071-005. Total acreage is 3.98. Proposed use is for agri-tourism, wedding tourism, event facilities and attractions. Present use is C-1 Community Commercial District.

The applicant, Jon Schwartz of 1299 Highway 17, was present. Mr. Barton gave a summary of the application. Mr. Schwartz explained the proposed use would be small events that would start and end early, which is why he is requesting to move from C-1 Community Commercial to R-1 Residential Single Family. He said he hosted an indoor event in February with 24 people for the Sautee Nacoochee Cultural Center, which was a small gathering. He said his maximum occupancy would be 24-25 for the indoor space where he would host mystery dinners and has experience hosting events in Atlanta. Mr. Shwartz said he is not looking to host weddings, but would be able to have 50 people in an outdoor area for “boutique weddings” or other outdoor events. He said the majority of his events would be indoor and does not intend to host indoor and outdoor at the same time so he can keep the gatherings small. Mr. Schwartz explained the paved parking would hold 12-15 vehicles and the gravel road to the barn would

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

hold another 15 vehicles. He explained that indoor noise is not easily heard over highway traffic and outdoor events would end no later than 11pm.

Chairman Thomas asked if anyone would like to speak for the application.

Savannah Essigman, address not provided, said she is a wedding and event coordinator in Helen and the church keeper. She said the owners reached out to her with humble intentions, and she cannot see them being disruptive since they want to conserve the community.

JoAnn Sweeney of 320 Sal Mountain Way said she has known the owners for years, and they are good neighbors and people who she believes will do a good job.

Tommy Williams, who lives next door, said he has known the owner for years and has not noticed any of the events so far. He said they are good people with good intentions of keeping the events “low-key”.

Mel Whitehead, the Executive Director of the Sautee Nacoochee Cultural Center, said he has known the owner for years and his intention is for small groups with concerns about preserving the community and environment. He said the owner has offered to hold events for the cultural center and Mr. Whitehead believes this will be good for the community.

Chairman Thomas asked if anyone would like to speak against the application.

Jeff McCrew of 303 Richardson Road said he is not for or against, but wanted to know if the county does anything to preserve the residential area if approved and would hate to see it move more toward a business area.

Barbara Williams, address not provided, said she lives on the county line, said she wished to follow up to the previous speaker. She stated that the reason Mr. Schwartz wants to rezone to R-1 is to keep the property in the residential area and that if the property would be rezoned back to C-1 is when any issues about commercial could be addressed. She said C-1 to R-1 is great.

Chairman Thomas asked Mr. Schwartz if he had anything to add.

Mr. Schwartz said the property is zoned commercial now and the reason they wish for R-1 is because they plan to live there and the property has family history. He said this would be their home and where they plan to stay.

Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, June 5th.

Application of Yonah Mountain Vineyards to request a conditional use permit located at 62 Small Pond Dr., Cleveland, Georgia, 30528. Tax map and parcel 060D-047. Total acreage is 2.0. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

A representative, Danny McIntosh of 1717 Highway 255 S, was present. Mr. Barton gave a summary of the application. Mr. McIntosh explained the proposed use is to rent in conjunction with events at the facility, managed through the vineyard, and it would have a maximum occupancy of eight to ten people and four vehicles. When asked if a road could be built from the vineyard to the home, he said the property is the first house from the highway and there would not be a good way to make access to the vineyard but it does have a small trail for mowing and utilities. Mr. McIntosh said he would be the emergency contact and would coordinate with the local person on duty to go to the home. He said there is one other short-term rental on the road, which is the property the vineyard just had approved and said the second access has already been cut.

Chairman Thomas asked if anyone would like to speak for the application, there was no response. He asked if anyone would like to speak against the application.

Linda Seabolt of 106 Small Pond Drive expressed concerns of the proximity of the proposed rental to her home, previous failed long-term rentals at this home, and said this home is on her private access. She said the vineyard is still using Small Pond Drive for access after being told to gate off that access and does not understand how so many short-term rentals in the county have been approved. She said she wants to keep White County beautiful.

Stacy Brown of 248 Small Pond Drive, next door to the other short-term rental, said she is not for or against, but had questions. She said the vineyard did what they were supposed to do with the fence and so far do not seem to be disruptive. Ms. Brown stated there is always a chance for bad neighbors and it is a good thing for them to be there, but wanted to know the end goal of how many rentals on Small Pond Drive does the vineyard plan to own.

Chairman Thomas asked Mr. McIntosh if he had anything to add.

Mr. McIntosh explained they do not have a master plan and were approached by the previous owner to purchase, but plan to improve the homes they purchase. He said the road to the other rental took longer to build so they did have to use Small Pond Drive but were not closing the gate unless people were in the home. However, he said the gate will now remain closed, even if not rented, after being approached by a neighbor with the request. He said they are trying to be good neighbors and spoke with the person that does most of the road maintenance to determine improvements, which are done once a year. He said a road could be built to this home, but he was not sure if it could be enforceable since it is the first house.

Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, June 5th.

Application of Blake Boggs, on behalf of Christopher and Alissa Feaster, to request a conditional use permit located at 0 Sara Lane, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 055D-096. Total acreage is 0.927. Proposed use is to place in "Short Term Rental" program. Present zoning is R-1 Residential Single Family.

The applicant, Blake Boggs of 182 S Main Street in Cleveland, was present. Mr. Barton gave a summary of the application. Mr. Boggs explained the proposed short-term rental has not been built yet, so

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

maximum occupancy has not been determined. He said the covenants allow short-term rentals by their interpretation and he received a letter from the homeowner's association in support, which he gave to Mr. Barton for the application file. Mr. Boggs believed there was one other short-term rental in the subdivision and one property zoned R-3 Residential Seasonal. He said the property is under contract contingent upon approval of the conditional use permit.

Chairman Thomas asked if anyone would like to speak for the application, there was no response. He asked if anyone would like to speak against the application, there was no response. Mr. Boggs did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, June 5th.

Application of Jude M. Beckman to request a conditional use permit located at 2609 Post Road, Cleveland, Georgia, 30528. Tax map and parcel 063-038A. Total acreage is 1.50. Proposed use is to place in "Short Term Rental" program. Present zoning is R-1 Residential Single Family. The applicant, Jude Beckman of 2609 Post Road, was present. Mr. Barton gave a summary of the application. Mr. Beckman explained the proposed short-term rental would have a maximum occupancy of eight with parking for eight vehicles, though he doubted there would be that many. He said he plans to self-manage and lives 30 minutes away so he will be the emergency contact. Mr. Beckman stated he has been doing short-term rentals for ten years, is particular who he rents to, and does not allow parties.

Chairman Thomas asked if anyone would like to speak for the application, there was no response. He asked if anyone would like to speak against the application, there was no response. Mr. Beckman did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, June 5th.

Mr. Barton presented proposed amendments to the White County Land Use Ordinance pertaining to advertising requirements that are consistent with updates in the Georgia Zoning Procedures Law effective July 1st, 2023.

Chairman Thomas asked if there was any public comment, there was no response.

Mr. Sell presented updates made to the proposed Historic Preservation Overlay Ordinance, including changes to verbiage, withdrawal and opt in processes, and owner notification processes. Mr. Sell explained the compliance process in regard to steps to be taken by code enforcement should policy not be adhered to. He explained the buffer requirements for the affected properties and adjoining landowners. Chairman Thomas, Mr. Ackerman, and Mr. Freeman expressed concerns of the rights of the adjoining landowners. Mr. Sell stated the map would be finalized after the process for adoption if approved and properties are verified.

Chairman Thomas asked if there was any public comment.

John Erbele of 1037 Joe Black Road, Historic Committee Board Member, stated the intention for the ordinance was the least amount of government and some amount of protection. He said not much changed from last year, but the committee tried putting something together to keep White County a great place.

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

Mr. Erbele stated growth is coming and the county needs to be prepared for overflow from Helen and Gainesville.

Barbara Williams, address not provided, said the setbacks are not just residential places but are properties like Mossy Creek Church. She said that if the adjoining landowners decide to sell their properties to develop, then it would come with the caveat that they have to stay so many feet away from the church and she does not see anything wrong with that.

William Huff of 3605 Town Creek Road said he was opposed at the last meeting, but supports this revision with the new opt in and out processes. He said he does have concerns about view sheds and buffers.

Jonna Tuttle of 125 Wilderness End in Clarkesville, Georgia, said she has an appreciation for the community and is a fan of White County history and stories. She said this is what makes White County unique and it is important to hold onto not only for the economy but for families.

Spencer Robbie of 2220 Highway 17 said the community and beauty of the land in White County keeps him from moving away. He expressed support of historic preservation because it keeps the beauty and sense of life in Sautee as well as the rest of the county. He said as tourism increases, there will be growth so it is important to protect the area.

Ashley Harris of 3273 Post Road said it is important to do something to protect what makes the county beautiful and unique.

Linda Harris of 853 Laurelwood said it is important to educate people about historic areas and give them the opportunity to protect it.

Chairman Thomas asked everyone in support of the ordinance to raise their hand; the majority of the room did so. He asked everyone in opposition to raise their hands, there were none. Chairman Thomas closed the hearing.

After questions about further meetings on the historic preservation ordinance, Mr. Barton announce the Planning Commission would make a recommendation to the Board of Commissioners, who would make a decision on the ordinance at a later date to be determined. Chairman Thomas stated, due to two board members being out, that he would like the entire board to be present when the Planning Commission makes their recommendation.

There was no other citizen comments.

Motion to adjourn made by Ms. Dixon and seconded by Mr. Ackerman. Motion was unanimous.



WHITE COUNTY

Board of Commissioners

Agenda Request Form

Item Title: Proposed Amendment to White County Land Use Ordinance

For Meeting Date: 6/26/2023

Work Session **Regular Meeting** **Public Hearing**

Category (Select One): Other

Submitted By: John Sell

Attachments: Yes **If yes, please list each file name below:**

1. Land Use Ordinance Amendment
2. Public Hearing minutes of 5/30/2023
3. Regular Meeting minutes of 6/5/2023

Purpose:

To change the Land Use Ordinance Section 1809 Public notice and public hearing required. Primary change is that notification period goes from 15 to 30 days.

Background / Summary:

- HB 1405 pertaining to Zoning Procedures Law was passed in the 2022 session with a deadline for changing local ordinances of July 1, 2023. White County waited to see if any other changes would be made in the 2023 session, but they did not. Most jurisdictions in the state adjusted their notification period to 30 days for all applications to avoid confusion. A public hearing was held at the Planning Commission. No one spoke for or against the amendment. The Planning Commission voted unanimously to recommend approval.

Department Recommendation:

Planning Commission recommended approval by unanimous vote.

Options:

- Uphold Planning Commission recommendation and approve the amendment
- Reverse Planning Commission recommendation and deny the amendment.
- Table the application for further review or to send back to Planning Commission

Budget Information: Applicable Not Applicable

Budgeted: Yes No

Finance Director's Comments (if applicable):

-

County Manager Comments:

-

Section 1809. Public notice and public hearing required.

This section shall apply to all applications for amendments to (1) the text of the land use protection regulations, (2) amendments to the official zoning district map, (3) petitions for variances and appeals to the board of commissioners, (4) requests for conditional use approval, (5) requests for alteration or of conditional redistricting, (6) request for special use permit approval, and (7) request for alteration or extension of a special use permit.

Upon receipt of a completed application, fees and other information required by this article, the planning director shall cause notice of such application to be published at least one time in a newspaper of general circulation in the community at least 30 days but not more than 45 days prior to the date of the public hearing before the planning commission.

Said published notice shall include, as a minimum, the purpose, location, date and time of the public hearing, before the board of commissioners, the purpose, location, date and time of the public hearing before the planning commission, the location of the property being considered, the present land use classification of the property, and proposed action to be taken, as appropriate, such as proposed land use district, type of conditional use, variance to particular articles and sections, and so forth. The administrative office shall also cause the applicant to have posted in a conspicuous place on said property one or more sign(s), each of which shall contain the information specified for published notices. No public hearing shall take place until said sign(s) have been posted for at least 30 days, but not more than 45 days prior to the date of the public hearing. Additionally, the administrative office will cause a letter to be mailed to each of the adjoining property owners and the applicant with the public notice information. Only owners reflected on the records of the tax assessors' office as of the date of the application shall be entitled to notice.

On any application, a public hearing shall be held by the planning commission who reviews and makes their recommendation. The application along with their recommendation shall be forwarded to the board of commissioners for their review.

Public hearings may be delayed, rescheduled or continued at another time and date, provided announcement is given at the time and place of the initially scheduled and advertised public hearing, and provided such date, time and location of the public hearing to be delayed, rescheduled or continued is given. If the applicant of a petition before the planning commission or fails to attend the public hearing, then the planning commission may require re-advertisement of the subject petition at the expense of the applicant or may proceed on the application in the absence of the applicant or the applicant's legal representative. If the petition has been rescheduled or delayed at the request of or due to the absence of the applicant, the petition may be held for up to two meeting cycles without resubmittal being required. If after two meeting cycles no action has been taken by the applicant, the petition will be considered closed and a new application would need to be submitted in order to be presented to the planning commission.

(Res. No. 2019-09, 6-4-19; Res. No. 2023-01, 1-19-23)

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

Monday, June 5th, 2023
6:00 pm

White County Senior Center
1239 Helen Hwy, Cleveland, Ga. 30528

Those present were Larry Freeman, R.K. Ackerman, Charlie Thomas, Linda Dixon, and John Yarbrough. Staff members present were Harry Barton, John Sell, and Mercedes Dodd.

Chairman Thomas called the meeting to order. Mr. Yarbrough gave the invocation. No changes made to the agenda. Motion to approve the minutes of April 24th, 2023 and May 1st, 2023 made by Ms. Dixon and seconded by Mr. Yarbrough. Motion was unanimous.

Application of Nancy Dorsey to request a variance from Section 601 Access. Property is located on Valley View Drive, Cleveland, GA, 30528. Tax map and parcel is 003-027. Total acreage is 2.64. The applicant, Nancy Dorsey of 48 Stover Road in Cleveland, was present. Mr. Barton gave a summary of the application. Ms. Dorsey explained she and her sister purchased the property from their grandparents and want to split it for their wills.

Motion to approve the variance made by Mr. Ackerman and seconded by Ms. Dixon. Motion was unanimous. Mr. Barton advised the applicant to contact the Environmental Health department for plat approval.

Application of Sharon Hustedt to request a variance from Section 802 for Second Dwelling. Property is located at 899 Kanady Road, Cleveland, GA, 30528. Tax map and parcel is 036-089A. Total acreage is 2.50.

The applicant, Sharon Hustedt of 899 Kanady Road, was present. Mr. Barton gave a summary of the application. Ms. Hustedt explained the second dwelling is for family.

Motion to approve the variance made by Mr. Yarbrough and seconded by Ms. Dixon. Motion was unanimous. Mr. Barton advised the applicant to contact the Building Department for a building permit.

Application of Matthew Knaus to request a variance from Section 601 Access. Property is located on 216 Welcome Lane, Cleveland, GA, 30528. Tax map and parcel is 045A-040. Total acreage is 3.00. The applicant, Matthew Knaus of 216 Welcome Lane, was present. Mr. Barton gave a summary of the application. Mr. Knaus explained he is giving property to family.

Motion to approve the variance made by Mr. Freeman and seconded by Mr. Ackerman. Motion was unanimous. Mr. Barton advised the applicant that he would contact him when his plats were stamped.

Application of Keith and Jody McCallister to request a variance from Section 601 Access. Property is located on Webster Lake Road, Cleveland, GA, 30528. Tax map and parcel is 078-087. Total acreage is 15.00.

The applicant, Jody McCallister of 746 Dean Mountain Road, was present. Mr. Barton gave a summary of the application. Ms. McCallister explained the second tract is for family. When asked if she was made aware of a road needing to be built due to the amount of tracts already split from this parcel, Ms. McCallister said no but the seller did mention this would be the last tract that could be divided. She

WHITE COUNTY PLANNING COMMISSION MINUTES
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explained that she did not purchase the property to split for sale and understands that it could not be divided again without a road being built to subdivision regulations.

Motion to approve the variance made by Mr. Freeman and seconded by Mr. Ackerman. Motion was unanimous. Mr. Barton advised the applicant that he would contact her when the plats were stamped by the Planning Department.

Application of Carlos Barnes to request a variance from Section 601 Access. Property is located on Tulip Trail, Cleveland, GA, 30528. Tax map and parcel is 050-065. Total acreage is 1.89. The applicant, Carlos Barnes of 120 Tulip Trail, was present. Mr. Barton gave a summary of the application. Mr. Barnes explained that he would eventually be living on this property and it was not for resale.

Motion to approve the variance made by Ms. Dixon and seconded by Mr. Yarbrough. Motion was unanimous. Mr. Barton advised the applicant to contact his office once he received the plats for the other tracts from Environmental Health so they could discuss next steps.

Application of Jimmy Daniel to request a variance from Section 804 Building Setback for building within a building setback. Property is located at 2034 Helen Hwy, GA, 30528. Tax and parcel is 096-035. Total acreage is 0.477. The applicant, Jimmy Daniel of 2034 Helen Highway, was present. Mr. Barton gave a summary of the application. Mr. Daniel explained the original foundation was not good so he building new. He said he received a letter for the first variance and this request is for the same distance from the property line- three feet and six inches.

Motion to approve the variance contingent upon receiving a new letter from the adjoining property owner made by Mr. Ackerman and seconded by Ms. Dixon. Motion was unanimous. Mr. Barton advised the applicant to call his office once he receives the letter from the adjoining property owner.

Application of Kathy Chastain to request a variance from Section 802 for Second Dwelling. Property is located at 260 Mulberry Drive, Cleveland, GA, 30528. Tax and parcel is 068-049. Total acreage is 5.70. The applicant, Kathy Chastain of 260 Mulberry Drive, was present. Mr. Barton gave a summary of the application. Ms. Chastain explained the second dwelling is for her children.

Motion to approve the variance made by Ms. Dixon and seconded by Mr. Freeman. Motion was unanimous. Mr. Barton advised the applicant to contact the Building Department regarding a building permit.

Application of Beverly Sosbee to request a variance from Section 601 Access. Property is located on Sal Mountain Way, Sautee Nacoochee, GA, 30571. Tax map and parcel is 072-014. Total acreage is 4.31. Representatives, PJ Campanella and Allison Suazo of 324 Leisure Acres Drive, were present on behalf of the applicant. Mr. Barton gave a summary of the application. Mr. Campanella explained they are purchasing the property and received permission to access this property from the two other lot owners. He stated the existing access would not be feasible due to needing multiple switchbacks on the steep grade.

WHITE COUNTY PLANNING COMMISSION MINUTES
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Motion to approve the variance made by Mr. Yarbrough and seconded by Ms. Dixon. Motion was unanimous. Mr. Barton advised the representatives he would contact them once the plats were stamped by the Planning Department.

Application of Wayne Quarles to request a variance from Section 601 Access. Property is located at 2601 Toll Gate Road, Cleveland, GA, 30528. Tax map and parcel is 002-001. Total acreage is 3.74. The applicant, Wayne Quarles of 2601 Toll Gate Road, was present. Mr. Barton gave a summary of the application, adding that the request is for mortgage purposes and the acreage would revert back once the mortgage is satisfied. Mr. Quarles did not have anything to add.

Motion to approve the variance made by Ms. Dixon and seconded by Mr. Freeman. Motion was unanimous. Mr. Barton advised the applicant he would contact them once the plats were stamped by the Planning Department.

Application of Susan and Sangsoo Oh to request a conditional use permit located at 403 Yonah Valley Road, Cleveland, Georgia, 30528. Tax map and parcel 045C-034. Total acreage is 13.25. Proposed use is to place in "Short Term Rental" program. Present zoning is R-1 Residential Single Family. The applicant, Susan Oh of 403 Yonah Valley Road was present. Mr. Barton gave a summary of the application. Ms. Oh stated there is a fence around the property, which is large acreage that has pastures and a pond. She said the properties nearby are on large acreage, as well.

Motion to recommend approval to the Board of Commissioners made by Mr. Freeman and seconded by Mr. Ackerman. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on Monday, June 26th.

Application of Jon Schwartz to redistrict property located at 1299 Hwy 17 in Sautee Nacoochee, Georgia, 30571 from C-1 Community Commercial District to R-1 Single Family Residential District and conditional use permit. Tax map and parcel 071-005. Total acreage is 3.98. Proposed use is for agri-tourism, wedding tourism, event facilities and attractions. Present use is C-1 Community Commercial District.

The applicant, Jon Schwartz of 1299 Highway 17, was present. Mr. Barton gave a summary of the application. Mr. Schwartz explained the previous application for an event facility was to rezone to C-2, but he plans to have small events instead. He said the maximum occupancy for outdoor events would be 50 and 24 for indoor events, adding that he did not plan on having indoor and outdoor at the same time. When asked about the steepness of the road, he said only left turns have limited views.

Motion to recommend approval to the Board of Commissioners made by Mr. Yarbrough and seconded by Mr. Ackerman. Those opposed were Mr. Freeman and Mr. Yarbrough. Chairman Thomas as the tiebreaker voted in favor of the motion due to the strong support present during the public hearing. Motion carried by majority of 3-2. Mr. Barton advised the applicant of the next meeting on Monday, June 26th.

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Application of Yonah Mountain Vineyards to request a conditional use permit located at 62 Small Pond Dr., Cleveland, Georgia, 30528. Tax map and parcel 060D-047. Total acreage is 2.0. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family. The applicant, Eric Miller- owner of Yonah Mountain Vineyards- of 1717 Highway 255 S, was present. Mr. Barton gave a summary of the application. When asked if he would be willing to provide access to the property from the vineyard, Mr. Miller explained that he would prefer to not build in order to keep the vineyard secure and he was unsure how enforceable that access would be since the property is the first house on Small Pond Drive. He stated the maximum occupancy would be eight, but he would most likely rent to six. He said he is coordinating with the neighborhood to improve the road on Small Pond Drive.

Motion to recommend approval to the Board of Commissioners made by Mr. Ackerman and seconded by Ms. Dixon. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on Monday, June 26th.

Application of Blake Boggs, on behalf of Christopher and Alissa Feaster, to request a conditional use permit located at 0 Sara Lane, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 055D-096. Total acreage is 0.927. Proposed use is to place in “Short Term Rental” program, Present zoning is R-1 Residential Single Family.

A representative, Alan Boggs with ALCO Realty of 182 S Main Street in Cleveland, was present on behalf of the applicant. Mr. Barton gave a summary of the application. Mr. Boggs stated a letter of support from the homeowner’s association was provided at the public hearing. He said the road is in good condition.

Motion to recommend approval to the Board of Commissioners made by Ms. Dixon and seconded by Mr. Yarbrough. Motion was unanimous. Mr. Barton advised the applicant of the next meeting on Monday, June 26th.

Application of Jude M. Beckman to request a conditional use permit located at 2609 Post Road, Cleveland, Georgia, 30528. Tax map and parcel 063-038A. Total acreage is 1.50. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family. The applicant was not present; the applicant was postponed to the next Regular Session.

Consider proposed amendments to the White County Land Use Ordinance related to updates in Zoning Procedures Law (ZPL).

Mr. Barton gave a summary of the proposed amendments.

Motion to recommend approval to the Board of Commissioners made by Mr. Yarbrough and seconded by Ms. Dixon. Motion was unanimous.

Consider proposed amendments to the White County Land Use Ordinance related to provisions for Historic Preservation.

Chairman Thomas recommend the board wait to vote on a recommendation until the full board was present and have discussions in a work session for proposed changes.

Motion to table the proposed Historic Preservation Ordinance made by Mr. Ackerman and seconded by Mr. Yarbrough. Mr. Ackerman said the room was full of support but no opposition at the public hearing

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and he would like both sides to be represented so it is good for everyone. Additionally, due to several questions not answered in the changes, he would like to see the final draft before making a recommendation to the Board of Commissioners. Motion was unanimous.

Mr. Sell stated the proposed ordinance would be added to the next Work Session to discuss all requested changes to be made to the draft.

There was no citizen comment.

Motion to adjourn made by Ms. Dixon and seconded by Mr. Ackerman. Motion was unanimous.

DRAFT

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

Tuesday, May 30th, 2023
6:00 pm

White County Senior Center
1239 Helen Hwy, Cleveland, Ga. 30528

Board members present were Larry Freeman, R.K. Ackerman, Charlie Thomas, Linda Dixon, and John Yarbrough. Staff members present were Harry Barton, John Sell, and Mercedes Dodd.

Chairman Thomas called the meeting to order. Mr. Yarbrough gave the invocation. Chairman Thomas outlined the public hearing procedures. No changes made to the agenda.

Application of Susan and Sangsoo Oh to request a conditional use permit located at 403 Yonah Valley Road, Cleveland, Georgia, 30528. Tax map and parcel 045C-034. Total acreage is 13.25. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

The applicant, Susan Oh of 403 Yonah Valley Road, was present. Mr. Barton gave a summary of the application. Mrs. Oh explained the proposed short-term rental would have a maximum occupancy of 12 people, parking for more than 10 vehicles on the 13 acres, and her next-door neighbor would be the emergency contact. She said she plans to utilize online platforms and has rented on and off due to not knowing she needed a license until the county notified her. Mrs. Oh said she has owned the property for ten years and began renting in the last year, but has had family and friends stay at the property. When asked if there were other short-term rentals nearby, she said no.

Chairman Thomas asked if anyone would like to speak for the application, there was no response. He asked if anyone would like to speak against the application.

Tammy Chambers of 250 Yonah Valley Road expressed concerns of the narrow road, traffic, potential for more rentals on the property due to its size, and noise. She said the owner has already been renting with three to six vehicles at a time and loud children.

Chairman Thomas asked Mrs. Oh if she had anything to add, she said no. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, June 5th.

Application of Jon Schwartz to redistrict property located at 1299 Hwy 17 in Sautee Nacoochee, Georgia, 30571 from C-1 Community Commercial District to R-1 Single Family Residential District and conditional use permit. Tax map and parcel 071-005. Total acreage is 3.98. Proposed use is for agri-tourism, wedding tourism, event facilities and attractions. Present use is C-1 Community Commercial District.

The applicant, Jon Schwartz of 1299 Highway 17, was present. Mr. Barton gave a summary of the application. Mr. Schwartz explained the proposed use would be small events that would start and end early, which is why he is requesting to move from C-1 Community Commercial to R-1 Residential Single Family. He said he hosted an indoor event in February with 24 people for the Sautee Nacoochee Cultural Center, which was a small gathering. He said his maximum occupancy would be 24-25 for the indoor space where he would host mystery dinners and has experience hosting events in Atlanta. Mr. Shwartz said he is not looking to host weddings, but would be able to have 50 people in an outdoor area for “boutique weddings” or other outdoor events. He said the majority of his events would be indoor and does not intend to host indoor and outdoor at the same time so he can keep the gatherings small. Mr. Schwartz explained the paved parking would hold 12-15 vehicles and the gravel road to the barn would

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

hold another 15 vehicles. He explained that indoor noise is not easily heard over highway traffic and outdoor events would end no later than 11pm.

Chairman Thomas asked if anyone would like to speak for the application.

Savannah Essigman, address not provided, said she is a wedding and event coordinator in Helen and the church keeper. She said the owners reached out to her with humble intentions, and she cannot see them being disruptive since they want to conserve the community.

JoAnn Sweeney of 320 Sal Mountain Way said she has known the owners for years, and they are good neighbors and people who she believes will do a good job.

Tommy Williams, who lives next door, said he has known the owner for years and has not noticed any of the events so far. He said they are good people with good intentions of keeping the events “low-key”.

Mel Whitehead, the Executive Director of the Sautee Nacoochee Cultural Center, said he has known the owner for years and his intention is for small groups with concerns about preserving the community and environment. He said the owner has offered to hold events for the cultural center and Mr. Whitehead believes this will be good for the community.

Chairman Thomas asked if anyone would like to speak against the application.

Jeff McCrew of 303 Richardson Road said he is not for or against, but wanted to know if the county does anything to preserve the residential area if approved and would hate to see it move more toward a business area.

Barbara Williams, address not provided, said she lives on the county line, said she wished to follow up to the previous speaker. She stated that the reason Mr. Schwartz wants to rezone to R-1 is to keep the property in the residential area and that if the property would be rezoned back to C-1 is when any issues about commercial could be addressed. She said C-1 to R-1 is great.

Chairman Thomas asked Mr. Schwartz if he had anything to add.

Mr. Schwartz said the property is zoned commercial now and the reason they wish for R-1 is because they plan to live there and the property has family history. He said this would be their home and where they plan to stay.

Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, June 5th.

Application of Yonah Mountain Vineyards to request a conditional use permit located at 62 Small Pond Dr., Cleveland, Georgia, 30528. Tax map and parcel 060D-047. Total acreage is 2.0. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

A representative, Danny McIntosh of 1717 Highway 255 S, was present. Mr. Barton gave a summary of the application. Mr. McIntosh explained the proposed use is to rent in conjunction with events at the facility, managed through the vineyard, and it would have a maximum occupancy of eight to ten people and four vehicles. When asked if a road could be built from the vineyard to the home, he said the property is the first house from the highway and there would not be a good way to make access to the vineyard but it does have a small trail for mowing and utilities. Mr. McIntosh said he would be the emergency contact and would coordinate with the local person on duty to go to the home. He said there is one other short-term rental on the road, which is the property the vineyard just had approved and said the second access has already been cut.

Chairman Thomas asked if anyone would like to speak for the application, there was no response. He asked if anyone would like to speak against the application.

Linda Seabolt of 106 Small Pond Drive expressed concerns of the proximity of the proposed rental to her home, previous failed long-term rentals at this home, and said this home is on her private access. She said the vineyard is still using Small Pond Drive for access after being told to gate off that access and does not understand how so many short-term rentals in the county have been approved. She said she wants to keep White County beautiful.

Stacy Brown of 248 Small Pond Drive, next door to the other short-term rental, said she is not for or against, but had questions. She said the vineyard did what they were supposed to do with the fence and so far do not seem to be disruptive. Ms. Brown stated there is always a chance for bad neighbors and it is a good thing for them to be there, but wanted to know the end goal of how many rentals on Small Pond Drive does the vineyard plan to own.

Chairman Thomas asked Mr. McIntosh if he had anything to add.

Mr. McIntosh explained they do not have a master plan and were approached by the previous owner to purchase, but plan to improve the homes they purchase. He said the road to the other rental took longer to build so they did have to use Small Pond Drive but were not closing the gate unless people were in the home. However, he said the gate will now remain closed, even if not rented, after being approached by a neighbor with the request. He said they are trying to be good neighbors and spoke with the person that does most of the road maintenance to determine improvements, which are done once a year. He said a road could be built to this home, but he was not sure if it could be enforceable since it is the first house.

Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, June 5th.

Application of Blake Boggs, on behalf of Christopher and Alissa Feaster, to request a conditional use permit located at 0 Sara Lane, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 055D-096. Total acreage is 0.927. Proposed use is to place in "Short Term Rental" program. Present zoning is R-1 Residential Single Family.

The applicant, Blake Boggs of 182 S Main Street in Cleveland, was present. Mr. Barton gave a summary of the application. Mr. Boggs explained the proposed short-term rental has not been built yet, so

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PUBLIC HEARING: LAND USE REGULATION

maximum occupancy has not been determined. He said the covenants allow short-term rentals by their interpretation and he received a letter from the homeowner's association in support, which he gave to Mr. Barton for the application file. Mr. Boggs believed there was one other short-term rental in the subdivision and one property zoned R-3 Residential Seasonal. He said the property is under contract contingent upon approval of the conditional use permit.

Chairman Thomas asked if anyone would like to speak for the application, there was no response. He asked if anyone would like to speak against the application, there was no response. Mr. Boggs did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, June 5th.

Application of Jude M. Beckman to request a conditional use permit located at 2609 Post Road, Cleveland, Georgia, 30528. Tax map and parcel 063-038A. Total acreage is 1.50. Proposed use is to place in "Short Term Rental" program. Present zoning is R-1 Residential Single Family. The applicant, Jude Beckman of 2609 Post Road, was present. Mr. Barton gave a summary of the application. Mr. Beckman explained the proposed short-term rental would have a maximum occupancy of eight with parking for eight vehicles, though he doubted there would be that many. He said he plans to self-manage and lives 30 minutes away so he will be the emergency contact. Mr. Beckman stated he has been doing short-term rentals for ten years, is particular who he rents to, and does not allow parties.

Chairman Thomas asked if anyone would like to speak for the application, there was no response. He asked if anyone would like to speak against the application, there was no response. Mr. Beckman did not have anything to add. Chairman Thomas closed the hearing. Mr. Barton advised the applicant of the next meeting on Monday, June 5th.

Mr. Barton presented proposed amendments to the White County Land Use Ordinance pertaining to advertising requirements that are consistent with updates in the Georgia Zoning Procedures Law effective July 1st, 2023.

Chairman Thomas asked if there was any public comment, there was no response.

Mr. Sell presented updates made to the proposed Historic Preservation Overlay Ordinance, including changes to verbiage, withdrawal and opt in processes, and owner notification processes. Mr. Sell explained the compliance process in regard to steps to be taken by code enforcement should policy not be adhered to. He explained the buffer requirements for the affected properties and adjoining landowners. Chairman Thomas, Mr. Ackerman, and Mr. Freeman expressed concerns of the rights of the adjoining landowners. Mr. Sell stated the map would be finalized after the process for adoption if approved and properties are verified.

Chairman Thomas asked if there was any public comment.

John Erbele of 1037 Joe Black Road, Historic Committee Board Member, stated the intention for the ordinance was the least amount of government and some amount of protection. He said not much changed from last year, but the committee tried putting something together to keep White County a great place.

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Mr. Erbele stated growth is coming and the county needs to be prepared for overflow from Helen and Gainesville.

Barbara Williams, address not provided, said the setbacks are not just residential places but are properties like Mossy Creek Church. She said that if the adjoining landowners decide to sell their properties to develop, then it would come with the caveat that they have to stay so many feet away from the church and she does not see anything wrong with that.

William Huff of 3605 Town Creek Road said he was opposed at the last meeting, but supports this revision with the new opt in and out processes. He said he does have concerns about view sheds and buffers.

Jonna Tuttle of 125 Wilderness End in Clarkesville, Georgia, said she has an appreciation for the community and is a fan of White County history and stories. She said this is what makes White County unique and it is important to hold onto not only for the economy but for families.

Spencer Robbie of 2220 Highway 17 said the community and beauty of the land in White County keeps him from moving away. He expressed support of historic preservation because it keeps the beauty and sense of life in Sautee as well as the rest of the county. He said as tourism increases, there will be growth so it is important to protect the area.

Ashley Harris of 3273 Post Road said it is important to do something to protect what makes the county beautiful and unique.

Linda Harris of 853 Laurelwood said it is important to educate people about historic areas and give them the opportunity to protect it.

Chairman Thomas asked everyone in support of the ordinance to raise their hand; the majority of the room did so. He asked everyone in opposition to raise their hands, there were none. Chairman Thomas closed the hearing.

After questions about further meetings on the historic preservation ordinance, Mr. Barton announce the Planning Commission would make a recommendation to the Board of Commissioners, who would make a decision on the ordinance at a later date to be determined. Chairman Thomas stated, due to two board members being out, that he would like the entire board to be present when the Planning Commission makes their recommendation.

There was no other citizen comments.

Motion to adjourn made by Ms. Dixon and seconded by Mr. Ackerman. Motion was unanimous.

WHITE COUNTY BOARD OF COMMISSIONERS

RESOLUTION NO. 2023-10

A RESOLUTION TO AMEND APPENDIX C. LAND USE REGULATIONS, ARTICLE XVIII. AMENDMENT, APPLICATION, AND PROCEDURAL REQUIREMENTS, SECTION 1809. PUBLIC NOTICE AND PUBLIC HEARING REQUIRED.) RELATED TO UPDATES IN ZONING PROCEDURES LAW (ZPL) MADE BY HB 1405.

WHEREAS, The White County Board of Commissioners adopted the White County Land Use Ordinance on March 30, 2015, by Resolution No. 2015-02 and has amended this ordinance by subsequent resolutions;

AND WHEREAS, The White County Board of Commissioners have the authority to further amend the White County Land Use Ordinance according to procedures outlined within O.C.G.A. § 36-66-1 et seq.;

AND WHEREAS, The White County Board of Commissioners now wishes to further amend the Ordinance as follows having acted in accordance with the procedures within O.C.G.A. § 36-66-1 et seq.;

NOW, THEREFORE, it is hereby **RESOLVED** that the White County Land Use Ordinance be amended as follows to be effective June 26, 2023:

RESOLVED, this 26th day of June, 2023.

WHITE COUNTY BOARD OF COMMISSIONERS

Travis C. Turner, Chairman

Terry D. Goodger, District 1

Lyn Holcomb, District 2

Edwin Nix, District 3

Craig Bryant, District 4

Attest: _____
Shanda Murphy, County Clerk

Section 1809. Public notice and public hearing required.

This section shall apply to all applications for amendments to (1) the text of the land use protection regulations, (2) amendments to the official zoning district map, (3) petitions for variances and appeals to the board of commissioners, (4) requests for conditional use approval, (5) requests for alteration or of conditional redistricting, (6) request for special use permit approval, and (7) request for alteration or extension of a special use permit.

Upon receipt of a completed application, fees and other information required by this article, the planning director shall cause notice of such application to be published at least one time in a newspaper of general circulation in the community at least 30 days but not more than 45 days prior to the date of the public hearing before the planning commission.

Said published notice shall include, as a minimum, the purpose, location, date and time of the public hearing before the board of commissioners, the purpose, location, date and time of the public hearing before the planning commission, the location of the property being considered, the present land use classification of the property, and proposed action to be taken, as appropriate, such as proposed land use district, type of conditional use, variance to particular articles and sections, and so forth. The administrative office shall also cause the applicant to have posted in a conspicuous place on said property one or more sign(s), each of which shall contain the information specified for published notices. No public hearing shall take place until said sign(s) have been posted for at least 30 days, but not more than 45 days prior to the date of the public hearing. Additionally, the administrative office will cause a letter to be mailed to each of the adjoining property owners and the applicant with the public notice information. Only owners reflected on the records of the tax assessors' office as of the date of the application shall be entitled to notice.

On any application, a public hearing shall be held by the planning commission who reviews and makes their recommendation. The application along with their recommendation shall be forwarded to the board of commissioners for their review.

Public hearings may be delayed, rescheduled or continued at another time and date, provided announcement is given at the time and place of the initially scheduled and advertised public hearing, and provided such date, time and location of the public hearing to be delayed, rescheduled or continued is given. If the applicant of a petition before the planning commission or fails to attend the public hearing, then the planning commission may require re-advertisement of the subject petition at the expense of the applicant or may proceed on the application in the absence of the applicant or the applicant's legal representative. If the petition has been rescheduled or delayed at the request of or due to the absence of the applicant, the petition may be held for up to two meeting cycles without resubmittal being required. If after two meeting cycles no action has been taken by the applicant, the petition will be considered closed and a new application would need to be submitted in order to be presented to the planning commission.



WHITE COUNTY

Board of Commissioners

Item Title:

Turf Tank Contract

6/27/2022

Work Session **Regular Meeting** **Public Hearing**

Category (Select One): Contract / IGA

Submitted By: Kim McEntire

Attachments: Yes **If yes, please list each file name below:**

1. Contract packet
2. _____
3. _____

Purpose:

The BOC allotted money in the Grounds Maintenance FY24 budget line for the yearly agreement for lease of a GPS field marking robot. The lease of this machine will allow one person to line athletic fields with the robot in half the time it takes four employees to line athletic fields the traditional way. This machine will save time, money, and resources. This contract is for 6 years, at the agreed-upon price of \$16,000/year.

Background / Summary:

- The Turf Tank is a sole source provided product
- The subscription includes the robot, GPS software, \$3,000 allotment of paint, maintenance and training visits, and a courtesy robot if needed

Department Recommendation:

I recommend allowing the County Manager to sign the agreement.

Options:

- Allow the County Manager to sign the contract
- Not allow the County Manager to sign the contract

Budget Information: Applicable Not Applicable

Budgeted: Yes No

Finance Director's Comments (if applicable):

- Funds are budgeted in FY2024 for this agreement.

County Manager Comments:

- This evaluated and approved in the 2024 budget
- This based on the evaluation, this apparatus will more than pay for itself in time.by reducing staff.
- Recommend a motion to allow the county manager to approve this purchase.



TURF TANK®
WWW.TURFTANK.COM

1/1/2022

To whom it may concern –

Please accept this letter as our assurance and validation that:

Sole Source Statement:

Turf Tank is the exclusive sole distributor in North America for the Intelligent One Field Marking Robot manufactured by Intelligent Marking. In addition, this product is considered a "sole source" provided product in that only the ION Robot incorporates the integration of an on-site ground base station, eliminating the reliance of a 3rd party network provider to operate. Additionally, this product is designed as a 4-wheeled autonomous GPS robot, creating the highest level of accuracy and stability for the consumer.

Additionally, Turf Tank is the sole source of providing the warranty, service, support and upgrades which is built into the Customer Care Plan that is billed annually to the customer.

Sincerely,

Ryan Stubbe

VP of Sales & Marketing

Turf Tank

877-396-4094 (Office)

ryan.stubbe@turftank.com | www.TurfTank.com



TURF TANK®

[GA] White County Parks and Recreation –Pro Subscription

[GA] White County Parks and Recreation

327 Asbestos Rd
Cleveland, GA 38583
United States

Reference: 20230616-110621698

Quote created: June 16, 2023

Quote expires: September 14, 2023

Quote created by: Stephen Hinds

stephen.hinds@turftank.com

Billy Pittard

County Manager
bpittard@whitecounty.net

Kim Mcentire

Director
kmcentire@whitecounty.net
7068098538

Products & Services

Item & Description	SKU	Quantity	Unit Price	Total
US - Turf Tank Pro Package - Subscription Includes:		1	\$16,000.00 / year	\$16,000.00 / year for 6 years
<ul style="list-style-type: none"> - GPS Paint Robot + GPS Package (Includes Android Tablet) - Continuous Software Improvements - Free Form Text Creation - Customized Logo Creation (Available Late 2022) - Standard Geometry Package - Extended Geometry Package - Paint: \$3,000 Allotment of Paint (White) - (3) Robot Batteries - Customer Support: 24/7 Monday-Sunday - Hardware Warranty Program: Full (Includes 				

Item & Description	SKU	Quantity	Unit Price	Total
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Consumables)

- (1) Paint System Service Kit/per year: (Includes: 1-Solenoid, 1-Pump, 1- Suction rod assembly, 1-tubing set.)
- (2) 5.5 Gallon Paint Container for Robot
- (2) 2.5 Gallon Empty Paint Containers
- Customized Robot Wrapping
- (2) Maintenance & Training Visits/Per Year
- Courtesy Robot (If necessary)

US - Turf Tank Pro Package - Upfront Implementation Cost		1	\$1,700.00	\$1,700.00
--	--	---	------------	------------

Includes:

- Configuration & Shipping of Robot
- Secure Inventory & Lock in Installation Date
- Product Training & Online Resources

Subtotals

Annual subtotal				\$16,000.00
One-time subtotal				\$1,700.00
			Total	\$17,700.00

Purchase terms & Comments

<u>Invoice Type</u>	<u>Invoice Details</u>
Implementation Fee Invoice	Implementation Fee Invoice must be paid prior to the shipment and installation of the robot. The invoice for Implementation Fee should be available within 24 hours after the contract has been signed and returned. The invoice will be emailed to the billing contact on file and will be from billing@turftank.com .
First Invoice	First Invoice will be emailed and made available within 24 hours after the robot has been shipped. Payment will be due at the installation and training of the robot. The invoice will be emailed to the billing contact on file and will be from billing@turftank.com .

Signature

Signature

Date

Printed name

Questions? Contact me



Stephen Hinds
stephen.hinds@turftank.com

Turf Tank
3330 Cobb Parkway NW
Suite 324-380
Acworth, GA 30101
United States

CUSTOMER	Company Name White County Parks and Recreation	Country United States			Phone Number
	Billing Address PO Box 495,	City Cleveland	State GA	Zip 30528	Rental Order Requisition Number 11193382677
	PALLET DELIVERY Address (Estimated Weight: Up to 400lbs.) 327 Asbestos Road		City Cleveland	State GA	Zip 30528

EQUIPMENT INFORMATION	Equipment Description	Model Number	Serial Number	Quantity	Description (Attach Separate Schedule A If Necessary)	New	Used
		Turf Tank ONE Robot	PRO		1	GPS Line Marking Robot	<input checked="" type="checkbox"/>

PAYMENT INFORMATION	Payment Frequency			Number of Payments	Rental Payment	Applicable Sales Tax	Total Rental Payment	Currency	USD	Installation Fee	+ \$1,700
	Quarter	Annual	Other								
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	6	+ \$16,000	+	= \$96,000	Term (Months)	72	1st period Payment (Due at Install)	+ \$16,000
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		+	+	=	Total Payment	\$97,700	Other	+
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		+	+	=	Total Payment Enclosed		Total Payment Enclosed	= \$17,700

TERMS AND CONDITIONS

- Sub-Rental Agreement:** White County Parks, a (Name of Customer) (the "Customer" or "You") agree to rent from us (the "Sub-lessor") the equipment listed above and, on any schedule, attached to this Sub-Rental Agreement (the "Equipment"). Turf Tank ApS (the "Owner") holds full and unconditional title to the Equipment (see Section 2 below). The Owner has prior to this Sub-Rental Agreement rented the Equipment to the Sub-lessor on a separate rental agreement under which the Sub-lessor is entitled to sublease the Equipment on the Terms and Conditions stipulated in this Sub-Rental Agreement. This Sub-Rental Agreement is effective on the date that it is accepted and signed by us, and the term of this Sub-Rental Agreement begins on that date or any later date that we designate (the "Commencement Date") and continues thereafter for the number of months indicated above. This agreement shall automatically renew for a term of twelve (12) months (an "Extended Term") unless either party notifies the other party that it wishes to terminate the agreement at least thirty (30) days prior to the expiration of the original term, and thirty (30) days prior to the expiration of any Extended Term. With each additional term, the existing warranty will remain in effect, and the parties agree that the payment hereunder shall be increased by three percent (3%) during each Extended Term. Payments are due upon receipt of invoices issued by Sub-lessor. If the Equipment is delivered prior to the Commencement Date, you agree to pay a prorated amount calculated as a per day rate utilizing the monthly amount hereunder divided by thirty (30). Any amendment or revision to this Agreement must be in writing and signed by both parties to be enforceable. In addition to rental payments, Customer agrees to pay when due, either directly or as reimbursement to us, all sales, use and personal property taxes and charges in connection with ownership and use of the Equipment, unless Customer is exempt from paying such taxes and charges by law. Any such applicable charges will be reflected on invoices issued by Sub-lessor.
- Title:** The Owner, Turf Tank ApS, a Danish private limited company validly incorporated under the laws of Denmark with company registration no. 36722436 and its registered address at Lansen 15 DK9230 Svenstrup J, has full and unconditional title to the Equipment. If this Sub-Rental Agreement is deemed to be a security agreement, you grant Sub-lessor – and ultimately the Owner – a security interest in the Equipment and any proceeds therefrom. By signing this Agreement, Customer authorizes Sub-lessor to sign and file Uniform Commercial Code ("UCC") financing statements on the Equipment.
- Equipment Use, Maintenance, Warranties and Data Access:** Sub-lessor hereby transfers to you any manufacturer warranties provided to us and/or the Owner. Said warranty coverage is set forth on Appendix B to this Agreement. Aside from items covered by the warranty, Customer is required at Customer's cost to keep the Equipment in good working condition and to pay for all supplies and repairs. If the Rental Payments include the cost of maintenance and/or service provided by a third party, Customer agrees that neither Sub-lessor nor the Owner are responsible to provide the maintenance or service and Customer will make all claims related to maintenance and service to the third party. You agree that any claims related to maintenance or service will not impact Customer's obligation to pay all the Rental Payments when due. Customer hereby acknowledges and consents to the acquisition by Sub-Lessor of certain data utilized to operate the equipment. Customer agrees that Sub-Lessor may access such data and Sub-Lessor agrees that it will keep all such data strictly confidential and that it will only be used to maintain, repair, or service the Equipment.
- Assignment:** Customer agrees not to transfer, sell, sublease, assign, pledge, or encumber either the Equipment or any rights under this Sub-Rental Agreement without Sub-lessor's prior written consent. Customer agrees that Sub-lessor may sell, assign, or transfer this Sub-Rental Agreement and the new owner of this Agreement shall have the same rights and benefits Sub-lessor now has and shall not be required to perform any of Sub-lessor's obligations and the rights of the new owner will not be subject to any claims, defenses, or setoffs that you may have against us, the Owner or any third party.
- Risk of Loss:** Customer is responsible for all risks of loss or damage to the Equipment and if any loss occurs, Customer shall be required to satisfy all of its obligations under this Sub-Rental Agreement. Neither we nor the Owners are responsible for any losses or injuries caused by the Equipment, and you will reimburse us and/or the Owner and defend us and/or The Owner against any such claims.
- End of Sub-Rental Agreement:** At the end of the rental term, Customer shall return to Sub-lessor or the Owner, as directed by Sub-lessor, the Equipment in good working condition at Customer's cost.
- Default and Remedies:** Customer shall be deemed in default on this Sub-Rental Agreement if: a) you fail to pay a Rental Payment or any other amount when due; or b) you breach any other obligation under this Sub-Rental Agreement or any other (Rental or Sub-Rental) Agreement with us. If you are in default, we may: a) declare the entire balance of unpaid Rental Payments for the full term under the Sub-Rental Agreement immediately due and payable to us; b) sue you for and receive the total amount due under the Sub-Rental Agreement plus the Equipment's anticipated end of Sub-Rental Agreement fair market value (the "Residual") with future Rental Payments and the Residual discounted to the date of default at the lesser of (i) per annum rate equivalent to that of U.S. Treasury constant maturity obligation (as reported by the U.S. Treasury Department) that would have a repayment term equal to the remaining term of the Sub-Rental Agreement, all as reasonably determined by us, or (ii) 3%, plus reasonable collection and legal cost; c) charge you interest on all monies due at the rate of 18% per year or the highest rate permitted by law from the date of default; and d) require that you immediately return the Equipment to us or we may peaceably repossess it. Any return or repossession will not be considered a termination or cancellation of this Sub-Rental Agreement. If the Equipment is returned or repossessed, Sub-lessor shall take reasonable steps to mitigate losses caused by Customer's default. Such steps may include the sale or re-rent of the Equipment, at one or more public or private sales, with or without notice to you, and apply the net proceeds (after deducting any related expenses) to your obligations. Customer shall remain liable for any deficiency with any excess being retained by Sub-lessor.
- Default by the Sub-lessor – subrogation by the Owner:** Should the Sub-lessor default on the rental agreement with the Owner of the Equipment, you accept that the Owner will have the right to subrogate into the Sub-lessor's legal position under this Sub-Rental Agreement and thus become a party (the new lessor) to this Sub-Rental Agreement assuming the same rights and obligations under the Sub-Rental Agreement as the Sub-lessor prior to its default. The Owner will give you a prompt notice of the Sub-lessor's default and that any and all payments pending or due under this Sub-Rental Agreement by you at the time of the Sub-lessor's default can only be made in full discharge to the Owner of the Equipment.
- Attorney Fees and Miscellaneous:** Customer agrees that this Sub-Rental Agreement is a "Finance Lease" as defined in Article 2A of the UCC. You acknowledge we have given you the name of the Owner and agree that you may have rights under this contract with the Owner and you may contact the Owner for a description of these rights. If requested, you will sign a separate Equipment acceptance certificate. This Sub-Rental Agreement was made in Georgia (GA), is to be performed in GA and shall be governed in accordance with the laws of GA. Any action arising out of this Agreement shall be adjudicated in a court of competent jurisdiction in Cobb County, Georgia. Customer agrees that the Equipment will only be used for business purposes and not for personal, family or household use, and will not be moved from the above location or a location under the control of Customer, without our consent. We, or whoever we authorize hereto, may inspect the Equipment during the term of this Sub-Rental Agreement. You agree that a facsimile or electronic mail copy of this Sub-Rental Agreement with facsimile or electronic mail signatures may be treated as an original and will be admissible as evidence of this Sub-Rental Agreement. In the event that legal action is required due to a breach of this Agreement, the parties hereby agree that the prevailing party in such action shall be entitled to an award of reasonable attorney fees and costs associated with the same.

CUSTOMER GUARANTY & SIGNATURE	<input type="checkbox"/> You agree that this is a non-cancellable Sub-Rental Agreement.			
	Full Legal Name	Title	Date	Signature

LESSEE ACCEPTANCE	Full Legal Name	Title	Date	Signature
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SUB-LESSOR	TURF TANK			
	Turf Tank, 3330 Cobb Parkway NW, Suite 324-380, Acworth, GA 30101, USA.			
	Rental Agreement Commencement	Rental Agreement Number	Date	Accepted by



TURF TANK[®]
WWW.TURFTANK.COM

Intelligent Marking USA, Inc. dba Turf Tank

8790 F Street, Suite 830, Omaha, NE 68127
Phone: 877-396-4094 | billing@turftank.com

BUSINESS CONTACT INFORMATION

Company Name		
DBA (if different)		
Invoice/AP Contact		
Invoice/AP Phone	Fax	Invoice/AP Email
Address		
City	State	ZIP Code
Are you sales tax exempt? <input type="checkbox"/> Yes <input type="checkbox"/> No	Tax Exempt#	send copy to rachel.lindsey@turftank.com
Purchase order Required? <input type="checkbox"/> Yes (Please attach) <input type="checkbox"/> No Purchase Order Number: _____		
Payment Options		
ACH Payment or Credit Card (Preferred Payment Method)	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>Option available via emailed invoice.</i>	*If ACH/CC is selected, you will be automatically enrolled in recurring auto payments after the first payment unless you opt out. Opt Out: <input type="checkbox"/> Yes <input type="checkbox"/> No
Check	<input type="checkbox"/> Yes <input type="checkbox"/> No	<i>Send checks to address provided above</i>

1. All invoices are to be paid 30 days from the date of the invoice.
2. If tax exempt certificate required sent to rachel.lindsey@turftank.com

Signature: _____

Printed Name: _____

Date: _____



Turf Tank Warranty

Component List - Warranty parts

Parts	Basic	Plus	Pro
Control Unit	✓	✓	✓
Front Console	✓	✓	✓
Harness	✓	✓	✓
Rover	✓	✓	✓
Base Station	✓	✓	✓
Tablet	✓	✓	✓
Robot Chassis	✓	✓	✓
Wheel Motors	✓	✓	✓
Battery Box	✓	✓	✓
Main Breaker 30 amp			✓
Actuator			✓
Safety Bumper - Front			✓
Safety Bumper - Rear			✓

Above Warranty does not cover breakdowns and general repairs directly caused by the owner/operator neglect, accidental damage, abuse or misuse, including inadequate cleaning and improper storage.

All components are only covered in year 1 of the warranty, coverage of components in followings years shown in above table.

- Basic warranty depending on subscription duration
- Plus warranty depending on subscription duration
- Pro warranty depending on subscription duration

Turf Tank Service Agreement

Service Component List - Wear and tear parts

Parts	Basic	Plus	Pro
Solenoid			✓
Pump			✓
Suction rod			✓
Hoses			✓
Deflector			✓
Disc			✓
Wheels			✓
Robot Battery			✓
Courtesy robot (if necessary)			✓

Basic & Plus Service Agreement: No service components covered

Basic & Plus Service Agreement: All extra wear and tear parts listed above will have 20% discount to listed price within 30 days of install date. Labor costs for changing the components will not be covered by the service agreement.

Pro Service Agreement: Customer will receive 1 "Service Kit" in the start of the subscription and will also receive 1 "Service Kit" listed below one time per year. Labor costs for changing the components will be covered.

Service Kit: Includes 1-Solenoid, 1-Pump, 1- Suction rod assembly, 1- tubing set. Available for separate purchase as well at discounted rate.

TURF TANK[®] SHIPMENT CONFIRMATION



LTL DELIVERY

TYPES OF ITEM:

- Turf Tank Robot
- Full Pallet of Paint

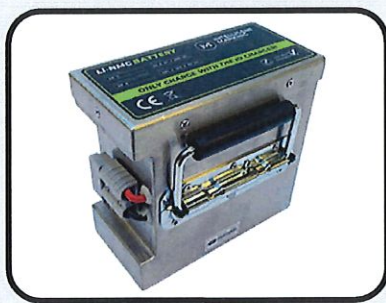


LTL Shipping Address:

Org. Name:

Address:

City, State, Zip:



SMALL PARCEL DELIVERY

TYPES OF ITEM:

- Battery
- Jug
- Pump

Small Parcel Delivery Address:

Org. Name:

Address:

City, State, Zip:



WHITE COUNTY

Board of Commissioners

Item Title:

Henry Nix Rd. - Engineering and Design Proposal

For Meeting Date: 6/26/2023

Work Session **Regular Meeting** **Public Hearing**

Category (Select One): SPLOST Request

Submitted By: Derick Canupp

Attachments: Yes **If yes, please list each file name below:**

1. JM Smith Proposal for Surveying & Civil Design
2. Letter from TMU
3. _____

Purpose:

The purpose of this agenda item to to consider/approve a proposal from JM Smith Engineering for surveying and civil design services for making improvements to Henry Nix Rd. from the city limits to Chimney Lake Dr., or approximately 3,400 linear feet.

Background / Summary:

- Truett McConnell University has recently made significant improvements to the campus and have made a formal request for the Board to consider improving the remaining gravel portion of the road.
- The improvement would allow better access to campus facilities, improve safety and quality of life for citizens and students.
- This portion of Henry Nix will require drainage improvements, grading, and be construed wide enough for vehicles to pass safety with shoulders and proper sized ditches and culverts.
- Staff have identified a grant opportunity (LMIG - EEE) that could provide an additional funding source
- Before applying for the grant, it is highly recommended that a set of plans be developed with a detailed cost estimate to supplement the grant application to maximize the potential for grant award and funding.

Department Recommendation:

Staff recommend BOC approval

Options:

- Approve proposal as submitted

- Do not approve
- Commission defined alternative

Budget Information: Applicable Not Applicable

Budgeted: Yes No

Finance Director's Comments (if applicable):

- Finance recommends using SPLOST funds for project.

County Manager Comments:

- Recommend a motion to approve the proposal and funding as submitted



March 22, 2023

Travis Turner, Chairman
White County Board of Commissioners
1235 Helen Hwy.
Cleveland, GA 30528

RE: Board's Consideration of Paving Henry Nix Road

Dear Mr. Turner:

Truett McConnell University has just completed a \$1.2 million tennis facility near Henry Nix Road in White County. The facility includes a 93-space parking lot for those who attend tennis, baseball, and softball competitions. We have paved a short roadway from Henry Nix Road to the new parking area at our own cost.

Truett McConnell University would like to request that the White County Board of Commissioners research the possibility of paving Henry Nix Road, at least up to the entrance to our new tennis complex and parking facility, or even beyond. A paved road from Hwy 115 to our new tennis area would provide increased safety to the public that travel the road to attend events on our campus.

Thank you for your consideration of this request.

Respectfully Yours,

Jason J. Graffagnino
Vice President for Finance and Operations
Chief Financial Officer
jgraffagnino@truett.edu
706-865-2134

April 21, 2023

Mr. Derick Canupp
White County Public Works
675 Truelove Road
Cleveland GA 30528
(706) 865-2510

RE: **Henry Nix Road Improvements**

Dear Mr. Canupp:

We are pleased to present our proposal for engineering services. Our fee is based on our conversations and site visit. We understand the scope of work will be for approximately 3,400 linear feet of Henry Nix Road between the end of pavement near the city limits of Cleveland and the pavement near the intersection of Chimney Road. Our fees for preparing design documents for the above stated project are as follows:

DUE DILIGENCE

This phase will include studies as required to determine sizing and best methods of construction. Any Subconsultant invoices will be passed through with no mark up. We will do the following tasks:

1. Existing Conditions – we will utilize aerial photography from an UAS (unmanned aircraft system) to determine detailed topography next to site and tie into USGS LIDAR topography for a good base topographic map of the area of work.
2. We will determine parcels affected by construction
3. We will coordinate with land surveyor for gathering of field data for specific items (ie utilities, storm, vegetation, etc.) verify LIDAR elevation data, and establishment of right of way along Henry Nix Road that affects approximately 22 parcels of property.
4. We will meet with the county on findings and what obstacles may be encountered during construction
5. We will utilize this information to provide the county a conceptual design and conceptual cost estimate

Engineering for this this phase can be accomplished for a fee of \$3,250.00
Survey Data for this phase is based on estimate by London Land surveying for \$15,750.

DESIGN

This phase will include preparation of all necessary documents for a land disturbance permit and bid documents in accordance with applicable White County rules and regulations. This will include at least one visit to the site, grading plans, erosion control plans, coordination with other engineers and

155 Clarkesville Street
Post Office Box 331
Cornelia, GA 30531
Main Line: 706-894-2331
Cell: 706-244-8180
Atlanta Area Phone: 678-267-3690
Fax: 678-267-3731
Email: jmsmith@jmsmithengineering.com

April 21, 2023

Mr. Derick Canupp

Henry Nix Road Improvements

Page 2

surveyors and preparation of any documents to include for submittal to local or state regulatory agencies. Civil engineering will consist of preparing horizontal and vertical alignments based on parcel data and topography, grading, erosion control, drainage plan, preparation of base bid documents, site plans, and coordination of survey information. Any sub-consultant fees will be coordinated and will be forwarded as available. Any Subconsultant invoices will be passed through with no mark up. We will provide the information based on the following prices:

Geotechnical and Testing – to be evaluated based on field conditions (if needed)	TBD
Civil Engineering and document preparation	\$10,500.00

BID PHASE

We can prepare review all necessary bid documents and specifications, answer RFIs, conduct pre bid meeting, and assist with bid opening and contractor selection if necessary on an hourly basis if requested.

CONSTRUCTION PHASE

We can provide construction phase services for construction observation and answering RFIs during construction process if requested on an hourly basis.

SCHEDULE

We will begin work immediately upon notice to proceed. Conceptual documents will be available within 4 weeks of gathering of all field data. Field data will begin immediately and is expected to take two weeks weather dependent.

DOCUMENTS PROVIDED

The fees listed include reproduction fees for all plans required to obtain a permit and three sets of plans for the County. Additional sets will be produced on a cost plus basis. We will also provide a CD of all construction plans and files in AutoCAD format, as well as plans in pdf format.

Any unforeseen circumstances that affect the site may affect schedule. Client will be informed as soon as any issue that may affect schedule arises. We will work with the client to ensure that every possible avenue is explored to resolve any issues in a timely manner. Additionally we have no control over governmental schedules on reviewing of plans, however will work with each agency to ensure that the process goes as smoothly and as timely as possible.

This proposal does not include permitting fees for local government or state agencies, any structural design of retaining walls, soils testing, any off-site work, landscape plans, environmental studies, wetlands locations, marketing materials, renderings, or any changes in layout once a preliminary design has been agreed upon. Any of these items can be added to the scope of work at a negotiated fee.

April 21, 2023
Mr. Derick Canupp
Henry Nix Road Improvements
Page 3

This proposal and attached General Conditions will be the basis of this agreement. We appreciate the opportunity to present this proposal and will use a signed copy as our Notice to Proceed. Please retain a copy for your records.

Should you have any questions, please contact me at (678) 267-3690.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason M. Smith". The signature is fluid and cursive, with a large initial "J" and "S".

Jason M. Smith, PE
President

ACCEPTED: _____

DATE: _____



WHITE COUNTY

Board of Commissioners

Agenda Request Form

Item Title: Assistance To Firefighters Grant (AFG) - FY22 - Extrication Equipment

For Meeting Date: 6/26/2023

Work Session **Regular Meeting** **Public Hearing**

Category (Select One): Grant App / Acceptance

Submitted By: David Murphy

Attachments: Yes **If yes, please list each file name below:**

1. Grant Documents
2. _____
3. _____

Purpose:

To accept a grant for the purchase of automobile extrication equipment to replace outdated and obsolete equipment. This is part of our FY24 Capital Improvement Program (CIP).

Background / Summary:

- Fire Services continues to look for alternative funding sources for equipment.
- This equipment is required for the extrication of victims from car crashes. Also known as the Jaws of Life.
- Will be used to purchase two (2) sets of the needed 8 sets of extrication equipment for the county.

Department Recommendation:

Accept the AFG Grant in the amount of \$ 104,900 with the county match of \$ 14,304.55 coming from the budgeted grant fund for FY24. 10% our portion for equipment, and 5% for the grant writer fees.

Options:

- Do not accept the grant.
-

Budget Information: Applicable Not Applicable

Budgeted: Yes No

Finance Director's Comments (if applicable):

- Budgeted funds are available in FY2024 to cover the county match of \$14,304.55.

County Manager Comments:

- Recommend a motion to accept the AFG Grant in the amount of \$ 104,900 with the county match of \$ 14,304.55 coming from the budgeted grant fund for FY24



WHITE COUNTY

Board of Commissioners

Agenda Request Form

Item Title: Assistance To Firefighters Grant (AFG) - FY22 - Extrication Equipment

For Meeting Date: 6/26/2023

Work Session Regular Meeting Public Hearing

Category (Select One): Grant App / Acceptance

Submitted By: David Murphy

Attachments: Yes If yes, please list each file name below:

1. Grant Documents
2. _____
3. _____

Purpose:

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Department Recommendation:

Accept the AFG Grant in the amount of \$ 104,900 with the county match of \$ 14,304.55 coming from the budgeted grant fund for FY24. 10% our portion for equipment, and 5% for the grant writer fees.

Options:

- Do not accept the grant.
-

Budget Information: Applicable Not Applicable

Budgeted: Yes No

Finance Director's Comments (if applicable):

-

County Manager Comments:

-



SUMMARY

On February 27, 2023, the Board of Commissioners approved the application to be submitted to FEMA Assistance to Firefighters Grant program for equipment to include automobile extrication equipment, and the contract for grant writing with JMCM Consulting of Five Points, Alabama.

White County received notice of Award from AFG for the purchase of two (2) sets of automobile extrication equipment (JAWS OF LIFE), to replace outdated and obsolete equipment. This is a first in a series of replacements of the eight (8) sets belonging to the fire department.

These two sets will replace the two oldest units, and while rotating older units to lesser busiest stations.

White County will immediately begin solicitation through RFP for the new equipment and will present to the Board of Commissioners for final approval of purchase.

BOC ACTION:

To approve the acceptance of this AFG opportunity and proceed with RFP for equipment selection.

COUNTY FUNDING SOURCE:

FY23 Grant Fund

Award Letter

U.S. Department of Homeland Security
Washington, D.C. 20472

Effective date: 05/25/2023



Marsha Derrick
WHITE COUNTY GOVERNMENT
1235 HELEN HWY.
CLEVELAND, GA 30528
EMW-2022-FG-03525

Dear Marsha Derrick,

Congratulations on behalf of the Department of Homeland Security. Your application submitted for the Fiscal Year (FY) 2022 Assistance to Firefighters Grant (AFG) Grant funding opportunity has been approved in the amount of \$95,363.63 in Federal funding. As a condition of this grant, you are required to contribute non-Federal funds equal to or greater than 10.0% of the Federal funds awarded, or \$9,536.37 for a total approved budget of \$104,900.00. Please see the FY 2022 AFG Notice of Funding Opportunity for information on how to meet this cost share requirement.

Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award through the FEMA Grants Outcomes (FEMA GO) system. By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Summary Award Memo - included in this document
- Agreement Articles - included in this document
- Obligating Document - included in this document
- 2022 AFG Notice of Funding Opportunity (NOFO) - incorporated by reference

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

Sincerely,

A handwritten signature in blue ink that reads "P. S. Williams".

PAMELA WILLIAMS
Assistant Administrator, Grant Programs

Summary Award Memo

Program: Fiscal Year 2022 Assistance to Firefighters Grant

Recipient: WHITE COUNTY GOVERNMENT

UEI-EFT: P596QHSTEJ95

DUNS number: 072476773

Award number: EMW-2022-FG-03525

Summary description of award

The purpose of the Assistance to Firefighters Grant program is to protect the health and safety of the public and firefighting personnel against fire and fire-related hazards. After careful consideration, FEMA has determined that the recipient's project or projects submitted as part of the recipient's application and detailed in the project narrative as well as the request details section of the application - including budget information - was consistent with the Assistance to Firefighters Grant Program's purpose and was worthy of award.

Except as otherwise approved as noted in this award, the information you provided in your application for Fiscal Year (FY) 2022 Assistance to Firefighters Grants funding is incorporated into the terms and conditions of this award. This includes any documents submitted as part of the application.

Amount awarded table

The amount of the award is detailed in the attached Obligating Document for Award.

The following are the budgeted estimates for object classes for this award (including Federal share plus your cost share, if applicable):

Object Class	Total
Personnel	\$0.00
Fringe benefits	\$0.00
Travel	\$0.00
Equipment	\$104,900.00
Supplies	\$0.00
Contractual	\$0.00
Construction	\$0.00
Other	\$0.00
Indirect charges	\$0.00
Federal	\$95,363.63
Non-federal	\$9,536.37
Total	\$104,900.00
Program Income	\$0.00

Approved scope of work

After review of your application, FEMA has approved the below scope of work. Justifications are provided for any differences between the scope of work in the original application and the approved scope of work under this award. You must submit scope or budget revision requests for FEMA's prior approval, via an amendment request, as appropriate per 2 C.F.R. § 200.308 and the FY2022 AFG NOFO.

Approved request details:

Equipment

Vehicle Extrication Equipment

DESCRIPTION

Vehicle Extrication Package: NFPA Spreader, Cutter, Ram, 4 spare batteries, cribbing, Vehicle Stabilization Kits for lifting all types of vehicles. HP lift bag system.

	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	2	\$52,450.00	\$104,900.00	Equipment

Personal Protective Equipment (PPE)

Face Pieces (not associated with SCBA requests)

DESCRIPTION

Individual face piece

	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	0	\$650.00	\$0.00	Equipment

CHANGE FROM APPLICATION

Quantity from 13 to 0

JUSTIFICATION

The award reflects a reduction from the amount requested in the application. This reduction removes Face Pieces requested in the application because they were requested as INCREASE SUPPLY / NEW PURCHASE rather than REPLACING existing PPE.

SCBA: SCBA Unit includes: Harness/Backpack, Face Piece and 2 cylinders

DESCRIPTION

Complete, Current NFPA 1981 Current Standard Compliant SCBA with 2 Carbon Cylinders

	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	0	\$9,150.00	\$0.00	Equipment

CHANGE FROM APPLICATION

Quantity from 54 to 0

JUSTIFICATION

The award reflects a reduction from the amount requested in the application. This reduction removes SCBA requested in the application because they were requested as INCREASE SUPPLY/ NEW PURCHASE rather than REPLACING existing PPE.

Agreement Articles

Program: Fiscal Year 2022 Assistance to Firefighters Grant

Recipient: WHITE COUNTY GOVERNMENT

UEI-EFT: P596QHSTEJ95

DUNS number: 072476773

Award number: EMW-2022-FG-03525

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Article 1

Assurances, Administrative Requirements, Cost Principles, Representations and Certifications

I. DHS financial assistance recipients must complete either the Office of Management and Budget (OMB) Standard Form 424B Assurances – Non-Construction Programs, or OMB Standard Form 424D Assurances – Construction Programs, as applicable. Certain assurances in these documents may not be applicable to your program, and the DHS financial assistance office (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances as instructed by the awarding agency. II. DHS financial assistance recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at Title 2, Code of Federal Regulations (C.F.R.) Part 200 and adopted by DHS at 2 C.F.R. Part 3002. III. By accepting this agreement, recipients, and their executives, as defined in 2 C.F.R. § 170.315, certify that their policies are in accordance with OMB's guidance located at 2 C.F.R. Part 200, all applicable federal laws, and relevant Executive guidance.

Article 2**General Acknowledgements and Assurances**

All recipients, subrecipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff. I. Recipients must cooperate with any DHS compliance reviews or compliance investigations conducted by DHS. II. Recipients must give DHS access to examine and copy records, accounts, and other documents and sources of information related to the federal financial assistance award and permit access to facilities or personnel. III. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports. IV. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law, or detailed in program guidance. V. Recipients (as defined in 2 C.F.R. Part 200 and including recipients acting as pass-through entities) of federal financial assistance from DHS or one of its awarding component agencies must complete the DHS Civil Rights Evaluation Tool within thirty (30) days of receipt of the Notice of Award for the first award under which this term applies. Recipients of multiple awards of DHS financial assistance should only submit one completed tool for their organization, not per award. After the initial submission, recipients are required to complete the tool once every two (2) years if they have an active award, not every time an award is made. Recipients should submit the completed tool, including supporting materials, to CivilRightsEvaluation@hq.dhs.gov. This tool clarifies the civil rights obligations and related reporting requirements contained in the DHS Standard Terms and Conditions. Subrecipients are not required to complete and submit this tool to DHS. The evaluation tool can be found at <https://www.dhs.gov/publication/dhs-civil-rights-evaluation-tool>. DHS Civil Rights Evaluation Tool | Homeland Security. The DHS Office for Civil Rights and Civil Liberties will consider, in its discretion, granting an extension if the recipient identifies steps and a timeline for completing the tool. Recipients should request extensions by emailing the request to CivilRightsEvaluation@hq.dhs.gov prior to expiration of the 30-day deadline.

Article 3**Acknowledgement of Federal Funding from DHS**

Recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposal, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.

Article 4**Activities Conducted Abroad**

Recipients must ensure that project activities performed outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

<p>Article 5</p>	<p>Age Discrimination Act of 1975 Recipients must comply with the requirements of the Age Discrimination Act of 1975, Public Law 94-135 (1975) (codified as amended at Title 42, U.S. Code, § 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.</p>
<p>Article 6</p>	<p>Americans with Disabilities Act of 1990 Recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, Pub. L. 101-336 (1990) (codified as amended at 42 U.S.C. §§ 12101– 12213), which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities.</p>
<p>Article 7</p>	<p>Best Practices for Collection and Use of Personally Identifiable Information Recipients who collect personally identifiable information (PII) are required to have a publicly available privacy policy that describes standards on the usage and maintenance of the PII they collect. DHS defines PII as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy Template as useful resources respectively.</p>
<p>Article 8</p>	<p>Civil Rights Act of 1964 – Title VI Recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964 (codified as amended at 42 U.S.C. § 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.</p>
<p>Article 9</p>	<p>Civil Rights Act of 1968 Recipients must comply with Title VIII of the Civil Rights Act of 1968, Pub. L. 90-284, as amended through Pub. L. 113-4, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (see 42 U.S.C. § 3601 et seq.), as implemented by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features. (See 24 C.F.R. Part 100, Subpart D.)</p>

<p>Article 10</p>	<p>Copyright Recipients must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.</p>
<p>Article 11</p>	<p>Debarment and Suspension Recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689, which are at 2 C.F.R. Part 180 as adopted by DHS at 2 C.F.R. Part 3002. These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.</p>
<p>Article 12</p>	<p>Drug-Free Workplace Regulations Recipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 C.F.R. Part 3001, which adopts the Government-wide implementation (2 C.F.R. Part 182) of Sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (41 U.S.C. §§ 8101-8106).</p>
<p>Article 13</p>	<p>Duplication of Benefits Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies; to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions; or for other reasons. However, these prohibitions would not preclude recipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions may not be charged to other federal financial assistance awards to overcome fund deficiencies; to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions; or for other reasons.</p>
<p>Article 14</p>	<p>Education Amendments of 1972 (Equal Opportunity in Education Act) – Title IX Recipients must comply with the requirements of Title IX of the Education Amendments of 1972, Pub. L. 92-318 (1972) (codified as amended at 20 U.S.C. § 1681 et seq.), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19.</p>

<p>Article 15</p>	<p>E.O. 14074 – Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety Recipient State, Tribal, local, or territorial law enforcement agencies must comply with the requirements of section 12(c) of E.O. 14074. Recipient State, Tribal, local, or territorial law enforcement agencies are also encouraged to adopt and enforce policies consistent with E.O. 14074 to support safe and effective policing.</p>
<p>Article 16</p>	<p>Energy Policy and Conservation Act Recipients must comply with the requirements of the Energy Policy and Conservation Act, Pub. L. 94- 163 (1975) (codified as amended at 42 U.S.C. § 6201 et seq.), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.</p>
<p>Article 17</p>	<p>False Claims Act and Program Fraud Civil Remedies Recipients must comply with the requirements of the False Claims Act, 31 U.S.C. §§3729- 3733, which prohibit the submission of false or fraudulent claims for payment to the Federal Government. (See 31 U.S.C. §§ 3801-3812, which details the administrative remedies for false claims and statements made.)</p>
<p>Article 18</p>	<p>Federal Debt Status All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. (See OMB Circular A-129.)</p>
<p>Article 19</p>	<p>Federal Leadership on Reducing Text Messaging while Driving Recipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official government business or when performing any work for or on behalf of the Federal Government.</p>
<p>Article 20</p>	<p>Fly America Act of 1974 Recipients must comply with Preference for U.S. Flag Air Carriers (air carriers holding certificates under 49 U.S.C.) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974, 49 U.S.C. § 40118, and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.</p>

Article 21	Hotel and Motel Fire Safety Act of 1990 Recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines of Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. § 2225a
Article 22	John S. McCain National Defense Authorization Act of Fiscal Year 2019 Recipients, subrecipients, and their contractors and subcontractors are subject to the prohibitions described in section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub. L. No. 115-232 (2018) and 2 C.F.R. §§ 200.216, 200.327, 200.471, and Appendix II to 2 C.F.R. Part 200. Beginning August 13, 2020, the statute – as it applies to DHS recipients, subrecipients, and their contractors and subcontractors – prohibits obligating or expending federal award funds on certain telecommunications and video surveillance products and contracting with certain entities for national security reasons
Article 23	Limited English Proficiency (Civil Rights Act of 1964, Title VI) Recipients must comply with Title VI of the Civil Rights Act of 1964, (42 U.S.C. § 2000d et seq.) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance: https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited and additional resources on http://www.lep.gov .
Article 24	Lobbying Prohibitions Recipients must comply with 31 U.S.C. § 1352, which provides that none of the funds provided under a federal financial assistance award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification.

Article 25	<p>National Environmental Policy Act Recipients must comply with the requirements of the National Environmental Policy Act of 1969, (NEPA) Pub. L. 91-190 (1970) (codified as amended at 42 U.S.C. § 4321 et seq. and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which require recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans</p>
Article 26	<p>Nondiscrimination in Matters Pertaining to Faith-Based Organizations It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statues, regulations, and guidance governing the participations of faith- based organizations in individual DHS programs.</p>
Article 27	<p>Non-Supplanting Requirement Recipients receiving federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.</p>
Article 28	<p>Notice of Funding Opportunity Requirements All the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the award terms and conditions. All recipients must comply with any such requirements set forth in the program NOFO.</p>
Article 29	<p>Patents and Intellectual Property Rights Recipients are subject to the Bayh-Dole Act, 35 U.S.C. § 200 et seq, unless otherwise provided by law. Recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from federal financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. § 401.14.</p>

<p>Article 30</p>	<p>Procurement of Recovered Materials States, political subdivisions of states, and their contractors must comply with Section 6002 of the Solid Waste Disposal Act, Pub. L. 89-272 (1965), (codified as amended by the Resource Conservation and Recovery Act, 42 U.S.C. § 6962.) The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.</p>
<p>Article 31</p>	<p>Rehabilitation Act of 1973 Recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. 93-112 (1973), (codified as amended at 29 U.S.C. § 794,) which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.</p>
<p>Article 32</p>	<p>Reporting of Matters Related to Recipient Integrity and Performance General Reporting Requirements: If the total value of any currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this federal award, then the recipients must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions.</p>
<p>Article 33</p>	<p>Reporting Subawards and Executive Compensation Reporting of first tier subawards. Recipients are required to comply with the requirements set forth in the government-wide award term on Reporting Subawards and Executive Compensation located at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated here by reference in the award terms and conditions.</p>
<p>Article 34</p>	<p>Required Use of American Iron, Steel, Manufactured Products, and Construction Materials Recipients must comply with the "Build America, Buy America" provisions of the Infrastructure Investment and Jobs Act and E.O. 14005. Recipients of an award of Federal financial assistance from a program for infrastructure are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless: (1) all iron and steel used in the project are produced in the United States--this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States; (2) all manufactured products used in the project are produced in the United States—this means the manufactured product was</p>

manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and (3) all construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States. The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project. Waivers When necessary, recipients may apply for, and the agency may grant, a waiver from these requirements. Information on the process for requesting a waiver from these requirements is on the website below. (a) When the federal agency has made a determination that one of the following exceptions applies, the awarding official may waive the application of the domestic content procurement preference in any case in which the agency determines that: (1) applying the domestic content procurement preference would be inconsistent with the public interest; (2) the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or (3) the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent. A request to waive the application of the domestic content procurement preference must be in writing. The agency will provide instructions on the format, contents, and supporting materials required for any waiver request. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the Made in America Office. There may be instances where an award qualifies, in whole or in part, for an existing waiver described at “Buy America” Preference in FEMA Financial Assistance Programs for Infrastructure | FEMA.gov. The awarding Component may provide specific instructions to Recipients of awards from infrastructure programs that are subject to the “Build America, Buy America” provisions. Recipients should refer to the Notice of Funding Opportunity for further information on the Buy America preference and waiver process.

Article 35

SAFECOM

Recipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

Article 36	Terrorist Financing Recipients must comply with E.O. 13224 and U.S. laws that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible to ensure compliance with the Order and laws.
Article 37	Trafficking Victims Protection Act of 2000 (TVPA) Trafficking in Persons. Recipients must comply with the requirements of the government-wide financial assistance award term which implements Section 106 (g) of the Trafficking Victims Protection Act of 2000 (TVPA), codified as amended at 22 U.S.C. § 7104. The award term is located at 2 C.F.R. § 175.15, the full text of which is incorporated here by reference.
Article 38	Universal Identifier and System of Award Management Requirements for System for Award Management and Unique Entity Identifier Recipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated here by reference.
Article 39	USA PATRIOT Act of 2001 Recipients must comply with requirements of Section 817 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act), which amends 18 U.S.C. §§ 175–175c.
Article 40	Use of DHS Seal, Logo and Flags Recipients must obtain permission from their DHS FAO prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.
Article 41	Whistleblower Protection Act Recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C § 2409, 41 U.S.C. § 4712, and 10 U.S.C. § 2324, 41 U.S.C. §§ 4304 and 4310.

Article 42**Environmental Planning and Historic Preservation (EHP) Review**

DHS/FEMA funded activities that may require an Environmental Planning and Historic Preservation (EHP) review are subject to the FEMA EHP review process. This review does not address all federal, state, and local requirements. Acceptance of federal funding requires the recipient to comply with all federal, state and local laws. DHS/FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by DHS/FEMA grant funds, through its EHP review process, as mandated by: the National Environmental Policy Act; National Historic Preservation Act of 1966, as amended; National Flood Insurance Program regulations; and any other applicable laws and executive orders. General guidance for FEMA's EHP process is available on the DHS/FEMA Website. Specific applicant guidance on how to submit information for EHP review depends on the individual grant program and applicants should contact their grant Program Officer to be put into contact with EHP staff responsible for assisting their specific grant program. The EHP review process must be completed before funds are released to carry out the proposed project; otherwise, DHS/FEMA may not be able to fund the project due to noncompliance with EHP laws, executive orders, regulations, and policies. If ground disturbing activities occur during construction, applicant will monitor ground disturbance, and if any potential archaeological resources are discovered the applicant will immediately cease work in that area and notify the pass-through entity, if applicable, and DHS/FEMA.

Article 43**Applicability of DHS Standard Terms and Conditions to Tribes**

The DHS Standard Terms and Conditions are a restatement of general requirements imposed upon recipients and flow down to sub-recipients as a matter of law, regulation, or executive order. If the requirement does not apply to Indian tribes or there is a federal law or regulation exempting its application to Indian tribes, then the acceptance by Tribes of, or acquiescence to, DHS Standard Terms and Conditions does not change or alter its inapplicability to an Indian tribe. The execution of grant documents is not intended to change, alter, amend, or impose additional liability or responsibility upon the Tribe where it does not already exist.

Article 44**Acceptance of Post Award Changes**

In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. Please call the FEMA/ GMD Call Center at (866) 927-5646 or via e-mail to: ASK-GMD@fema.dhs.gov if you have any questions.

Article 45**Disposition of Equipment Acquired Under the Federal Award**

For purposes of original or replacement equipment acquired under this award by a non-state recipient or non-state sub-recipients, when that equipment is no longer needed for the original project or program or for other activities currently or previously supported by a federal awarding agency, you must request instructions from FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. section 200.313. State recipients and state sub-recipients must follow the disposition requirements in accordance with state laws and procedures.

Article 46**Prior Approval for Modification of Approved Budget**

Before making any change to the FEMA approved budget for this award, you must request prior written approval from FEMA where required by 2 C.F.R. section 200.308. For purposes of non-construction projects, FEMA is utilizing its discretion to impose an additional restriction under 2 C.F.R. section 200.308(f) regarding the transfer of funds among direct cost categories, programs, functions, or activities. Therefore, for awards with an approved budget where the federal share is greater than the simplified acquisition threshold (currently \$250,000), you may not transfer funds among direct cost categories, programs, functions, or activities without prior written approval from FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget FEMA last approved. For purposes of awards that support both construction and non-construction work, FEMA is utilizing its discretion under 2 C.F.R. section 200.308(h)(5) to require the recipient to obtain prior written approval from FEMA before making any fund or budget transfers between the two types of work. You must report any deviations from your FEMA approved budget in the first Federal Financial Report (SF-425) you submit following any budget deviation, regardless of whether the budget deviation requires prior written approval.

Article 47**Indirect Cost Rate**

2 C.F.R. section 200.211(b)(15) requires the terms of the award to include the indirect cost rate for the federal award. If applicable, the indirect cost rate for this award is stated in the budget documents or other materials approved by FEMA and included in the award file.

Article 48**Award Performance Goals**

FEMA will measure the recipient's performance of the grant by comparing the number of items requested in its application, the numbers acquired (ordered, paid, and received) within the period of performance. In order to measure performance, FEMA may request information throughout the period of performance. In its final performance report submitted at closeout, the recipient is required to report on the recipients compliance with the applicable industry, local, state and national standards described in the NOFO.

Obligating document

1. Agreement No. EMW-2022-FG-03525	2. Amendment No. N/A	3. Recipient No. 586000908	4. Type of Action AWARD	5. Control No. WX01191N2023T		
6. Recipient Name and Address WHITE COUNTY GOVERNMENT 1235 HELEN HWY CLEVELAND, GA 30528		7. Issuing FEMA Office and Address Grant Programs Directorate 500 C Street, S.W. Washington DC, 20528-7000 1-866-927-5646		8. Payment Office and Address FEMA, Financial Services Branch 500 C Street, S.W., Room 723 Washington DC, 20742		
9. Name of Recipient Project Officer Marsha Derrick		9a. Phone No. 7068659500	10. Name of FEMA Project Coordinator Assistance to Firefighters Grant Program		10a. Phone No. 1-866-274-0960	
11. Effective Date of This Action 05/25/2023	12. Method of Payment OTHER - FEMA GO	13. Assistance Arrangement COST SHARING		14. Performance Period 06/01/2023 to 05/31/2025 Budget Period 06/01/2023 to 05/31/2025		
15. Description of Action a. (Indicate funding data for awards or financial changes)						
Program Name Abbreviation	Assistance Listings No.	Accounting Data(ACCS Code)	Prior Total Award	Amount Awarded This Action + or (-)	Current Total Award	Cumulative Non-Federal Commitment
AFG	97.044	2023-F2-GB01 - P410-xxxx-4101-D	\$0.00	\$95,363.63	\$95,363.63	\$9,536.37
Totals			\$0.00	\$95,363.63	\$95,363.63	\$9,536.37
b. To describe changes other than funding data or financial changes, attach schedule and check here: N/A						
16.FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address) This field is not applicable for digitally signed grant agreements						

17. RECIPIENT SIGNATORY OFFICIAL (Name and Title)	DATE
18. FEMA SIGNATORY OFFICIAL (Name and Title)	DATE
PAMELA WILLIAMS, Assistant Administrator, Grant Programs	05/25/2023



WHITE COUNTY

Board of Commissioners

Item Title: Senior Center Flooring Project

For Meeting Date: 6/26/2023

Work Session **Regular Meeting** **Public Hearing**

Category (Select One): Other

Submitted By: Barbara Overton, Senior Center Director

Attachments: Yes **If yes, please list each file name below:**

1. Senior Center Flooring RFP Scoring Overview/Bid and Pricing Opening Documents
2. Northeast Georgia Carpet RFP Senior Center Flooring Documents
3. _____

Purpose:

Requesting Board of Commission approval to utilize Senior Center FY2023 budget funds to proceed with LVT Flooring Project with Northeast Georgia Carpet out of Baldwin, GA.

Background / Summary:

- Approval to seek bids was provided by the BOC in April, 2023
- RFP Bid request was posted and four bids were received in May, 2023
- Bid packages were reviewed by Barbara Overton, Ken Payne, Jodi Ligon and Misti Byrd
- Pricing from Northeast Georgia Carpet was \$36,540 with an additional \$1,100 to move furniture and additional costs to provide and remove dumpster on site for contractor use.
- Anticipated that the Senior Center will likely need close for congregate activities for approximately 5 business days. Home Delivered Meals planned to continue uninterrupted and there is potential for providing congregate clients with a "drive thru meal" option.
-

Department Recommendation:

Approval use of Senior Center FY2023 funds to proceed with this project to be completed by Northeast Georgia Carpet.

Options:

-

Budget Information: Applicable Not Applicable

Budgeted: Yes No

Finance Director's Comments (if applicable):

- Funds are available in the FY2023 Senior Center budget for this project.

County Manager Comments:

- Recomeend motion to approve as presented. However, I am concerned that we will be required to charge this expense to the 2024 budget if it is not installed by 6-30-2023.

Request For Proposal Senior Center LVT Flooring

Project #:
2023-RFP-
SRCENTER04262023

Vendor:

*Jostes
Carpet Inc*

DCO Inc

*Covered &
Clad Com.
Finishes*

*Northeast
Georgia
Carpet*

Transmittal Letter	yes	no	yes	yes	Master Scoring Sheet
Completed Pricing Proposal	yes	yes	yes	yes	
Qualifications Information	yes	references only	yes	yes	
Evidence of Insurance	yes	yes	yes	yes	
Appendix A - Bidder's Certification	yes	yes	yes	yes	
Appendix B - E-Verify Affidavit	yes	yes	yes	yes	
Appendix C - Signed Contract	yes	yes	yes	yes	
Signed Addendum #1	yes	yes	yes	yes	
Sample(s) of Flooring	yes	no	yes	yes	
Brochures & Warranty Information on Flooring Installation	yes	no	yes	yes	

Qualifications	Maximum Points	Jostes Carpet Inc	DCO Inc	Covered & Clad Com. Finishes	Northeast Georgia Carpet	
Company Background	15	14.33	13.33	13	14.66	
Personnel Qualifications	20	17	18	17.66	18.66	
Relevant Work	25	22.66	22.66	21.33	23.33	
Project Approach	25	22.66	22.33	23.33	24	
Pricing	15	7.66	13	11	15	
Total Points:	100	84.31	89.32	86.32	95.65	
Pricing Proposal Amount:		\$56,221.28 and \$50,149.83 with no VCT removal	\$42,400.00	\$38,111.00 additional \$7,800.00 with VCT removal	\$36,540.00 additional \$1,100.00 to move furniture	

Bid Openings - May 31, 2023

Bids/Quotes Received

Senior Center LVT Flooring

Vendor:

Jostes Carpet, Inc - LaFayette, Georgia

DCO, Inc - Athens, Georgia

Covered & Clad Commercial Finishes - Buford, Georgia

Northeast Georgia Carpet - Baldwin, Georgia

White County Staff Present:

Misti Byrd - *Misti Byrd*

Jodi Ligon

Pricing Openings - June 7, 2023

Bids/Quotes Received

Senior Center LVT Flooring

Vendor:

Jostes Carpet, Inc - LaFayette, Georgia

DCO, Inc - Athens, Georgia

Covered & Clad Commercial Finishes - Buford, Georgia

Northeast Georgia Carpet - Baldwin, Georgia

White County Staff Present:

Misti Byrd - *Misti Byrd*

Jodi Ligon

Ken Payne

Barbara Overton



"Sales & Installation Since 1968"

**Qualifications Proposal Enclosed For: The White County Senior Center LVT Flooring
RFP, Project # 2023-RFP-SRCENTER04262023.**

**Company: Northeast Georgia Carpet, Inc.
Representative: Will Lewallen, Treasurer
Email: will@negacarpets.com
Phone: 706-778-7955 (O), 706-968-8993 (C)**

Northeast Georgia Carpet: Will Lewallen
Date: 5/31/23

125 Appalachian Overlook - P.O. Box 246 - Baldwin, GA 30511
706.778.7955 - fax 706.776.8228 - www.negacarpets.com



Appendix B

E-Verify Affidavit

Georgia Security & Immigration Compliance (GSIC) Act (CONTRACTOR) E-VERIFY AFFIDAVIT AND AGREEMENT

White County Commissioner and Contractor agree that compliance with the requirements of O.C.G.A. § 13-10-91 and Rule 300-10-1-.02 of the Rules of the Georgia Department of Labor are conditions of this Agreement for the physical performance of services.

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. § 13-10-91, *stating affirmatively that the individual, firm, or corporation which is contracting with the White County Commissioner has registered with and is participating in the federal work authorization program known as "E-Verify", web address <https://e-verify.uscis.gov/enroll/> operated by the United States Citizenship and Immigration Services Bureau of the United States Department of Homeland Security to verify information of newly hired employees, pursuant to the Immigration Reform and Control Act of 1986 [(IRCA), P.L. 99-603], in accordance with the applicability provisions and deadlines established in O.C.G.A. § 13-10-91.* The undersigned Contractor also verifies that he/she/it is using and will continue to use the federal work authorization program throughout the contract period.

The undersigned Contractor agrees that, should it employ or contract with any subcontractor(s) in connection with the physical performance of services pursuant to the contract with the White County Commissioner, Contractor will secure from such subcontractor(s) similar verification of compliance with O.C.G.A. § 13-10-91 on the Subcontractor Affidavit provided in Rule 300-10-01-.08 or a substantially similar form. Contractor further agrees the Contractor will advise the White County Commissioner of the hiring of a new subcontractor and will provide White County Commissioner with a Subcontractor Affidavit attesting to the Subcontractor's name, address, user identification number, and date of authorization to use the Federal Work Authorization Program within five (5) days of the hiring before the Subcontractor begins working on the Project. Contractor also agrees to maintain all records of such compliance for inspection by White County Commissioner at any time and to provide a copy of each such verification to the White County Commissioner at the time the subcontractor(s) is retained to perform such services.

[Redacted]
E-Verify Employment Eligibility Verification User identification Number

6/22/2009
Date of Authorization to Use Federal Work Authorization Program

Northeast Georgia Carpet, Inc.
NAME OF CONTRACTOR

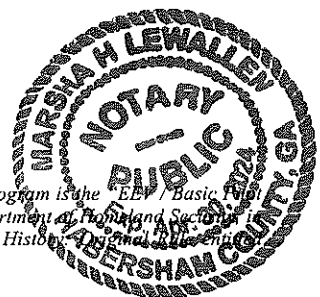
Treasurer
Title of Authorized Officer or Agent of Contractor

Will Lewallen, Will Lewallen
Signature and Printed Name of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE 30th DAY OF May, 2023.

Marsha H. Lewallen
Notary Public

My Commission Expires: 4/30/2024



* As of the effective date of O.C.G.A. § 13-10-91, the applicable federal work authorization program is the "E-Verify / Basic High Program" operated by the U.S. Citizenship and Immigration Services Bureau of the U.S. Department of Homeland Security in conjunction with the Social Security Administration (SSA). Authority O.C.G.A. § 13-10-91. History: "Contractor Affidavit and Agreement" adopted F. May 25, 2007; eff. June

CONTRACT FOR

**STATE OF GEORGIA
WHITE COUNTY**

THIS AGREEMENT, made and entered into this _____ day of _____, 2023, by and between **WHITE COUNTY, GEORGIA**, a political subdivision of the State of Georgia, acting by and through its governing authority, the **White County Board of Commissioners** (hereinafter referred to as the "**COUNTY**") and _____ (hereinafter referred to as the "**CONTRACTOR**").

WITNESSETH:

WHEREAS, the **CONTRACTOR** has submitted to the **COUNTY** a description of the services it is willing to undertake in the performance of certain professional services; and

WHEREAS, the proposal submitted (as attached) by the **CONTRACTOR** has been approved and accepted by the **COUNTY**; and

WHEREAS, the parties hereto desire to reduce the terms of this **AGREEMENT** to writing;

NOW THEREFORE, in consideration of the mutual promises and obligations set forth herein, the sufficiency of which is hereby acknowledged, the parties hereto mutually agree to the following:

1. Character of the Work:

The **CONTRACTOR** agrees to perform _____, in a manner satisfactory to the **COUNTY**, set forth in Exhibit "A," which is attached hereto and incorporated herein by reference.

2. Compensation:

The **COUNTY** agrees to pay the **CONTRACTOR** for services rendered under this agreement in accordance with the bid price set forth in Exhibit "A". **CONTRACTOR** shall submit invoices at the completion of the project, and payment shall be due within ten (10) days of receipt of the invoice by the **COUNTY**. All payments shall be mailed to the **CONTRACTOR**, unless prior arrangements to pick up the payment have been made.

3. Term of Agreement:

The term of this Agreement shall be for a period commencing on _____ and ending on _____.

4. Termination:

If, through any cause, the **CONTRACTOR** shall fail to fulfill in a timely and proper manner its obligations under this Agreement, the **COUNTY** shall thereupon have the right to terminate this Agreement by giving written notice to the **CONTRACTOR** of such termination and specifying the effective date thereof, which effective date shall be no earlier than fourteen (14) calendar days after receipt of the written notice by the **CONTRACTOR**. Notwithstanding, the **CONTRACTOR** shall not be relieved of liability to the **COUNTY** for damages sustained by the **COUNTY** by the virtue of any breach of this Agreement, and the **COUNTY** may withhold payment to the **CONTRACTOR** for the purpose of setoff until such time as the exact amount of damages sustained by the **COUNTY** from such breach can be determined.

5. Indemnification:

The **CONTRACTOR** shall hold harmless and indemnify the **COUNTY** and its officials, employees, and agents from and against any and all claims, damages, liabilities, suits, actions, judgments, and expenses of litigation (including, without limitation, reasonable attorney's fees) arising from or in any way related to the **CONTRACTOR'S** performance of this Agreement.

6. Proof of Insurance:

The **CONTRACTOR** shall maintain insurance in the types and amounts stated below during the term of this Agreement and any renewals or extensions thereof, and shall provide adequate proof of same to the **COUNTY** prior to commencing performance under this Agreement.

Insurance- Contractor shall maintain at a minimum the following types and amounts of insurance: (i) statutorily required workmen's compensation insurance; (ii) comprehensive general liability insurance with limits of not less than \$1,000,000 per occurrence and \$2,000,000 aggregate, and with an endorsement naming White County as an additional insured; and (iii) automobile liability insurance with limits of not less than \$1,000,000 per occurrence and \$2,000,000 aggregate. Workman's Compensation and Employer's Liability in limits of liability as provided by statutes of the State of Georgia.

7. Assignability/Transferability:

The **CONTRACTOR** shall not assign or transfer any interest in this **AGREEMENT** without the written consent of the **COUNTY**.

8. Entire Agreement; Amendments:

This Agreement represents the entire agreement between the parties with respect to the subject matter hereof, and all prior agreements relating to the subject matter hereof, whether written or oral, are nullified and superseded hereby, and neither party shall have any further rights or obligations under such superseded agreements. This Agreement may be amended or supplemented only by a written amendment duly executed and signed by all parties to this Agreement.

9. Notices

Any notices permitted or required to be given pursuant to this Agreement shall be in writing and shall be deemed sufficient if sent via U.S. mail to the respective parties at the following addresses:

If to the **COUNTY**:

White County Board of Commissioners
Attn: Shanda Murphy, County Clerk
1235 Helen Hwy
Cleveland, GA 30528

If to the **CONTRACTOR**:

Attn: _____

If sent via regular U.S. mail, such written notice shall be deemed to have been "received" three business days after it is deposited in the mail with a proper address and with adequate postage affixed.

10. No Waiver:

No failure on the part of either party to this Agreement at any time to require performance by the other party of any term or condition of this Agreement shall be taken or held to be a waiver of such term or condition or in any way affect such party's right to enforce such term or condition, and no waiver on the part of either party of any term or condition of this Agreement shall be taken or held to be a waiver of any other term or condition hereof.

11. Immunity:

Nothing contained in this Agreement shall be construed or deemed to be a waiver of any immunity to which the parties or their officials, employees, or agents are legally entitled.

12. Legal Construction; Severability:

This Agreement shall be governed by and construed in accordance with the laws of the State of Georgia. In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision of this Agreement and this Agreement shall be construed as if the invalid, illegal, or unenforceable provision had never been contained in it.

IN WITNESS WHEREOF, the COUNTY and the CONTRACTOR have executed this agreement as of the first date above written.

COUNTY:

BY: _____

TITLE: _____

ATTEST: _____

DATE: _____

CONTRACTOR:

BY: Will Lewallen

TITLE: Treasurer

ATTEST: Bill [Signature]

DATE: 5/31/23



"Sales & Installation Since 1968"

Company Qualifications Information:

- **Location:** Baldwin, GA
- **Owners:** Bill Lewallen (President), Brad Lewallen (Vice President), Will Lewallen (Treasurer)
- **We are a family owned business specializing in commercial flooring applications since 1968.**

- **Business Litigation: None.**

- **Background of Project Personnel: Bill Lewallen (University of Georgia, BBA '83) (40 Years' Experience In Flooring Industry), Will Lewallen (University of Georgia, BBA '11) (11 Years' Experience In Flooring Industry)**

- **Relevant Work Experience (Since 2018):**
 - **University of North Georgia:**
 - **University of Georgia:**
 - **North Georgia Health Systems: Greg Morgan, (678) 316-3201**
 - **Habersham County Schools: Denise Gunn, (706) 968-3876**
 - **Rabun County Schools: Roger Wolfery, (706) 490-1996**
 - **White County Health Department LVT Flooring (2022)**

- **Flooring Replacement Logistics Plan: Complete Flooring Replacement throughout the Building, Excluding the Entry Vestibule, Bathrooms, Kitchen, Janitor Closet, & Large Storage Room.**

- **There are two existing floor coverings where new LVT is to be installed; Carpet and VCT. To ensure a successful installation, existing Carpet adhesives will need to be removed, and the entire area receiving LVT will need to be skim coated with Ardex Feather Finish. Typically existing areas of VCT require (2) coats of skim coat.**



"Sales & Installation Since 1968"

- In our discussion with the Senior Center Director it is understood that the center is flexible if either the flooring replacement is done all at once or in phases. It is also understood that the kitchen must remain in operation and that their meal program is not interrupted.

- **Contractor Personnel:**
 - **Project Managers: Bill Lewallen & Will Lewallen**
 - **Responsibilities: Ordering Materials, Verifying Materials And Coordinating Deliveries, Coordinating Start/Finish Dates And Times, Thorough Walk-Through Inspecting Installation.**
 - **Foreman: Jose Nunez (Installer & Installation Manager)**
 - **Responsibilities: Overseeing Quality and Accuracy of the Installation, Floor Preparation within Industry Tolerance.**
 - **(4) Installers Working Under Jose Nunez.**
 - **Responsibilities: Installation of LVT and Cove Base, Daily Clean-Up.**

- **Material Storage:** We are able to store all materials in our climate controlled warehouse, and bring materials onsite when project is ready for installation.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
05/30/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER FEDERATED MUTUAL INSURANCE COMPANY HOME OFFICE: P.O. BOX 328 OWATONNA, MN 55060	CONTACT NAME: CLIENT CONTACT CENTER	
	PHONE (A/C, No, Ext): 888-333-4949	FAX (A/C, No): 507-446-4664
E-MAIL ADDRESS: CLIENTCONTACTCENTER@FEDINS.COM		
INSURERS AFFORDING COVERAGE		NAIC #
INSURER A: FEDERATED MUTUAL INSURANCE COMPANY		13935
INSURER B: FEDERATED SERVICE INSURANCE COMPANY		28304
INSURER C:		
INSURER D:		
INSURER E:		
INSURER F:		

INSURED NORTHEAST GEORGIA CARPET, INC. 125 APPALACHIAN OVERLOOK BALDWIN, GA 30511-1765	273-496-0	COVERAGES	CERTIFICATE NUMBER: 41	REVISION NUMBER: 0
---	-----------	-----------	------------------------	--------------------

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR INSR	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
B	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> BUSINESS OWNER'S LIABILITY GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJ. <input type="checkbox"/> LOC OTHER:	N	N	[REDACTED]	04/15/2023	04/15/2024	EACH OCCURRENCE	\$1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$100,000
							MED EXP (Any one person)	
							PERSONAL & ADV INJURY	\$1,000,000
							GENERAL AGGREGATE	\$2,000,000
							PRODUCTS & COMP/OP AGG	\$2,000,000
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY	N	N	[REDACTED]	04/15/2023	04/15/2024	COMBINED SINGLE LIMIT (Ea accident)	\$1,000,000
							BODILY INJURY (Per Person)	
							BODILY INJURY (Per Accident)	
							PROPERTY DAMAGE (Per Accident)	
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION	N	N	[REDACTED]	04/15/2023	04/15/2024	EACH OCCURRENCE	\$1,000,000
							AGGREGATE	\$1,000,000
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/ EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory In NH) (If yes, describe under DESCRIPTION OF OPERATIONS below)		N/A	[REDACTED]	04/15/2023	04/15/2024	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER	
							E.L EACH ACCIDENT	\$500,000
							E.L DISEASE EA EMPLOYEE	\$500,000
							E.L DISEASE POLICY LIMIT	\$500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER 273-496-0 WHITE COUNTY BOARD OF COMMISSIONERS 1235 HELEN HWY CLEVELAND, GA 30528-6937	41 0	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
		AUTHORIZED REPRESENTATIVE <i>Nicholas R. Lower</i>

White County, Georgia

ADDENDUM # 1

MAY 16, 2023

Senior Center LVT Flooring Project# 2023-RFP-SRCENTER04262023

This addendum is issued to change or clarify the proposal documents associated with the Senior Center LVT Flooring, Issued April 26, 2023.

Q. There is a storage room at the front left corner of the building that has existing LVT. Is this room to be included in the scope and receive new LVT?

A. The storage room that currently has LVT already installed is not included in the scope of work for this project. That room will be kept as is.

Q. Can you clarify that the floors requested will be 20 mil?

A. Yes, we are wanting the 20 mil to be quoted.

Q. Are there any particular floor brands?

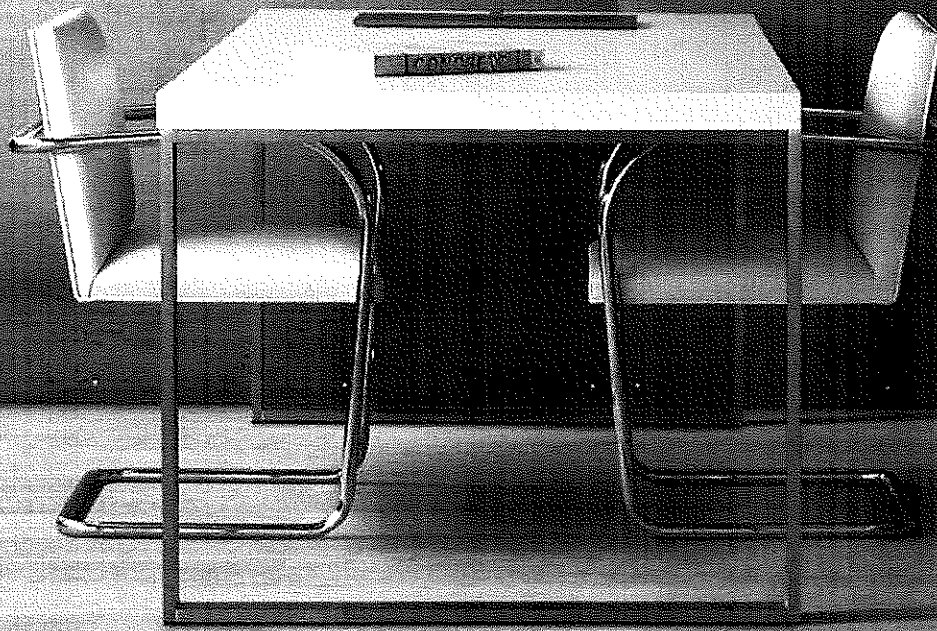
A. We prefer Shaw products, but any comparable brand with the same mil and warranty will be considered.

Q. Are there deposits that will be available to the winning bidder so they can purchase materials, and pay crews to start the work?

A. Yes, the details will be worked out with the awarded vendor.

Note: A signed acknowledgement of this addendum must be received by the White County Purchasing Assistant and attached to your proposal response.

Vendor Name: Northeast Georgia Carpet
Address: 125 Appalachian Overlook
Baldwin, GA 30511
Email: will@negacarpet.com
Authorized Signature: Will Lewallen Date: 5/31/23
Name (Printed): Will Lewallen Title: Treasurer

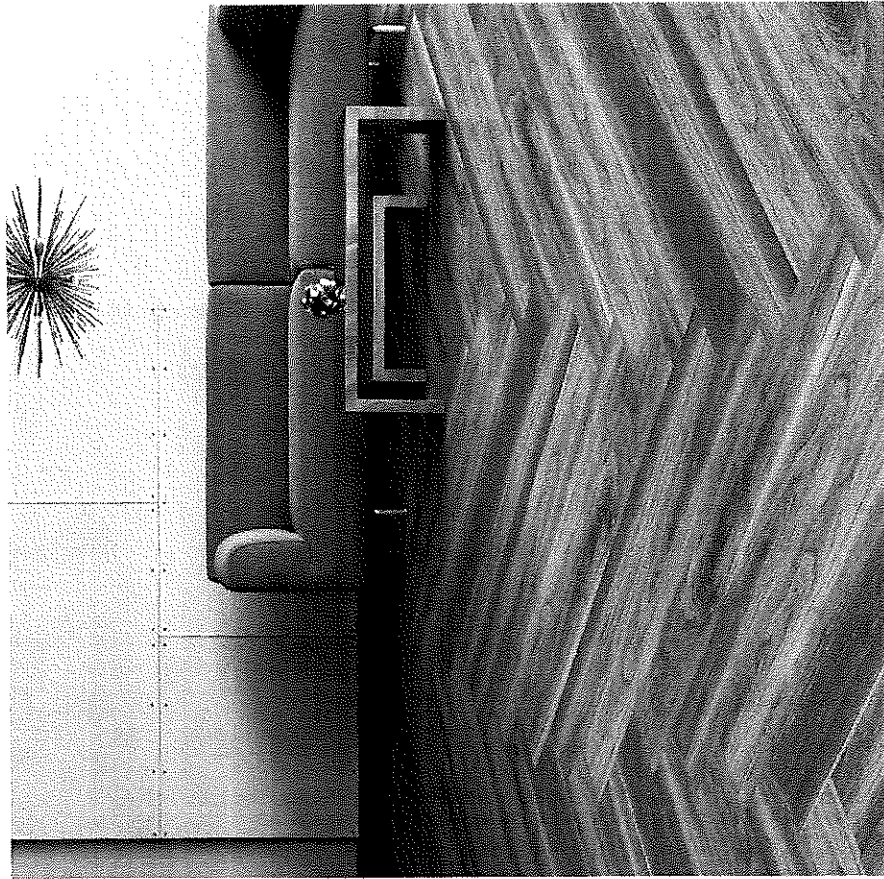


Terrain II

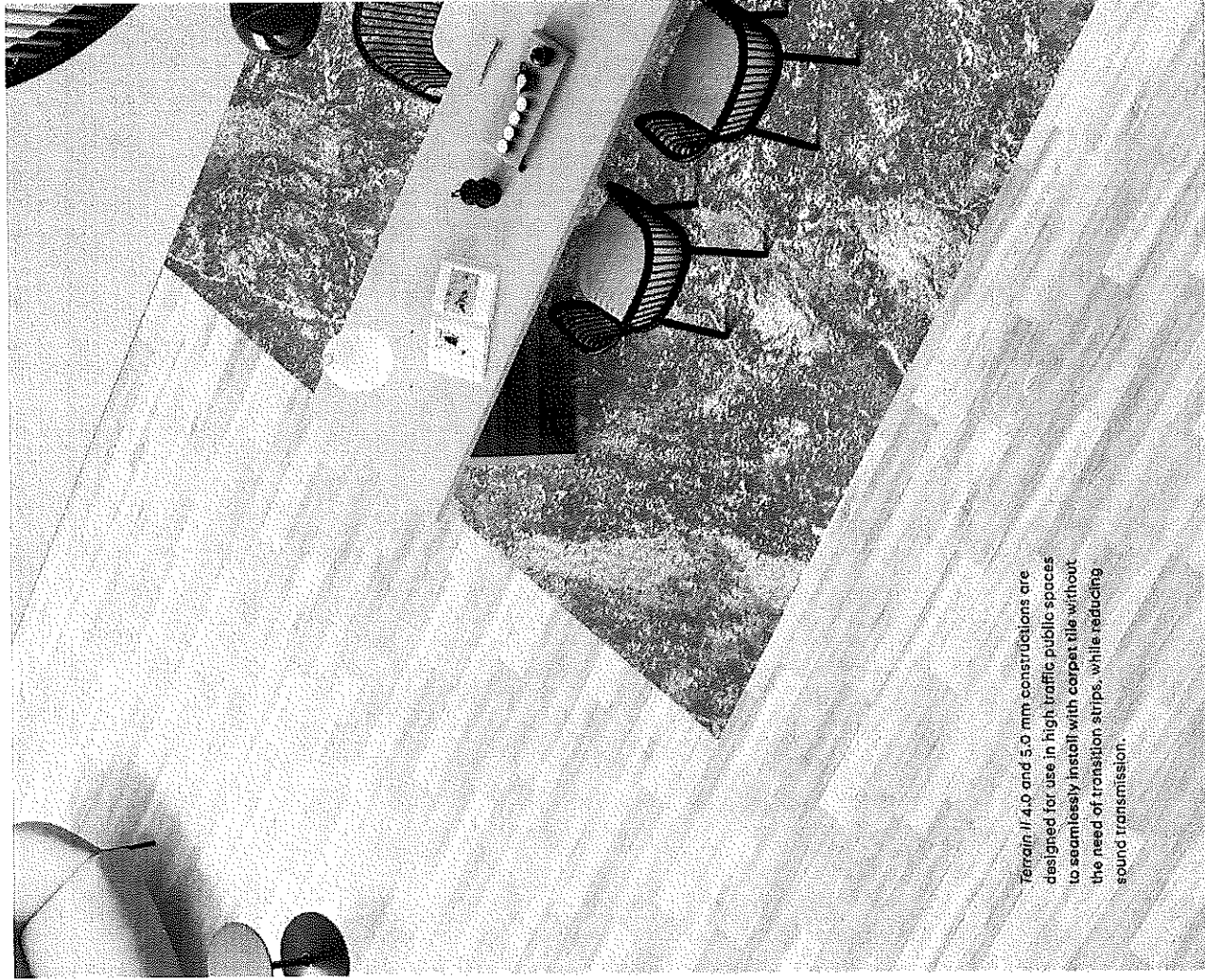
ShawContract®

Terrain II

Bring the rustic beauty of the outdoors in with the *Terrain II* collection. *Terrain II* features oak, walnut, and other authentic wood visuals with 20 colorways. Styles are available in a range of wear layers, thicknesses, and constructions, to fit a variety of commercial spaces. All constructions of *Terrain II* have our highly durable ExoGuard™ finish which provides superior scratch resistance resulting in enhanced appearance retention and abrasion resistance. Polish-optional ExoGuard™ provides durability and ease of maintenance in demanding environments.



COVER PAGE: TERRAIN II (LVT 0807W) IN TRAIL- (2017S) | INSTALLED BRICK
ABOVE: TERRAIN II (LVT 0802V) IN ROOT (2006P) | INSTALLED HERRINGBONE



Terrain II 4.0 and 5.0 mm constructions are designed for use in high traffic public spaces to seamlessly install with carpet tile without the need of transition strips, while reducing sound transmission.

ABOVE: TERRAIN II (RIGID CORE #125V) IN ECHO (2017E) | INSTALLED STAGGER AND BEYOND (AREA RUC 6013R) IN DUNE (1510S)



Manufactured without ortho-phthalates, *Terrain II* is **Floorscore®** certified for low VOCs. All LVT constructions have pre-consumer recycled content, from both internal waste streams and qualified sources of external waste, so we can greatly reduce the amount of waste going to landfill.

Made in the United States with shorter lead times and no tariffs. All variations of *Terrain II* are available as **Quick Ship** so you can order material when you need it up to 25,000 square feet and it will ship within two weeks or less.

TERRAIN II (LVT 06929) IN TIMBER (00572) IS CALLED STAGGER

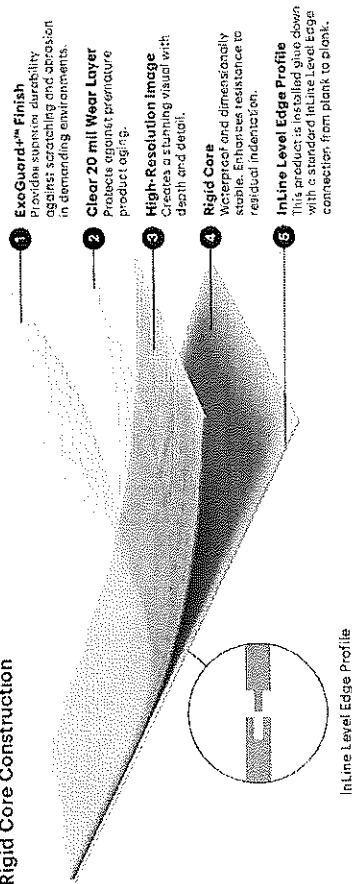
Color and Visual Variation Index

Shade and texture variation is inherent in all resilient products and can vary significantly from piece to piece. V1 products have little or no variation in shade and / or texture, while V4 have the greatest variation from piece to piece. Images represent shade variations only. Samples should be used to assess color.

 V1 Uniform Appearance	 V2 Slight Variation	 V3 Moderate Variation	 V4 Substantial Variation
 Summit 05012 V3	 Ash 00174 V2	 Timber 00572 V2	 Shade 00364 V2
 Orched 05013 V3	 Root 00368 V3	 Willow 00170 V3	 Sunrise 07004 V3
 Echo 02775 V2	 Grove 00769 V3	 Alder 07035 V4	 Nest 00714 V2
 Thatch 00173 V2	 Trail 00256 V2	 Birch 00864 V2	 Sequoia 07003 V2
 Lark 05016 V2	 Lodge 00740 V2	 Thicket 07006 V3	 Aspen 05019 V3

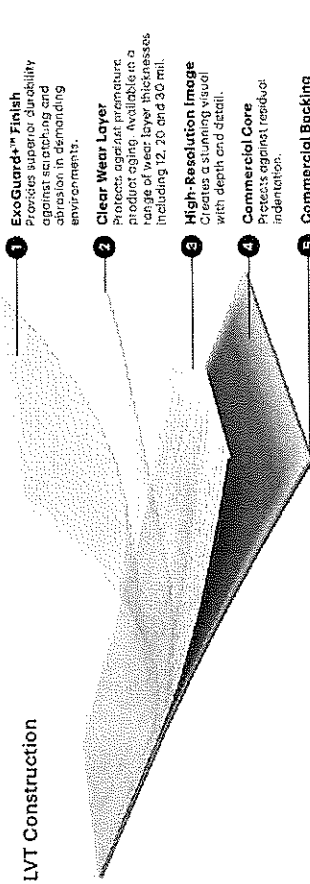
Terrain II

Rigid Core Construction



InLine Level Edge Profile

LVT Construction



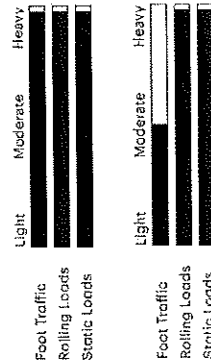
Recommended Applications

LVT 0454V 20 mil 2.5 mm | LVT 0892V 30 mil 3.0 mm
 LVT 4110V 20 mil 5.0 mm | Rigid Core 4125V 20 mil 4.0 mm

Ideal for Heavy Commercial Environments
 Education | Government | Healthcare | Hospitality
 Multi-family | Retail | Senior Living | Workplace

LVT 0453V 12 mil 2.5 mm

Ideal for Light Commercial Environments
 Light Retail | Multi-family | Senior Living



Attributes

12 mil - 2.5 mm	LVT 0453V	X
20 mil - 2.5 mm	LVT 0454V	X
20 mil - 5.0 mm	LVT 4110V	X
30 mil - 3.0 mm	LVT 0892V	X
20 mil - 4.0 mm	Rigid Core 4125V	X

Superior Durability (ExoGuard™)
 ExoGuard™ advanced topical finish technology delivers the highest performance scratch, resistance to and resists UV light degradation, hand sanitizers, disinfectants and common stains.

Made in the USA
 Manufactured in the United States.

Polish-Optional Reduces Cost
 Polish-optional finish that can reduce the cost of annual maintenance.

No Transitions Needed
 The 5 mm thick LVT and 4 mm thick Rigid Core profiles work alongside most carpet tile for smooth transitions throughout your space with no need for a transition strip.

Performs with Static and Rolling Loads
 The high PSI performance of the product enhances resistance to penetration in areas with heavy static and rolling loads per ASTM test methods.

Faster Installation Reduces Cost
 The rigid core allows installation over existing hard surfaces with little or no floor prep. By reducing subfloor imperfections, without underlayment, with no acclimation time needed.

Quick Ship
 As a quick ship product you can order material when you need it up to 25,000 square feet and it will ship within two weeks or less.

Reduces Sound Transmission
 An attaching cork underlayment provides added sound dampening from foot-to-floor sound transfer.

Waterproof
 100% waterproof this product can be installed in areas with topical moisture such as lobbies, reception areas, resident kitchens and bathrooms.

FloorScore® IAQ Certified
 This product is floor certified for low VOC emissions, contributing to valuable LEED points for LEEDv4 credits.

LEEDv4 Contributions
 IEC - Floor Score - IAQ Certification
 MR - RFI Industry Average EPD

Non Ortho-Phthalate Construction
 Formulated without ortho-phthalates.

This product is manufactured and sold for floor covering use only. To meet warranty requirements, approved adhesives must be used for glue-down application as outlined in the Shaw Contract Installation Instructions. Installation and maintenance instructions can be found on shawcontract.com. Specifications are subject to nominal manufacturing variances. Material supply and / or manufacturing processes may necessitate specification changes without notice. Not for use in commercial wet areas due to slip and fall concerns.

shawcontract.com | 1-800-257-7429 | © 2022 Shaw Industries Group, Inc., a Berkshire Hathaway Company CE

ShawContract®

Resilient LVT/LVP – 15 Year Commercial Limited Warranty

Shaw Industries, Inc. (“the Company”) warrants its resilient LVT, LVP, LVT/SPC hybrid, woven, and bio-based products under this Limited Commercial Warranty when used in the proper fit for use indoor commercial applications. The warranty belongs to you, the original end-use purchaser, and begins when you purchase the resilient and extends for the limited warranty period stated above. The basis of any warranty related claim is the original “Company” invoice or authorized “Company” dealer.

The resilient must be installed in accordance with the Company’s installation guidelines and specifications. The product must be maintained in accordance with the Company’s maintenance (resilient care) recommendations and such maintenance (resilient care) continues throughout the duration of the original installation. Damage resulting from a failure to follow installation and cleaning/maintenance guidelines will not be covered under this warranty. Installation guidelines, specifications, and resilient care recommendations can be obtained from your dealer. For additional information, please see the bottom of this page.

WHAT THE WARRANTY COVERS

Manufacturing Defects – The Company warrants that the resilient product will be free from manufacturing defects during the period of this warranty. Manufacturing defects include delamination, core voids, thickness variation, and dimensional stability defects. Dimensional stability related defects are defined as dimensional changes in the width and/or length of the product greater than the tolerances as defined in ASTM F2199. Thickness variation is defined as thickness exceeding the thickness tolerance as defined in ASTM F386.

Wear – The Company warrants, during the period of the warranty, wear due to normal foot traffic will not wear through to the pattern layer of the product.

WHAT CONDITIONS APPLY

For jobsite and floor preparation conditions, see product specific installation guidelines.

Any moisture related testing (i.e. relative humidity, pH, and calcium chloride) is not the responsibility of the Company and all issues related to moisture, including any resilient related issues, are excluded from this warranty. Chair floor protectors are recommended to inhibit premature wear of the surface of the resilient. Replacement resilient will come from current running-line products comparable to the warranted product.

Your warranty does not cover the following: damage caused by improper installation and/or maintenance; differences in color between products and samples or photographs; problems arising from excessive moisture, alkali or water pressure from the sub floor; indentation from improper loading including heavy static loads, high heels, spiked shoes, rolling loads, chairs or other furniture not using floor protectors; telegraphing due to raised access floors or uneven subfloors; discoloration, surface scratches, changes in shading, texture and/or gloss during use; damage caused by chemically reactive material, dye, mold, stains, spillage, burns, gouges, scratches, indentations, floods, accidents, abuse or any harsh scouring pads while buffing; and/or damage due to U.V. light, thermal heat sources, or damage to the floor caused by exposure to temperatures above 100°F (38°C) or is exposed to temperatures below 55°F (13°C).

WARRANTY LIMITATIONS

Shaw products are not warranted against squeaking, popping or crackling. Some squeaking, popping, or crackling is possible when installed using floated methods.

WHAT IF YOU NEED WARRANTY SERVICE

You, the original purchaser, will contact your authorized Company Dealer and/or Sales Representative for warranty or claim service. Please provide a valid proof of purchase and a detailed description of the issue, along with photographs showing the concern. Samples should be submitted for testing when available.

Dealers/Shaw Sales Representatives will file a claim via www.shawnow.com and submit the information you provided. A Shaw claims representative will thoroughly evaluate your claim.

Claims contact information: Shaw Industries Financial Services, PO Box 2128, Dalton, GA 30722 - 1-800-257-7429.

WHAT WE WILL DO

Should a defect covered under this warranty be found, the affected area will be repaired to conform to the warranty. If repair is not commercially practical, the Company may, at its sole option, replace the affected resilient or refund the proportional purchase price for the affected area. The Company will pay the reasonable costs for freight and labor. Any costs incurred for the moving of equipment, furnishings, partitions and the like, that were installed over the commercial product, will be at the consumer's expense.

NOTE: The warranty is not transferable. It extends only to the original end use purchaser. Shaw Industries Inc. does not grant to any person or entity the authority to create for it any obligation or liability in connection with this product. Shaw Industries Inc. shall not be liable to the consumer or any other person or entity for any incidental, special or consequential damages, arising out of breach of this limited warranty or any implied limited warranty (excluding merchantability).

All implied warranties, including an implied warranty of merchantability or fitness for a particular purpose, are hereby limited to the duration of this limited warranty. Some states do not allow the exclusion or limitation of implied warranties or the limitation of incidental or consequential damages, so the above limitations or exclusions may not apply to the purchaser. This warranty gives the purchaser specific legal rights, such rights may vary from State to State.

COMMERCIAL RESILIENT

GENERAL INFORMATION

All substrates to receive moisture sensitive floor covering require proper moisture testing.

- Use cementitious patching and leveling compounds that meet or exceed Shaw's maximum moisture level and pH requirements. Use of gypsum-based patching and/or leveling compounds which contain Portland or high alumina cement and meet or exceed the compressive strength of 3,000 psi are acceptable.
- For cracks or saw cuts deeper than 1", follow the preparation and application instructions for Shaw QuikFill. QuikFill is a 2-part urethane treatment that prevents future damage from moisture penetrating to the surface of the slab that may damage or breakdown adhesives or unapproved patching compounds.
- It is recommended that resilient floor covering installation shall not begin until all other trades are completed.
- Material should always be visually inspected prior to installations. Any material installed with visual defects will not be considered a legitimate claim as it pertains to labor cost.
- Perform Bond testing to determine compatibility of adhesive to the substrate.

STORAGE AND HANDLING

Store all rolls standing upright; DO NOT lay rolls for long periods

- When more than one roll of a color is being installed, all material should be from the same batch and the rolls must be installed in consecutive order. If material from more than one batch is to be used, the job should be laid out so that different batch numbers are not installed side by side.
- Flooring material and adhesive must be acclimated to the installation area for a minimum of 48 hours prior to installation.
- Store cartons of tile or plank products flat and squarely on top of one another. Preferably, locate material in the "center" of the installation area (i.e. away from vents, direct sunlight, etc.) Storing cartons in direct sunlight may affect proper acclimation by inducing thermal expansion/contraction.
- When palletizing on a jobsite vinyl plank or tiles need to be stacked 2 rows high side by side with no airspace between. Then quarter turned for 2 rows side by side, not to exceed 12 boxes high. A 5/8" or thicker plywood must also be placed on the pallet first.
- Do not stack pallet's 2 high unless utilizing a 1" thick plywood in between pallets.

SITE CONDITIONS

- Areas to receive flooring should be adequately lighted during all phases of the installation process. Controlled environments are critical. Fully functional HVAC systems are the best way to ensure temperature and humidity control.
- **DO NOT INSTALL RESILIENT FLOORING PRODUCTS UNTIL THE WORK AREA CAN BE TEMPERATURE CONTROLLED.**

- The permanent HVAC system must be operational and functional and set to a minimum of 65°F (20°C) or a maximum of 85°F (29°C), for a minimum of 7 days prior to, during, and after installation. Once the installation is complete the temperature should not exceed 85°F (29°C).

SUBFLOOR INFORMATION

Note: All substrates to receive resilient flooring shall be dry, clean, smooth and structurally sound. They shall be free of dust, solvent, paint, wax, oil, grease, residual adhesive, adhesive removers, curing, sealing, hardening/parting compounds, alkaline salts, excessive carbonation/laitance, mold, mildew, and other foreign materials that might prevent the adhesive from bonding.

If the adhesive residue is asphalt-based (cut-back), or any other type of adhesive is present, it must be removed by industry accepted methods such as mechanical removal or wet scraping.

If a chemical abatement has been performed, use Shaw Surface Prep EXT to remove any residual chemicals present. Once Shaw Surface Prep EXT has been properly cleaned and removed, apply one coat of Shaw MRP for additional protection.

Adhesive removal through the use of solvents or citrus adhesive removers is not recommended. Solvent residue left in or on the subfloor may affect the new adhesive and floor covering.

WARNING! DO NOT SAND, DRY SWEEP, DRY SCRAPE, DRILL, SAW, BEAD BLAST OR MECHANICALLY CHIP OR PULVERISE EXISTING RESILIENT FLOORING, BACKING, LINING FELT, ASPHALTIC " CUT BACK" ADHESIVES OR OTHER ADHESIVES.

These products may contain either asbestos fibers and/or crystalline silica. Avoid creating dust. Inhalation of such dust is a cancer and respiratory tract hazard. Smoking by individuals exposed to asbestos fibers greatly increases the risk of serious bodily harm. Unless positively certain that the product is a non-asbestos-containing material, you must presume it contains asbestos. Regulations may require that the material be tested to determine asbestos content and may govern the removal and disposal of material. See current edition of the Resilient Floor Covering Institute (RFCI) publication Recommended Work Practices for Removal of Resilient Floor Coverings for detailed information and instructions on removing all resilient covering structures. For current information go to www.rfci.com.

WOOD SUBFLOORS

Wood subfloors must be structurally sound and in compliance with local building codes.

- It is recommended that your chosen APA underlayment grade panels be designed for installation under resilient flooring, and carry a written warranty covering replacement of the entire flooring system.
- Double-Layered APA rated plywood subfloors should be a minimum 1" total thickness, with at least 18" well ventilated air space beneath.
- Insulate and protect crawl spaces with a vapor retarder covering the ground.
- Particleboard, chipboard, flakeboard, OSB, hardboard or similar are not recommended subfloor materials and require the additional layer of an APA ¼" underlayment grade panel.
- DO NOT install over sleeper construction subfloors or wood subfloors applied directly over concrete. Underlayment panels can only correct minor deficiencies in the sub-floor while providing a smooth, sound surface on which to adhere the resilient flooring.
- Any failures in the performance of the underlayment panel rest with the panel manufacturer and not with Shaw Industries, Inc.
- SHAW resilient flooring is not recommended directly over fire-retardant treated plywood or preservative treated plywood.
- The materials used to treat the plywood may cause problems with adhesive bonding. An additional layer of APA rated 1/4 " thick underlayment should be installed.
- Always follow the underlayment manufacturer's installation instructions.
- Crumb rubber underlayments are not an acceptable option for use with resilient floor coverings due to performance issues resulting from chemical incompatibilities.

STRIP – PLANK WOOD FLOORING:

- Due to expansion/contraction of individual boards during seasonal changes a 1/4 " or thicker APA rated underlayment panels must be installed over these types of subfloors.
- Wood flooring installed directly over concrete is NOT an approved subfloor.

CONCRETE SUBFLOORS

NEW AND EXISTING CONCRETE SUBFLOORS SHOULD MEET THE GUIDELINES OF THE LATEST EDITION OF ACI 302 AND ASTM F710, "STANDARD PRACTICE FOR PREPARING CONCRETE FLOORS TO RECEIVE RESILIENT FLOORING" AVAILABLE FROM THE AMERICAN SOCIETY FOR TESTING AND MATERIALS, 100 BARR HARBOR DRIVE, WEST CONSHOHOCKEN, PA 194 28; 610-832-9585; [HTTP://WWW.ASTM.ORG](http://www.astm.org).

- Required Moisture Testing – maximum moisture level per ASTM 1869 CaCl is 8 lbs. and ASTM 2170 In-situ Relative Humidity 90% per 1000 sq.ft. in 24 hours. PH of concrete sub-floor needs to be between 7 & 10.

- Substrates shall be smooth, structurally sound, dry, clean and free of all foreign material such as dust, wax, solvents, paint, grease, oils, old adhesive residue, curing and hardening/ curing compounds, sealers and other foreign material that might prevent adhesive bond.
- On or below-grade slabs must have an effective vapor retarder directly under the slab.
- Wet curing 7 days is the preferred method for curing new concrete.
- Curing compounds (DO NOT USE). If present they can interfere with the bond of the adhesive to the concrete. Seek assistance from a substrate manufacturer if curing agents are detected.
- Remove curing compounds 28 days after placement, so concrete can begin drying.
- Concrete floors shall be flat and smooth within 1/8" in 6 feet or 3/16" in 10 feet.
- F-Number System: Overall values of FF 36/ FL 20 may be appropriate for resilient floor coverings.
- Expansion and isolation joints in concrete are designed to allow for the expansion and contraction of the concrete. Resilient flooring products should never be installed over expansion joints. Expansion joint covers designed for use with resilient floorings should be used. Control joints (saw cuts) may be patched and covered with resilient once the concrete is thoroughly cured, dry and acclimated.
- SI50 / LokWorx Resilient - may not exceed 95% RH and LokWorx + Resilient Adhesive/4151 Adhesive 99% RH. Concrete floors must be tested per the latest edition of ASTM F710.

NOTE: IT MAY NOT BE THE FLOOR COVERING INSTALLER'S RESPONSIBILITY TO CONDUCT THESE TESTS. IT IS, HOWEVER, THE FLOOR COVERING INSTALLER'S RESPONSIBILITY TO MAKE SURE THESE TESTS HAVE BEEN CONDUCTED, AND THAT THE RESULTS ARE ACCEPTABLE PRIOR TO INSTALLING THE FLOOR COVERING. WHEN MOISTURE TESTS ARE CONDUCTED, IT INDICATES THE CONDITIONS ONLY AT THE TIME OF THE TEST .

LIGHTWEIGHT CONCRETE

All recommendations and guarantees as to the suitability and performance of lightweight concrete under resilient flooring are the responsibility of the lightweight concrete manufacturer. The installer of the lightweight product may be required to be authorized or certified by the manufacturer. Correct on-site mixing ratios and properly functioning pumping equipment are critical. To ensure proper mixture, slump testing is recommended.

- Lightweight aggregate concretes having dry densities greater than 90 lbs. per cubic foot may be acceptable under resilient flooring.
- Concrete slabs with heavy static and/or dynamic loads should be designed with higher strengths and densities to support such loads.

- Surface must be permanently dry, clean, smooth, free of all dust, and structurally sound.
- Perform Bond testing to determine compatibility of adhesive to the substrate. Shaw 9050 primer can be utilized to promote adhesion.
- Three internal relative humidity tests should be conducted for areas up to 1000 SF. One additional test, for each additional 1000 SF.

RADIANT HEAT

Radiant Heating: Radiant-heated subfloor systems can be concrete, wood or a combination of both.

The heating systems components must have a minimum of 1/2" separation from the flooring product. The system must be on and operational for at least 2 weeks prior to installation to reduce residual moisture. Three days prior to installation lower the temperature to 65°F (20°C), after installation gradually increase the temperature in increments of 5°F to avoid overheating. Maximum operating temperature should never exceed 85°F (29°C). Use of an in-floor temperature sensor is recommended to avoid overheating. Contact the manufacturer of your radiant heating system for further recommendations.

Electric Radiant Floors: consist of electric cables (or) mats of electrically conductive materials mounted on the subfloor below the floor covering. Mesh systems are typically embedded in thin-set. When embedding the system components, use cementitious patching and leveling compounds that meet or exceed Shaw's maximum moisture level and pH requirements. Use of gypsum-based patching and/or leveling compounds which contain Portland or high alumina cement and meet or exceed the compressive strength of 3,000 psi are acceptable.

Hydronic Radiant Floors: pump heated water from a boiler through tubing laid in a pattern under the flooring. Typically installed in channels under a wooden subfloor (or) imbedded in concrete slabs. Requires the installer follow a specific nailing pattern to avoid penetration of the heat system.

EXISTING FLOORCOVERINGS

RESILIENT FLOOR COVERING:

- Must be single layered, non-cushion backed, fully adhered, and smooth. Show no signs of moisture or alkalinity.
- Waxes, polishes, grease, grime, and oil must be removed.
- Cuts, cracks, gouges, dents and other irregularities in the existing floor covering must be repaired or replaced.
- Embossing leveler recommended to aid in proper bonding and to prevent telegraphing.
- Do not install over rubber based substrates.

NOTE: THE RESPONSIBILITY OF DETERMINING IF THE EXISTING FLOORING IS SUITABLE TO BE INSTALLED OVER TOP OF WITH RESILIENT , RESTS SOLELY WITH INSTALLER/FLOORING CONTRACT OR ON SITE. IF THERE IS ANY DOUBT AS TO SUITABILITY, THE EXISTING FLOORING SHOULD BE REMOVED, OR AN ACCEPTABLE UNDERLAYMENT INSTALLED OVER IT . INSTALLATIONS OVER EXISTING RESILIENT FLOORING MAY BE MORE SUSCEPTIBLE TO INDENTATION.

Quarry Tile, Terrazzo,
Ceramic Tile, Poured Floors
(Epoxy, Polymeric,
Seamless):

- Must be totally cured and well bonded to the concrete.
- Must be free of any residual solvents and petroleum derivatives. Waxes, polishes, grease, grime, and oil must be removed.
- Show no signs of moisture or alkalinity.
- Cuts, cracks, gouges, dents, and other irregularities in the existing floor covering must be repaired or replaced.
- Fill any low spots, holes, chips and seams that may telegraph through the new flooring. Grind any highly polished or irregular/smooth surfaces.
- Quarry tile or Ceramic tile grout joints and textured surfaces must be filled with an embossing leveler or substrate manufacturer approved material.

ADHESIVES

In order to receive a underbed warranty, the product being installed must be approved for underbed applications (see product specification) and must be installed with S150, LokWorx+ or 4151.

SHAW LOKWORX+/4151

Installer friendly, premium high strength (non-staining) acrylic adhesive, designed to permanently install SHAW flooring. May-be used on all grades of concrete: on, above, or below grade in the absence of excess moisture, as well as suspended approved wood floors.

Note: To properly apply adhesive snap white chalk lines along areas where adhesive will be spread to ensure an even and straight line of adhesive. Spread adhesive with a 1/16" (wide) x 1/32" (depth) x 1/32" (apart) trowel to cover the chalk line on one side and meet up to it on the other. If glue is spread over the chalk line it will need to be removed. (DO NOT overlap adhesive.) - Troweling new adhesive over an area already spread may result in telegraphing. Be very careful not to leave any adhesive ridges or puddles.

Porous substrates: Spread adhesive with a 1/16" x 1/16" x 1/16" square notch trowel. Resilient flooring may be placed into adhesive after 10 –20 minutes open time. Install resilient flooring into adhesive when the spacing in between the adhesive transitions from opaque to clear. Roll with a 100 lb. roller immediately after flooring is placed, ensuring complete contact with the adhesive. DO NOT exceed the working time of the adhesive.

Non-porous substrates: Once the adhesive is troweled backroll the adhesive

to prevent trowel ridges from telegraphing. Install resilient flooring into adhesive when it becomes 80% clear (dry to touch, is tacky with minimal transfer to fingers). This will normally require 30 to 45 minutes of drying time at suggested installation temperature and humidity, **DO NOT** exceed working time of the adhesive (refer to adhesive label).

Roll with a 100 lb. roller immediately after flooring is placed, ensuring material has complete contact with adhesive.

IMPORTANT : DO NOT use Shaw LokWorx+/LokWorx Resilient / 4151 as a pressure sensitive adhesive. Loss of adhesion can result if the flooring is not installed within the working time of the adhesive. **DO NOT** allow the adhesive to “skin” over or dry. Too much open time will result in an insufficient bond and may promote telegraphing of the trowel ridges. Perform Bond testing to determine compatibility of adhesive to the substrate. Shaw 9050 primer can be utilized to promote adhesion if needed.

Note: Open time and working times may vary based on temperature, humidity, substrate porosity, trowel size and air flow.

SHAW S150-95 - UNIVERSAL AEROSOL SPRAY ADHESIVE:

- Water-based aerosol adhesive recommended for installations of: vinyl sheet, plank and tiles, vinyl composition tile, or cove base over porous and non-porous substrates. May-be used in occupied buildings and greatly reduces the handling and application requirements associated with conventional adhesives. Demonstrates highly aggressive grab and shear strength.
- Outstanding moisture resistance (95% RH) and Ph up to II, plasticizer migration resistance. Spray application eliminates the need for trowels and paint rollers. Zero calculated VOC's/ CRI Green Label Plus Approved.
- Store appropriately (65° F to 95° F (18° C to 35° C)), out of direct sunlight and away from heat sources or open flames as the contents are under pressure and the can may burst.
- **DO NOT** allow Shaw S150 to freeze.
- Shelf Life: 2 year when stored in original packaging. Coverage: 130-150 sq. ft. /gallon.
- Heat welding can be performed 1 hour after installation.

Application:

- Shake well before using – contents under pressure. Although Shaw S150 has good directional control while spraying, care should be taken to protect delicate surfaces and baseboards with either a shield or paper masking.
- Stand in an upright position and tip the can so it is pointed straight towards the floor, then depress the trigger tip mechanism.

- Aim the spray so that the adhesive falls like snow as you slowly walk back and forth. **DO NOT** use sweeping motion as it will not give you the proper spray pattern, avoid overlapping. The substrate should have an even application of adhesive for proper coverage. *Failure to apply the adhesive correctly may result in telegraphing of adhesive (lumpy appearance) through the flooring material.
- Wait until the adhesive is tacky to the touch, and adhesive does not transfer to finger tips, before installing flooring. High humidity and low temperatures will lengthen open time. Keep the adhesive dust-free while it dries.
- Working time should not exceed 1 hour. Install flooring per guidelines.
- Installation: Roll flooring immediately after installation is complete with an appropriate 75 – 100 lbs. 3- section roller.

Safety and Clean-up:

Wet adhesive overspray or drips should be cleaned with soap and water on a clean cloth. Sheet Dried adhesive may require the use of a solvent adhesive cleaner. Between uses, clean the spray tip immediately with a clean wet cloth to prevent accumulation of dried adhesive. Empty aluminum spray cans should be relieved of excess pressure and recycled or disposed of in accordance with local requirements.

IMPORTANT : Recommended to perform a bond test in order to determine adhesive working time per job site conditions. The strength of the bond test will indicate whether Shaw 9050 floor primer is necessary.

9050- PH BLOCKER/FLOOR PRIMER: 9050 is an acrylic solution made to neutralize excess alkali that is also recommend as a primer coat to prevent over absorption of adhesive and to ensure a better bond. Formulated with an antimicrobial agent, it provides protection against bacteria, fungi, and mildew in the wet or dry state. Contains no solvent, alcohol, or other hazardous materials per OSHA 29 CFR 1910.1200. Non-photo chemically reactive per rule # 102. Available in 4 -gallon pails.

RESILIENT SHEET VINYL PRODUCTS

INSTALLING RESILIENT SHEET VINYL PRODUCTS

- Required Moisture Testing – maximum moisture level per ASTM 1869 CaCl is 8 lbs. and ASTM 2170 In-situ Relative Humidity 90% per 1000 sq.ft. in 24 hours. PH of concrete sub-floor needs to be between 7 &10.
- The permanent HVAC system turned on and set to a minimum of 65°F (20°C) or a maximum of 85°F (29°C), for a minimum of 7 days prior to, during and after installation. After the installation, the temperature should not exceed 85°F (29°C).
- Flooring material and adhesive must be acclimated to the installation area for a minimum of 48 hours prior to installation.

- Use only Shaw approved flooring adhesives.
- Non porous substrates use a 1/16" wide x 1/32" deep x 1/32" apart (U) notch trowel only, unless using S150-95 Spray Adhesive. For porous substrates use a 1/16" x 1/16" x 1/16" square notch trowel.
- Material should always be visually inspected prior to installations. Any material installed with visual defects will not be considered a legitimate claim as it pertains to labor cost.
- Shaw's sheet products are dimensionally stable. They will not shrink or compress. It is recommended to allow material 24 hours unrolled and lying flat on the job site prior to installation.
- Install all cuts and rolls in consecutive sequence.
- Direction is dependent upon the actual layout. Refer to the Product Specification for proper direction.
- Ensure that all recommendations for sub-floor and jobsite conditions are met prior to installation. Once the installation has begun, you have accepted these conditions.

NOTE: Recommended to use floor protection after installation. DO NOT use a plastic adhesive based protection system.

CUTTING AND FITTING SHEETS:

- Measure, identify, and mark your control line for the sheet good installation.
- Cut the required length off the roll, including enough to run up the wall 2" at either end.
- Push the length of the sheet as close to the starting wall as possible, letting the extra length run up the wall at the far end.
- The material should still be aligned on the control line.
- Place a straight edge on top of the material along the starting wall, and proceed to cut along the straight edge. This cut technique is a direct scribe. Pattern scribing, three wall scribing, use of a wall trimmer or freehand cutting all are acceptable methods as well.
- Push the fitted sheet gently to the starting wall while keeping it aligned.
- Free hand knife the opposite wall of the starting wall. Pattern Scribing or direct scribe is also acceptable. Continue to free hand knife, pattern scribe, or direct scribe material for the remainder of the installation area.
- Opening up the sheets in the width/length are acceptable. DO NOT fold as care should be taken not to crease material. DO NOT back roll vinyl backed floorings.
- Snap white chalk lines or use pencil along areas where adhesive will be spread to ensure an even and straight line of adhesive.
- DO NOT use permanent marker.
- Carefully place flooring into adhesive, working toward the wall. DO NOT FLOP MATERIAL IN—air may be trapped, causing bubbles.
- After material has been laid into the adhesive, recess scribe the seams using either the scribe blade or scribe pin.
- Hold the knife blade straight up and down to make final cut. DO NOT UNDERCUT.

- Repeat the same procedure for additional seams in the room.
- Recommended to massage curl the end joints to help ensure they lay flat. Putting weight on the end joints will help to ensure proper bonding as the adhesive sets up.
- Roll the glued areas right away to within 6" of the seam on either side with a 3 section 100 lb. roller. Roll the seam area with a hand-seam roller to bring the seam edges to equal heights. Re-roll the entire glued floor area with the 100 lb. roller within the working time of the adhesive. Continue to roll the floor throughout the working day to ensure a proper bond.
- Heat welding Shaw sheet flooring is always recommended.
- Heat weld seams the following day when using LokWorx+/LokWorx Resilient / 4151 or 1 hour with S150-95. See heat weld instructions. Contact Shaw product support for assistance if not familiar with scribing techniques or heat welding.

NOTE: TO ENSURE PROPER BONDING OF THE MATERIAL, IT IS RECOMMENDED TO ROLL IN THE MATERIAL NEXT TO THE WALLS WITH A HAND SEAM ROLLER.

SEAMING:

Seams may be cut by either the straight edging/edge trimming one side & recess scribing the second sheet, or the overlap & double cut method.

- Recess scribe method - On non-patterned material, trim approximately 1/2" off one selvage edge of seam with a straightedge and sharp knife or edge trimmer. Cut second sheet allowing proper extra length. Position the second sheet with a 1/2"-1" overlap over first sheet at the seam. Set recess scribes so that the seam will have a slight gap, about half the thickness of a razor blade. If cut too full, it will result in bubbles or ridges. Recess scribe seam. Repeat for as many sheets as necessary to complete the area.
- Double cut method-Utilizing a straight edge and a new razor blade hold the knife straight up and down and cut through both pieces in one cut. Cutting through the top layer while scoring half of the bottom layer at the same time, and finishing with a hook blade, is acceptable.
- On patterned material, overlap the selvage edges to align the pattern width and length. For wood patterns align the bevel edge of the planks. Place a 4" wide scrap of material under the seam area. Place a straight edge directly over the beveled edge of the plank. Using a new razor blade hold the knife straight up and down to cut through both pieces in one cut. Cutting through the top layer while scoring half of the bottom layer at the same time, and finishing with a hook blade, is acceptable.

NOTE: SET RECESS SCRIBES SO THAT THE SEAM WILL HAVE A SLIGHT GAP, ABOUT HALF THE THICKNESS OF A RAZOR BLADE. IF CUT TOO FULL, IT WILL RESULT IN BUBBLES OR RIDGES. DO NOT SEAM FACTORY EDGES.

HEAT WELDING:

Heat welding is the recommended procedure for seams, coving, and corner

fill pieces.

- Professionally heat welded seams provide a strong, watertight, hygienic, monolithic surface.
- The welding rod (4 mm) is designed to melt at the same temperature as the sheet flooring, thermally fusing the two together.
- Heat welding should be done 24 hours after installation using Shaw LokWorx+/LokWorx Resilient / 4151. Shaw S150-95 can be heat welded in 1 hour after completed installation.
- Seam edges should be slightly gapped and vertical. Wide gapped or undercut seams will prevent quality welds.
- The depth of the groove should be 1/2 to 2/3 the thickness of the material using a 3.5 mm grooving tool. Be careful not to go too deep. The groove must also be centered along the two edges. This is very important to ensure proper strength and bonding of the welding rod.
- Clean grooves thoroughly of all foreign contamination, including dust.
- Use only professional quality welding equipment that will maintain sufficient temperatures. A narrow preheat 4 mm tip is required.
- Preheat welding gun prior to welding. Preheat to 450° C and then adjust up or down.
- Practice on a scrap piece to fine tune temperature and pace. Long extension cords may affect welding temperature settings.
- Determine the correct welding speed by ensuring that the welding rod actually fuses into the groove. On the scrap practice piece try to pull the weld out of the groove. If the rod pulls out of the groove adjust temperature until it will no longer pull out of the groove.
- Tip must remain parallel to the finished floor. A small ridge must form on either side of the welding rod, at the vinyl surface. If no ridge forms, you have not heat welded the seam correctly.
- While the welding rod is still warm, trim off 1/2 the excess rod with a spatula knife or Mozart skiver and trim plate in one continuous movement.
- After the rod has cooled to room temperature, make the final trim pass using a razor sharp spatula knife or Mozart skiver in one continuous movement.

CHEMICAL WELD:

- Ensure seam is completely clean and dry.
- Pour entire contents of sealer into applicator bottle and allow any air bubbles to dissipate.
- Insert the tip of the applicator down into the seam. Pull back at a steady pace applying a constant pressure on the bottle, applying enough sealer to seal the edges of the sheet and leaving a small bead (1/8") of sealer on the surface of the seam.
- Keep all traffic off the seam for a minimum of 24 hours.

FLASH COVE INSTALLATION:

- Flash coving is an extension of the sheet flooring up the wall to form a wall base.
- Seams in the flash coved areas should be treated the same as seams throughout the rest of the installation.
- 4" - 6" flash coving is common. For all heights in excess of 6" check applicable local building codes.
- Use LokWorx+/LokWorx Resilient, 4151 or S150 adhesive in flash coved areas. Use a brush or roller to apply adhesive to the wall and cove stick area.
- Adhesive must be allowed some open time, usually about 10 – 15 minutes.
- After fitting material into adhesive, use a hand roller to assure contact with the adhesive.

RESILIENT TILE AND PLANK PRODUCTS

- Required Moisture Testing - maximum moisture level per ASTM 1869 CaCl is 8 lbs. and ASTM 2170 In-situ Relative Humidity 90% per 1000 sq.ft. in 24 hours. PH of concrete sub-floor needs to be between 7 & 10.
- The permanent HVAC system is turned on and set to a minimum of 65°F (20°C) or a maximum of 85°F (29°C), for a minimum of 7 days prior to, during and after installation. After the installations, the maximum temperature should not exceed 85°F (29°C).
- Do not stack more than 5 cartons high.
- Flooring material and adhesive must be acclimated to the installation area for a minimum of 48 hours prior to installation.
- Non porous substrates use a 1/16" wide x 1/32" deep x 1/32" apart (U) notch trowel only, unless using S150-95 Spray Adhesive. For porous substrates use a 1/16" x 1/16" x 1/16" square notch trowel.
- Material should always be visually inspected prior to installation. Any material installed with visual defects will not be considered a legitimate claim as it pertains to labor cost.
- Make sure all material is from the same batch number. Install tiles running in same direction (arrows are on back of tile).
- Ensure that all recommendations for sub-floor and jobsite conditions are met prior to beginning the installation. Directional designs are optional, however, once the installation is started, you have accepted those conditions.
- Shaw tile and plank - Install using conventional tile and plank installation techniques. Plank products should have a minimum of 6 – 8" seam stagger.
- Carefully determine where to begin tile or plank installation.
- It is customary to center rooms and hallways so borders are not less than half a tile or plank.
- Working out of multiple boxes at a time is recommended.
- In hallways and small spaces, it may be simpler to work lengthwise from one end using a center reference line as a guide.
- Make sure cut edges are always against the wall.

- To properly cut LVT /LVP products score the top side of the material with a utility knife. Bend the product and finish the cut through the backside. This will ensure the cleanest cut. It may be necessary to use a heat gun to cut around vertical obstructions. Allow the heated LVT /LVP to return to room temperature before installation.
- Cutting resilient product into a fine point may lead to delamination. Use an ethyl cyanoacrylate based glue to help fuse the resilient point together. Be sure to clean all glue from the top surface immediately. Alcohol based glues may cause resilient products to swell.
- Roll the plank/tile with a 3 section 100 lb. roller Re-roll the entire glued floor area with the 100 lb. roller within the working time of the adhesive. Continue to roll the floor throughout the working day to ensure a proper bond.

NOTE: Adhering tape to the surface of your resilient flooring could damage the surface.

Do not use tape to secure floor protection directly to the floor during construction or renovation. Instead, adhere tape to the material used to protect the floor and secure it to the base molding along the wall. A material such as ram board can also be used to protect your flooring.



WHITE COUNTY

Board of Commissioners

Item Title: Surplus 2015 Dodge Caravan

For Meeting Date: 6/26/2023

Work Session **Regular Meeting** **Public Hearing**

Category (Select One): Other

Submitted By: Barbara Overton, Senior Center Director

Attachments: Yes **If yes, please list each file name below:**

1. _____
2. _____
3. _____

Purpose:

Requesting Board of Commission approval to surplus the 2015 Dodge Caravan with 93,164 miles.

Background / Summary:

- Staff reported vehicle not running well and vehicle was taken to ARI for diagnostic.
- Mechanic reported that an estimated \$4000 worth of transmission repairs would be needed.
- The vehicle is worth less than the \$7400 blue book value.
- At this time, the Senior Center is not requesting to replace.

Department Recommendation:

Approval surplus of the 2015 Dodge Caravan.

Options:

-

Budget Information: Applicable Not Applicable

Budgeted: Yes No

Finance Director's Comments (if applicable):

-

County Manager Comments:

- Recommend a motion to surplus this vehicle. There will be no need to replace this vehicle as the remaining fleet is adequate.

WHITE COUNTY BOARD OF COMMISSIONERS

RESOLUTION NO. 2023-11

TO DECLARE CERTAIN PROPERTY OWNED BY WHITE COUNTY TO BE SURPLUS PROPERTY; TO PROVIDE FOR THE DISPOSAL OF SAID PROPERTY BY ON-LINE AUCTION THROUGH GOVDEALS; TO PROVIDE FOR ADVERTISING OF SAID DISPOSITION OF SAID PROPERTY; AND TO AUTHORIZE A REPRESENTATIVE OF WHITE COUNTY TO EXECUTE ANY TITLE TRANSFERS AND BILLS OF SALE ON THE PROPERTY – WITH PROCEEDS FROM THE SURPLUS SALE TO BE DESIGNATED FOR THE SURPLUSING DEPARTMENTS OPERATIONAL NEEDS.

WHEREAS, the Board of Commissioners of White County have determined that certain County-owned property is surplus; and

WHEREAS, the Board of Commissioners of White County desires to dispose of said property through the government on-line auction and to give public notice of said disposition;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of White County, Georgia, and it is hereby resolved by the authority of the same as follows:

-1-

The Board of Commissioners of White County hereby declares that the property described in Exhibit "A" attached hereto and incorporated herein by reference is surplus and shall be disposed of by the county by government on-line auction to the highest responsible bidder for each item – with proceeds of sale returning to the department of origin. All surplus personal property will be sold "as is" and must be removed from the county property by the successful bidder within ten (10) days from the award of the bid, except as otherwise provided in Exhibit "A."

-2-

The Board of Commissioners of White County reserves the right to refuse any and all bids on said property.

-3-

The County Manager is hereby authorized to execute any title transfers and bills of sale to the successful bidders on the personal property.

ADOPTED, this 26th day of June 2023.

WHITE COUNTY BOARD OF COMMISSIONERS

ATTEST:

Travis C. Turner, Chairman

Shanda Murphy, County Clerk

EXHIBIT A

2015 Dodge Caravan – Last 4 of VIN # 7434



WHITE COUNTY

Board of Commissioners

Item Title: 2023-2024 ACCG-IRMA Liability Insurance Increase

For Meeting Date: 6/26/2023

Work Session **Regular Meeting** **Public Hearing**

Category (Select One): Contract / IGA

Submitted By: Shanda Murphy

Attachments: Yes **If yes, please list each file name below:**

1. Summary of increase
2. Invoice
3. _____

Purpose:

To request approval of the 2023-2024 ACCG-IRMA Liability Insurance Renewal

Background / Summary:

- The renewal reflects a 36.31% increase from prior year.
- Contributing factors are overall increase by ACCG for participating counties due to losses & inflation, increase in payroll, no dividend credit, no rate credit (based on our claims), change in the way trailers are listed on the schedule, revaluation of county properties was done in 2023 - increase in insured values.
- The FY 24 budget included \$308,652.00 for this expense - we will have a budget shortfall of \$99,661.00.

Department Recommendation:

Approve renewal of \$408,313.00.

Options:

- Approve renewal - I do not think there is another option with the renewal being effective 07/01/2023. Continue to work with Senator Gooch on tort reform and focus on efforts surrounding safety.

Budget Information: Applicable Not Applicable

Budgeted: Yes No

Finance Director's Comments (if applicable):

- Budget shortfall will be assessed throughout the budget year and addressed at FY2024 year end.

County Manager Comments:

- Unfortunately, these types of increases are not unique to White county or ACCG-IRMA. We have little to no alternative other than to accept the increase as presented. We could reduce some deductables but this would be a trade-off of increased risk for smaller premiums.
- We should try to get ACCG IRMA to provide us a premium cost, or at least an estimate, well in advance of our budget approval so this very large increase can budgeted accordingly.
- One budget option is to take this expense from our \$250,000 contingency line.

2022 - 2023 Summary

	<u>Basis</u>	<u>Cost</u>
Payroll	\$11,200,000.00	\$79,158.87
Auto	185 Vehicles	\$161,249.55
Property	\$57,304,543.00	<u>\$52,772.58</u>
		\$293,181.00
Plus Excess Liability		\$59,993.00
Less Safety Grant		-\$14,659.00
Less Dividend Credit		-\$31,336.00
Less Rate Credit		-\$7,637.00

2022-2023 Premium \$299,542.00

2023-2024 Summary

	<u>Basis</u>	<u>Cost</u>
Payroll	\$12,802,343.00	\$89,828.86
Auto	227 Vehicles	\$236,821.54
Property	\$65,783,611.00	<u>\$81,662.60</u>
		\$350,866.00
Plus Excess Liability		\$74,990.00
Less Safety Grant		-\$17,543.00
Less Dividend Credit		\$0.00
Less Rate Credit		\$0.00

2023-2024 Premium \$408,313.00

2023-2024 Budgeted \$308,652.00

Budget Shortfall -\$99,661.00

Increase:
 \$108,771.00
 36.31%

Contributing Factors:

- Overall increase by ACCG due to losses & inflation
- Payroll Increased
- No dividend credit
- No rate credit (claims)
- Change in the way trailers are listed

Sign and return this page to accginsurance@accg.org by 7/1/2023

REVISED ACCG-IRMA
Renewal Contribution Worksheet
 7/1/2023 to 7/1/2024

Received
06/14/23

Member: White County

COVERAGE AVAILABLE THROUGH ACCG-IRMA

General Liability	Automobile Liability	Equipment Breakdown
Law Enforcement Liability (LEL)	Automobile Physical Damage	Crime & Privacy and Security
Public Officials Liability (POL)	Property	

DEDUCTIBLES AND CONTRIBUTIONS

Unless noted otherwise, your deductible(s) will be the same as expiring and as noted in the Coverages & Limits section of this proposal.

Renewal Proposal	Contribution
Renewal Contribution:	\$425,856
Less Safety Credit:	(\$17,543)
Net Contribution Due:	\$408,313

*The deductible will apply to all losses and all lines of coverage subject to a maximum of one deductible for all claims arising from a single loss. For scheduled properties in Special Flood Hazard Areas, the deductible is the maximum limit available under the National Flood Insurance Program or if unavailable, \$500,000 for building or structure and \$500,000 contents. Highest applicable deductible will apply.

ADDITIONAL LIMITS OF LIABILITY COVERAGE

Your Limit for Liability Coverage (Included in Contribution Above): **\$3,000,000**
 Note that these are the limits you chose last year.
 With \$3,000,000 on Auto Liability

Your liability limits may be increased in increments of \$1,000,000.
 We have provided the cost of any additional limits below.

(If Automobile Liability is specifically itemized in your Limit of Liability Coverage above, that limit will remain the same even if you increase the other liability limits.)

<u>Option</u>	<u>Additional Annual Cost</u>
Increase Limits to \$4,000,000	\$6,364
Increase Limits to \$5,000,000	\$11,632

Automobile Liability is subject to limits of \$500,000 bodily injury per person / \$700,000 bodily injury per accident / \$50,000 property damage as stated under O.C.G.A. § 36-92-2 and provided by Sovereign Immunity Protection Endorsement attached to the ACCG-IRMA Coverage Agreement.

For those members buying a General Liability limit of \$4,000,000 or more, liability arising out of dams which are either 25 ft. or more in height or have an impounding capacity of 50 acre ft. or more will be limited to \$3,000,000 per occurrence unless underwriting requirements are met and the ACCG-IRMA Coverage Agreement is endorsed. Should you have questions about coverage on a particular dam, please call ACCG Underwriting & Member Services at 1.800.858.2224.

Sign and return this page to accginsurance@accg.org by 7/1/2023

EXPOSURES AND VALUES NOTICE

It is important to maintain an accurate Statement of Values on your entity's property to secure sufficient coverage in the event of a claim. As a value-added service, ACCG-IRMA helps the members by paying a professional property appraisal firm to conduct appraisals on covered properties over \$100,000 once every five years at no additional charge. This also helps the members and ACCG-IRMA obtain better reinsurance costs and coverages. It is the member's ultimate responsibility to review the appraisal report and subsequent property schedules at renewal and advise ACCG staff of any concerns with the data or values. Members should also update the property schedule when additions, changes, or deletions need to be made. Not doing so could impact the amount of coverage provided. Vehicles, equipment, and unmanned aircraft schedules also must be updated regularly online for accuracy to ensure proper coverage. All coverage schedule additions, changes, or deletions should be made online through your Origami Risk Member Dashboard here:

<https://live.origamirisk.com/Origami/Account/Login?account=ACCG>

New for 2023: Please sign and return the last page of the Property Schedule included with the proposal email.

OPTIONAL UNINSURED MOTORISTS COVERAGE

Uninsured Motorists coverage provides a source of recovery for the negligent and tortious acts of an owner or operator of an uninsured motor vehicle. County governments are not legally responsible for the liability caused by uninsured motorists. Any bodily injury suffered by a county employee during and in the course of employment is covered by Workers' Compensation; otherwise, their injuries should be covered by their health insurance. Physical damage to county-owned vehicles should be covered under the Physical Damage section of the ACCG-IRMA Coverage Agreement.

Your current Uninsured Motorists coverage limit selection on file is \$0. Should you wish to change this coverage selection to a different limit please call ACCG Underwriting & Member Services at 1.800.858.2224.

IMPORTANT: This Contribution Worksheet must be signed, dated and returned to:

ACCG
email: accginsurance@accg.org
fax: (404) 522-1897
no later than 7/1/2023

Although we would like your contribution as soon as possible, please do not let the lack of payment delay your return of this worksheet. Until we are notified otherwise, your expiring limits and deductibles will apply in the event of a claim.

Accepting For: White County

**SIGN
HERE**

Signature

Title

Date



June 14, 2023

Ms. Shanda Murphy
White County
1235 Helen Hwy
Cleveland, GA 30528

Attention: Ms. Shanda Murphy

Subject: ACCG-IRMA Contribution Breakdown

This document serves to provide assistance in breaking down the IRMA contribution by department for cost allocation purposes. There are numerous acceptable ways of effectively allocating the contribution to the various departments within your county. We have developed one method that will allow you to customize your contribution breakdown according to your county's specific needs. We have attempted to simplify the allocation process due to the many factors that go into the renewal pricing, so that you can easily allocate the contributions as you see fit.

We have provided a standard exposure basis for each of the coverage areas below as well as the exposures you recently provided to us for the renewal. Also provided is the percentage of contribution for each category as it relates to your total contribution. Based on this percentage and the exposures within that category, we have developed an estimated allocated cost per unit for the deductible purchased in the previous coverage period. (If the county chooses a different deductible for the renewal coverage period, you can pro-rate these costs accordingly). In order to calculate a specific department's share of the contribution for a particular category, multiply their portion of the total exposure by the allocated cost per unit.

Coverage	Exposure Basis	Total Exposures	Cost Per Unit	% of Contribution
General Liability, Law Enforcement Liability, Public Officials Liability and Crime	Payroll (Per \$100)	\$12,802,343	\$0.61	22%
Automobile Liability	# of Vehicles	227	\$401	26%
Auto Physical Damage	# of Vehicles	187	\$591	31%
Property, Boiler & Machinery	Total Insurable Values (Per \$100)	\$65,783,611	\$0.11	20%
Total Contribution				\$350,866
Excess Liability (if applicable)				\$74,990
Safety Credit (if applicable)				-\$17,543
Rate Credit (if applicable)				-\$
Dividend Credit (if applicable)				-\$0

As an example for the first coverage category, if the Road Department has payroll of \$1,000,000 and an allocated cost per unit for Liability is \$2.2, you would calculate their portion of the contribution as follows:

$$\$1,000,000/\$100 \text{ Per Payroll} \times \$2.2 = \$22,000$$

On the Auto Liability and Physical Damage, for example, if the Road Department has 10 vehicles and an allocated cost per unit is \$360, you would calculate their portion of the contribution as follows:

$$10 \text{ Vehicles} \times \$360 = \$3,600$$

For the Property and Boiler & Machinery coverage, if the Road Department has \$2,000,000 in total insurable values according to the ACCG-IRMA Statement of Values form and an allocated cost per unit of \$.094, you would calculate their portion of the contribution as follows:

$$\$2,000,000/\$100 \text{ Per TIV} \times .094 = \$1,880$$

As for the Excess Liability that your county may have purchased, since the coverage applies excess over your General Liability, Public Officials Liability, Law Enforcement Liability and Auto Liability coverages, you could allocate the same proportion of the Excess Liability to each of the departments. For instance, if the Road Department is responsible for 20% of the General Liability, Public Officials Liability, Law Enforcement Liability and Auto Liability contributions according to the above cost allocation process, they would pay 20% of the Excess Liability contributions. The same principal could apply to the Safety and Dividend Credits, if you received them for this Coverage Period, and you would like it credited to each of the departments.

Of course, if you have any questions about how to work with this suggested format or if you have any other questions about the allocation of costs, please give me a call. As always, we appreciate your membership in the ACCG-IRMA and look forward to working with you in the coming year.

Sincerely,

Matt Autry, ARM-E, CIC, CSR
Underwriting and Member Services Manager
ACCG-IRMA Administrator

ACCG-IRMA Contributions by Coverage	
General Liability	\$8,245
Law Enforcement Liability	\$45,546
Public Officials Liability	\$21,975
Automobile Liability	\$91,131
Automobile Physical Damage	\$110,522
Property	\$67,143
Boiler & Machinery	\$3,396
Crime	\$2,908
Total Primary Contribution	\$350,866
Excess Liability Contribution	\$74,990
Less Safety Credit (if applicable)	-\$17,543
Less Rate Credit (if applicable)	-\$
Less Dividend Credit (if applicable)	-\$0
Net Contribution Due	\$408,313

White County

5 Year History - Liability Insurance Cost

2019-2020	\$221,069.00
2020-2021	\$253,162.00
2021-2022	\$263,766.00
2022-2023	\$299,542.00
2023-2024	\$407,000.00

Percent Increase Over 5 Year Period 84%



Application for Appointment to Board, Authority or Commission

Applicant's Name: Elizabeth Wood Goad

Address: 180 Narrow Lane
Dahlonega Ga 30533 (White Co)

Phone: [REDACTED]

Email Address: [REDACTED]

Name of Board, Authority or Commission which you are applying for appointment to:

Chamber

Are you at least 21 Years of Age? Yes or No

Are you a resident of White County? Yes or No

Have you ever been convicted of a felony? Yes or No

Do you owe any delinquent tax to White County? Yes or No

Do you have a high school diploma or its equivalent? Yes or No

Are you willing to attend training relative to the responsibilities of the Board Membership, as provided by White County? Yes or No

Do you meet all requirements prescribed by law as to the particular Board, Authority, or Commission for which you are applying? Yes or No

** ONLY TO BE COMPLETED IN LIEU OF A PROFESSIONAL RESUME **

Company Name: Livi Lous Sweets & Treats
Address: 60 Chatt. Strasse Helen
Employment Dates: From 2019 to current
Position Held: owner

Reason for Leaving: _____
Describe Your Duties:
owner - everything

Company Name: GA Mobile Lube
Address: 129 South
Employment Dates: From 2008 to 2019
Position Held: owner

Reason for Leaving: sold company
Describe Your Duties:
serviced large equipment for large electrical companies

Company Name: _____
Address: _____
Employment Dates: From _____ to _____
Position Held: _____
Reason for Leaving: _____
Describe Your Duties:

Educational Background

School	Name and Location	Degree Earned	Completed
High School	Edmund Burke Academy Waynesboro Ga	College	9 10 11 (2)
Technical School			1 2 3 4
College	Truett - McConnell	Short of Business	1 2 3 4
Graduate School			1 2 3 4

Please summarize any prior experience you possess which would be applicable to the appointment you are requesting:

I own 4 businesses currently in Helen.
I am always trying to promote White
County!

Please summarize why you wish to serve in the appointment you are requesting:

I moved to White County 30 yrs
ago. It is home now. I have raised my
children here. I have had ~~the~~ several businesses
here over the years. I am all about networking

Please attach a resume detailing work experience, qualifications, etc. In lieu of a
resume, please complete the following form.

& helping each other!

Describe any specialized training, skills, areas of expertise, and extra-curricular activities.

I am well gifted in the art of gab. 😊
I am not an expert at anything - BUT
I know a lot about many things. I am the
1st to Clack in & the last to leave. Currently
I work 7 days a week in Helen. I am
a very dedicated, passionate person.
I strive for the best & look for the best.

Return To: White County Board of Commissioner's Office

1235 Helen Hwy.

Cleveland, GA 30528

11 yrs ago I was diagnosed w/ Stage
3C Ovarian cancer. I am a 5
percent survivor. EVERY DAY is
a learning experience for me. No wasted
days!

Thank You for your time!
Elizabeth

June 1, 2023

Jodi Ligon
Finance Director
White County
1235 Helen Hwy
Cleveland, GA 30528

To the Honorable Chairman and
Members of the Board of Commissioners
White County, Georgia

We are pleased to confirm our understanding of the services we are to provide White County, Georgia for the year ended June 30, 2023.

Audit Scope and Objectives

We will audit the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information, including the disclosures, which collectively comprise the basic financial statements, of White County, Georgia as of and for the year ended June 30, 2023. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement White County, Georgia's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to White County, Georgia's RSI in accordance with auditing standards generally accepted in the United States of America (GAAS). These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by GAAP and will be subjected to certain limited procedures, but will not be audited:

1. Management's Discussion and Analysis

We have also been engaged to report on supplementary information other than RSI that accompanies White County, Georgia's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting

and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America, and we will provide an opinion on it in relation to the financial statements as a whole, in a report combined with our auditor's report on the financial statements:

1. Combining and individual fund statements and schedules.
2. Schedule of projects financed with special purpose local option sales tax.
3. Schedule of expenditures of federal awards.

The following other information accompanying the financial statements will not be subjected to the auditing procedures applied in our audit of the financial statements, and our auditor's report will not provide an opinion or any assurance on that other information.

1. The introductory section
2. The statistical section

The objectives of our audit are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and issue an auditor's report that includes our opinions about whether your financial statements are fairly presented, in all material respects, in conformity with GAAP, and report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment of a reasonable user made based on the financial statements. The objectives also include reporting on:

- Internal control over financial reporting and compliance with provisions of laws, regulations, contracts, and award agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
- Internal control over compliance related to major programs and an opinion (or disclaimer of opinion) on compliance with federal statutes, regulations, and the terms and conditions of federal awards that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and Title 2 U.S. *Code of Federal Regulations* (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance).

Auditor's Responsibilities for the Audit of the Financial Statements and Single Audit

We will conduct our audit in accordance with GAAS; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single

Audit Act Amendments of 1996; and the provisions of the Uniform Guidance, and will include tests of accounting records, a determination of major program(s) in accordance with Uniform Guidance, and other procedures we consider necessary to enable us to express such opinions. As part of an audit in accordance with GAAS and *Government Auditing Standards*, we exercise professional judgment and maintain professional skepticism throughout the audit.

We will evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management. We will also evaluate the overall presentation of the financial statements, including the disclosures, and determine whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government. Because the determination of waste and abuse is subjective, *Government Auditing Standards* do not expect auditors to perform specific procedures to detect waste or abuse in financial audits nor do they expect auditors to provide reasonable assurance of detecting waste or abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is an unavoidable risk that some material misstatements may not be detected by us, even though the audit is properly planned and performed in accordance with GAAS and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. However, we will inform the appropriate level of management of any material errors, fraudulent financial reporting, or misappropriation of assets that comes to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

We will also conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the government's ability to continue as a going concern for a reasonable period of time.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, tests of the physical existence of inventories, and direct confirmation of receivables and certain assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will also request written representations from your attorneys as part of the engagement.

We have identified the following significant risk(s) of material misstatement as part of our audit planning:

- County personnel may require additional training in the application of generally accepted accounting principles and the preparation of financial statements.

We have not concluded our planning procedures for the current year audit, as such, modifications may be made to the list of significant risks of material misstatement listed above. If new significant risks are identified during our procedures, we will communicate them to you in a timely manner.

We may, from time to time and depending on the circumstances, use third-party service providers in serving your account. We may share confidential information about you with these service providers but remain committed to maintaining the confidentiality and security of your information. Accordingly, we maintain internal policies, procedures, and safeguards to protect the confidentiality of your personal information. In addition, we will secure confidentiality agreements with all service providers to maintain the confidentiality of your information and we will take reasonable precautions to determine that they have appropriate procedures in place to prevent the unauthorized release of your confidential information to others. In the event that we are unable to secure an appropriate confidentiality agreement, you will be asked to provide your consent prior to the sharing of your confidential information with the third-party service provider. Furthermore, we will remain responsible for the work provided by any such third-party service providers.

Audit Procedures – Internal Control

We will obtain an understanding of the government and its environment, including the system of internal control, sufficient to identify and assess the risks of material misstatement of the financial statements, whether due to error or fraud, and to design and perform audit procedures responsive to those risks and obtain evidence that is sufficient and appropriate to provide a basis for our opinions. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentation, or the override of internal control. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by the Uniform Guidance, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to the Uniform Guidance.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. Accordingly, we will express no such opinion. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, *Government Auditing Standards*, and the Uniform Guidance.

Audit Procedures – Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of White County, Georgia's compliance with provisions of applicable laws, regulations, contracts, and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance, and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

The Uniform Guidance requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with federal statutes, regulations, and the terms and conditions of federal awards applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the *OMB Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of White County, Georgia's major programs. For federal programs that are included in the Compliance Supplement, our compliance and internal control procedures will relate to the compliance requirements that the Compliance Supplement identifies as being subject to audit. The purpose of these procedures will be to express an opinion on White County, Georgia's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to the Uniform Guidance.

Other Services

We will also assist in preparing the financial statements, schedule of expenditures of federal awards, and related notes of White County, Georgia in conformity with accounting principles generally accepted in the United States of America and the Uniform Guidance based on information provided by you. These non-audit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. We will perform the services in accordance with applicable professional standards. The other services are limited to the depreciation schedule, financial statements, schedule of expenditures of federal awards, and related notes services previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

Responsibilities of Management for the Financial Statements and Single Audit

Our audit will be conducted on the basis that you acknowledge and understand your responsibility for (1) designing, implementing, establishing, and maintaining effective internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, including internal controls over federal awards, and for evaluating and

monitoring ongoing activities to help ensure that appropriate goals and objectives are met; (2) following laws and regulations; (3) ensuring that there is reasonable assurance that government programs are administered in compliance with compliance requirements; and (4) ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles, for the preparation and fair presentation of the financial statements, schedule of expenditures of federal awards, and all accompanying information in conformity with accounting principles generally accepted in the United States of America, and for compliance with applicable laws and regulations (including federal statutes), rules, and the provisions of contracts and grant agreements (including award agreements). Your responsibilities also include identifying significant contractor relationships in which the contractor has responsibility for program compliance and for the accuracy and completeness of that information.

You are also responsible for making drafts of financial statements, schedule of expenditures of federal awards, all financial records, and related information available to us and for the accuracy and completeness of that information (including information from outside of the general and subsidiary ledgers). You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation, identification of all related parties and all related-party relationships and transactions, and other matters; (2) access to personnel, accounts, books, records, supporting documentation, and other information as needed to perform an audit under the Uniform Guidance; (3) additional information that we may request for the purpose of the audit; and (4) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence. At the conclusion of our audit, we will require certain written representations from you about the financial statements; schedule of expenditures of federal awards; federal award programs; compliance with laws, regulations, contracts, and grant agreements; and related matters.

Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements of each opinion unit taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants. You are also responsible for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements

that we report. Additionally, as required by the Uniform Guidance, it is management's responsibility to evaluate and monitor noncompliance with federal statutes, regulations, and the terms and conditions of federal awards; take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings; promptly follow up and take corrective action on reported audit findings; and prepare a summary schedule of prior audit findings and a separate corrective action plan. The summary schedule of prior audit findings should be available for our review at the beginning of our fieldwork.

You are responsible for identifying all federal awards received and understanding and complying with the compliance requirements and for the preparation of the schedule of expenditures of federal awards (including notes and noncash assistance received, and COVID-19-related concepts, such as lost revenues, if applicable) in conformity with the Uniform Guidance. You agree to include our report on the schedule of expenditures of federal awards in any document that contains, and indicates that we have reported on, the schedule of expenditures of federal awards. You also agree to include the audited financial statements with any presentation of the schedule of expenditures of federal awards that includes our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the schedule of expenditures of federal awards in accordance with the Uniform Guidance; (2) you believe the schedule of expenditures of federal awards, including its form and content, is stated fairly in accordance with the Uniform Guidance; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal awards.

You are also responsible for the preparation of the other supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles (GAAP). You agree to include our report on the supplementary information in any document that contains, and indicates that we have reported on, the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon or make the audited financial statements readily available to users of the supplementary information no later than the date the supplementary information is issued with our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Scope and Objectives section of this letter. This responsibility

includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

You agree to assume all management responsibilities for the financial statements, schedule of expenditures of federal awards, and related notes, and any other nonaudit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements, the schedule of expenditures of federal awards, and related notes and that you have reviewed and approved the financial statements, the schedule of expenditures of federal awards, and related notes prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

Engagement Administration, Fees, and Other

We understand that your employees will prepare all cash, accounts receivable, or other confirmations we request and will locate any documents selected by us for testing.

At the conclusion of the engagement, we will complete the appropriate sections of the Data Collection Form that summarizes our audit findings. It is management's responsibility to electronically submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditor's reports, and corrective action plan) along with the Data Collection Form to the Federal Audit Clearinghouse. We will coordinate with you the electronic submission and certification. The Data Collection Form and the reporting package must be submitted within the earlier of 30 calendar days after receipt of the auditor's reports or nine months after the end of the audit period.

We will provide copies of our reports to the Georgia Department of Audits and Accounts; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of Rushton, LLC and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Rushton's personnel. Furthermore, upon request, we may provide copies of selected

audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date. If we are aware that a federal awarding agency or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

Clay Pilgrim is the engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them. We expect to begin our audit on approximately June 22, 2023 and to issue our reports no later than December 16, 2023.

Our fee for these services will be at our standard hourly rates plus out-of-pocket costs (such as report reproduction, word processing, postage, travel, copies, telephone, confirmation service provider fees, etc.) except that we agree that our gross fee, including expenses, will not exceed \$58,000 for the financial statement audit, \$8,000 for the Single Audit (if required) for the first major program, and \$3,000 for each additional major program. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes 90 days or more overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report(s). You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the engagement. If significant additional time is necessary, we will keep you informed of any problems we encounter and our fees will be adjusted accordingly.

We schedule the engagement based in part on deadlines, working conditions, and the availability of White County, Georgia's personnel. We will plan the engagement based on the assumption White County, Georgia's personnel will cooperate and provide assistance by performing tasks such as preparing requested schedules, retrieving supporting documents, and preparing confirmations. If, for whatever reason, White County, Georgia's personnel are unavailable to provide the necessary assistance and requested documentation in a timely manner as per the agreed upon schedule, it may substantially increase the work we have to do to complete the engagement within the established deadlines, resulting in an increase in fees over our original fee estimate.

Reporting

We will issue written reports upon completion of our Single Audit. Our reports will be addressed to the Honorable Chairman and Members of the Board of Commissioners of White County, Georgia. Circumstances may arise in which our report may differ from its expected form and content based on the

results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinions, add a separate section, or add an emphasis-of-matter or other-matter paragraph to our auditor's report, or if necessary, withdraw from this engagement. If our opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or issue reports, or we may withdraw from this engagement.

The *Government Auditing Standards* report on internal control over financial reporting and on compliance and other matters will state that (1) the purpose of the report is solely to describe the scope of testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance, and (2) the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The Uniform Guidance report on internal control over compliance will state that the purpose of the report on internal control over compliance is solely to describe the scope of testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Both reports will state that the report is not suitable for any other purpose.

We appreciate the opportunity to be of service to White County, Georgia and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,

Rushton, LLC

Certified Public Accountants

RESPONSE:

This letter correctly sets forth the understanding of White County, Georgia.

Management Signature: _____

Title: _____

Date: _____

Governance Signature: _____

Title: _____

Date: _____



White County
Georgia

May 2023

Monthly Financial Report

June 26, 2023



General Fund Revenues & Expenditures

FY2023 Amended Budget = \$25,227,598

May

Revenues - \$ 977,808

Expenditures - \$ 1,734,165

YTD

Revenues - \$ 22,706,788 (90%)

Expenditures - \$ 21,724,525 (86%)

11 months of 12 = 92%



FY2019 – 2023 Alcohol Taxes & Fees

FY2023 Budget = \$158,400

88% Rec'd

Description	FY2019	FY2020	FY2021	FY2022	FY2023
License Fees	\$43,382	\$45,435	\$42,258	\$42,412	\$ 48,746
Excise Tax	\$83,289	\$86,457	\$102,169	\$98,094	\$ 90,490
Total Alcohol Fees & Taxes	\$126,671	\$131,892	\$144,427	\$140,506	\$ 139,236



FY2019 – 2023 TAVT (Title Ad Valorem Tax)

FY2023 Budget = \$1,900,000 95% Rec'd

Month	FY2019	FY2020	FY2021	FY2022	FY2023
JUL	\$74,715	\$136,306	\$153,972	\$160,887	\$161,796
AUG	\$104,393	\$144,099	\$152,696	\$166,466	\$182,277
SEP	\$80,222	\$135,669	\$131,587	\$175,054	\$169,663
OCT	\$85,576	\$117,060	\$130,468	\$149,876	\$133,911
NOV	\$73,190	\$109,057	\$110,052	\$141,044	\$163,468
DEC	\$69,568	\$116,593	\$144,212	\$178,495	\$146,906
JAN	\$93,225	\$145,633	\$135,662	\$122,128	\$164,670
FEB	\$67,961	\$113,050	\$150,507	\$160,983	\$158,073
MAR	\$96,055	\$135,855	\$187,822	\$188,453	\$208,550
APR	\$92,761	\$77,925	\$185,809	\$156,077	\$151,766
MAY	\$77,858	\$113,550	\$179,239	\$167,551	\$155,830
JUN	\$98,165	\$134,243	\$155,585	\$188,531	
TOTALS	\$1,013,689	\$1,479,040	\$1,817,611	\$1,955,545	\$1,796,910



FY2019 – 2023 Local Option Sales Tax

FY2023 Budget = \$4,047,067 104% Rec'd

Month	FY2019	FY2020	FY2021	FY2022	FY2023
JUL	\$241,757	\$262,785	\$297,868	\$373,325	\$406,727
AUG	\$264,181	\$286,083	\$312,028	\$400,728	\$432,997
SEP	\$228,659	\$254,983	\$536,860	\$353,260	\$370,726
OCT	\$226,816	\$256,146	\$303,063	\$333,517	\$382,268
NOV	\$257,618	\$268,171	\$327,889	\$371,966	\$434,395
DEC	\$229,047	\$255,898	\$302,201	\$367,858	\$383,378
JAN	\$231,065	\$266,878	\$332,728	\$379,436	\$417,954
FEB	\$184,313	\$229,921	\$271,627	\$305,170	\$325,798
MAR	\$210,193	\$210,195	\$259,792	\$304,125	\$319,169
APR	\$233,021	\$228,103	\$320,464	\$363,527	\$367,135
MAY	\$223,684	\$213,733	\$319,636	\$359,678	\$368,755
JUN	\$244,016	\$268,557	\$342,165	\$369,094	
TOTAL	\$2,774,370	\$3,001,453	\$3,926,321	\$4,281,684	\$4,209,302



FY2019 – 2023 Hotel / Motel Tax

FY2023 Budget - \$2,384,500 78% Rec'd

Month	FY2019	FY2020	FY2021	FY2022	FY2023
JUL	\$83,289	\$104,588	\$120,932	\$176,808	\$176,867
AUG	\$113,190	\$125,026	\$176,030	\$267,524	\$222,704
SEP	\$74,019	\$83,767	\$124,013	\$190,448	\$161,576
OCT	\$73,197	\$95,041	\$160,567	\$183,901	\$172,494
NOV	\$119,335	\$123,552	\$174,828	\$188,515	\$247,179
DEC	\$95,745	\$99,301	\$170,745	\$230,510	\$190,034
JAN	\$85,132	\$98,634	\$148,085	\$176,886	\$165,397
FEB	\$52,907	\$59,018	\$98,423	\$126,946	\$131,564
MAR	\$47,790	\$50,630	\$105,446	\$117,928	\$114,009
APR	\$75,851	\$46,562	\$131,277	\$171,026	\$122,786
MAY	\$75,170	\$17,970	\$135,444	\$123,877	\$154,619
JUN	\$82,186	\$72,217	\$156,170	\$171,676	
TOTAL	\$977,811	\$976,306	\$1,701,960	\$2,126,045	\$1,859,229



Separate Funds FY2023 Budget to Actual

May 2023

Fund	Total Budget	Cost to Gen Fund	Revenues YTD	Expenditures YTD	% Spent
Solid Waste	\$123,509	\$0	\$155,288	\$179,449	145%
E-911	\$1,415,157	\$700,000	\$1,130,414	\$1,177,203	83%
ARDEO	\$842,635	\$0	\$750,709	\$559,413	66%
Enotah Judicial	\$1,133,456	\$205,238	\$1,075,596	\$794,755	70%



2020 SPLOST

Start Date: December 2020

End Date: November 2026

May 2023 is 30th month of 72

Receipts = \$ 604,603

1% County Administration Fee = \$ 6,046

Cleveland & Helen portions = \$ 119,711 each

County portion = \$ 359,135

Earmarked Debt Service Funds = \$ 65,000

Project Fund Account = \$ 294,135



SPLOST2020 Receipts

Calendar Year History - Total To Date \$17,737,052

MONTH	2020	2021	2022	2023	2024	2025	2026
JAN	-	\$554,546	\$632,394	\$702,001			
FEB	-	\$452,713	\$508,617	\$542,956			
MAR	-	\$432,988	\$506,875	\$532,035			
APR	-	\$534,107	\$605,877	\$622,417			
MAY	-	\$532,726	\$599,464	\$604,603			
JUN	-	\$570,279	\$615,157				
JUL	-	\$622,210	\$677,879				
AUG	-	\$667,881	\$721,663				
SEP	-	\$588,768	\$617,383				
OCT	-	\$555,862	\$630,001				
NOV	-	\$619,945	\$723,945				
DEC	\$503,663	\$613,097	\$645,000				-
TOTAL	\$503,663	\$6,745,122	\$7,484,255	\$3,004,012			



White County
Georgia

QUESTIONS & COMMENTS