



**WHITE COUNTY BOARD OF COMMISSIONERS
COMBINED WORK SESSION & CALLED MEETING
MONDAY, JANUARY 29, 2024 AT 4:30 P.M.**

AGENDA

1. Call to Order.

LAND USE ITEMS

NOTE: In reference to land use agenda item #2 & #3 – 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 item at the public hearing held at the Planning Commission Meeting on December 27, 2023. All information presented was then forwarded to the Board of Commissioners.

2. Consider the land use application filed by Tamara and Lawrence Adelberg to redistrict property located at 37 Thornblade Trail Cleveland, Georgia from to C-1, Community Commercial District to R-1, Residential Single-Family District. Tax map and parcel 017-094C. Total acreage is 1.16.
3. Consider the land use application filed by David Fain to request a conditional use permit at 220 Black Road Cleveland, Georgia. Tax map and parcel 062-032. Total acreage is 23.32. The proposed use is a telecommunications tower. The present zoning is A-1, Agriculture Forestry District.

NEW BUSINESS

4. Consider revisions to County Code Sections (26-126 & 26-128) relating to volunteer fire compensation and participation requirements to reflect current operational changes and to promote retention and recruitment.
5. Consider approval of the new agreement for statewide mutual aid during emergency and disaster response.
6. Consider approval for repairs to Westmoreland Road from damage resulting from a vehicle fire.
7. Consider acceptance of a grant awarded to the Enotah Judicial Circuit through the American Rescue Plan Act (ARPA) for the purpose of addressing backlog court cases with priority given to serious violent offenders.
8. Consider the Board of Commissioners election of a Vice-Chair for the 2024 calendar year.
9. Consider entering into Executive Session in order to discuss matters of real estate and personnel.
10. Adjourn.



WHITE COUNTY

Board of Commissioners

Item Title: Rezoning from C-1 to A-1 for Tamara/Lawrence Adelbara, 37 Thornblade Trail, Cleveland

For Meeting Date: 1/29/2024

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. 20461
2. Public Hearing Minutes 12/27/2023
3. Regular Meeting Minutes 1/2/2024

Purpose:

Consider the application of Tamara and Lawrence Adelberg to redistrict property located at 37 Thornblade Trail, Cleveland, Georgia, 30528 from to C-1 Community Commercial District to R-1 Residential Single Family District. Tax map and parcel 017-094C. Total acreage is 1.16. Present zoning is C-1 Community Commercial District.

Background / Summary:

- Applicant is requesting to rezone propert at 37 Thornblade Trail. Mr. Adelberg stated they bought the property in 2010 and did not realize it was zoned commercial until they put it on the market. Mrs. Adelberg said it is difficult to sell a residential property that is zoned commercial, so they are asking to rezone it to residential since that is the use. No one spoke for or against the applicatin. The Planning Commission recommended approval 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>20461</u>
Public Hearing Date: <u>12/27/2023</u>	Commission District: <u>3</u>
Fees Assessed: <u>\$250</u>	Paid via: <input type="checkbox"/> cash <input type="checkbox"/> credit card <input checked="" type="checkbox"/> check# <u>3624</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>Tamara Lawrence Adelberg</u>	
Address: <u>37 Thornblade Trail 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>017-094C</u>	Total acreage being changed: <u>1.16</u>
Address: <u>37 Thornblade Trail Cleveland, GA 30528</u>	
Directions to Property:	
<u>From Eagles 129 N, turn right at Thornblade Trail across from Dollar Gen.</u>	

Current Use/Zoning of Property: <u>C1</u>	Type of Road Surface: <u>paved</u>
Any prior redistricting requests for property: <input type="checkbox"/> If yes, provide redistricting application #: _____	

SURROUNDING PROPERTY LAND USE CLASSIFICATION:

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

<input checked="" type="checkbox"/> Redistrict from district: <u>C1</u>	Redistrict to district: <u>R1</u>
Conditional Use - specify: _____	
Special Use - specify: _____	
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 checked="" type="checkbox"/> Yes <input 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 REDISTRICKT INFORMATION

Building Area: _____ No. of Parking Spaces: _____

RESIDENTIAL REDISTRICKT INFORMATION

No. of Lots: 1 Minimum Lot Size in acres: 1.16 acres No. of Units: 2 house + workshop

Minimum Heated Floor Area (ft²): 3,000 ± 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	<u>017 0940 The Cottage winery</u>	<u>5050 129 N Cleveland</u>
²	<u>017 095 Larry McDonald</u>	<u>49 Thornblade Trail</u>
³	<u>017 103 Larry McDonald</u>	<u>vacant land</u>
⁴	<u>017 94B The Cottage Cabin Rental</u>	<u>43 Thornblade Trl.</u>
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.

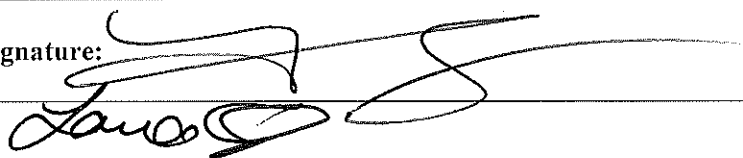
I understand that the Planning Department staff may either accept or reject my request upon review. My request will be rejected if all the necessary data is not presented.

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:

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 (vote)	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:

**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:

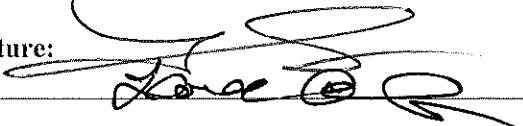
Name of local official(s) to whom campaign contribution was made:

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:

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), Tamara & Lawrence Adelberg,
 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>Tamara L. and Lawrence K. Adelberg</u>	
Mailing Address: <u>37 Thornblade Trail</u> <u>Cleveland, GA 30528</u>	
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):	<u>Billy Durysla</u> <u>Richard Morgan</u> <u>Larry McDonald</u>
Signature of Owner(s):	Date Signed:
<u>[Signature]</u>	<u>11/1/23</u>
<u>[Signature]</u>	<u>11/1/23</u>

PROPERTY OWNER AUTHORIZATION DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this 1st day of November, 2023 by Tamara & Lawrence Adelberg (name of signer(s)). The named signer(s) is/are personally known by me or produced the identification type of GA Drivers License

{Seal}



Janet L. Savage
 (Signature of Notary)
Janet L. Savage
 (Name of Notary Typed, Stamped, or Printed)

APPLICANT ACKNOWLEDGEMENT OF MEETING DATES

I, Samara Adelberg (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

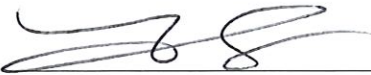
Public Hearing Date (Planning Commission): 12/27/2023

Regular Meeting Date (Planning Commission): 1/2/2024

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

Board of Commissioners Meeting Date: 1/29/2024

**Meeting dates are subject to change*



 Signature of Applicant or Authorized Agent

11/1/23

 Date

<p><u>OFFICE USE ONLY</u></p> <p>Copy given to applicant: <u>11/1/23</u> (date)</p> <p>Staff Initials: <u>MAP</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>



Tamara & Lawrence Adelberg

404-353-8083

37 Thornblade Trail, Cleveland, GA 30528

November 1, 2023

Planning Department
White County, GA
1241 Helen Hwy, Suite 200
Cleveland, GA 30528

To whom it may concern,
We are asking for the County to rezone our property at 37 Thornblade Trail, Cleveland, GA 30528 from C1 to R1. We are asking for this rezoning because the house currently sits on a C1 property and it is keeping us from being able to sell this residence. We had the house on the market for over a year with very little attention. We were told by real estate agents as well as mortgage brokers that it's nearly impossible for someone to obtain a loan for a residence that sits on a commercial property.

Please consider and vote to rezone 37 Thornblade Trail.

Sincerely,

Tamara & Lawrence Adelberg



Public Health
Prevent. Promote. Protect.

White County Environmental Health

Zachary Taylor, M.D., M.S., Acting 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: 11/01/2023

APPLICANT NAME: TAMARA ADELBERG

PROPERTY ADDRESS: 37 THORNBLADE TRL
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



706-219-1636 www.youflow.com 1-866-YOU-FLOW
P.O. Box 743 Cleveland, Ga. 30528

Subject: Proof of Septic System Upkeep

November 1, 2023

Dear Mrs Adelberg,

I hope this letter finds you well. We are writing to provide you with official documentation that confirms the septic system upkeep services provided by North Ga Environmental Services at 37 Thornblade Trail. We understand that you may require this proof for your records or any other purposes, and we are pleased to offer this verification.

Please find below a summary of the septic system maintenance services that have been provided to you:

1. Maintenance Period: Beginning Feb. 2018
 - Regular inspections and evaluations of the septic system.
 - Scheduled pumping and cleaning of the septic tank.
 - Repairs and troubleshooting when necessary.
 - Compliance with local environmental regulations and standards.
 - Responsive customer support and communication.
2. Technicians: Our team of trained and certified technicians, have been responsible for carrying out the maintenance services and ensuring the proper functioning of your septic system.

Please be assured that the maintenance and upkeep of your septic system have been conducted with the utmost care and professionalism, in accordance with industry best practices and local regulations. We have strived to keep your septic system in optimal condition to prevent any issues or disruptions.

Should you require any further details, have specific questions, or need additional documentation related to the upkeep of your septic system, please do not hesitate to contact our office at [Your Phone Number] or [Your Email Address]. We are here to assist you with any information you may need.

Thank you for entrusting [Your Company Name] with the care of your septic system. We appreciate your continued partnership and look forward to serving your septic system maintenance needs in the future.

Sincerely,

Susan Ledford,

Office Manager



P.O. Box 3020
Cleveland, GA 30528-0052
Phone: 706-865-0788
Fax: 706-865-0329

November 1, 2023

VIA-EMAIL:
██

RE: 37 Thornblade Trail
Cleveland GA 30528
White County, Georgia
Account # 3127-00

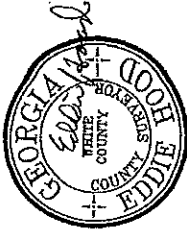
To Whom It May Concern,

Let this letter serve as notice that White County Water Authority does provide water to the above referenced service address.

Please call our office if you have any questions concerning the referenced service area, you can reach me at (706) 865-0788, Monday – Friday 8:00 a.m. – 4:30 p.m.

Thank you,

Edwin Nix
Executive Director
White County Water Authority



11-24-10

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

JOB NO. 10-066

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

WHITE COUNTY
PLANNING
DEPARTMENT
THIS PLAN
IS APPROVED
DATE: 11/24/10
CITIZEN
[Signature]

THIS PROPERTY IS
NOT IN A PROTECTED
MOUNTAIN AND HILLSIDE
AREA

APPROVED [Signature]
WHITE COUNTY HEALTH DEPT.
FOR INDIVIDUAL SEWAGE AND
INDIVIDUAL / ~~SEWER~~ WATER USE

THIS PROPERTY IS NOT IN A
DESIGNATED FLOOD HAZARD AREA.

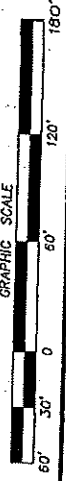
MAP PREPARED FOR

TAMARA ADELBERG

LAND LOT 46 _____ 4th DISTRICT
WHITE COUNTY, GEORGIA
DATE: 11-24-2010. SCALE: 1" = 60'

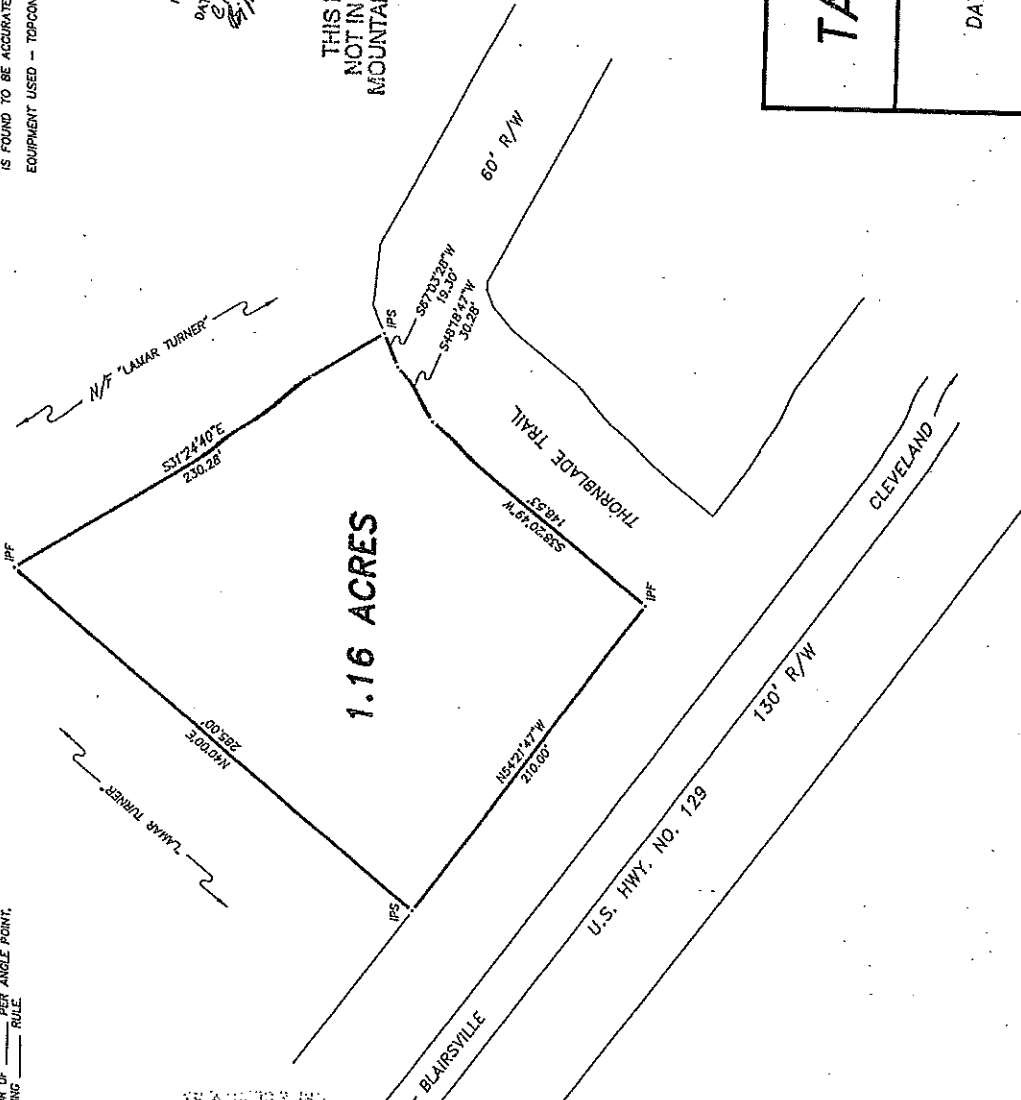
B/183/17

GRAPHIC SCALE



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

2011 JAN 18 AM 11:59
65
DENISE ALLEN, CLERK
COUNTY CLERK



MAGNETIC MERIDIAN



OFFICIAL TAX RECEIPT

White County Tax Commissioner

Cindy Cannon

P. O. Box 970

Cleveland GA 30528

Phone 17068652225 - Fax 17062190078

Email: wctc@whitecounty.net

OWNER

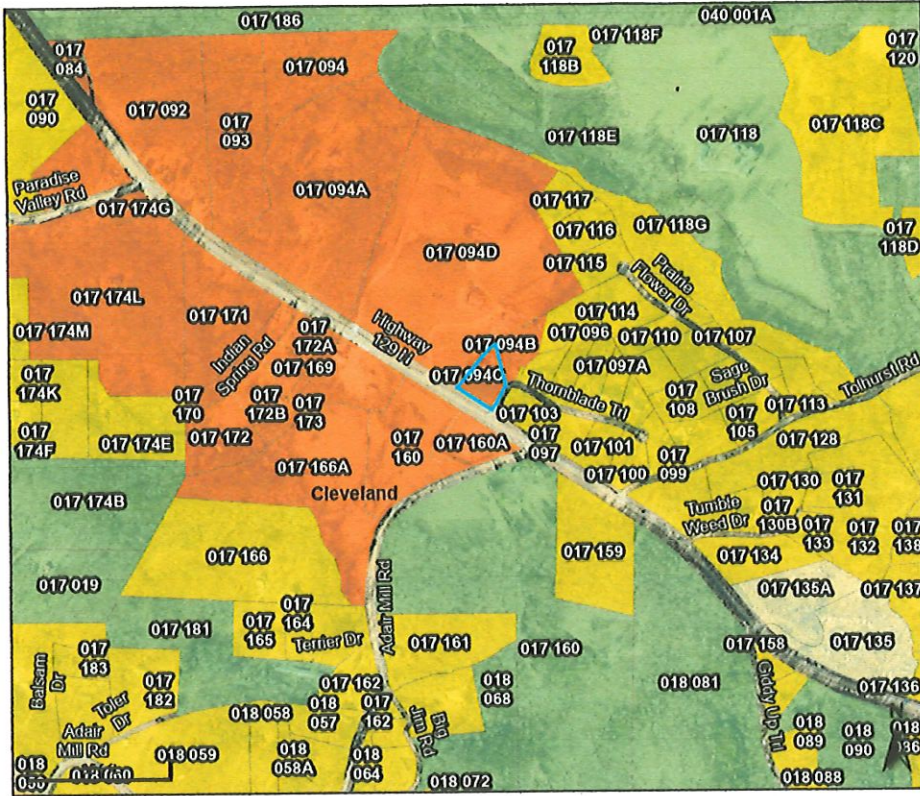
ADELBERG TAMARA L

37 THORNBLADE TRL

CLEVELAND, GA 30528

PAID DATE		11/7/2022	
RECEIPT PRINTED		11/1/2023 9:59:37 AM	
CASH AMOUNT	CHECK AMOUNT	CHARGE AMOUNT	CHECK NUMBER(s) CHARGE APPROVAL CODE
\$0.00	\$3,848.43	\$0.00	995789
REFUND AMOUNT		\$0.00	
OVERPAY AMOUNT		\$0.00	
CHANGE AMOUNT		\$0.00	
REGISTER		1	
CASHIER			
TOTAL PAID		\$3,848.43	

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	
2022-235 FMV: 405490.00 017 094C	LL46 LD4 PB 65-59 37 THORNBLADE TR DISTRICT: 001 SERIAL NUMBER: DECAL NUMBER: 0	11/15/2022 \$3,848.43	\$0.00 \$0.00 \$0.00	\$0.00	\$3,848.43	\$3,848.43	\$0.00	
Paid By: ADELBERG TAMARA L				Overpayment Amount: 0.00				
Check Number: 995789								
Transaction(s): 192088 - 192088		Total(s):	\$3,848.43	\$0.00	\$0.00	\$3,848.43	\$3,848.43	\$0.00



Overview



Legend

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)

- Parcel Numbers
- Roads
- Railroads
- Lakes
- Streams and Rivers
- City Labels

Parcel ID	017 094C	Alternate ID	5161347	Owner Address	ADELBERG TAMARA L
Sec/Twp/Rng	n/a	Class	C		37 THORNBLADE TRL
Property Address	37 THORNBLADE TRL	Acreage	1.16		CLEVELAND GA 30528
	01				
District	01				
Brief Tax Description	LL46 LD4 PB 65-59				
	(Note: Not to be used on legal documents)				

Date created: 9/22/2023
 Last Data Uploaded: 9/22/2023 5:29:25 AM

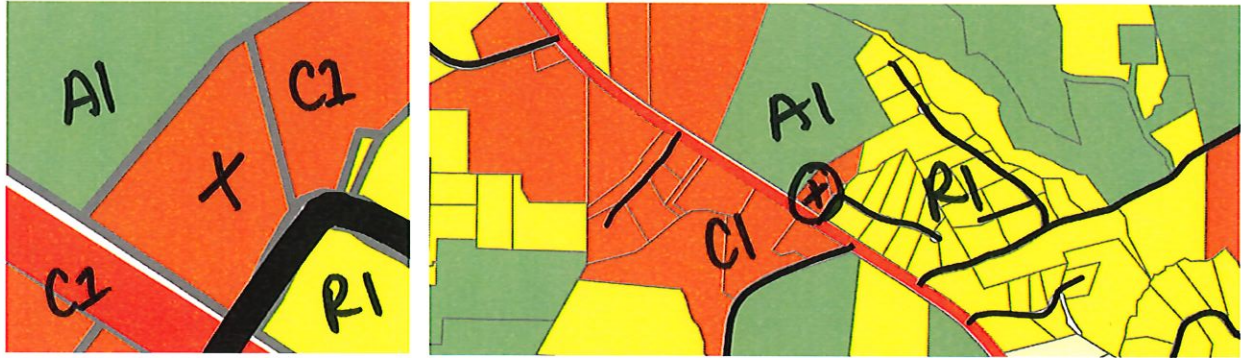
Developed by Schneider GEOSPATIAL

**WHITE COUNTY PLANNING DEPARTMENT
STAFF COMMENT**

TAMARA & LAWRENCE ADELBERG

- PROPERTY IS LOCATED AT 37 THORNBLADE TRL IN CLEVELAND. REQUEST IS TO REDISTRRICT FROM C-1 COMMUNITY COMMERCIAL DISTRICT TO R-1 SINGLE FAMILY RESIDENTIAL DISTRICT.
- PROPERTY ADJOINS TO THE EAST R-1 RESIDENTIAL SINGLE-FAMILY DISTRICT; TO THE NORTH AND SOUTH C-1 COMMUNITY COMMERCIAL DISTRICT; TO THE WEST A-1 AGRICULTURE FORESTRY DISTRICT.
- THE WHITE COUNTY COMPREHENSIVE PLAN FUTURE LAND USE MAP INDICATES COMMUNITY COMMERCIAL.
- TOTAL ACREAGE IS 1.16.
- PROPERTY SUPPLIED BY COUNTY WATER AND SEPTIC.

EXISTING LAND USE



FUTURE LAND USE



WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

Tuesday, January 2nd, 2024
6:00 pm

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

Those present were Larry Freeman, R.K. Ackerman, Dona K. Burke, Charlie Thomas, Linda Dixon, Brad Ash, and John Yarbrough. Staff members present were Tammy Carter, John Sell, and Mercedes Dodd.

Chairman Thomas called the meeting to order. Mr. Yarbrough gave the invocation.

Chairman Thomas asked for a motion to amend the agenda to add the approval of the minutes of November 20th, 2023 to the agenda. Motion to amend the agenda made by Ms. Burke and seconded by Mr. Ackerman. Motion was unanimous.

Motion to approve the minutes of October 30th, 2023, October 31st, 2023, November 6th, 2023, and November 20th, 2023 made by Ms. Burke and seconded by Ms. Dixon. Motion was unanimous.

Chairman Thomas explained that officers are elected during the first meeting of each year. He said the current officers are Mr. Thomas as Chairman, Mr. Yarbrough as Vice Chairman, and Mr. Freeman as Secretary. He opened the floor for nominations.

Motion to nominate Mr. Freeman as Secretary made by Ms. Burke and seconded by Mr. Ackerman. There were no other nominations. Motion was unanimous with Mr. Freeman abstaining from the vote as nominee.

Motion to nominate Mr. Yarbrough as Vice Chairman made by Mr. Ackerman and seconded by Ms. Burke. There were no other nominations. Motion was unanimous with Mr. Yarbrough abstaining from the vote as nominee.

Motion to nominate Mr. Thomas for Chairman made by Ms. Dixon and seconded by Ms. Burke. There were no other nominations. Motion was unanimous.

Application of Terry Gibson to request a variance from Section 601 Access for mortgage purposes. Property is located at 0 Arrow Lake Drive, Cleveland, GA, 30528. Tax map and parcel is 034A-089. Total acreage is 1.045.

The applicant, Terry Gibson of 0 Arrow Lake Drive, was present. Ms. Carter gave a summary of the application. Mr. Gibson did not have anything to add.

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

Application of Keith Parker to request a variance from Section 802 Lot Width and Size for a second dwelling. Property is located at 9545 Duncan Bridge Road, Cleveland, GA, 30528. Tax map and parcel is 090-045. Total acreage is 20.07.

The applicant, Keith Parker of 9545 Duncan Bridge Road, was present. Ms. Carter gave a summary of the application. Mr. Parker explained the purpose for the variance is to help take care of his mother.

Motion to approve the variance made by Mr. Yarbrough and seconded by Ms. Dixon. Motion was unanimous.

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

Application of Jay Bostwick to request a variance from Section 601 Access. Property is located at 0 Skitts Mountain Road, Cleveland, GA, 30528. Tax map and parcel is 065-125. Total acreage is 15.45. The applicant, Jay Bostwick of 1053 Abe Lincoln Way in Jefferson, GA, was present. Ms. Carter gave a summary of the application. Mr. Bostwick did not have anything to add.

Motion to approve the variance made by Ms. Dixon and seconded by Ms. Burke. Motion was unanimous. Ms. Carter advised the applicant to bring additional copies of their plat to the Planning Office for approval.

Application of Lauren Freeman to request a variance from Section 601 Access. Property is located at 0 Monroe Ridge Road, Sautee Nacoochee, GA, 30571. Tax map and parcel is 069-118A. Total acreage is 2.37 for Lots 2 & 3.

Mr. Larry Freeman recused from the vote due to the applicant being family.

The applicant, Lauren Freeman of 94 Shelter Cove Road in Cleveland, was present. Ms. Carter gave a summary of the application. Mr. Lauren Freeman explained the request is to split the parcel into three lots, one of which will have direct access off Monroe Ridge and the other two via easements.

Motion to approve the variance made by Mr. Ash and seconded by Ms. Burke. Motion was unanimous with one abstention. Ms. Carter advised the applicant to contact Environmental Health for plat approval.

Application of Gerald Sims to request a variance from Section 601 Access. Property is located at 0 Howard Road, Sautee Nacoochee, GA, 30571. Tax map and parcel is 031B-083. Total acreage is 2.46. The applicant, Gerald Sims of 3225 Albert Reid Road in Sautee Nacoochee, was present. Ms. Carter gave a summary of the application. Mr. Sims explained the request is to give property to family and that it will be supplied by well.

Motion to approve the variance made by Ms. Burke and seconded by Ms. Dixon. Motion was unanimous. Ms. Carter advised the applicant to contact Environmental Health for plat approval.

DISCUSSION TO TABLE OR CLOSE OUT APPLICATION FOR: Application of Dahai “Ocean”

Zhang to request a conditional use permit located at 2414 Duncan Bridge Road, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 073-056. Total acreage is 1.32. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

Chairman Thomas explained that no action would be taken on the application due to representation not being present. He stated his recommendation would be to close out the application and for the applicant to reapply due to not being present at three meetings.

Motion to close out the application made by Ms. Dixon and seconded by Ms. Burke. Motion was unanimous.

Application of Tamara and Lawrence Adelberg to redistrict property located at 37 Thornblade Trail, Cleveland, Georgia, 30528 from to C-1 Community Commercial District to R-1 Residential Single Family District. Tax map and parcel 017-094C. Total acreage is 1.16. Present zoning is C-1 Community Commercial District.

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

The applicant, Lawrence Adelberg of 37 Thornblade Trail, was present. Ms. Carter gave a summary of the application. Mr. Adelberg explained they purchased the property in 2010 and were unaware that it had been zoned commercial until they put it on market.

Motion to recommend approval to the Board of Commissioners made by Mr. Ackerman and seconded by Ms. Burke. Motion was unanimous. Ms. Carter advised the applicant of the next meeting on January 29th.

Application of David Fain to request a conditional use permit located at 220 Black Road, Cleveland, Georgia, 30528. Tax map and parcel 062-032. Total acreage is 23.32. Proposed use is a telecommunications tower. Present zoning is A-1 Agriculture Forestry District.

The applicant, David Fain of 372 Black Road, was present. Ms. Carter gave a summary of the application. Mr. Fain explained that the deeds for the parcels would be updated and the tract would be a total of 55 acres. He said the tower would be adjacent to the barn and that he controls the fall zone. He said the tower height will be 195 feet, with a distance of 200 feet to the closest adjacent property, and that he owns all structures within the fall zone.

Motion to recommend approval to the Board of Commissioners made by Mr. Ash and seconded by Ms. Dixon. Motion was unanimous. Ms. Carter advised the applicant of the next meeting on January 29th.

Chairman Thomas asked if there was any citizen comment.

Lilian Hall of 543 Leigh's Crossing in Cleveland expressed her opposition to the cell tower land use application and disappointment. She explained the people look to the Planning Board to protect them and she hopes they would vote based on what they would want. Ms. Hall said this is close to a subdivision and discussed alternative locations.

Jodi Woodall of 207 Mountain Meadows Road expressed her opposition to the cell tower land use application and asked questions to the board regarding dangers from the tower, if there are safe guards in place for a leak, if anyone benefitted financially from the proposed tower, and the location being in proximity to multiple other towers. Chairman Thomas said he is not an expert but there are federal guidelines that towers have to meet for safety, that he did not know if anyone benefitted financially, and that multiple calls are dropped in this particular area. Mr. Ash added that dropped calls have resulted in accidents in this area and that it is a dangerous place. Chairman Thomas explained the process for the next meeting with the Board of Commissioners for the final vote.

Chris Dorsey of 164 Mill Lane cited from the White County Code of Ordinances Section 1807 – Conditional Uses (2), explaining that opposition last week was overlooked by the board. He also cited Section 1815 – Standards of Review (15), adding this was not taken into consideration by the board.

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

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

Wednesday, December 27th, 2023
6:00 pm

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

Those present were Larry Freeman, R.K. Ackerman, Dona K. Burke, Charlie Thomas, and Brad Ash.
Staff members present were Tammy Carter, John Sell, and Mercedes Dodd.

Chairman Thomas called the meeting to order. Mr. Ackerman gave the invocation. No changes made to the agenda.

Application of Dahai “Ocean” Zhang to request a conditional use permit located at 2414 Duncan Bridge Road, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 073-056. Total acreage is 1.32. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

Ms. Carter gave a summary of the application. The applicant nor a representative was present. Chairman Thomas stated the item would be moved to the end of the agenda if a representative were present before closing the public hearing.

Application of Tamara and Lawrence Adelberg to redistrict property located at 37 Thornblade Trail, Cleveland, Georgia, 30528 from to C-1 Community Commercial District to R-1 Residential Single Family District. Tax map and parcel 017-094C. Total acreage is 1.16. Present zoning is C-1 Community Commercial District.

The applicants, Tamara and Lawrence Adelberg of 37 Thornblade Trail, were present. Ms. Carter gave a summary of the application. Mr. Adelberg explained the request is to convert the zoning to residential since it is a residential building. When asked if the property is part of the subdivision, Ms. Adelberg said not according to the plat or the county. She said the property is hard to sell as commercial zoning.

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. Chairman Thomas closed the hearing. Ms. Carter advised the applicant of the next meeting on January 2nd.

Application of David Fain to request a conditional use permit located at 220 Black Road, Cleveland, Georgia, 30528. Tax map and parcel 062-032. Total acreage is 23.32. Proposed use is a telecommunications tower. Present zoning is A-1 Agriculture Forestry District.

The applicant, David Fain of 372 Black Road, was present. Ms. Carter gave a summary of the application. Mr. Fain explained that he lives on the adjacent parcel and was approached by a tower company who asked him to represent them in the land use meetings and do the due diligence for a new cell tower site. He said this area does not have coverage for the community, which consistently drops calls along Highway 115, and that he had been approached multiple times asking why he could not provide service near his existing telecommunications business, to which he would explain that it is up to the carriers to fund that expense. When asked if the tower location had been determined, Mr. Fain explained it may not end up on this particular parcel due to the lengthy federal and county involved processes but this is the first step to find out if it would be possible. When asked if any structures would be in the fall zone, he said the barn he owns would be and said the proposed tower would meet all county code criteria.

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

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

Thomas Kennedy of 586 Mountain Meadows Road said he loses cell signal going down Highway 115. He stated that nobody wants infrastructure built next to them but they have to have it. He explained he would rather it not be built anywhere, but you cannot use technology without it so it will be built at some point. He said, related to the impact of telecommunication towers, there are a lot of studies on the pro and con for them, but there is no definitive study.

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

Tim Puckett of 76 Homestead Drive said he understands there is a need, but he built his home 25 years ago to face Yonah and Pink Mountain. He said he has no desire to have a cell tower view and there is a lot of rural property in the area, whereas this one abuts to R-1 Residential that has others who enjoy the mountain views. He explained you have to have progress, but said there needs to be long thinking about this before taking steps to go this far.

Ann Puckett said she is Tim Puckett's wife and shares his concerns and understands progress has to happen. She explained they built their home where they did because it is a safe community and they love it there, but they do not want to look out to see a cell tower or have complications related to the tower. She expressed health concerns for her and her family.

Shane Betterton of 347 Antioch Church Road said he strongly disagrees with the tower. He explained he purchased an EMF reader and visited many areas in the county, including the high school, and was surprised by his findings. He said he does not want to be anywhere near a tower where that is happening and referenced EMF readings from Duluth and Buford Highway, adding that he understands the need for communication. He stated he does not want this to turn into the city and believes towers are strategically being placed to kill them, explaining there are a lot of tests and research conducted on the impacts of towers.

Jodi Woodall of 207 Mountain Meadows Road said she is opposed and agrees with the others. She said she is more concerned with the health issues and does not want them to be guinea pigs. She explained there is a church next door and children nearby, adding that she bought there because of the view of the mountains.

Doug Hochstetler of 347 Hidden Meadows said this is in his front door and explained there are many others that have children who are more susceptible to radiation. He asked what A-1 Residential meant, to which Mr. Sell responded is Agricultural zoning and that the request is for a conditional use permit for the purpose of a cell tower. Mr. Hochstetler said these towers are heavy duty with 5G and a lot of this needs to be thought out because of the many pros and cons. He said he feels there will be a lot of controversy once people figure out what is going on.

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

Mr. Fain explained he likes the country too, that he has been here his whole life, and purchased his 23 acres to keep from having homes built next to his property. He said everybody needs to do their part to

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

keep the area rural and the community does not need to do without what other communities have. He said cell towers are a necessary evil and they should not do without because of people moving in for the views. In reference to the Radio Frequency (RF), he said he has been in this business for 30 years and would know if there was something dangerous for children. He explained there is no difference between concentrations from the tower to next to your ear, aside from concentrations being higher at the discharge but they dissipate to levels that are minimal in a matter of 100 feet. He said his workers have RF readers on their chests and it is rare for one to go off when working on a tower.

Mr. Fain stated companies look for areas in their search range and this area is, so it could go across the street but there is not a tract any more conducive than this one. When asked if the company would be willing to make the tower blend better, such as making it look like a tree, Mr. Fain said no, a 190-foot tree would not blend in for that area and the tower would meet the tower application criteria as it is. When asked how close he lives to the site and if he is worried about the tower, Mr. Fain said he lives 600 feet from it and he is not worried about the effects of this on him or his family.

Chairman Thomas closed the hearing. Ms. Carter advised the applicant of the next meeting on January 2nd.

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



WHITE COUNTY

Board of Commissioners

Item Title: Conditional Use Permit for Cell Tower for David Fain, 220 Black Road, Cleveland

For Meeting Date: 1/29/2024

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. 20475
2. Public Hearing Minutes 12/27/2023
3. Regular Meeting Minutes 1/2/2024

Purpose:

Consider the application of David Fain to request a conditional use permit located at 220 Black Road, Cleveland, Georgia, 30528. Tax map and parcel 062-032. Total acreage is 23.32. Proposed use is a telecommunications tower. Present zoning is A-1 Agriculture Forestry District.

Background / Summary:

- Applicant is requesting a conditional use permit for a telecommunications tower at 220 Black Road. Mr. Fain explained that he owns the property and the adjacent property, where he lives, and he was approached by a tower company to place a tower there and for Mr. Fain to represent them. The total acreage between both lots is 55 acres. He said this area does not have cell coverage for the community and that calls are consistently dropped on Highway 115 because of the lack of coverage. He said he has been approached many times about the issue and that AT&T would be the initial service on the tower. The tower will be 195 feet tall and the only building in the fall zone is a barn that Mr. Fain owns. He will combine his properties so the fall zone does not cross property lines. When asked if anyone was in support of the application, Mr. Thomas Kennedy of 586 Mountain Meadows said he loses cell signal going down Highway 115 all the time. He said no one wants the infrastructure built next to them but it is necessary. He said there are lots of studies, pro and con, about the effects of the towers, but no definitive conclusions. In opposition, Mr. Tim Puckett of 76 Homestead stated he has no desire to have a cell tower in the foreground of his view of Yonah/Pink Mountains. He said there are other rural areas to place this tower that is not near residential areas. His wife expressed concerns about health issues related to the tower's radio waves. Mr. Shane Betterton, 347 Antioch Church, said he is against all cell towers because of EMF readings. Ms. Jodi Woodall, 207 Mountain Meadows, was also concerned about health issues for her and for the nearby church where children play and will be exposed. Mr. Doug Hochstetler of 347 Hidden Meadows, also stated health concerns related to 5G. Mr. Fain responded to the questions and said that the radio waves dissipate quickly in less than 100 feet from the tower and that he and his family will be the

closest to the tower and he has no concerns about health safety. The Planning Commission recommended approval 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>20475</u>
Public Hearing Date: <u>Dec 27th, 23</u>	Commission District: <u>1 & 2</u>
Fees Assessed: <u>\$250 -</u>	Paid via: <input type="checkbox"/> cash <input type="checkbox"/> credit card <input checked="" type="checkbox"/> check# <u>1104</u>

APPLICANT INFORMATION	
Status: <input checked="" type="checkbox"/> Owner <input checked="" type="checkbox"/> Authorized Agent <input type="checkbox"/> Lessee <input type="checkbox"/> Option to Purchase	
Printed Name(s): <u>DAVID FAIN</u>	
Address: <u>372 BLACK RD CLEVELAND GA 30528</u>	
Phone Number: <u>770 318 4622</u>	Alternate Contact Number:
Email: <u>david.fain@onsitecsi.com</u>	
Owner Information (if different from Applicant/Agent):	
Name:	Phone #:
PROPERTY INFORMATION	
Parcel ID: <u>062 032 062 030</u>	Total acreage being changed: <u>23.32</u>
Address: <u>372 BLACK RD</u>	
Directions to Property:	
<u>CLEVELAND - 115 E TO BLACK RD ON RIGHT</u>	
<u>3 RD DRIVE ON RIGHT</u>	
Current Use/Zoning of Property: <u>A-1</u> Type of Road Surface: <u>PAVED</u>	
Any prior redistricting requests for property: <input type="checkbox"/> If yes, provide redistricting application #: _____	
SURROUNDING PROPERTY LAND USE CLASSIFICATION:	
North: <u>C-1, R-1, A-1</u> South: <u>A-1</u> East: <u>A-1, R-1</u> West: <u>R-1</u>	
REQUESTED ACTION AND DETAILS OF PROPOSED USE (check all that apply)	
Redistrict from district:	Redistrict to district:
Conditional Use - specify: <u>TOWER SITE</u>	
Special Use - specify:	
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): <u>N/A</u>	

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

Proposed Utilities (check all that apply): ~~N/A~~
 ___ County or City Water ___ Well ___ Septic ___ Gas Electric Broadband

COMMERCIAL AND INDUSTRIAL REDISTRICT INFORMATION

Building Area: N/A No. of Parking Spaces: 1

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	062032 JACOB FAIN	338 BLACK RD CLEVELAND GA
2	0488115 DANIEL BOONE	47 HOMESTEAD DR CLEVELAND GA
3	0488117 LYDIA SMITH / MARTHA STEVENSON	1221 NE 27TH AVE POMPANO BEACH FL 33062
4	0488116 JOEL HILDEBRAN	106 SLEEPY MEADOW LN CLEVELAND GA
5	062034 NATASHA JENKINS	5401 VICTORIA FALLS GROVETOWN GA 30813
6	061298 TRINITY FULL GOSPEL CHURCH	182 BLACK RD CLEVELAND GA
7	061002 MARY KUECHLER	94 BLACK RD CLEVELAND GA

APPLICANT CERTIFICATION

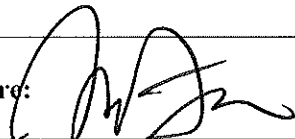
I hereby request the action contained within this application relative to the property shown on the attached plats and site plan and further request that this item be placed on both the Planning Commission and Board of Commissioners meeting agendas.

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: 11/01/23

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 14, 2023 *	Monday, July 31, 2023	Monday, August 7, 2023	Monday, August 28, 2023
Wednesday, July 12, 2023	Monday, August 28, 2023	TBA	Monday, September 25, 2023
Wednesday, August 9, 2023	Monday, September 25, 2023	Monday, October 2, 2023	Monday, October 30, 2023
Wednesday, September 13, 2023	Monday, October 30, 2023	Monday, November 6, 2023	Monday, November 27, 2023
Wednesday, October 11, 2023	Monday, November 27, 2023	Monday, December 4, 2023	TBA
* Wednesday, November 8, 2023	TBA DEC 27/23	TBA JAN 2/24	Monday, January 29, 2024
Wednesday, December 13, 2023	Monday, January 29, 2024	Monday, February 5, 2024	Monday, February 26, 2024

*NEW DEADLINE DATES EFFECTIVE IN ORDER TO MEET ZPL UPDATES AS OF JULY 2023

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:

11/8/23

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:

N/A

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 \$:

N/A

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:



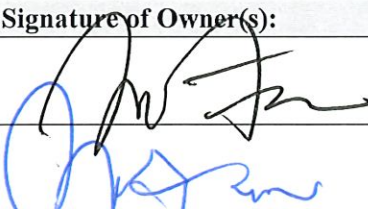
Date:

11/8/23

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), DAVID FAIN,
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>DAVID FAIN</u>	
Mailing Address: <u>372 BLACK RD</u>	
Phone Number: <u>770 318 4622</u>	
Alternate Contact Number:	
Email: <u>David.Fain@onsitecsi.com</u>	
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>DAVID FAIN</u>	
Signature of Owner(s):	Date Signed:
	<u>11/8/23</u>

PROPERTY OWNER AUTHORIZATION DOCUMENT: NOTARY ACKNOWLEDGEMENT

Sworn to (or affirmed) and subscribed before me this 8th day of Nov, 2023 by David Fain (name of signer(s)). The named signer(s) is/are personally known by me or produced the identification type of Drivers License

{Seal}

Doreen Green
NOTARY PUBLIC
White County, GEORGIA
My Commission Expires 07/12/2025


(Signature of Notary)

Doreen Green
(Name of Notary Typed, Stamped, or Printed)

APPLICANT ACKNOWLEDGEMENT OF MEETING DATES

I, DAVID FAIN (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): 12/27/23

Regular Meeting Date (Planning Commission): 1/2/24

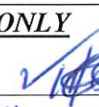

Administration Building, 1235 Helen Hwy, Cleveland 4:30pm

Board of Commissioners Meeting Date: ~~1/2/24~~ 1/29/24

**Meeting dates are subject to change*


Signature of Applicant or Authorized Agent

11/8/23
Date

<u>OFFICE USE ONLY</u>	
Copy given to applicant:	<u> 11/8/23</u> (date)
Staff Initials:	<u></u>
Flag (circle):	<input checked="" type="radio"/> Y <input type="radio"/> N

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:

(3)

David Fain

1888 Hwy 115 E

Cleveland, GA 30528

770 318 4622

11/8/23

Mr Harry Barton

White County Planning Dept.

Request for Conditional Use Permit

Mr. Barton

Please consider this Coral Towers letter of intent to construct a new cell tower at 372 Black Rd
This proposed tower siting is to service the east side of Cleveland and the Mossy Creek area.
The anchor tenant will be ATT with other carriers to follow. The tower meets tower height set
back from all property lines and will be on properties owned by David Fain also the authorized
agent for this application.

I am including a copy of the Land Use Application Checklist with all Items.

Thanks



David Fain



Public Health
Prevent. Promote. Protect.

White County Environmental Health

Zachary Taylor, M.D., M.S., Acting 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: 11/07/2023

APPLICANT NAME: DAVID FAIN

PROPERTY ADDRESS: 338 BLACK ROAD
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.

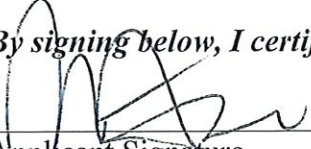
Please note that this is NOT an all-inclusive list. Based upon the information submitted and/or the outcome of the evaluation, it may be determined that a septic system needs additional capacity or upgrade. If so, the appropriate permit will need to be obtained and the work completed before an approval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

(7)



OFFICIAL TAX RECEIPT

White County Tax Commissioner
Cindy Cannon
 P. O. Box 970
 Cleveland GA 30528
 Phone 17068652225 - Fax 17062190078
 Email: wctc@whitecounty.net

PAID DATE			11/15/2022
RECEIPT PRINTED			11/8/2023 2:18:15 PM
CASH AMOUNT	CHECK AMOUNT	CHARGE AMOUNT	CHECK NUMBER(s) CHARGE APPROVAL CODE
\$0.00	\$4,481.66	\$0.00	1048
REFUND AMOUNT			\$0.00
OVERPAY AMOUNT			\$0.00
CHANGE AMOUNT			\$0.00
REGISTER			9
CASHIER			
TOTAL PAID			\$4,481.66

OWNER
 FAIN JANE ELIZABETH (LIZ)
 372 BLACK ROAD
 CLEVELAND, GA 30528

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	
2022-5498 FMV: 741600.00 062 030	LL81 LD2 372 BLACK RD DISTRICT: 001 SERIAL NUMBER: DECAL NUMBER: 0	11/15/2022 \$4,481.66	\$0.00 \$0.00 \$0.00	\$0.00	\$4,481.66	\$4,481.66	\$0.00	
Paid By: DL FAIN PROPERTIES LLC Check Number: 1048						Overpayment Amount: 0.00		
Transaction(s): 1767 - 1767		Total(s):	\$4,481.66	\$0.00	\$0.00	\$4,481.66	\$4,481.66	\$0.00



177



OFFICIAL TAX RECEIPT

White County Tax Commissioner
Cindy Cannon
 P. O. Box 970
 Cleveland GA 30528
 Phone 17068652225 - Fax 17062190078
 Email: wctc@whitecounty.net

PAID DATE			11/15/2022
RECEIPT PRINTED			11/8/2023 2:17:53 PM
CASH AMOUNT	CHECK AMOUNT	CHARGE AMOUNT	CHECK NUMBER(s) CHARGE APPROVAL CODE
\$0.00	\$2,064.06	\$0.00	1048
REFUND AMOUNT			\$0.00
OVERPAY AMOUNT			\$0.00
CHANGE AMOUNT			\$0.00
REGISTER			9
CASHIER			
TOTAL PAID			\$2,064.06

OWNER
 FAIN DAVID HOWELL
 372 BLACK RD
 CLEVELAND, GA 30528

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
2022-5490 FMV: 357890.00 062 032	LL82 LD2 338 BLACK RD DISTRICT: 001 SERIAL NUMBER: DECAL NUMBER: 0	11/15/2022 \$2,064.06	\$0.00 \$0.00 \$0.00	\$0.00	\$2,064.06	\$2,064.06	\$0.00

Paid By: DL FAIN PROPERTIES LLC

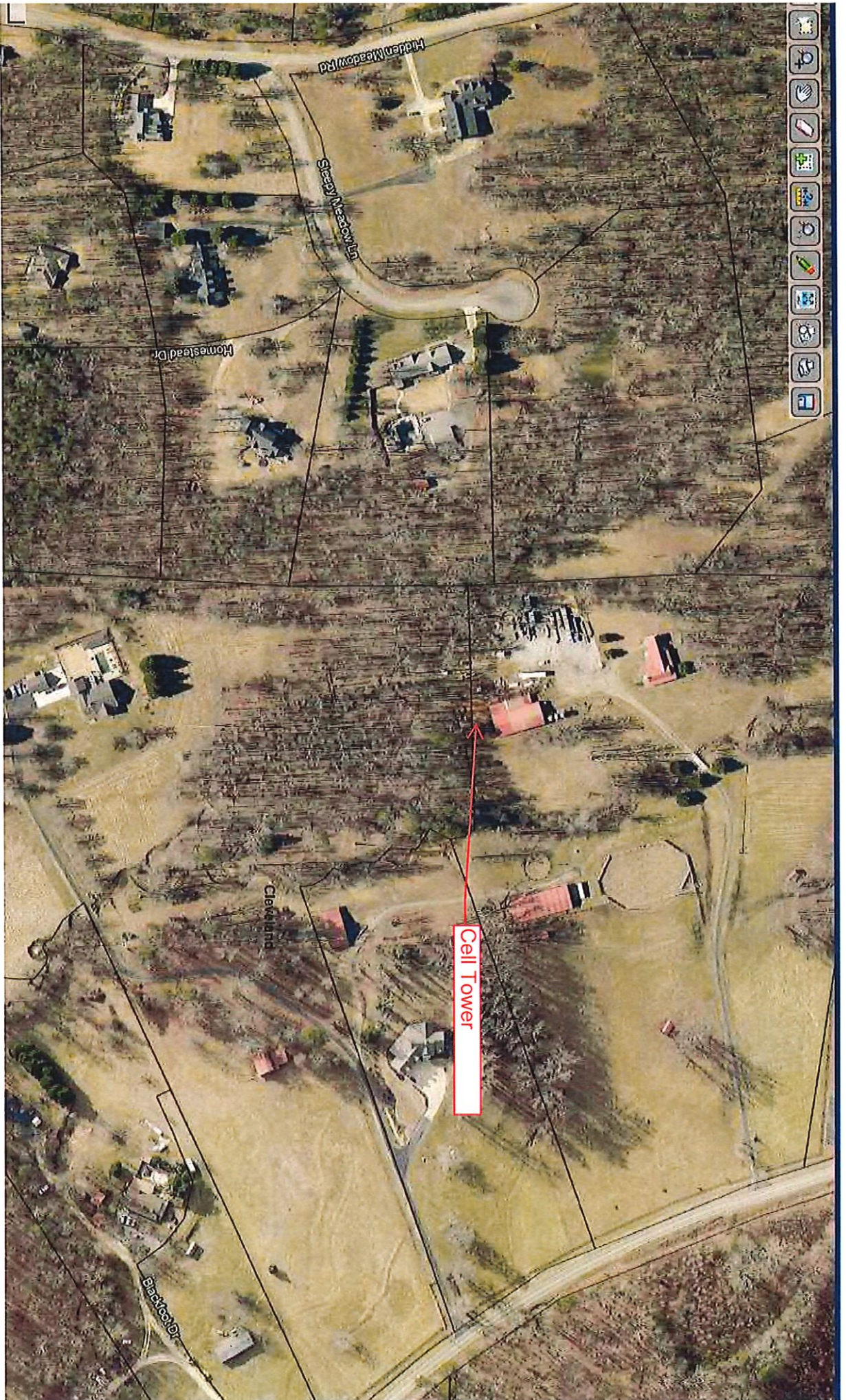
Overpayment Amount: 0.00

Check Number: 1048

Transaction(s): 1766 - 1766	Total(s):	\$2,064.06	\$0.00	\$0.00	\$2,064.06	\$2,064.06	\$0.00
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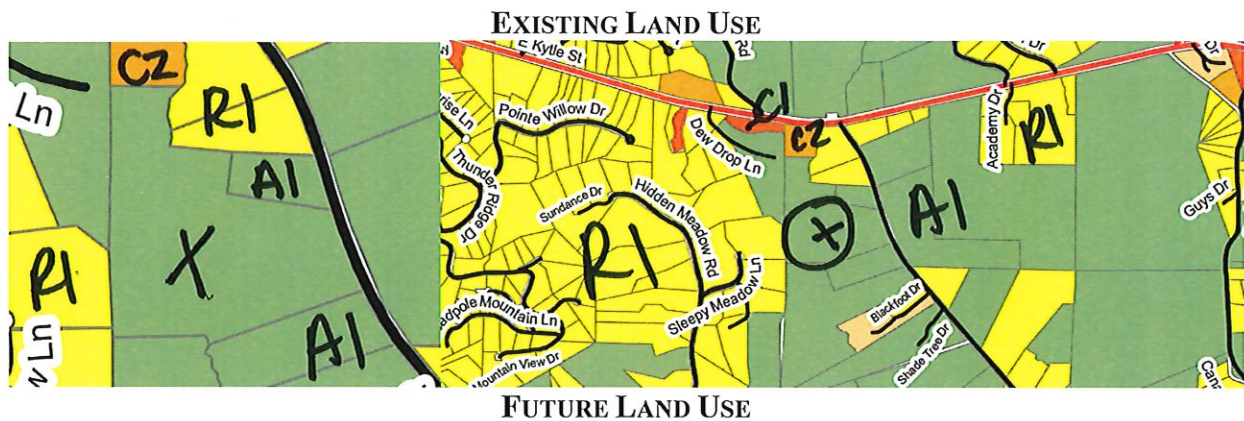
(8)



WHITE COUNTY PLANNING DEPARTMENT
STAFF COMMENT

DAVID FAIN

- PROPERTY IS LOCATED AT 220 BLACK ROAD IN CLEVELAND. IT IS IN THE A-1 AGRICULTURE FORESTRY DISTRICT AND WILL REQUIRE A CONDITIONAL USE PERMIT FROM THE WHITE COUNTY BOARD OF COMMISSIONERS FOR A TELECOMMUNICATIONS TOWER.
- PROPERTY ADJOINS TO THE NORTH, SOUTH, EAST, AND WEST A-1 AGRICULTURE FORESTRY DISTRICT; TO THE NORTH AND WEST R-1 RESIDENTIAL SINGLE-FAMILY DISTRICT; TO THE NORTH C-2 HIGHWAY BUSINESS DISTRICT.
- THE WHITE COUNTY COMPREHENSIVE PLAN FUTURE LAND USE MAP INDICATES AGRICULTURAL FORESTRY DISTRICT.
- TOTAL ACREAGE IS 23.32.
- PROPERTY SUPPLIED BY WELL AND SEPTIC.



Mercedes Dodd

From: Clay Jones <[REDACTED]>
Sent: Friday, December 22, 2023 10:51 AM
To: Mercedes Dodd
Subject: Friday Noon deadline for Board to review this weekend

You don't often get email from [REDACTED] [Learn why this is important](#)

[EXTERNAL SENDER - PROCEED CAUTIOUSLY]

Good Morning Ms./Mrs. Dodd,

As instructed, I have provided a statement for the board to consider regarding the re-zoning of an agricultural property 220 Black Road to include a cell phone tower on said property.

My wife and I have been fortunate to work in healthcare (hospitals, anesthesia - both on a provider and academic level in our career, my wife was involved in a cancer research program with UAB). The placement of a cell phone tower in such close proximity to well over 40 homes represents a danger to each resident, including ourselves. The RF waves generated from a 3G cellular tower are deemed harmful within a .75mile radius if exposure is continuous, see (Health risks when exposed to radiation from Cell Towers www.propublica.org people living near cell towers – studies have confirmed health complaints including: dizziness, nausea, headaches, tinnitus, insomnia, and electromagnetic hypersensitivity. American Cancer Society www.amp.cancer.org RF waves from cell towers not proven safe from long term effects, no human studies have been conducted.

Cell phone tower radiation causing cancer /National Toxicology Study 2018 www.ntp.niehs.nih.gov findings: With 2 years of exposure to Cellular waves, clear evidence of growth of tumors in the hearts, brains and adrenal glands of male rats, the only stimulus change being the Cellular waves exposure. Italy did similar study with same results www.pubmed.ncbi.nlm.nih.gov)

In addition, all new cellular towers are equipped with 5G RF waves. This still new technology, has not had any completed studies as of yet. But initial exposures to individuals with sensitivities to the above conditions have reported their current ailments being exacerbated by exposure to 5G cell phones on their person. Imagine living with a tower that is 24/7 emanating RF waves to support well over 10,000 cell phones.

My wife in surgical cases would wear a full lead apron when exposed to concentrated waves from portable X-rays, wearing this protective gear provided safety from negative effects. In addition, a close friend was in a trucking accident that required a high volume of x-rays over a 10 week period, subsequently approximately 20 months after he was back to working and fully recovered, he was found to have metastatic cancer. The medical staff confirmed this was causative from the x-rays in his brain, lungs and he died a few weeks after this was found. Understanding that studies like the National Toxicology study 2018 have deemed to grow tumors with constant exposure, and this tower would place my property and neighbors in imminent danger.

As well, this tower will require a power plant to support that will generate noise, lights, and an eyesore in the sky, that will affect property values and tax valuations. This neighborhood alone produces over \$100,000 in tax revenue annually, so a 10% impact on property values will result in a corresponding \$10,000 loss in tax revenues, it just doesn't make business sense. The tower would be placed in a valley, where leadpole mountain would block all cellular waves from reaching the desired 40 miles of coverage. Which also, begs to add, many residents on the mountain may be facing additional unsafe waves with direct line-of-sight exposure.

To keep this document concise, I question I levy is, why this property. A property that is bordered in every direction by residential homes, and is smaller than tower itself in most drop/fall scenarios. Cleveland has large agricultural tracks that are not in residential neighborhoods, and would provide the County additional support for cellular service, and tax revenues in areas that are much less impactful.

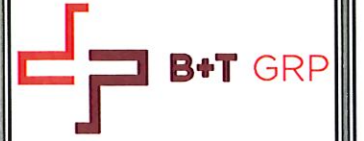
As a father, healthcare executive, and resident I close with stating this document upon sending serves as evidence item 1 if said tower is allowed and erected.

Thank you for your time and attention,

Thomas Jones
297 Hidden Meadows Rd

SITE ID: CT 732

SITE NAME: CLEVELAND



A/E DOCUMENT REVIEW STATUS

TITLE	SIGNATURE	DATE
CORAL TOWERS PROP:		
CORAL TOWERS CONST. MGR.:		
INTERCONNECT:		
CORAL TOWERS SITE DEV. MGR.:		
PROPERTY OWNER:		

STATUS CODE:	
1	ACCEPTED: WITH OR NO COMMENTS, CONSTRUCTION MAY PROCEED
2	NOT ACCEPTED: RESOLVE COMMENTS AND RESUBMIT

THE FOLLOWING PARTIES HEREBY APPROVE AND ACCEPT THESE DOCUMENTS AND AUTHORIZE THE CONTRACTOR TO PROCEED WITH THE CONSTRUCTION DESCRIBED HEREIN. ALL DOCUMENTS ARE SUBJECT TO REVIEW BY THE LOCAL BUILDING DEPARTMENT AND MAY IMPOSE CHANGES OR MODIFICATIONS.

SITE ADDRESS: 338 & 372 BLACK ROAD
CLEVELAND, GA 30528
WHITE COUNTY

E911 ADDRESS: TBD
CLEVELAND, GA 30528
WHITE COUNTY



PROPOSED 199' MONOPOLE TOWER

ZONING DRAWINGS

PROJECT SUMMARY

SITE NAME: CLEVELAND
SITE NUMBER: CT 732
TAX MAP PROPERTY ID: 062 032 & 062 030
SITE ADDRESS: 338 & 372 BLACK ROAD
CLEVELAND, GA 30528
E911 ADDRESS: TBD
CLEVELAND, GA 30528
JURISDICTION: WHITE COUNTY
TOWER OWNER: CORAL TOWER, LLC
7819 PROFESSIONAL PLACE
TAMPA, FL 33637

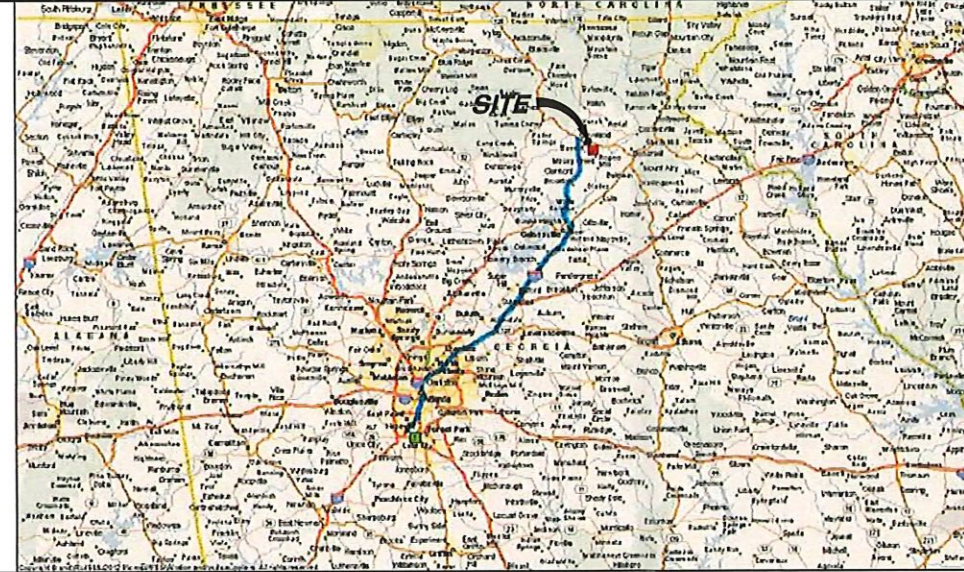
NAD83
LATITUDE: 34° 35' 08.15" (34.585597° N)
LONGITUDE: -83° 43' 51.81" (-83.731058° W)

APPLICANT: CORAL TOWER, LLC
7819 PROFESSIONAL PLACE
TAMPA, FL 33637

TRAFFIC: THE PROPOSED COMMUNICATION TOWER WILL BE UNSTAFFED AND WILL TYPICALLY GENERATE NO MORE THAN ONE TRIP PER CARRIER PER MONTH

CO-APPLICANT: N/A
OCCUPANCY TYPE: UNMANNED
A.D.A. COMPLIANCE: FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION

LOCATION MAP



NO SCALE

DRAWING INDEX

SHEET #	SHEET DESCRIPTION
T-1	TITLE SHEET
1-2	SURVEY
C-1	AERIAL SHEET
C-2	SITE PLAN
C-3	COMPOUND LAYOUT SHEET
C-4	TOWER ELEVATION
C-5	FENCE DETAILS
C-5.1	ENGINEERING DETAILS
C-6	SIGNAGE DETAILS
C-7	UTILITY PLAN

CORAL TOWERS
CLEVELAND

(PROPERTY)
338 & 372 BLACK ROAD
CLEVELAND, GA 30528
WHITE COUNTY

PROPOSED
199' MONOPOLE TOWER

PROJECT NO: G0164273.003.01			
CHECKED BY: MAS			
ISSUED FOR:			
REV	DATE	DRWN	DESCRIPTION
A	8/30/23	DLS	REVIEW

B&T ENGINEERING, INC.
PEF006618
Expires 6/30/24

**THIS DOCUMENT IS
PRELIMINARY IN
NATURE AND IS NOT
A FINAL, SIGNED
AND SEALED
DOCUMENT**

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

TITLE SHEET

SHEET NUMBER:

T-1

DESIGN INFORMATION

LANDLORD: WILLIAM C. BAILEY
4800 PALM AVENUE,
COCOA, FL 32926

SURVEYOR: POINT TO POINT LAND SURVEYORS
100 GOVERNORS TRACE, SUITE 103
PEACHTREE CITY, GA 30269
PH. (678) 565-4440

A&E FIRM: B+T GROUP
1717 S. BOULDER,
SUITE 300
TULSA, OK 74119
MIKE A. SPEEDIE, PE
(918) 587-4630

ELECTRIC PROVIDER: GEORGIA POWER

TELCO PROVIDER: WINDSTREAM

DRIVING DIRECTIONS

DEPART 6000 N TERMINAL PKWY, ATLANTA, GA 30320 ON N TERMINAL PKWY [HARTSFIELD INTL AIRPORT] (EAST) 0.3 MI MERGE ONTO (N) TERMINAL PKWY 0.5 MI, BEAR RIGHT (EAST) ONTO RAMP 0.1 MI, TAKE RAMP (LEFT) ONTO I-85 4.2 MI I-85 N / I-75 N / I-20 / ATLANTA, MERGE ONTO I-75 [I-85] 7.4 MI, KEEP LEFT ONTO I-85 [GA-403] 28.3 MI I-85 N / GA-400 / GREENVILLE, AT EXIT 113, TAKE RAMP (LEFT) ONTO I-985 [GA-365] 23.8 MI I-985 N / LANIER PKWY / GAINESVILLE, AT EXIT 24, TURN RIGHT ONTO RAMP 0.3 MI GA-369 W / US-129 N / GAINESVILLE / CLEVELAND, KEEP LEFT TO STAY ON RAMP 43 YDS GA-369 / US-129 / NEW HOLLAND / JESSE JEWELL PKWY, BEAR RIGHT (NORTH) ONTO LOCAL ROAD(S) 10 YDS, TURN LEFT (WEST) ONTO GA-369 [JESSE JEWELL PKWY NE] 0.6 MI, TURN RIGHT (NORTH-WEST) ONTO US-129 [GA-11] 22.2 MI, 10:26 AM 87.8 TURN RIGHT (EAST) ONTO GA-115 [E KYTLE ST] 2.0 MI BEAR RIGHT (SOUTH-EAST) ONTO BLACK RD 0.2 MI, TURN RIGHT (WEST) ONTO BLACKFOOT DR 0.2 MI, ARRIVE 34.58560°N 83.73106°W

CODE COMPLIANCE

ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES:

CODE TYPE	CODE
BUILDING/DWELLING	IBC 2018 AMENDED
STRUCTURAL	IBC 2018 AMENDED
MECHANICAL	IMC 2018 AMENDED
ELECTRICAL	NFPA 70, 2017 AMENDED
TIA	TIA-222-H

PROJECT DESCRIPTION

THE PROPOSED PROJECT INCLUDES:

- CONSTRUCT (1) NEW 199' MONOPOLE TOWER
- CONSTRUCT FENCED GRAVEL UTILITY COMPOUND WITH LOCKING ACCESS GATE, 50' X 50' WITHIN 80' X 80' LEASE AREA.
- INSTALL (1) H-FRAME W/ UTILITY EQUIPMENT.
- INSTALL NEW POWER & TELCO UTILITY SERVICES.
- CONSTRUCT 12' WIDE GRAVEL ACCESS ROAD

ALL CONSTRUCTION WILL BE DONE IN 1 PHASE

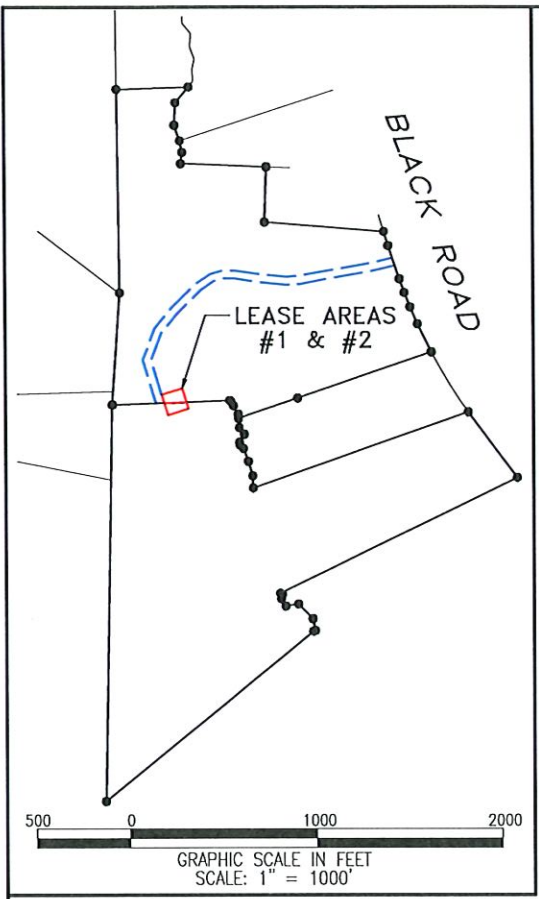
DO NOT SCALE DRAWINGS

ALL DRAWINGS CONTAINED HEREIN ARE FORMATTED FOR 11X17. CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.



CALL GEORGIA ONE CALL
(800) 282-7411
CALL 3 WORKING DAYS
BEFORE YOU DIG!





PARENT PARCEL #1
 OWNER: DAVID HOWELL FAIN
 SITE ADDRESS: 338 BLACK ROAD, CLEVELAND, GA 30528
 PARCEL ID: 062 032
 AREA: 20.33 ACRES (PER TAX ASSESSOR)
 ZONED: A - 1
 ALL ZONING INFORMATION SHOULD BE VERIFIED WITH THE PROPER ZONING OFFICIALS
 REFERENCES:
 DEED BOOK 968 PAGE 64
 PLAT BOOK 57 PAGE 100

PARENT PARCEL #2
 OWNER: JANE ELIZABETH FAIN
 SITE ADDRESS: 372 BLACK ROAD, CLEVELAND, GA 30528
 PARCEL ID: 062 030
 AREA: 25.31 ACRES (PER TAX ASSESSOR)
 ZONED: A - 1
 ALL ZONING INFORMATION SHOULD BE VERIFIED WITH THE PROPER ZONING OFFICIALS
 REFERENCES:
 DEED BOOK 1041 PAGE 526
 PLAT BOOK 12 PG 123
 PLAT BOOK 46 PAGE 22

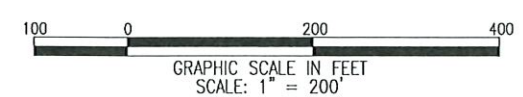
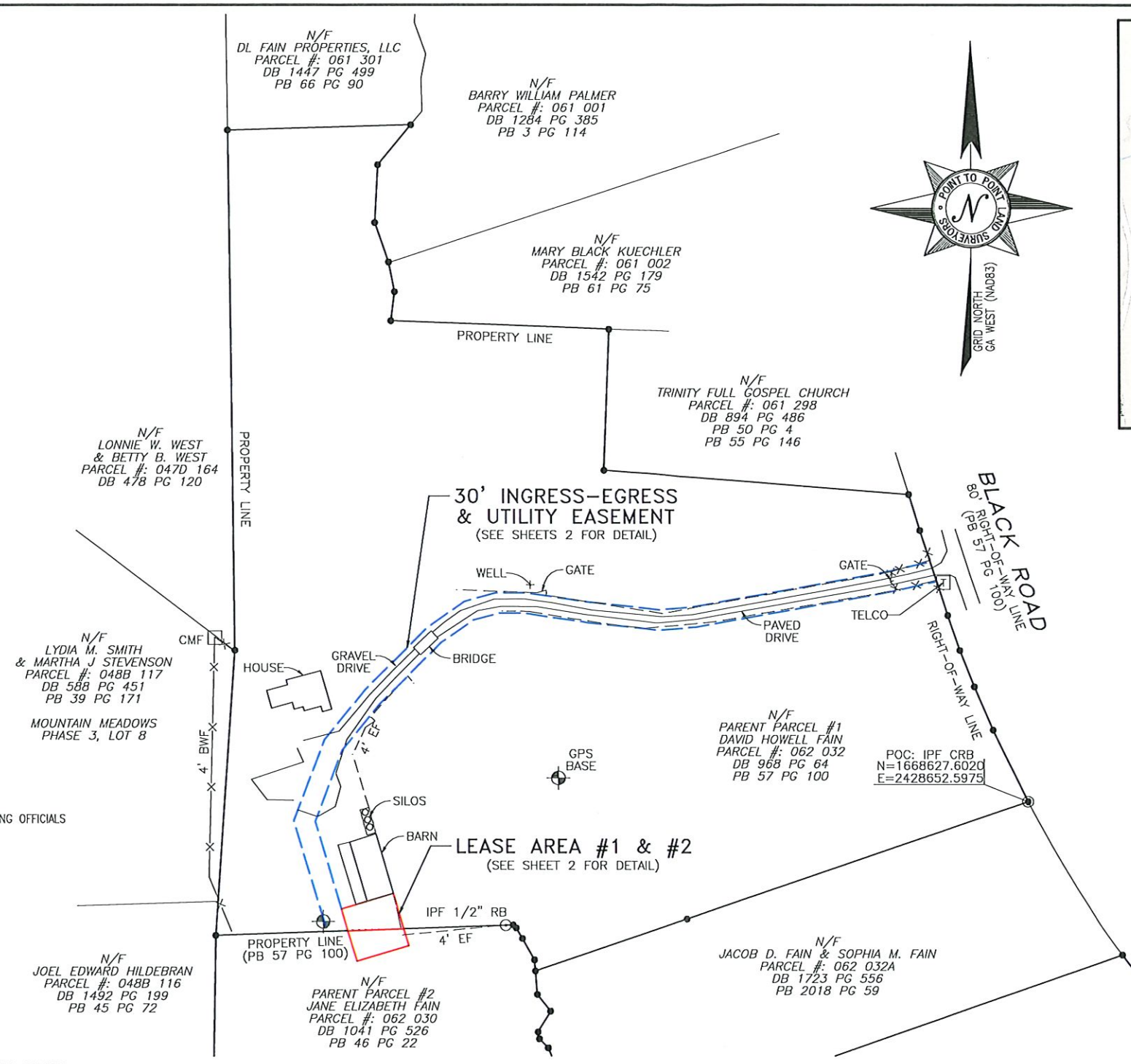
LEGEND

POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
IPF	IRON PIN SET
IPF	IRON PIN FOUND
CMF	CONCRETE MONUMENT FOUND
CRB	CAPPED REBAR
RB	REBAR
UP	UTILITY POLE
INV	INVERT
EP	EDGE OF PAVEMENT
OU	OVERHEAD UTILITY
CMP	CORRUGATED METAL PIPE
GW	GUY WIRE ANCHOR
TR	TRANSFORMER
BWF	BARBED WIRE FENCE
WFC	WOODEN FENCE
EF	ELECTRIC FENCE
CP	CONCRETE PAD
N/F	NOW OR FORMERLY
R/W	RIGHT-OF-WAY

SURVEYOR CERTIFICATION
 I HEREBY CERTIFY THAT THIS MAP IS CORRECT AND WAS DRAWN UNDER MY DIRECT SUPERVISION. ANY VISIBLE ENCROACHMENTS ARE SHOWN HEREON.
 10/06/23
 DAVID M. MILLER, GEORGIA PROFESSIONAL LAND SURVEYOR #3433
 POINT TO POINT LAND SURVEYORS, INC.

THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS. THIS MAP IS ONLY INTENDED FOR THE PARTIES AND PURPOSES SHOWN. THIS MAP IS NOT FOR RECORDATION.

GPS NOTES
 THE FOLLOWING GPS STATISTICS UPON WHICH THIS SURVEY IS BASED HAVE BEEN PRODUCED AT THE 95% CONFIDENCE LEVEL:
 POSITIONAL ACCURACY: 0.02 FEET (HORZ) 0.26 FEET (VERT)
 TYPE OF EQUIPMENT: GEOMAX ZENITH35 PRO BASE AND ROVER, DUAL FREQUENCY
 TYPE OF GPS FIELD PROCEDURE: ONLINE POSITION USER INTERFACE
 DATE OF SURVEY: 7/6/2023
 DATUM / EPOCH: NAD 83(2011)(EPOCH:2010.0000)
 PUBLISHED / FIXED CONTROL USE: N/A
 GEOD MODEL: 18
 COMBINED GRID FACTOR(S): 0.99985468 CENTERED ON THE GPS BASE POINT AS SHOWN HEREON.
 CONVERGENCE ANGLE: 0.24778611
 BENCHMARKS USED: DH3874, DL2762, DM7831



VICINITY MAP
 NOT TO SCALE
GENERAL NOTES

THIS EXHIBIT SURVEY IS FOR THE LEASED PREMISES AND EASEMENTS ONLY. THIS EXHIBIT SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF B+T GROUP AND EXCLUSIVELY FOR THE TRANSFERRAL OF THE LEASED PREMISES AND THE RIGHTS OF EASEMENT SHOWN HEREON AND SHALL NOT BE USED AS AN EXHIBIT OR EVIDENCE IN THE FEE SIMPLE TRANSFERRAL OF THE PARENT PARCEL NOR ANY PORTION OR PORTIONS THEREOF. BOUNDARY INFORMATION SHOWN HEREON HAS BEEN COMPILED FROM TAX MAPS AND DEED DESCRIPTIONS ONLY. NO BOUNDARY SURVEY OF THE PARENT PARCEL WAS PERFORMED.

THIS DRAWING DOES NOT REPRESENT A BOUNDARY SURVEY.
 THIS EXHIBIT SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT WHICH MAY REVEAL ADDITIONAL CONVEYANCES, EASEMENTS, OR RIGHTS-OF-WAY NOT SHOWN HEREON.

EQUIPMENT USED FOR ANGULAR & LINEAR MEASUREMENTS: GEOMAX ZOOM ROBOTIC AND/OR LEICA TS12 [DATE OF LAST FIELD VISIT: 7/6/2023]. SEE GPS NOTES FOR GPS EQUIPMENT.

THE 1' CONTOURS AND SPOT ELEVATIONS SHOWN ON THIS EXHIBIT SURVEY ARE ADJUSTED TO NAVD 88 DATUM (COMPUTED USING GEOID18) AND HAVE A VERTICAL ACCURACY OF ± 0.5'. CONTOURS OUTSIDE THE IMMEDIATE SITE AREA ARE APPROXIMATE.

BEARINGS SHOWN ON THIS EXHIBIT SURVEY ARE BASED ON GRID NORTH (NAD 83) GEORGIA WEST ZONE.

PER THE FEMA FLOODPLAIN MAPS, THE SITE IS LOCATED IN AN AREA DESIGNATED AS ZONE X (AREA OF MINIMAL FLOOD HAZARD). COMMUNITY PANEL NO. : 11311C0203D DATED: 1/5/2018

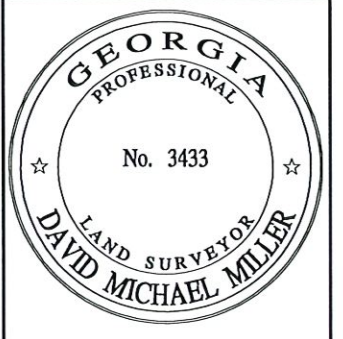
NO WETLAND AREAS HAVE BEEN INVESTIGATED BY THIS EXHIBIT SURVEY.

ALL ZONING INFORMATION SHOULD BE VERIFIED WITH THE PROPER ZONING OFFICIALS.

ANY UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM ABOVE GROUND FIELD SURVEY INFORMATION. THE SURVEYOR MAKES NO GUARANTEES THAT ANY UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT ANY UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED ANY UNDERGROUND UTILITIES.

CERTIFICATE OF AUTHORIZATION: LSF000843

THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS. THIS MAP IS ONLY INTENDED FOR THE PARTIES AND PURPOSES SHOWN. THIS MAP IS NOT FOR RECORDATION.



NO.	DATE	REVISION
1	10/06/23	ADDRESS

EXHIBIT SURVEY PREPARED BY:
POINT TO POINT LAND SURVEYORS
 100 Governors Trace, Ste. 103
 Peachtree City, GA 30269
 (p) 678.565.4440
 (f) 678.565.4497
 (w) pointtopointsurvey.com

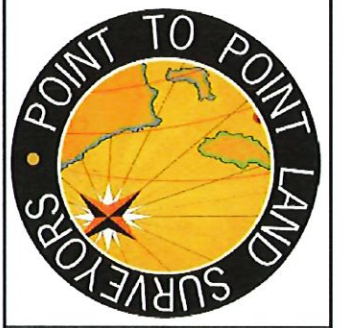


EXHIBIT SURVEY PREPARED FOR:



B+T GROUP
 1717 S. BOULDER AVE
 STE 300
 TULSA, OK 74119

CLEVELAND GA

SITE NO.
 CT732

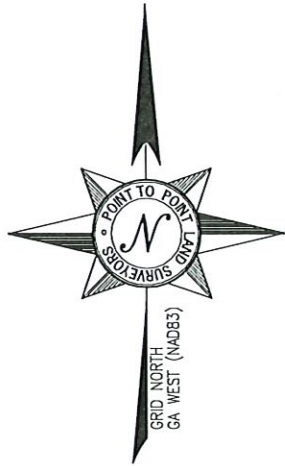
LAND LOTS 81 & 82, 2ND DISTRICT
 WHITE COUNTY, GEORGIA

DRAWN BY: RJH	SHEET:
CHECKED BY: JKL	1
APPROVED: D. MILLER	
DATE: JULY 31, 2023	
P2P JOB #: 230836GA	OF 3



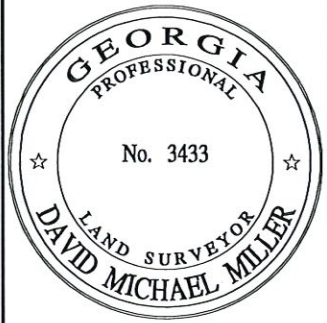
SURVEY NOT VALID WITHOUT SHEET 2-3 OF 3

E:\Point To Point\Drawbox\2023\230836GA-Cleveland GA\230836GA.dwg

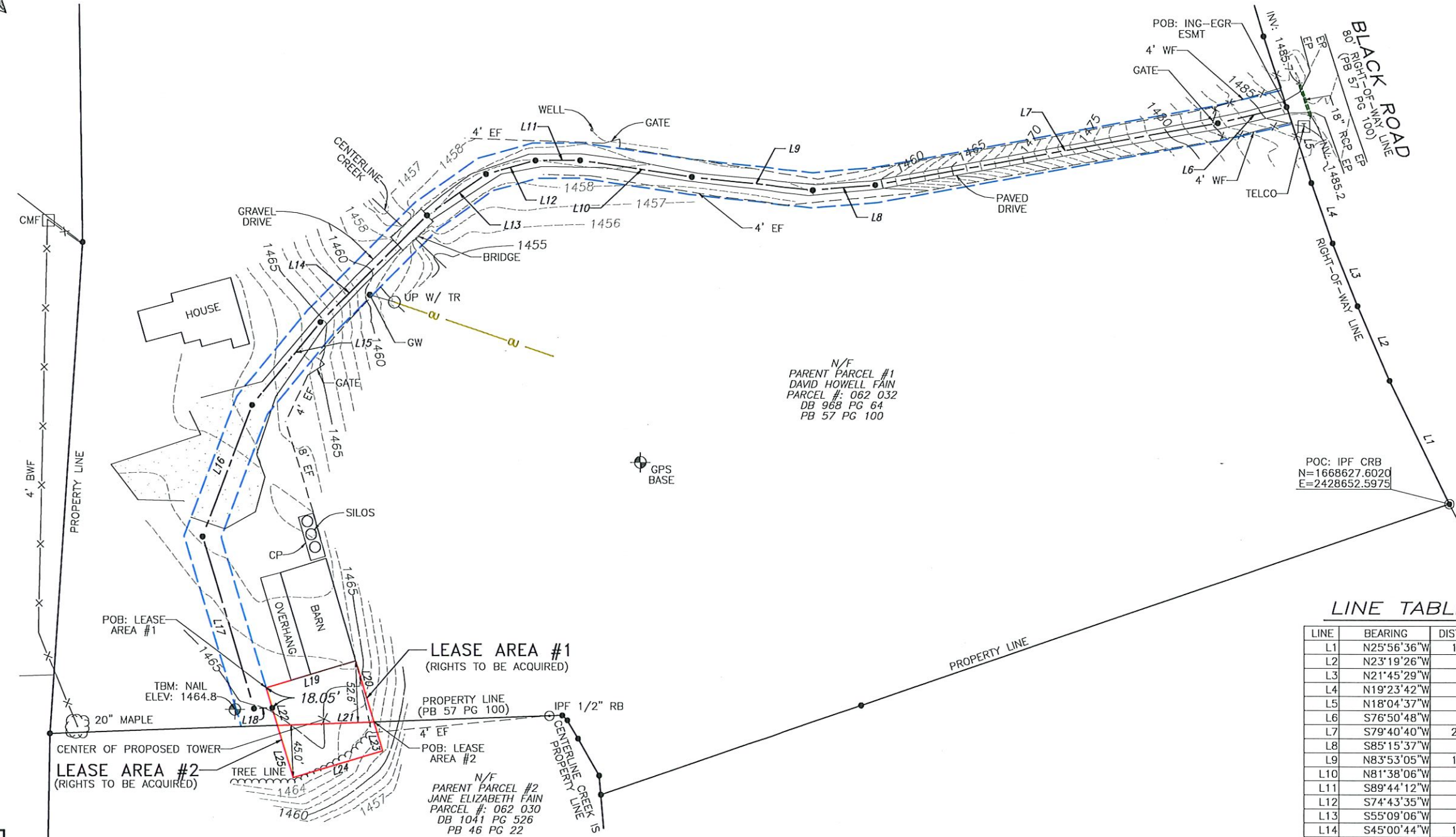


SITE INFORMATION

LEASE AREA #1 = 3,516 SQUARE FEET (0.0807 ACRES)
 LEASE AREA #2 = 2,884 SQUARE FEET (0.0662 ACRES)
 LATITUDE = 34°35'08.15" (NAD 83) (34.585597°)
 LONGITUDE = -83°43'51.81" (NAD 83) (-83.731058°)
 AT CENTER OF PROPOSED TOWER
 ELEVATION AT CENTER PROPOSED TOWER = 1464.9' A.M.S.L.



NO.	DATE	REVISION
1	10/06/23	ADDRESS

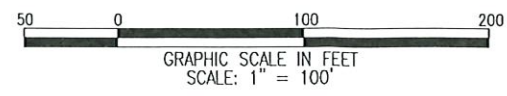


N/F
 PARENT PARCEL #1
 DAVID HOWELL FAIN
 PARCEL #: 062 032
 DB 968 PG 64
 PB 57 PG 100

POC: IPF CRB
 N=1668627.6020
 E=2428652.5975

LINE TABLE

LINE	BEARING	DISTANCE
L1	N25°56'36"W	117.01'
L2	N23°19'26"W	69.33'
L3	N21°45'29"W	57.62'
L4	N19°23'42"W	54.59'
L5	N18°04'37"W	68.09'
L6	S76°50'48"W	60.71'
L7	S79°40'40"W	297.09'
L8	S85°15'37"W	53.14'
L9	N83°53'05"W	104.38'
L10	N81°38'06"W	96.14'
L11	S89°44'12"W	38.16'
L12	S74°43'35"W	43.70'
L13	S55°09'06"W	61.67'
L14	S45°00'44"W	128.86'
L15	S39°38'07"W	92.00'
L16	S20°58'08"W	120.30'
L17	S16°35'20"E	153.14'
L18	N88°00'27"E	15.50'
L19	N73°25'50"E	80.00'
L20	S16°34'10"E	54.35'
L21	S88°00'27"W	82.66'
L22	N16°34'10"W	33.55'
L23	S16°34'10"E	25.65'
L24	S73°25'50"W	80.00'
L25	N16°34'10"W	46.45'



LEGEND

POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
IPS	IRON PIN SET
IPF	IRON PIN FOUND
CMF	CONCRETE MONUMENT FOUND
CRB	CAPPED REBAR
RB	REBAR
UP	UTILITY POLE
INV	INVERT
EP	EDGE OF PAVEMENT
OUI	OVERHEAD UTILITY
CMP	CORRUGATED METAL PIPE
GWA	GUY WIRE ANCHOR
TR	TRANSFORMER
BWF	BARBED WIRE FENCE
WFC	WOODEN FENCE
EF	ELECTRIC FENCE
CP	CONCRETE PAD
N/F	NOW OR FORMERLY
R/W	RIGHT-OF-WAY

EXHIBIT SURVEY PREPARED BY:
POINT TO POINT LAND SURVEYORS
 100 Governors Trace, Ste. 103
 Peachtree City, GA 30269
 (p) 678.565.4440
 (f) 678.565.4497
 (w) pointtopointsurvey.com



EXHIBIT SURVEY PREPARED FOR:

 B+T GROUP
 1717 S. BOULDER AVE
 STE 300
 TULSA, OK 74119

CLEVELAND GA
 SITE NO.
 CT732
 LAND LOTS 81 & 82, 2ND DISTRICT
 WHITE COUNTY, GEORGIA

DRAWN BY: RJH
 CHECKED BY: JKL
 APPROVED: D. MILLER
 DATE: JULY 31, 2023
 P2P JOB #: 230836GA

SHEET:
2
 OF 3

[SURVEY NOT VALID WITHOUT SHEET 1 & 3 OF 2]

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LEGAL DESCRIPTION SHEET

30' INGRESS-EGRESS & UTILITY EASEMENT

TOGETHER WITH A 30-FOOT WIDE INGRESS-EGRESS AND UTILITY EASEMENT (LYING 15 FEET EACH SIDE OF CENTERLINE) LYING AND BEING IN LAND LOT 82, 2ND DISTRICT, WHITE COUNTY, GEORGIA, AND BEING A PORTION OF THE LANDS OF DAVID HOWELL FAIN AS RECORDED IN DEED BOOK 968 PAGE 64, WHITE COUNTY RECORDS, AND BEING MORE PARTICULARLY DESCRIBED BY THE FOLLOWING CENTERLINE DATA:

TO FIND THE POINT OF BEGINNING, COMMENCE AT A CAPPED REBAR FOUND AT THE CORNER COMMON TO SAID DAVID HOWELL FAIN LANDS AND THE LANDS OF JACOB D. FAIN AND SOPHIA M. FAIN, AS RECORDED IN DEED BOOK 1723 PAGE 556, WHITE COUNTY RECORDS, AND THE WEST RIGHT-OF-WAY OF BLACK ROAD, HAVING AN 80' RIGHT-OF-WAY AS RECORDED IN PLAT BOOK 57 PAGE 100, WHITE COUNTY RECORDS, SAID REBAR HAVING A GEORGIA GRID NORTH (NAD83) WEST ZONE VALUE OF N=1668627.6020 E=2428652.5975;

THENCE RUNNING ALONG SAID RIGHT-OF-WAY, NORTH 25°56'36" WEST, 117.01 FEET TO A POINT;

THENCE, NORTH 23°19'26" WEST, 69.33 FEET TO A POINT;

THENCE, NORTH 21°45'29" WEST, 57.62 FEET TO A POINT;

THENCE, NORTH 19°23'42" WEST, 54.59 FEET TO A POINT;

THENCE, NORTH 18°04'37" WEST, 68.09 FEET TO A POINT AND THE TRUE POINT OF BEGINNING;

THENCE LEAVING SAID RIGHT-OF-WAY AND RUNNING, SOUTH 76°50'48" WEST, 60.71 FEET TO A POINT;

THENCE, SOUTH 79°40'40" WEST, 297.09 FEET TO A POINT;

THENCE, SOUTH 85°15'37" WEST, 53.14 FEET TO A POINT;

THENCE, NORTH 83°53'05" WEST, 104.38 FEET TO A POINT;

THENCE, NORTH 81°38'06" WEST, 96.14 FEET TO A POINT;

THENCE, SOUTH 89°44'12" WEST, 38.16 FEET TO A POINT;

THENCE, SOUTH 74°43'35" WEST, 43.70 FEET TO A POINT;

THENCE, SOUTH 55°09'06" WEST, 61.67 FEET TO A POINT;

THENCE, SOUTH 45°00'44" WEST, 128.86 FEET TO A POINT;

THENCE, SOUTH 39°38'07" WEST, 92.00 FEET TO A POINT;

THENCE, SOUTH 20°58'08" WEST, 120.30 FEET TO A POINT;

THENCE, SOUTH 16°35'20" EAST, 153.14 FEET TO A POINT;

THENCE, NORTH 88°00'27" EAST, 15.50 FEET TO THE ENDING AT A POINT ON LEASE AREA #1.

BEARINGS BASED ON GEORGIA GRID NORTH, NAD83, WEST ZONE.

LEASE AREA #1

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 82, 2ND DISTRICT, WHITE COUNTY, GEORGIA, AND BEING A PORTION OF THE LANDS OF DAVID HOWELL FAIN AS RECORDED IN DEED BOOK 968 PAGE 64, WHITE COUNTY RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT A CAPPED REBAR FOUND AT THE CORNER COMMON TO SAID DAVID HOWELL FAIN LANDS AND THE LANDS OF JACOB D. FAIN AND SOPHIA M. FAIN, AS RECORDED IN DEED BOOK 1723 PAGE 556, WHITE COUNTY RECORDS, AND THE WEST RIGHT-OF-WAY OF BLACK ROAD, HAVING AN 80' RIGHT-OF-WAY AS RECORDED IN PLAT BOOK 57 PAGE 100, WHITE COUNTY RECORDS, SAID REBAR HAVING A GEORGIA GRID NORTH (NAD83) WEST ZONE VALUE OF N=1668627.6020 E=2428652.5975;

THENCE RUNNING ALONG SAID RIGHT-OF-WAY, NORTH 25°56'36" WEST, 117.01 FEET TO A POINT;

THENCE, NORTH 23°19'26" WEST, 69.33 FEET TO A POINT;

THENCE, NORTH 21°45'29" WEST, 57.62 FEET TO A POINT;

THENCE, NORTH 19°23'42" WEST, 54.59 FEET TO A POINT;

THENCE, NORTH 18°04'37" WEST, 68.09 FEET TO A POINT;

THENCE LEAVING SAID RIGHT-OF-WAY AND RUNNING, SOUTH 76°50'48" WEST, 60.71 FEET TO A POINT;

THENCE, SOUTH 79°40'40" WEST, 297.09 FEET TO A POINT;

THENCE, SOUTH 85°15'37" WEST, 53.14 FEET TO A POINT;

THENCE, NORTH 83°53'05" WEST, 104.38 FEET TO A POINT;

THENCE, NORTH 81°38'06" WEST, 96.14 FEET TO A POINT;

THENCE, SOUTH 89°44'12" WEST, 38.16 FEET TO A POINT;

THENCE, SOUTH 74°43'35" WEST, 43.70 FEET TO A POINT;

THENCE, SOUTH 55°09'06" WEST, 61.67 FEET TO A POINT;

THENCE, SOUTH 45°00'44" WEST, 128.86 FEET TO A POINT;

THENCE, SOUTH 39°38'07" WEST, 92.00 FEET TO A POINT;

THENCE, SOUTH 20°58'08" WEST, 120.30 FEET TO A POINT;

THENCE, SOUTH 16°35'20" EAST, 153.14 FEET TO A POINT;

THENCE, NORTH 88°00'27" EAST, 15.50 FEET TO A POINT ON LEASE AREA #1.

THENCE RUNNING ALONG LEASE AREA #1, NORTH 16°34'10" WEST, 18.05 FEET TO A POINT AND THE TRUE POINT OF BEGINNING;

THENCE RUNNING, NORTH 73°25'50" EAST, 80.00 FEET TO A POINT;

THENCE, SOUTH 16°34'10" EAST, 54.35 FEET TO A POINT ON THE LINE COMMON TO SAID DAVID HOWELL FAIN LANDS AND THE LANDS OF JANE ELIZABETH FAIN, AS RECORDED IN DEED BOOK 1041 PAGE 526;

THENCE RUNNING ALONG SAID COMMON LINE, SOUTH 88°00'27" WEST, 82.66 FEET TO A POINT;

THENCE LEAVING SAID JANE ELIZABETH FAIN LANDS AND RUNNING, NORTH 16°34'10" WEST, 33.55 FEET TO A POINT AND THE POINT OF BEGINNING.

BEARINGS BASED ON GEORGIA GRID NORTH, NAD83, WEST ZONE.

SAID TRACT CONTAINS 0.0807 ACRES (3,516 SQUARE FEET), MORE OR LESS

LEASE AREA #2

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 81, 2ND DISTRICT, WHITE COUNTY, GEORGIA, AND BEING A PORTION OF THE LANDS OF JANE ELIZABETH FAIN AS RECORDED IN DEED BOOK 1041 PAGE 526, WHITE COUNTY RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT A CAPPED REBAR FOUND AT THE CORNER COMMON TO THE LANDS OF DAVID HOWELL FAIN AS RECORDED IN DEED BOOK 968 PAGE 64, WHITE COUNTY RECORDS, AND THE LANDS OF JACOB D. FAIN AND SOPHIA M. FAIN, AS RECORDED IN DEED BOOK 1723 PAGE 556, WHITE COUNTY RECORDS, AND THE WEST RIGHT-OF-WAY OF BLACK ROAD, HAVING AN 80' RIGHT-OF-WAY AS RECORDED IN PLAT BOOK 57 PAGE 100, WHITE COUNTY RECORDS, SAID REBAR HAVING A GEORGIA GRID NORTH (NAD83) WEST ZONE VALUE OF N=1668627.6020 E=2428652.5975;

THENCE RUNNING ALONG SAID RIGHT-OF-WAY, NORTH 25°56'36" WEST, 117.01 FEET TO A POINT;

THENCE, NORTH 23°19'26" WEST, 69.33 FEET TO A POINT;

THENCE, NORTH 21°45'29" WEST, 57.62 FEET TO A POINT;

THENCE, NORTH 19°23'42" WEST, 54.59 FEET TO A POINT;

THENCE, NORTH 18°04'37" WEST, 68.09 FEET TO A POINT;

THENCE LEAVING SAID RIGHT-OF-WAY AND RUNNING, SOUTH 76°50'48" WEST, 60.71 FEET TO A POINT;

THENCE, SOUTH 79°40'40" WEST, 297.09 FEET TO A POINT;

THENCE, SOUTH 85°15'37" WEST, 53.14 FEET TO A POINT;

THENCE, NORTH 83°53'05" WEST, 104.38 FEET TO A POINT;

THENCE, NORTH 81°38'06" WEST, 96.14 FEET TO A POINT;

THENCE, SOUTH 89°44'12" WEST, 38.16 FEET TO A POINT;

THENCE, SOUTH 74°43'35" WEST, 43.70 FEET TO A POINT;

THENCE, SOUTH 55°09'06" WEST, 61.67 FEET TO A POINT;

THENCE, SOUTH 45°00'44" WEST, 128.86 FEET TO A POINT;

THENCE, SOUTH 39°38'07" WEST, 92.00 FEET TO A POINT;

THENCE, SOUTH 20°58'08" WEST, 120.30 FEET TO A POINT;

THENCE, SOUTH 16°35'20" EAST, 153.14 FEET TO A POINT;

THENCE, NORTH 88°00'27" EAST, 15.50 FEET TO A POINT ON LEASE AREA #1.

THENCE RUNNING ALONG LEASE AREA #1, NORTH 16°34'10" WEST, 18.05 FEET TO A POINT;

THENCE, NORTH 73°25'50" EAST, 80.00 FEET TO A POINT;

THENCE, SOUTH 16°34'10" EAST, 54.35 FEET TO A POINT ON THE LINE COMMON TO SAID DAVID HOWELL FAIN LANDS AND SAID JANE ELIZABETH FAIN LANDS, AND THE TRUE POINT OF BEGINNING;

THENCE RUNNING LEAVING SAID DAVID HOWELL FAIN LANDS AND RUNNING, SOUTH 16°34'10" EAST, 25.65 FEET TO A POINT;

THENCE, SOUTH 73°25'50" WEST, 80.00 FEET TO A POINT;

THENCE, NORTH 16°34'10" WEST, 46.45 FEET TO A POINT ON THE LINE COMMON TO SAID DAVID HOWELL FAIN LANDS AND SAID JANE ELIZABETH FAIN LANDS;

THENCE RUNNING ALONG SAID COMMON LINE, NORTH 88°00'27" EAST, 82.66 FEET TO A POINT AND THE POINT OF BEGINNING.

SAID TRACT CONTAINS 0.0662 ACRES (2,884 SQUARE FEET), MORE OR LESS



NO.	DATE	REVISION
1	10/06/23	ADDRESS

EXHIBIT SURVEY PREPARED BY:

POINT TO POINT LAND SURVEYORS

100 Governors Trace, Ste. 103
Peachtree City, GA 30269
(p) 678.565.4440
(f) 678.565.4497
(w) pointtopointsurvey.com



EXHIBIT SURVEY PREPARED FOR:



B+T GROUP
1717 S. BOULDER AVE
STE 300
TULSA, OK 74119

CLEVELAND GA

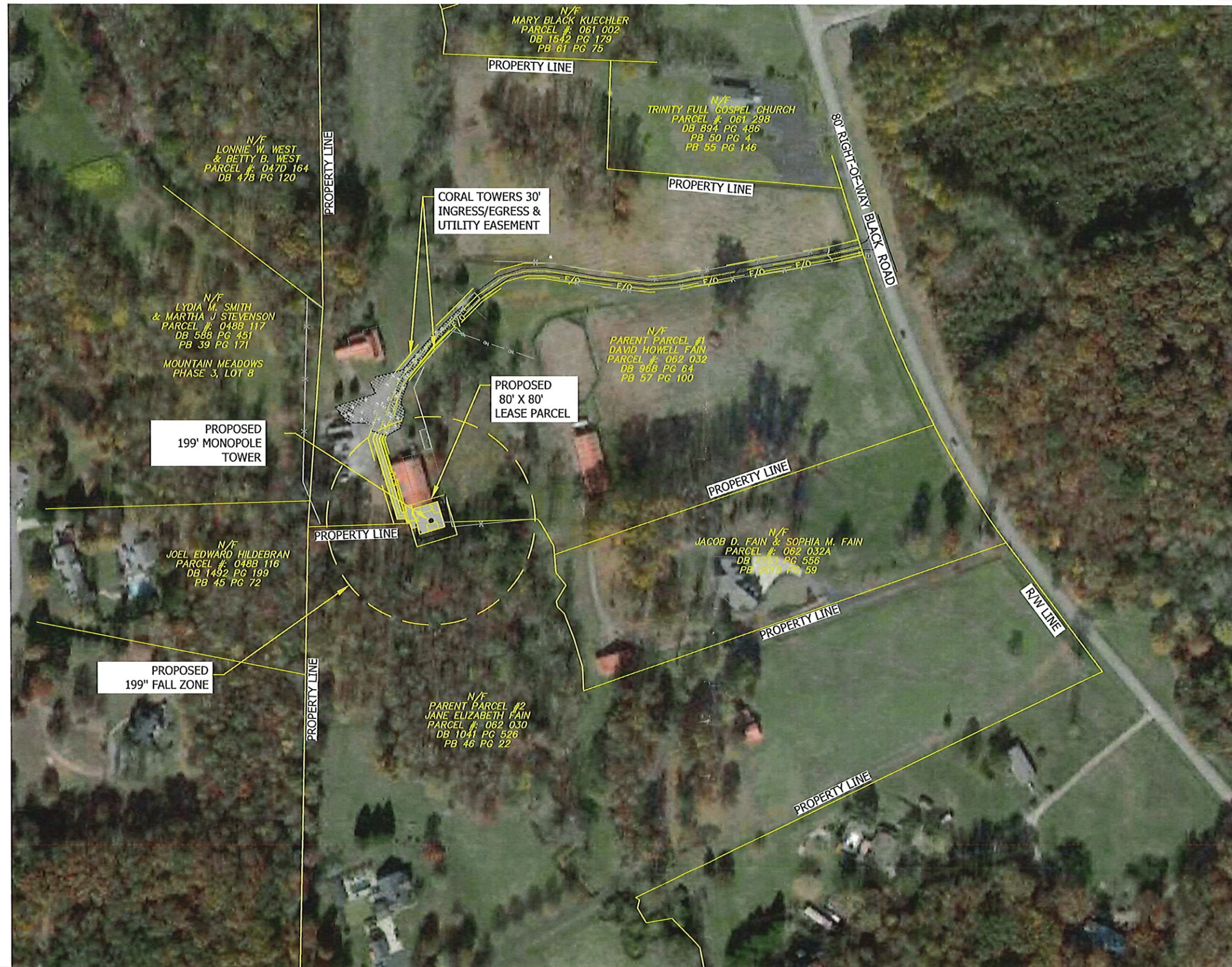
SITE NO.
CT732

LAND LOTS 81 & 82, 2ND DISTRICT
WHITE COUNTY, GEORGIA

DRAWN BY: RJH	SHEET:
CHECKED BY: JKL	3
APPROVED: D. MILLER	OF 3
DATE: JULY 31, 2023	
P2P JOB #: 230836GA	

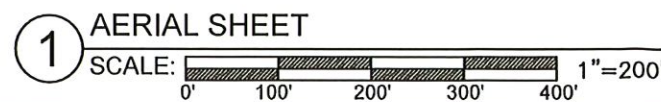
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164273_C1732-Cleveland -ZD (A).dwg - SheetC-1 - User: dstaten - Aug 30, 2023 - 7:57am



FLOOD ZONE NOTE:

PER THE FEMA FLOODPLAIN MAPS,
THE SITE IS LOCATED IN AN AREA DESIGNATED AS:
ZONE X (AREA OF MINIMAL FLOOD HAZARD)
COMMUNITY PANEL NO.: 11311C0203D
DATED: JANUARY 5, 2018



CALL GEORGIA ONE CALL
(800) 282-7411
CALL 3 WORKING DAYS
BEFORE YOU DIG!



CORAL TOWERS
CLEVELAND
(PROPERTY)
338 & 372 BLACK ROAD
CLEVELAND, GA 30528
WHITE COUNTY
PROPOSED
199' MONOPOLE TOWER

PROJECT NO: G0164273.003.01
CHECKED BY: MAS

ISSUED FOR:			
REV	DATE	DRWN	DESCRIPTION
A	8/30/23	DLS	REVIEW

B&T ENGINEERING, INC.
PEF006618
Expires 6/30/24

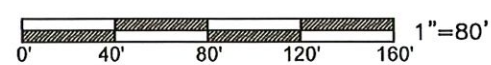
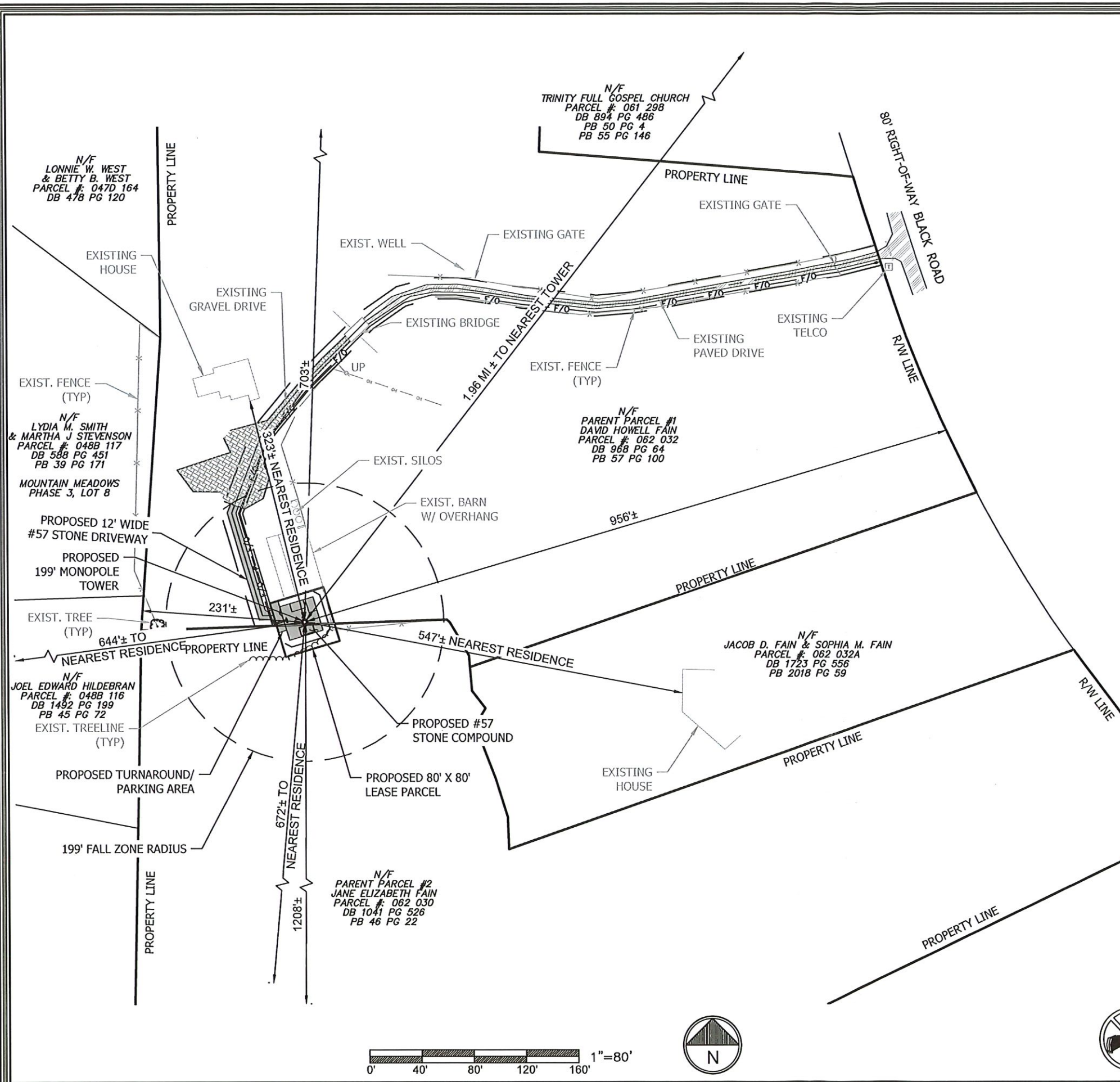
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AERIAL SHEET

SHEET NUMBER:
C-1

164273-CT732-Cleveland -ZD (A).dwg - SheetC-2 - User: dstaten - Aug 30, 2023 - 7:57am



NOTES:

1. TOWER LATITUDE, LONGITUDE & ELEVATION MEET FAA"1-A" ACCURACY REQUIREMENTS.
2. CENTER OF TOWER:
 LATITUDE: NORTH 34°35'08.15" (34.585597) NAD 83
 LONGITUDE: WEST -83°43'51.81" (-83.731058) NAD 83
 GROUND ELEVATION @ 1464.9" A.M.S.L.
3. THE APPROXIMATE PERPENDICULAR DISTANCES FROM THE OUTER EDGE OF THE PROPOSED TOWER TO PARENT TRACT NEAREST PROPERTY LINE ARE AS FOLLOWS:
 NORTH: 889'±
 SOUTH: 1,208'±
 EAST: 956'±
 WEST: 231'±

FLOOD ZONE NOTE:

PER THE FEMA FLOODPLAIN MAPS, THE SITE IS LOCATED IN AN AREA DESIGNATED AS: ZONE X (AREA OF MINIMAL FLOOD HAZARD) COMMUNITY PANEL NO.: 11311C0203D DATED: JANUARY 5, 2018

SITE DATA TABLE	
LEASE AREA:	0.15 ACRES (6,400 SF)
DISTURBED AREA:	0.12 ACRES (5,224 SF)
COMBINED PARCEL AREA:	45.64 ACRES (1,988,078 SF)
ZONING:	RA
PROPOSED USE:	199' MONOPOLE TOWER TELECOMMUNICATION FACILITY



CORAL TOWERS
 CLEVELAND
 (PROPERTY)
 338 & 372 BLACK ROAD
 CLEVELAND, GA 30528
 WHITE COUNTY
 PROPOSED
 199' MONOPOLE TOWER

PROJECT NO:	G0164273.003.01		
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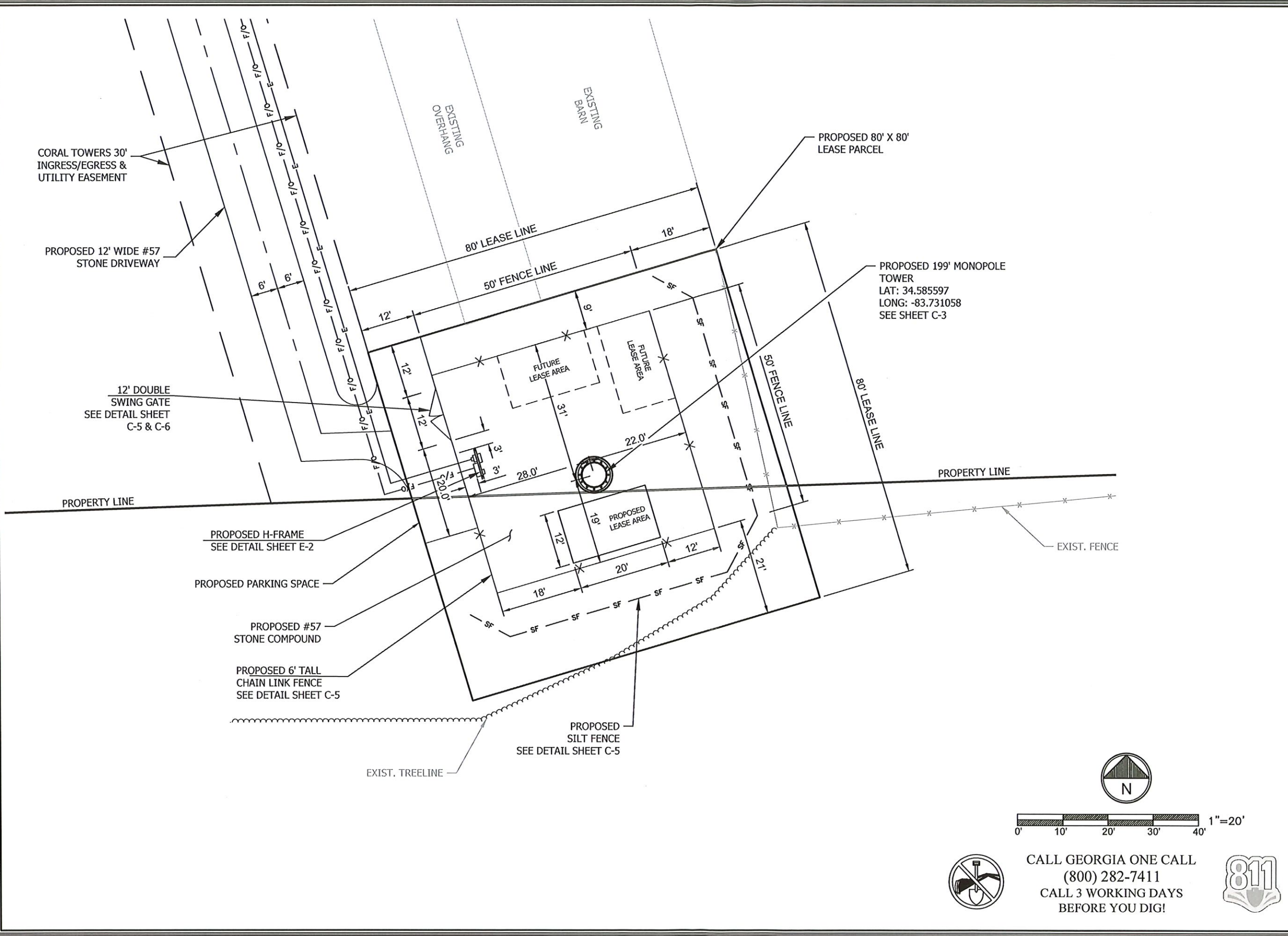
SITE PLAN

SHEET NUMBER:
C-2

CALL GEORGIA ONE CALL
 (800) 282-7411
 CALL 3 WORKING DAYS
 BEFORE YOU DIG!



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CORAL TOWERS
CLEVELAND
(PROPERTY)
338 & 372 BLACK ROAD
CLEVELAND, GA 30528
WHITE COUNTY
PROPOSED
199' MONOPOLE TOWER

PROJECT NO: G0164273.003.01
CHECKED BY: MAS

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REV	DATE	DRWN	DESCRIPTION
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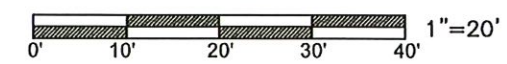
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COMPOUND
LAYOUT SHEET

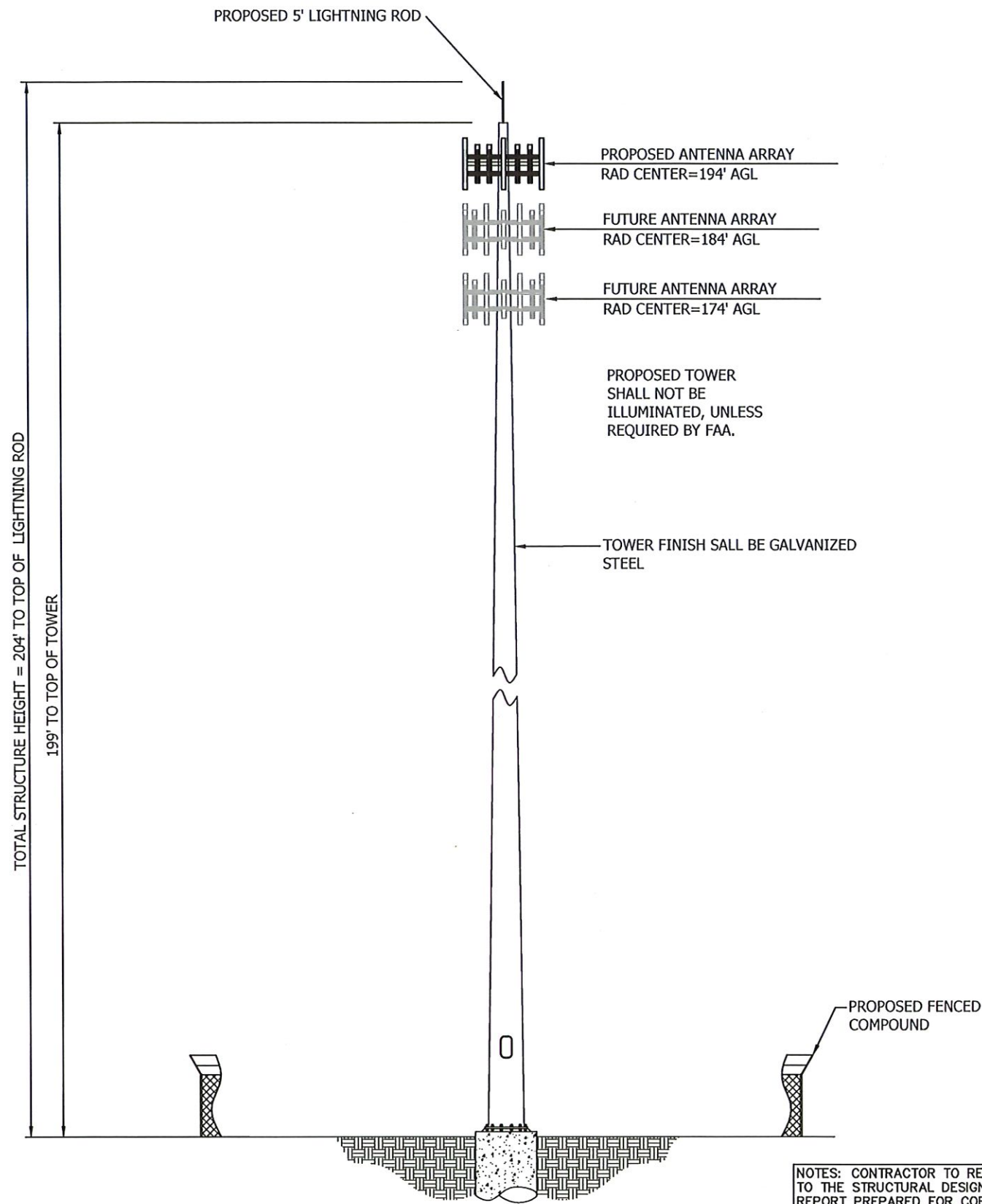
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C-3



CALL GEORGIA ONE CALL
(800) 282-7411
CALL 3 WORKING DAYS
BEFORE YOU DIG!



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1 TOWER ELEVATION
SCALE: N.T.S.

NOTES: CONTRACTOR TO REFER
TO THE STRUCTURAL DESIGN
REPORT PREPARED FOR CORAL
TOWERS PRIOR TO CONSTRUCTION.



CORAL TOWERS
CLEVELAND

(PROPERTY)
338 & 372 BLACK ROAD
CLEVELAND, GA 30528
WHITE COUNTY

PROPOSED
199' MONOPOLE TOWER

PROJECT NO: G0164273.003.01
CHECKED BY: MAS

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REV	DATE	DRWN	DESCRIPTION
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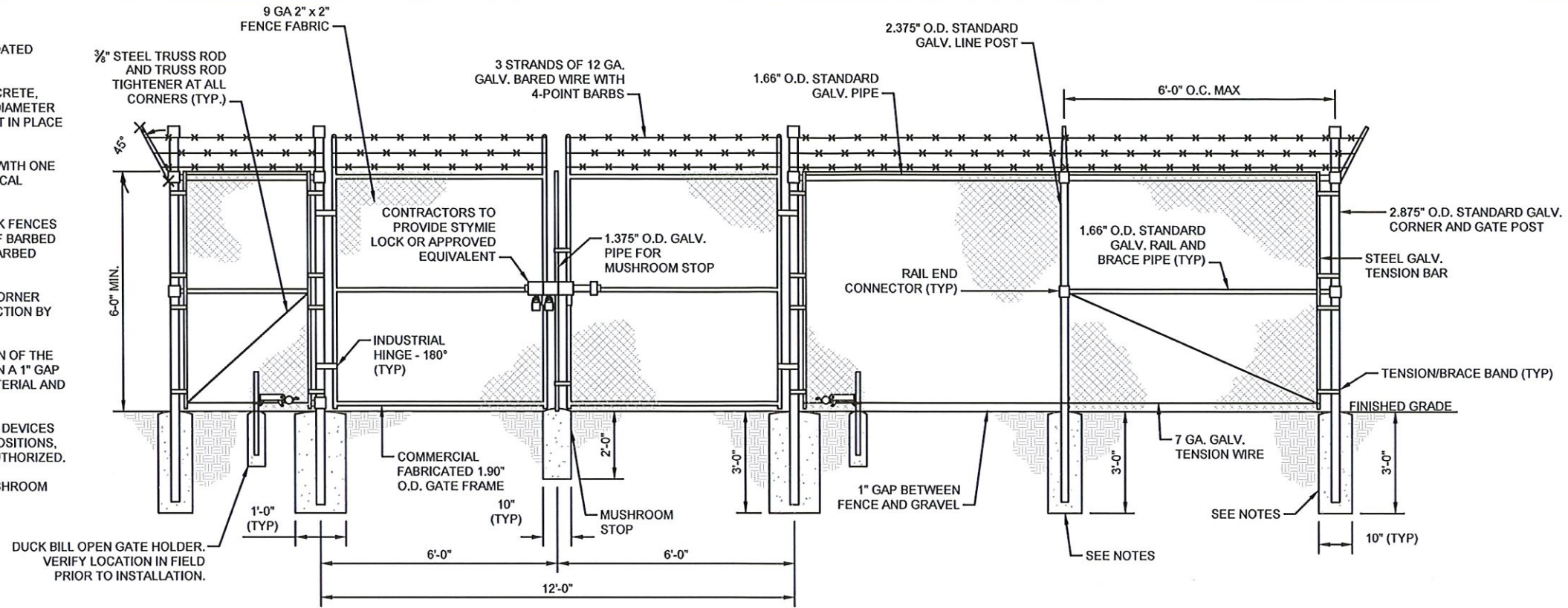
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TOWER
ELEVATION

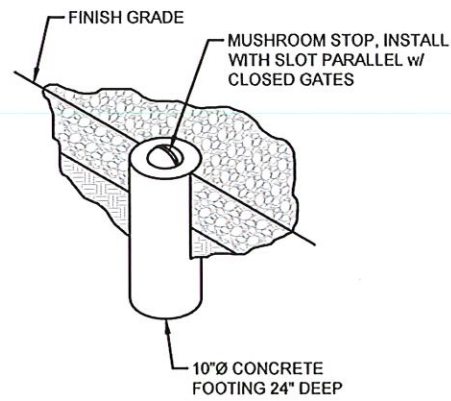
SHEET NUMBER:
C-4

FENCE NOTES

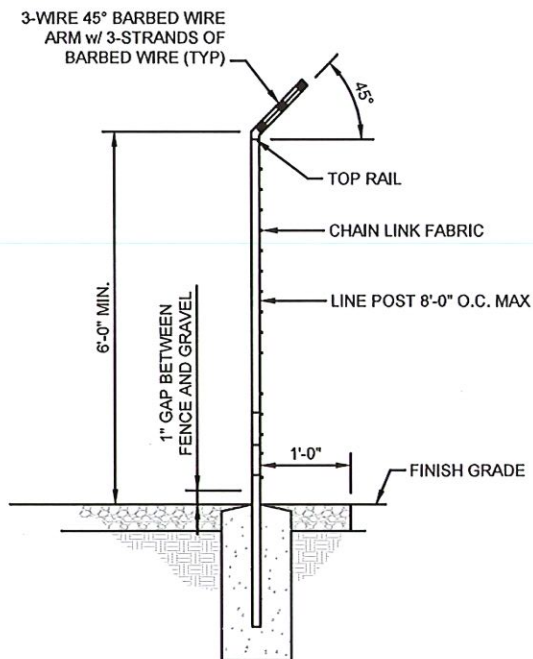
1. USE 3,000-PSI CONCRETE, FULLY CONSOLIDATED AROUND THE POST.
2. WHERE THE POST IS SET IN ROCK OR CONCRETE, CORE A HOLE 12" DEEP AND 1" LARGER IN DIAMETER THAN THE POST. SET THE POST AND GROUT IN PLACE USING NON-SHRINK GROUT.
3. ALL POSTS MUST BE PLUMB AND ALIGNED WITH ONE ANOTHER IN BOTH HORIZONTAL AND VERTICAL PLANES.
4. CORNERS AND GATEPOSTS FOR CHAIN LINK FENCES SHALL EXTEND ABOVE THE TOP STRAND OF BARBED WIRE TO PROVIDE TENSIONING FOR THE BARBED WIRE.
5. PROVIDE MIDRAILS AND BRACING AT ALL CORNER POSTS WHERE THE FENCE CHANGES DIRECTION BY MORE THAN 30 DEGREES.
6. THE GRADE OF THE SITE AND INSTALLATION OF THE FENCE SHALL PROVIDE FOR NO MORE THAN A 1" GAP BETWEEN THE BOTTOM OF THE FENCE MATERIAL AND FINISH GRADE.
7. CONTRACTOR SHALL PROVIDE HOLD OPEN DEVICES FOR ALL GATES AT THE SPECIFIED OPEN POSITIONS. DRIVEN PIPE TYPE RECEIVERS ARE NOT AUTHORIZED.
8. CONTRACTOR SHALL ALSO PROVIDE A MUSHROOM TYPE RECEIVER AT THE CLOSE POSITION.



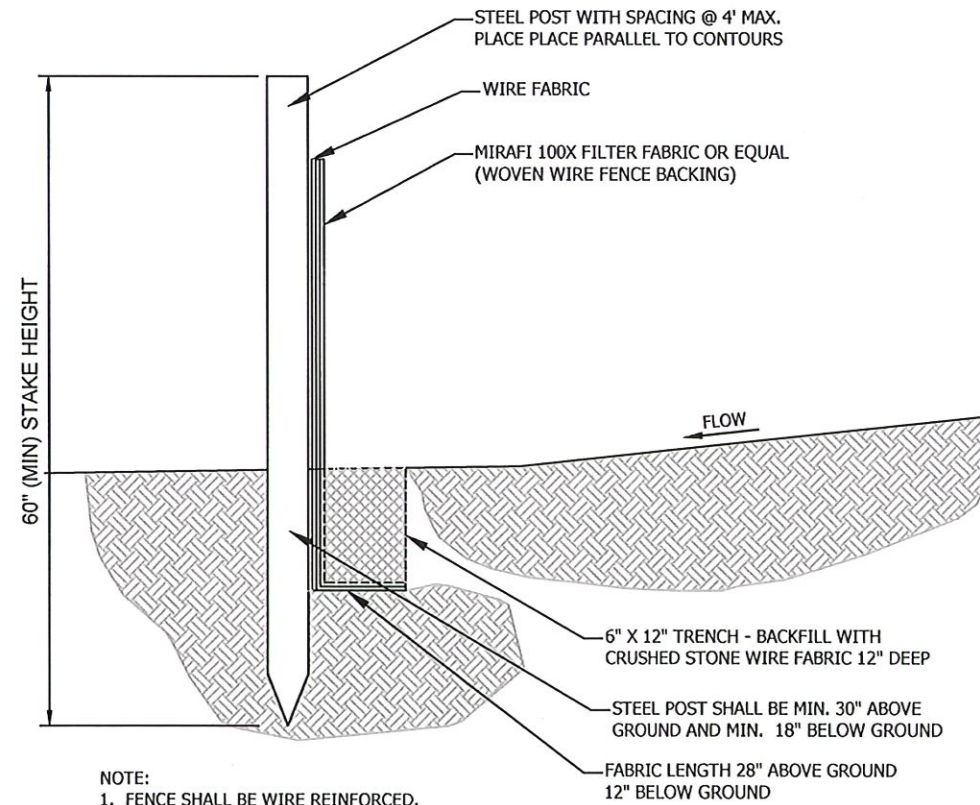
1 TYPICAL FENCE AND GATE DETAIL
SCALE: N.T.S.



2 MUSHROOM STOP DETAIL
SCALE: N.T.S.



3 FENCE SECTION DETAIL
SCALE: N.T.S.



4 SILT FENCE DETAIL
SCALE: N.T.S.



CORAL TOWERS
CLEVELAND
(PROPERTY)
338 & 372 BLACK ROAD
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FENCE DETAILS

SHEET NUMBER:
C-5

164273-CT732-Cleveland -ZD (A).dwg - Sheet: C-5 - User: dslaten - Aug 30, 2023 - 7:57am



CORAL TOWERS
CLEVELAND

(PROPERTY)
338 & 372 BLACK ROAD
CLEVELAND, GA 30528
WHITE COUNTY

PROPOSED
199' MONOPOLE TOWER

PROJECT NO: G0164273.003.01
CHECKED BY: MAS

ISSUED FOR:

REV	DATE	DRWN	DESCRIPTION
A	8/30/23	DLS	REVIEW

B&T ENGINEERING, INC.
PEF006618
Expires 6/30/24

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SIGNAGE DETAILS

SHEET NUMBER:
C-6

SIGNAGE NOTES:

- SIGNS SHALL BE FABRICATED FROM CORROSION RESISTANT PRESSED METAL & PAINTED WITH LONG LASTING UV RESISTANT COATING.
- SIGNS (EXCEPT WHERE NOTED OTHERWISE) SHALL BE MOUNTED TO THE TOWER, GATE & FENCE USING A MINIMUM OF 9 GAUGE ALUMINUM WIRE, HOG RINGS (FENCE) OR BRACKETS, WHERE NECESSARY. BRACKETS SHALL BE OF SIMILAR METAL AS THE STRUCTURE TO AVOID GALVANIC CORROSION.
- ADDITIONAL E911 ADDRESS & FCC REGISTRATION SIGNS SHALL BE MOUNTED AT EACH ACCESS ROAD GATE LEADING TO THE COMPOUND AS WELL AS ON THE COMPOUND GATE ITSELF.
- SIGNS NEED NOT BE PLACED IF ACCURATE AND APPROPRIATE SIGNAGE ALREADY EXISTS.

BLACK TEXT

WHITE BACKGROUND

24"

SITE NAME: CLEVELAND

SITE NUMBER: CT 732

FCC Tower Registration #

SITE ADDRESS:

338 & 372 BLACK ROAD
CLEVELAND, GA 30528

In case of Emergency, dial 911

NO TRESSPASSING

RED TEXT

For Leasing Information:

For Operations & Access:
TBD

30"

WHITE BACKGROUND, RED/BLACK LETTERING
MOUNTING LOCATION: SHELTER OR TENANT IMPROVEMENT ROOM
DOOR. IF OUTDOOR CABINET SITE PLACE ON END CABINET
CLOSEST TO SITE ACCESS POINT. PLACE ON GENERATOR
QUANTITY: 1 TO 2

1 PROPERTY OF CORAL TOWERS
NOT TO SCALE

WHITE TEXT

GREEN BACKGROUND

BLACK TEXT

WHITE BACKGROUND

8"

12"

INFORMATION

Federal Communications Commission
Tower Registration Number

1 2 3 4 5 6 7

Posted in accordance with Federal Communications
Commission rules on antenna tower registration
47CFR 17.4(g)

WHITE/GREEN BACKGROUND, WHITE/BLACK LETTERING
MOUNTING LOCATION: GATE & BASE OF TOWER
QUANTITY: 2

2 FCC REGISTRATION SIGN
NOT TO SCALE

BLACK TEXT

GREEN BACKGROUND

WHITE BACKGROUND

8"

12"

INFORMATION

ACTIVE ANTENNAS ARE MOUNTED

- ON THE OUTSIDE OF THIS BUILDING
- BEHIND THIS PANEL
- ON THIS STRUCTURE

STAY BACK A MINIMUM OF 3 FEET FROM THESE ANTENNAS

Contact CORAL TOWERS and follow their instructions prior to performing any maintenance or repairs closer than 3 feet from the antennas.

Site Number : CT 732

WHITE/GREEN BACKGROUND, BLACK LETTERING
MOUNTING LOCATION: GATE & BASE OF TOWER
QUANTITY: 2

3 RF EXPOSURE INFORMATION SIGN
NOT TO SCALE

BLACK TEXT

GREEN BACKGROUND

WHITE BACKGROUND

8"

12"

INFORMATION

Contact the general of the antenna before working (use at least 3 feet from the antenna)

This is Site # _____
Contact the management office if there is any problem with the antenna

INFORMACION

Comuníquese con el propietario de las antenas de trabajo a un mínimo de 3 pies de la antena

Esta es la estación base número _____
Por favor comuníquese con la oficina de la administración del edificio si esta puerta o computadora se encuentra sin campo

WHITE/GREEN BACKGROUND, BLACK LETTERING
MOUNTING LOCATION: GATE & BASE OF TOWER
QUANTITY: 2

4 RF EXPOSURE INFORMATION SIGN
NOT TO SCALE

WHITE TEXT

BLUE BACKGROUND

WHITE BACKGROUND

BLACK TEXT

8"

12"

NOTICE

Beyond This Point you are entering an area where RF Emissions may exceed the FCC General Population Exposure Limits

Follow all posted signs and site guidelines for working in a RF environment

WHITE/BLUE BACKGROUND, BLACK/WHITE LETTERING
MOUNTING LOCATION: GATE & BASE OF TOWER
QUANTITY: 1

5 RF EXPOSURE NOTICE SIGN
NOT TO SCALE

BLACK TEXT

YELLOW BACKGROUND

WHITE BACKGROUND

YELLOW BACKGROUND

BLACK TEXT

8"

12"

CAUTION

On this tower: Radio frequency fields near some antennas may exceed FCC rules for human exposure.

Personnel climbing this tower should be trained for working in radio frequency environments and use a personal RF monitor if working near active antennas.

WHITE/YELLOW BACKGROUND, BLACK LETTERING
MOUNTING LOCATION: BASE OF TOWER
QUANTITY: 1

6 RF EXPOSURE CAUTION SIGN
NOT TO SCALE

BLACK TEXT

RED BACKGROUND

WHITE BACKGROUND

YELLOW BACKGROUND

8"

12"

WARNING

Beyond this point: Radio frequency fields at this site exceed the FCC rules for human exposure.

Failure to obey all posted signs and site guidelines for working in radio frequency environments could result in serious injury.

WHITE/RED BACKGROUND, BLACK LETTERING
MOUNTING LOCATION: GATE & BASE OF TOWER
QUANTITY: 1

7 RF EXPOSURE WARNING SIGN
NOT TO SCALE

164273_C1732-Cleveland -ZD (A).dwg - SheetC-7 - User: dstaten - Aug 30, 2023 - 7:57am

CONTRACTOR SHALL COORDINATE THE INSTALLATION OF THE TELCO WITH THE LOCAL UTILITY PROVIDERS.

BLACK ROAD 80' RIGHT-OF-WAY

PROP. UNDERGROUND TELCO

PROPOSED HANDHOLE

CONTRACTOR SHALL COORDINATE THE INSTALLATION OF THE POWER WITH THE LOCAL UTILITY PROVIDERS.

PROP. UNDERGROUND ELEC.

PROPOSED 80' X 80' LEASE PARCEL

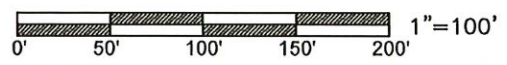
12' DOUBLE SWING GATE

PROPOSED H-FRAME

PROPOSED 199' MONOPOLE TOWER
LAT: 34.585597
LONG: -83.731058

PROPOSED 6' TALL CHAIN LINK FENCE

GRAVEL COMPOUND



CALL GEORGIA ONE CALL
(800) 282-7411
CALL 3 WORKING DAYS
BEFORE YOU DIG!



CORAL TOWERS
CLEVELAND

(PROPERTY)
338 & 372 BLACK ROAD
CLEVELAND, GA 30528
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PROPOSED
199' MONOPOLE TOWER

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UTILITY PLAN

SHEET NUMBER:

C-7

Mercedes Dodd

From: Austin Peters [REDACTED]
Sent: Wednesday, December 27, 2023 1:10 PM
To: Mercedes Dodd
Subject: Re: 220 Black Road Cell Tower

You don't often get email from [REDACTED]. [Learn why this is important](#)

[EXTERNAL SENDER - PROCEED CAUTIOUSLY]

Hi Mercedes,

My address is 541 Hidden Meadows Rd, Cleveland, GA 30528.

Thank you,

Austin Peters

Short Line Sales Director - East
Wabtec Corporation



[Facebook](#) | [Twitter](#) | [LinkedIn](#)
www.WabtecCorp.com

On Wed, Dec 27, 2023 at 9:02 AM Mercedes Dodd <mDodd@whitecounty.net> wrote:

Good morning,

Can you provide your address for the record?

Thank you,

Mercedes Dodd

Planning Technician, White County Planning Dept.

Administrator, Development Authority
706-865-6768

[1241 Helen Hwy, Suite 200](#)
[Cleveland, GA, 30528](#)

mdodd@whitecounty.net

whitecountydevelopment@whitecounty.net

From: Austin Peters <[REDACTED]>
Sent: Tuesday, December 26, 2023 1:11 PM
To: Mercedes Dodd <mDodd@whitecounty.net>
Subject: 220 Black Road Cell Tower

[**EXTERNAL SENDER - PROCEED CAUTIOUSLY**]

Hi Ms. Dodd,

I am writing you with concerns regarding the proposed cell phone tower at 220 Black road. My wife, 1 1/2 year old son and I moved to the area a little over a year ago to be further from city life, pollution, and to have an overall healthier lifestyle for our family. The proposed cell tower goes directly against the reasons we moved this beautiful part of our state. With the recent studies showing the adverse effects of living close to these towers, I feel the need to speak against them. Understanding there is a very small area where reception is lost in the area, I firmly belief it does not warrant the construction of the tower. Not only will it have adverse effects on all biology in the area, it will also be a horrible eye sore, blocking the views of Yonah mountain and the beautiful scenery that made us fall in love with the area in the first place.

Please see past the monetary benefits that only a few will see from the construction of this tower, and instead keep the mindset up preservation so that my children and others will be able to enjoy a healthy life filled with beautiful scenery.

Thank you,

Austin Peters

Short Line Sales Director - East

Wabtec Corporation

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Mercedes Dodd

From: Tom Kennedy <[REDACTED]>
Sent: Wednesday, December 27, 2023 10:49 AM
To: Mercedes Dodd
Subject: Support for cell tower on Black Road

[You don't often get email from [REDACTED]. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

[EXTERNAL SENDER - PROCEED CAUTIOUSLY]

Not many people want to have infrastructure projects build in their neighborhood. The reality is the projects have to be built somewhere. The unsigned paper titled "Mountain Meadows Neighbors" which was placed in our mail box contain inaccuracies from the references sited and there are just as many studies presenting opposing opinions. Our land abuts David Fain's parcel, we support the construction of the cell tower as it is necessary to improve the communication system of the entire community.

Sara and Tom Kennedy

[Thomas Kennedy of 586 Mountain Meadows Road -
spoke at 12.27.23 Public Hearing](#)

Mercedes Dodd

From: Mercedes Dodd
Sent: Wednesday, December 27, 2023 9:03 AM
To: Megan Boyd
Subject: RE: Black Road Cell Tower

Good morning,
Can you provide your address for the record?

Thank you,

Mercedes Dodd

Planning Technician, White County Planning Dept.
Administrator, Development Authority
706-865-6768
1241 Helen Hwy, Suite 200
Cleveland, GA, 30528
mdodd@whitecounty.net
whitecountydevelopment@whitecounty.net

From: Megan Boyd <[REDACTED]>
Sent: Tuesday, December 26, 2023 1:24 PM
To: Mercedes Dodd <mDodd@whitecounty.net>
Subject: Black Road Cell Tower

You don't often get email from [REDACTED]. [Learn why this is important](#)

[EXTERNAL SENDER - PROCEED CAUTIOUSLY]

Ms. Dodd,

I am one of the residents with a family living on Hidden Meadows Rd. After consideration of both sides I, along with my family, do not support the proposed building of the telecommunications tower on Black Road for a number of reasons. Public safety and the health and safety of my family is the top concern which forces me to voice my opinion today. I hope the health risks that this tower could cause to all of the people in our beautiful community is enough of a reason alone to look elsewhere. I don't know a single person who would sacrifice their health along with their family's, friend's, and neighbor's for better cell service, especially when their service is fine as is. It is extremely concerning and disappointing to me that this is even up for discussion. If this tower is built, my family would consider moving to another community that keeps its residents safe. Even thinking about that is so sad because my family absolutely loves the home we have made for ourselves here. Building the tower would hurt us even in trying to sell our home because it could affect property values and take away from the area's natural beauty. Please put a stop to this.

Sincerely,
Megan Boyd

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

Tuesday, January 2nd, 2024
6:00 pm

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

Those present were Larry Freeman, R.K. Ackerman, Dona K. Burke, Charlie Thomas, Linda Dixon, Brad Ash, and John Yarbrough. Staff members present were Tammy Carter, John Sell, and Mercedes Dodd.

Chairman Thomas called the meeting to order. Mr. Yarbrough gave the invocation.

Chairman Thomas asked for a motion to amend the agenda to add the approval of the minutes of November 20th, 2023 to the agenda. Motion to amend the agenda made by Ms. Burke and seconded by Mr. Ackerman. Motion was unanimous.

Motion to approve the minutes of October 30th, 2023, October 31st, 2023, November 6th, 2023, and November 20th, 2023 made by Ms. Burke and seconded by Ms. Dixon. Motion was unanimous.

Chairman Thomas explained that officers are elected during the first meeting of each year. He said the current officers are Mr. Thomas as Chairman, Mr. Yarbrough as Vice Chairman, and Mr. Freeman as Secretary. He opened the floor for nominations.

Motion to nominate Mr. Freeman as Secretary made by Ms. Burke and seconded by Mr. Ackerman. There were no other nominations. Motion was unanimous with Mr. Freeman abstaining from the vote as nominee.

Motion to nominate Mr. Yarbrough as Vice Chairman made by Mr. Ackerman and seconded by Ms. Burke. There were no other nominations. Motion was unanimous with Mr. Yarbrough abstaining from the vote as nominee.

Motion to nominate Mr. Thomas for Chairman made by Ms. Dixon and seconded by Ms. Burke. There were no other nominations. Motion was unanimous.

Application of Terry Gibson to request a variance from Section 601 Access for mortgage purposes. Property is located at 0 Arrow Lake Drive, Cleveland, GA, 30528. Tax map and parcel is 034A-089. Total acreage is 1.045.

The applicant, Terry Gibson of 0 Arrow Lake Drive, was present. Ms. Carter gave a summary of the application. Mr. Gibson did not have anything to add.

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

Application of Keith Parker to request a variance from Section 802 Lot Width and Size for a second dwelling. Property is located at 9545 Duncan Bridge Road, Cleveland, GA, 30528. Tax map and parcel is 090-045. Total acreage is 20.07.

The applicant, Keith Parker of 9545 Duncan Bridge Road, was present. Ms. Carter gave a summary of the application. Mr. Parker explained the purpose for the variance is to help take care of his mother.

Motion to approve the variance made by Mr. Yarbrough and seconded by Ms. Dixon. Motion was unanimous.

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

Application of Jay Bostwick to request a variance from Section 601 Access. Property is located at 0 Skitts Mountain Road, Cleveland, GA, 30528. Tax map and parcel is 065-125. Total acreage is 15.45. The applicant, Jay Bostwick of 1053 Abe Lincoln Way in Jefferson, GA, was present. Ms. Carter gave a summary of the application. Mr. Bostwick did not have anything to add.

Motion to approve the variance made by Ms. Dixon and seconded by Ms. Burke. Motion was unanimous. Ms. Carter advised the applicant to bring additional copies of their plat to the Planning Office for approval.

Application of Lauren Freeman to request a variance from Section 601 Access. Property is located at 0 Monroe Ridge Road, Sautee Nacoochee, GA, 30571. Tax map and parcel is 069-118A. Total acreage is 2.37 for Lots 2 & 3.

Mr. Larry Freeman recused from the vote due to the applicant being family.

The applicant, Lauren Freeman of 94 Shelter Cove Road in Cleveland, was present. Ms. Carter gave a summary of the application. Mr. Lauren Freeman explained the request is to split the parcel into three lots, one of which will have direct access off Monroe Ridge and the other two via easements.

Motion to approve the variance made by Mr. Ash and seconded by Ms. Burke. Motion was unanimous with one abstention. Ms. Carter advised the applicant to contact Environmental Health for plat approval.

Application of Gerald Sims to request a variance from Section 601 Access. Property is located at 0 Howard Road, Sautee Nacoochee, GA, 30571. Tax map and parcel is 031B-083. Total acreage is 2.46. The applicant, Gerald Sims of 3225 Albert Reid Road in Sautee Nacoochee, was present. Ms. Carter gave a summary of the application. Mr. Sims explained the request is to give property to family and that it will be supplied by well.

Motion to approve the variance made by Ms. Burke and seconded by Ms. Dixon. Motion was unanimous. Ms. Carter advised the applicant to contact Environmental Health for plat approval.

DISCUSSION TO TABLE OR CLOSE OUT APPLICATION FOR: Application of Dahai “Ocean”

Zhang to request a conditional use permit located at 2414 Duncan Bridge Road, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 073-056. Total acreage is 1.32. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

Chairman Thomas explained that no action would be taken on the application due to representation not being present. He stated his recommendation would be to close out the application and for the applicant to reapply due to not being present at three meetings.

Motion to close out the application made by Ms. Dixon and seconded by Ms. Burke. Motion was unanimous.

Application of Tamara and Lawrence Adelberg to redistrict property located at 37 Thornblade Trail, Cleveland, Georgia, 30528 from to C-1 Community Commercial District to R-1 Residential Single Family District. Tax map and parcel 017-094C. Total acreage is 1.16. Present zoning is C-1 Community Commercial District.

WHITE COUNTY PLANNING COMMISSION MINUTES
REGULAR SESSION

The applicant, Lawrence Adelberg of 37 Thornblade Trail, was present. Ms. Carter gave a summary of the application. Mr. Adelberg explained they purchased the property in 2010 and were unaware that it had been zoned commercial until they put it on market.

Motion to recommend approval to the Board of Commissioners made by Mr. Ackerman and seconded by Ms. Burke. Motion was unanimous. Ms. Carter advised the applicant of the next meeting on January 29th.

Application of David Fain to request a conditional use permit located at 220 Black Road, Cleveland, Georgia, 30528. Tax map and parcel 062-032. Total acreage is 23.32. Proposed use is a telecommunications tower. Present zoning is A-1 Agriculture Forestry District.

The applicant, David Fain of 372 Black Road, was present. Ms. Carter gave a summary of the application. Mr. Fain explained that the deeds for the parcels would be updated and the tract would be a total of 55 acres. He said the tower would be adjacent to the barn and that he controls the fall zone. He said the tower height will be 195 feet, with a distance of 200 feet to the closest adjacent property, and that he owns all structures within the fall zone.

Motion to recommend approval to the Board of Commissioners made by Mr. Ash and seconded by Ms. Dixon. Motion was unanimous. Ms. Carter advised the applicant of the next meeting on January 29th.

Chairman Thomas asked if there was any citizen comment.

Lilian Hall of 543 Leigh's Crossing in Cleveland expressed her opposition to the cell tower land use application and disappointment. She explained the people look to the Planning Board to protect them and she hopes they would vote based on what they would want. Ms. Hall said this is close to a subdivision and discussed alternative locations.

Jodi Woodall of 207 Mountain Meadows Road expressed her opposition to the cell tower land use application and asked questions to the board regarding dangers from the tower, if there are safe guards in place for a leak, if anyone benefitted financially from the proposed tower, and the location being in proximity to multiple other towers. Chairman Thomas said he is not an expert but there are federal guidelines that towers have to meet for safety, that he did not know if anyone benefitted financially, and that multiple calls are dropped in this particular area. Mr. Ash added that dropped calls have resulted in accidents in this area and that it is a dangerous place. Chairman Thomas explained the process for the next meeting with the Board of Commissioners for the final vote.

Chris Dorsey of 164 Mill Lane cited from the White County Code of Ordinances Section 1807 – Conditional Uses (2), explaining that opposition last week was overlooked by the board. He also cited Section 1815 – Standards of Review (15), adding this was not taken into consideration by the board.

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

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

Wednesday, December 27th, 2023
6:00 pm

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

Those present were Larry Freeman, R.K. Ackerman, Dona K. Burke, Charlie Thomas, and Brad Ash.
Staff members present were Tammy Carter, John Sell, and Mercedes Dodd.

Chairman Thomas called the meeting to order. Mr. Ackerman gave the invocation. No changes made to the agenda.

Application of Dahai “Ocean” Zhang to request a conditional use permit located at 2414 Duncan Bridge Road, Sautee Nacoochee, Georgia, 30571. Tax map and parcel 073-056. Total acreage is 1.32. Proposed use is to place in “Short Term Rental” program. Present zoning is R-1 Residential Single Family.

Ms. Carter gave a summary of the application. The applicant nor a representative was present. Chairman Thomas stated the item would be moved to the end of the agenda if a representative were present before closing the public hearing.

Application of Tamara and Lawrence Adelberg to redistrict property located at 37 Thornblade Trail, Cleveland, Georgia, 30528 from to C-1 Community Commercial District to R-1 Residential Single Family District. Tax map and parcel 017-094C. Total acreage is 1.16. Present zoning is C-1 Community Commercial District.

The applicants, Tamara and Lawrence Adelberg of 37 Thornblade Trail, were present. Ms. Carter gave a summary of the application. Mr. Adelberg explained the request is to convert the zoning to residential since it is a residential building. When asked if the property is part of the subdivision, Ms. Adelberg said not according to the plat or the county. She said the property is hard to sell as commercial zoning.

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. Chairman Thomas closed the hearing. Ms. Carter advised the applicant of the next meeting on January 2nd.

Application of David Fain to request a conditional use permit located at 220 Black Road, Cleveland, Georgia, 30528. Tax map and parcel 062-032. Total acreage is 23.32. Proposed use is a telecommunications tower. Present zoning is A-1 Agriculture Forestry District.

The applicant, David Fain of 372 Black Road, was present. Ms. Carter gave a summary of the application. Mr. Fain explained that he lives on the adjacent parcel and was approached by a tower company who asked him to represent them in the land use meetings and do the due diligence for a new cell tower site. He said this area does not have coverage for the community, which consistently drops calls along Highway 115, and that he had been approached multiple times asking why he could not provide service near his existing telecommunications business, to which he would explain that it is up to the carriers to fund that expense. When asked if the tower location had been determined, Mr. Fain explained it may not end up on this particular parcel due to the lengthy federal and county involved processes but this is the first step to find out if it would be possible. When asked if any structures would be in the fall zone, he said the barn he owns would be and said the proposed tower would meet all county code criteria.

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

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

Thomas Kennedy of 586 Mountain Meadows Road said he loses cell signal going down Highway 115. He stated that nobody wants infrastructure built next to them but they have to have it. He explained he would rather it not be built anywhere, but you cannot use technology without it so it will be built at some point. He said, related to the impact of telecommunication towers, there are a lot of studies on the pro and con for them, but there is no definitive study.

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

Tim Puckett of 76 Homestead Drive said he understands there is a need, but he built his home 25 years ago to face Yonah and Pink Mountain. He said he has no desire to have a cell tower view and there is a lot of rural property in the area, whereas this one abuts to R-1 Residential that has others who enjoy the mountain views. He explained you have to have progress, but said there needs to be long thinking about this before taking steps to go this far.

Ann Puckett said she is Tim Puckett's wife and shares his concerns and understands progress has to happen. She explained they built their home where they did because it is a safe community and they love it there, but they do not want to look out to see a cell tower or have complications related to the tower. She expressed health concerns for her and her family.

Shane Betterton of 347 Antioch Church Road said he strongly disagrees with the tower. He explained he purchased an EMF reader and visited many areas in the county, including the high school, and was surprised by his findings. He said he does not want to be anywhere near a tower where that is happening and referenced EMF readings from Duluth and Buford Highway, adding that he understands the need for communication. He stated he does not want this to turn into the city and believes towers are strategically being placed to kill them, explaining there are a lot of tests and research conducted on the impacts of towers.

Jodi Woodall of 207 Mountain Meadows Road said she is opposed and agrees with the others. She said she is more concerned with the health issues and does not want them to be guinea pigs. She explained there is a church next door and children nearby, adding that she bought there because of the view of the mountains.

Doug Hochstetler of 347 Hidden Meadows said this is in his front door and explained there are many others that have children who are more susceptible to radiation. He asked what A-1 Residential meant, to which Mr. Sell responded is Agricultural zoning and that the request is for a conditional use permit for the purpose of a cell tower. Mr. Hochstetler said these towers are heavy duty with 5G and a lot of this needs to be thought out because of the many pros and cons. He said he feels there will be a lot of controversy once people figure out what is going on.

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

Mr. Fain explained he likes the country too, that he has been here his whole life, and purchased his 23 acres to keep from having homes built next to his property. He said everybody needs to do their part to

WHITE COUNTY PLANNING COMMISSION MINUTES
PUBLIC HEARING: LAND USE REGULATION

keep the area rural and the community does not need to do without what other communities have. He said cell towers are a necessary evil and they should not do without because of people moving in for the views. In reference to the Radio Frequency (RF), he said he has been in this business for 30 years and would know if there was something dangerous for children. He explained there is no difference between concentrations from the tower to next to your ear, aside from concentrations being higher at the discharge but they dissipate to levels that are minimal in a matter of 100 feet. He said his workers have RF readers on their chests and it is rare for one to go off when working on a tower.

Mr. Fain stated companies look for areas in their search range and this area is, so it could go across the street but there is not a tract any more conducive than this one. When asked if the company would be willing to make the tower blend better, such as making it look like a tree, Mr. Fain said no, a 190-foot tree would not blend in for that area and the tower would meet the tower application criteria as it is. When asked how close he lives to the site and if he is worried about the tower, Mr. Fain said he lives 600 feet from it and he is not worried about the effects of this on him or his family.

Chairman Thomas closed the hearing. Ms. Carter advised the applicant of the next meeting on January 2nd.

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

DRAFT



WHITE COUNTY

Board of Commissioners

Item Title: Code Section Change - Volunteer Fire Compensation and Participation

For Meeting Date: 1/29/2024

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

Category (Select One): Other

Submitted By: David L. Murphy, Jr. Public Safety Director

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

1. Code Section with edits.
2. _____
3. _____

Purpose:

To revise the county code section relating to the volunteer fire compensation and participation to reflect current operational changes to encourage retention and recruitment.

Background / Summary:

- Accomplishes ratification of \$30 per call from \$15 per call from trial authorized by Renshaw.
- Simplifies code section and brings into compliance with Fire Services guidelines.
-

Department Recommendation:

Approve edits to the county code section for volunteer fire compensation and participation as recommended by the Director.

Options:

- Continue with current code section.

Budget Information: Applicable Not Applicable

Budgeted: Yes No

Finance Director's Comments (if applicable):

-

County Manager Comments:

-

Sec. 26-126. - Payment for services rendered by the volunteers of the county fire services.

The payment for services rendered by the volunteers of the county fire services shall be as follows:

- (1) During times when the volunteers respond, ~~when paged~~, to calls other than in a disaster situation, the firefighters shall be paid annually an amount equal to the following:
 - a. ~~Fifteen~~ **Thirty** dollars per call to which the volunteer who is qualified ~~was paged and to which the volunteer responded~~; and
 - b. To which the volunteer who meets the minimum standards defined by internal policy, **the Georgia State Firefighter Training Council** and the Georgia Pension Fund Standard Formula.
- (2) In the event the county board of commissioners and/or public safety director calls the volunteer firefighters into active duty for disaster situations **or emergency standby conditions**, each shall be paid ~~\$25.00~~ **\$ 30.00** per four-hour stipend spent on active duty until such time as the situation warrants the reversion to the voluntary status and as declared by the board of commissioners and/or public safety director. Said sums for active duty shall be paid to the volunteer within 30 days from the presentation of the payment documentation by the fire department to the finance office.

(Res. No. 2001-11, 3-6-01; Res. No. 2015-04, 5-4-15; Res. No. 2019-04, 3-4-19)

Editor's note— Res. No. 2019-04, adopted March 4, 2019, changed the title of § 26-126 from "Payment for services rendered by the reserves of the county fire department" to read as herein set out,

Sec. 26-128. - Volunteer firefighter standard attendance and participation.

- (a) *Policy.* The county fire department will establish a standard attendance and participation policy to ensure adequate familiarity with members and exposure to firefighter training and departmental information.
- (b) *Goal.* The goal of the fire department is to set an acceptable minimum amount of attendees **attendance** and participation to allow for established minimum exposure of annual training, updated departmental procedures, and personnel participation.
- (c) *Responsibility.* It shall be the responsibility of all officers, acting officers and personnel, that this procedure is strictly followed,
- (d) *Definitions.*

Drill. A training exercise that includes apparatus or personnel from two or more stations.

Meeting. Any period of assembly where tasks are completed collectively and/or information is disseminated.

Training. Any period of instruction where information is taught or discussed.

(e) *Attendance.* The county fire department will ~~designate a night of each week as drill/training period.~~ **Develop guidelines for volunteers in annual attendance to meetings, drills, and training. This attendance will reflect the minimum requirements of the Georgia Firefighter Standards and Training Council, and the Georgia Firefighter Pension Fund Plan.**

- (1) A drill report will be completed for each training period and will contain the information per example form. The example form is not included herein but is on file and available for inspection in the office of the ~~county clerk.~~ **public safety director.**
- (2) ~~A drill period will offer, at a minimum, two hours of firefighter training.~~
- (3) ~~Each station should hold a minimum of eight hours of drills and/or training for at least ten months during each calendar year.~~
- (4) ~~The fire department requires a minimum of 50 percent attendance as described in subsection (f).~~

(f) *Participation.* The fire department ~~requires 50 percent~~ **shall develop participation guidelines to reflect the minimum standards** as computed by the Georgia Pension Fund Plan ~~Standard~~ formula.

- (1) At the station **shift** officer's discretion, a time ~~will~~ **may** be provided for personnel to obtain training information covered at drills/meetings for the individual that was not available (a drill report is required).

(Res. No. 2006-13, 3-7-06; Res. No. 2015-04, 5-4-15; Res. No. 2019-04, 3-4-19)



WHITE COUNTY

Board of Commissioners

Item Title: Statewide Mutual Aid Agreement - Renew

For Meeting Date: 1/29/2024

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

Category (Select One): Contract / IGA

Submitted By: David L. Murphy, Jr. Public Safety Director

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

1. Current statewide mutual aid agreement.
2. New statewide mutual aid agreement.
3. FAQs - SWMAA

Purpose:

The statewide mutual aid agreement is expiring March 1, 2024. This request is to authorize the Chairman and appropriate authorized Department Managers to sign the new agreement for statewide mutual aid during emergency and disaster response.

Background / Summary:

- SWMAA have been in place for several years now.
- Eliminates the need for individual county to county, or county to city agreements.
- Agreement is statewide and is applicable to all jurisdictions who enter into the agreement.

Department Recommendation:

Approve Statewide Mutual Aid Agreement for emergency and disaster response to remain in compliance with GEMA/Homeland Security and our local emergency operations plan.

Options:

- Do not authorize.

Budget Information: Applicable **Not Applicable**

Budgeted: Yes **No**

Finance Director's Comments (if applicable):

-

County Manager Comments:

- Recommend Statewide Mutual Aid Agreement

STATEWIDE MUTUAL AID AND ASSISTANCE AGREEMENT

County/Municipality: _____

The State of Georgia is vulnerable to a wide range of natural and man-made disasters and emergencies. The Georgia Emergency Management Act, as amended (The Act) gives the local governments of the State the authority to make agreements for mutual aid assistance in emergencies. Pre-existing agreements for mutual aid assistance in emergencies help to ensure the timely provision of mutual aid assistance and the reimbursement of costs incurred by those parties who render such assistance.

This mutual aid agreement is entered pursuant to authorities contained in Articles I through III, Chapter 3, Title 38, Official Code of Georgia Annotated.

ARTICLE I STATEMENT OF AGREEMENT, DEFINITIONS AND AUTHORITIES

This Agreement is made and entered into between the participating political subdivisions, which approve and execute this Agreement, hereinafter called "Participating Parties" and the Georgia Emergency Management and Homeland Security Agency (GEMA/HS). For purposes of this Agreement, the following terms and expressions shall apply:

- (1) "Agreement" means this agreement, generally referred to as the "Statewide Mutual Aid Agreement" (SWMAA).
- (2) "Assistance" includes personnel, equipment, facilities, services, supplies and other resources furnished to a Requesting Party pursuant to this Agreement during an emergency or disaster.
- (3) "Assisting Party" means a party that provides assistance pursuant to this Agreement during an emergency or disaster.
- (4) "Authorized Representative" means a Participating Party's elected or appointed official or employee who has been authorized in writing by that party to request, to offer, or otherwise to provide mutual aid assistance.
- (5) "Participating Party" means a county or municipality of the State of Georgia that has become party to this Agreement by its approval and execution of this agreement.
- (6) "Participating Parties" means the combination of counties and municipalities that have become parties to this Agreement by their approval and execution of this Agreement.
- (7) "Requesting Party" means a party that requests assistance pursuant to this Agreement during an emergency or disaster.

Any term or expression not defined in this Agreement shall have the meaning specified in the Georgia Emergency Management Act, as amended (the Act) and rules promulgated thereunder, unless used in a context that clearly suggests a different meaning.

ARTICLE II
GENERAL PURPOSE

The purpose of this Agreement is to:

1. Provide the framework to support mutual assistance in managing an emergency or disaster occurring within any political subdivision that is a Participating Party, whether arising from natural disaster, technological hazard, human caused disaster, civil emergency, community disorders, insurgency, enemy attack, acts of terrorism, other significant events or homeland security activity; and
2. Identify those persons who are authorized to act on behalf of the Participating Party signing this Agreement as their Authorized Representative(s) concerning the provision of mutual aid resources and requests for mutual aid resources related to any mutual aid assistance sought from another Participating Party, or from or through the State of Georgia. Appendix A of this Agreement shall contain the name(s) of the Participating Party's Authorized Representative for purposes of this Agreement. Appendix A can be amended by the authorizing Participating Party as needed with no effect on the entire Agreement. All such amendments to Appendix A shall be done in writing and the Participating Party shall notify GEMA/HS and all other Participating Parties of such amendment within thirty (30) days.

ARTICLE III
ACKNOWLEDGEMENT OF PRINCIPLES

The prompt, full and effective utilization of resources of the Participating Parties, including any resources on hand or available from the State or Federal Government or any other source, that are essential to the safety, care and welfare of the people shall be the underlying principle on which all articles of this Agreement shall be understood.

In the event of a conflict between any provision of this Agreement and any existing intrastate mutual aid agreement affecting a Participating Party, the provisions of this Agreement shall be controlling.

On behalf of the governing authority of each political subdivision of this State participating in the Agreement, the director of emergency management of such political subdivision will be responsible for formulation of the appropriate mutual aid plans and procedures necessary to implement this Agreement.

ARTICLE IV
PARTICIPATING PARTY RESPONSIBILITIES

(a) It shall be the responsibility of each Participating Party to formulate procedures and programs for intergovernmental cooperation in the performance of the responsibilities listed in this Article. In formulating such plans, and in carrying them out, each Participating Party, insofar as practical, shall:

- (1) Protect and assure uninterrupted delivery of services, medicines, water, food, energy and fuel, search and rescue, and critical lifeline equipment, services, and resources, both human and material; and

(2) Inventory and set procedures for the loan and delivery of human and material resources, together with procedures for reimbursement.

(b) Whenever a Participating Party requires mutual aid assistance from another Participating Party and/or the State of Georgia, the Requesting Party may request assistance by:

(1) Contacting the Participating Party who is the owner/operator/employer of the supplies, equipment and/or personnel being sought for mutual aid assistance (the Assisting Party); or

(2) Contacting GEMA/HS to serve as the facilitator of such request for those resources being sought for mutual aid that are owned/operated/employed by Participating Parties (where such Participating Parties have submitted a record of those resources to GEMA/HS for such use); and/or, when such resources being sought for mutual aid are owned/operated/employed directly by the State of Georgia.

The provisions of this Agreement shall only apply to requests for assistance made by an Authorized Representative. Requests may be verbal or in writing. If verbal, the request must be confirmed in writing within 30 days of the verbal request. Requests shall provide the following information:

(1) A description of the emergency service function for which assistance is needed, such as but not limited to fire services, law enforcement, emergency medical, transportation, communications, public works and engineering, building inspection, planning and information assistance, mass care, resource support, health and medical services, damage assessment, volunteer and donated goods and search and rescue; and

(2) The amount and type of personnel, equipment, materials and supplies needed, and a reasonable estimate of the length of time each will be needed; and

(3) The specific place and time for staging of the Assisting Party's response and a point of contact at that location.

The Assisting Party will (a) maintain daily personnel time records, material records and a log of equipment hours (or miles, if appropriate) and (b) report work progress to the Requesting Party at mutually agreed upon intervals.

ARTICLE V LIMITATIONS

Any Participating Party requested to render mutual aid shall take such action as is necessary to provide and make available the resources covered by this Agreement in accordance with the terms hereof; provided that it is understood that the Participating Party who is asked to render aid may withhold resources to the extent necessary to meet the current or anticipated needs of the Participating Party's own political subdivision to remain in compliance with such Participating Party's policy, rule or law.

The Assisting Party's mutual aid resources will continue under the command and control of their own

supervisors, but the organizational units will be under the operational control of the emergency services authorities of the Requesting Party unless the Assisting Party approves an alternative.

In the event the Governor should declare a State of Emergency, any and all provisions of this Agreement which may conflict with the declared State of Emergency shall be superseded by the terms and conditions contained within the State of Emergency.

ARTICLE VI LIABILITY AND IMMUNITY

(a) In accordance with O.C.G.A. § 38-3-35(a), no political subdivision of the state, nor the agents or representatives of the state or any political subdivision thereof, shall be liable for personal injury or property damage sustained by any person appointed or acting as a volunteer emergency management worker or member of any agency engaged in emergency management activity. The foregoing shall not affect the right of any person to receive benefits or compensation to which he might otherwise be entitled under Chapter 9 of Title 34, Code Section 38-3-30, any pension law, or any act of Congress.

(b) In accordance with O.C.G.A. § 38-3-35(b), no political subdivision of the state nor, except in cases of willful misconduct, gross negligence, or bad faith, the employees, agents, or representatives of the state or any political subdivision thereof, nor any volunteer or auxiliary emergency management worker or member of any agency engaged in any emergency management activity complying with or reasonably attempting to comply with Articles 1 through 3, Chapter 3, Title 38, Official Code of Georgia Annotated; or any order, rule, or regulation promulgated pursuant to Articles 1 through 3 of title, or pursuant to any ordinance relating to precautionary measures enacted by any political provisions of Articles 1 through 3 of said chapter and title, or pursuant to any ordinance relating to precautionary measures enacted by any political subdivision of the state shall be liable for the death of or the injury to person or for damage to property as a result of any such activity.

(c) It is the express intent of the parties that the immunities specified in accordance with O.C.G.A. § 38-3-35 shall apply in addition to any other immunity provided by statute or case law.

ARTICLE VII RIGHTS AND PRIVILEGES

In accordance with O.C.G.A. § 38-3-30(a), whenever the employees of any Assisting Party or political subdivision are rendering outside aid pursuant to this agreement and the authority contained in Code Section 38-3-27, the employees shall have the same powers, duties, rights, privileges and immunities as if they were performing their duties in the political subdivisions in which they are normally employed.

ARTICLE VIII REIMBURSEMENT

In accordance with O.C.G.A. § 38-3-30(b), The Requesting Party shall be liable for any loss of or damage to equipment used or placed within the jurisdiction of the Requesting Party and shall pay any expense incurred in the operation and maintenance thereof. No claim for the loss, damage or expense shall be allowed unless, within 60 days after the same is sustained or incurred, an itemized notice of

the claim under oath is served by mail or otherwise upon the designated fiscal officer of the Requesting Party. Appendix B of this Agreement shall contain the name(s) of the Participating Party's designated fiscal officer for purposes of this Agreement. Appendix B can be amended by the authorizing Participating Party as needed with no effect on the entire Agreement. Appendix B can be amended by the authorizing Participating Party as needed with no effect on the entire Agreement. All such amendments to Appendix B shall be done in writing and the Participating Party shall notify GEMA/HS and all other Participating Parties of such amendment within thirty (30) days.

The Requesting Party shall also pay and reimburse the Assisting Party for the compensation paid to employees furnished by the Assisting Party during the time of the rendition of the aid, as well as the actual travel and per diem expenses of such employees while they are rendering the aid. The reimbursement shall include any amounts paid or due for compensation due to personal injury or death while the employees are engaged in rendering the aid. The term "employee," as used herein, shall mean, and this provision shall apply with equal effect to, paid, volunteer and auxiliary employees and emergency management workers.

Expenses to be reimbursed by the Requesting Party shall include the following:

- (1) Labor costs, which shall include all usual wages, salaries, compensation for hours worked, mobilization and demobilization, the Assisting Party's portion of payroll taxes (as employer), insurance, accrued paid leave and other fringe benefits, but not those amounts paid or due as a benefit to the Assisting Parties personnel under the terms of the Georgia Workers Compensation Act; and
- (2) Equipment costs, which shall include the fair rental value, the cost of fuel and other consumable supplies, service and repairs. If the equipment is damaged while in use under this Agreement and the Assisting Party receives payment for such damage under any contract for insurance, the Requesting Party may deduct such payment from any item or items invoiced; and
- (3) Material costs, which shall include the total reasonable cost for the use and consumption of any and all consumable supplies delivered by the Assisting Party for the benefit of the Requesting Party; and
- (4) Meals, lodging and other related expenses, which shall include charges for meals, lodging and other expenses relating to the provision of assistance pursuant to this Agreement shall be the actual and reasonable costs incurred by the Assisting Party.

The Assisting Party shall maintain records and submit invoices within 60 days for reimbursement as specified hereinabove and the Requesting Party shall pay the invoice no later than 30 days following the invoice date.

ARTICLE IX IMPLEMENTATION

This Agreement shall become operative immediately upon its approval and execution by GEMA/HS and any two political subdivisions of this State; thereafter, this Agreement shall become effective as to any other political subdivision of this State upon its approval and execution by such political subdivision.

Any Participating Party may withdraw from this Agreement by mailing notice of withdrawal, approved by the governing authority of such political subdivision, but no such withdrawal shall take effect until 30 days after the governing authority of the withdrawing political subdivision has given notice in writing of such withdrawal to the governing authorities of all other Participating Parties. Such action shall not relieve the withdrawing political subdivision from obligations assumed hereunder prior to the effective date of withdrawal.

Copies of this Agreement shall, at the time of their approval, be deposited with each of the respective Participating Parties and with GEMA/HS.

ARTICLE X
TERM OF AGREEMENT

This Agreement, once executed, is valid until March 1, 2028. Agreement of the Participating Parties to extend the term of this agreement at any time during the last year of its original term or the last year of any subsequent four-year term shall extend the term of this agreement for four years. Each four-year extension shall constitute a separate agreement.

ARTICLE XI
VALIDITY

If any provision of this Agreement is declared unconstitutional, or the applicability thereof to any person or circumstances is held invalid, the constitutionality of the remainder of this Agreement and the applicability thereof to other persons and circumstances shall not be affected thereby.

Agreed:

Chief Executive Officer - Signature

Chief Executive Officer – Print Name

County/Municipality: _____

Date: _____/_____/_____

GEMA/HS Director – Signature

GEMA/HS Director – Print Name

Date: _____/_____/_____

APPENDIX A
AUTHORIZED REPRESENTATIVE

The below named individual(s), in addition to the chief executive officer, is/are the “Authorized Representative(s)” for _____(county/municipality), and are authorized to request, offer, or otherwise provide and coordinate mutual aid assistance on behalf of the above-named county/municipality:

Print Name	Job Title/Position
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Signature of Above Individual

Print Name	Job Title/Position
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Signature of Above Individual

Print Name	Job Title/Position
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Signature of Above Individual

Chief Executive Officer - Signature	Date: _____/_____/_____
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Chief Executive Officer – Print Name

APPENDIX B
DESIGNATED FISCAL OFFICER(S)

The below named individual(s) is/are the “designated fiscal officer(s)” for _____

(county/municipality) for the purpose of reimbursement sought for mutual aid:

Print Name

Job Title/Position

Signature of Above Individual

Print Name

Job Title/Position

Signature of Above Individual

Print Name

Job Title/Position

Signature of Above Individual

Chief Executive Officer - Signature

Date: _____/_____/_____

Chief Executive Officer – Print Name

Statewide Mutual Aid Agreement (SWMAA)

FAQs

Why do I need to do this?

Pre-existing agreements for mutual aid assistance in emergencies help to ensure the timely provision of mutual aid assistance and reimbursement of costs incurred by those parties who render such assistance. This agreement also provides the framework to support mutual assistance in managing an emergency or disaster occurring within any political subdivision that is a Participating Party, whether arising from natural disaster, technological hazard, human caused disaster, civil emergency, community disorders, insurgency, enemy attack, acts of terrorism, or other significant events or homeland security activities.

What other jurisdictions are involved?

Participating Party means a county or municipality of the State of Georgia that has become party to this Agreement by its approval and execution of this agreement. Your GEMA/HS EM Field Coordinator can assist you with this.

What kind of assistance are we talking about?

"Assistance" includes personnel, equipment, facilities, services, supplies and other resources furnished to a Requesting Party pursuant to this Agreement during an emergency or disaster.

Who will our resources be working for?

The Assisting Party's mutual aid resources will continue under the command and control of their own supervisors, but the organizational units will be under the operational control of the emergency services authorities of the Requesting Party unless the Assisting Party approves an alternative.

What if my jurisdiction doesn't want to send resources?

A jurisdiction may withhold resources to the extent necessary to meet the current or anticipated needs of the jurisdiction's own political subdivision.

What about liability and reimbursement?

Those issues are covered in Article VI Liability and Immunity, and Article VIII Reimbursement in the Agreement.

What if my jurisdiction wants to withdraw from this agreement?

Any Participating Party may withdraw from this Agreement by mailing notice of withdrawal, approved by the governing authority of such political subdivision, but no such withdrawal shall take effect until 30 days after the governing authority of the withdrawing political subdivision has given notice in writing of such withdrawal to the governing authorities of all other Participating Parties. Such action shall not relieve the withdrawing political subdivision from obligations assumed hereunder prior to the effective date of withdrawal.

STATEWIDE MUTUAL AID AND ASSISTANCE AGREEMENT

County/Municipality: White County, Georgia

The State of Georgia is vulnerable to a wide range of natural and man-made disasters and emergencies. The Georgia Emergency Management Act, as amended (The Act) gives the local governments of the State the authority to make agreements for mutual aid assistance in emergencies. Pre-existing agreements for mutual aid assistance in emergencies help to ensure the timely provision of mutual aid assistance and the reimbursement of costs incurred by those parties who render such assistance.

This mutual aid agreement is entered pursuant to authorities contained in Articles I through III, Chapter 3, Title 38, Official Code of Georgia Annotated.

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- (1) "Agreement" means this agreement, generally referred to as the "Statewide Mutual Aid Agreement" (SWMAA).
- (2) "Assistance" includes personnel, equipment, facilities, services, supplies and other resources furnished to a Requesting Party pursuant to this Agreement during an emergency or disaster.
- (3) "Assisting Party" means a party that provides assistance pursuant to this Agreement during an emergency or disaster.
- (4) "Authorized Representative" means a Participating Party's elected or appointed official or employee who has been authorized in writing by that party to request, to offer, or otherwise to provide mutual aid assistance.
- (5) "Participating Party" means a county or municipality of the State of Georgia that has become party to this Agreement by its approval and execution of this agreement.
- (6) "Participating Parties" means the combination of counties and municipalities that have become parties to this Agreement by their approval and execution of this Agreement.
- (7) "Requesting Party" means a party that requests assistance pursuant to this Agreement during an emergency or disaster.

Any term or expression not defined in this Agreement shall have the meaning specified in the Georgia Emergency Management Act, as amended (the Act) and rules promulgated thereunder, unless used in a context that clearly suggests a different meaning.

ARTICLE II
GENERAL PURPOSE

The purpose of this Agreement is to:

1. Provide the framework to support mutual assistance in managing an emergency or disaster occurring within any political subdivision that is a Participating Party, whether arising from natural disaster, technological hazard, human caused disaster, civil emergency, community disorders, insurgency, enemy attack, acts of terrorism, other significant events or homeland security activity; and
2. Identify those persons who are authorized to act on behalf of the Participating Party signing this Agreement as their Authorized Representative(s) concerning the provision of mutual aid resources and requests for mutual aid resources related to any mutual aid assistance sought from another Participating Party, or from or through the State of Georgia. Appendix A of this Agreement shall contain the name(s) of the Participating Party's Authorized Representative for purposes of this Agreement. Appendix A can be amended by the authorizing Participating Party as needed with no effect on the entire Agreement. All such amendments to Appendix A shall be done in writing and the Participating Party shall notify GEMA/HS and all other Participating Parties of such amendment within thirty (30) days.

ARTICLE III
ACKNOWLEDGEMENT OF PRINCIPLES

The prompt, full and effective utilization of resources of the Participating Parties, including any resources on hand or available from the State or Federal Government or any other source, that are essential to the safety, care and welfare of the people shall be the underlying principle on which all articles of this Agreement shall be understood.

In the event of a conflict between any provision of this Agreement and any existing intrastate mutual aid agreement affecting a Participating Party, the provisions of this Agreement shall be controlling.

On behalf of the governing authority of each political subdivision of this State participating in the Agreement, the director of emergency management of such political subdivision will be responsible for formulation of the appropriate mutual aid plans and procedures necessary to implement this Agreement.

ARTICLE IV
PARTICIPATING PARTY RESPONSIBILITIES

(a) It shall be the responsibility of each Participating Party to formulate procedures and programs for intergovernmental cooperation in the performance of the responsibilities listed in this Article. In formulating such plans, and in carrying them out, each Participating Party, insofar as practical, shall:

- (1) Protect and assure uninterrupted delivery of services, medicines, water, food, energy and fuel, search and rescue, and critical lifeline equipment, services, and resources, both human and material; and

(2) Inventory and set procedures for the loan and delivery of human and material resources, together with procedures for reimbursement.

(b) Whenever a Participating Party requires mutual aid assistance from another Participating Party and/or the State of Georgia, the Requesting Party may request assistance by:

(1) Contacting the Participating Party who is the owner/operator/employer of the supplies, equipment and/or personnel being sought for mutual aid assistance (the Assisting Party); or

(2) Contacting GEMA/HS to serve as the facilitator of such request for those resources being sought for mutual aid that are owned/operated/employed by Participating Parties (where such Participating Parties have submitted a record of those resources to GEMA/HS for such use); and/or, when such resources being sought for mutual aid are owned/operated/employed directly by the State of Georgia.

The provisions of this Agreement shall only apply to requests for assistance made by an Authorized Representative. Requests may be verbal or in writing. If verbal, the request must be confirmed in writing within 30 days of the verbal request. Requests shall provide the following information:

(1) A description of the emergency service function for which assistance is needed, such as but not limited to fire services, law enforcement, emergency medical, transportation, communications, public works and engineering, building inspection, planning and information assistance, mass care, resource support, health and medical services, damage assessment, volunteer and donated goods and search and rescue; and

(2) The amount and type of personnel, equipment, materials and supplies needed, and a reasonable estimate of the length of time each will be needed; and

(3) The specific place and time for staging of the Assisting Party's response and a point of contact at that location.

The Assisting Party will (a) maintain daily personnel time records, material records and a log of equipment hours (or miles, if appropriate) and (b) report work progress to the Requesting Party at mutually agreed upon intervals.

ARTICLE V LIMITATIONS

Any Participating Party requested to render mutual aid shall take such action as is necessary to provide and make available the resources covered by this Agreement in accordance with the terms hereof; provided that it is understood that the Participating Party who is asked to render aid may withhold resources to the extent necessary to meet the current or anticipated needs of the Participating Party's own political subdivision to remain in compliance with such Participating Party's policy, rule or law.

The Assisting Party's mutual aid resources will continue under the command and control of their own

supervisors, but the organizational units will be under the operational control of the emergency services authorities of the Requesting Party unless the Assisting Party approves an alternative.

In the event the Governor should declare a State of Emergency, any and all provisions of this Agreement which may conflict with the declared State of Emergency shall be superseded by the terms and conditions contained within the State of Emergency.

ARTICLE VI LIABILITY AND IMMUNITY

(a) In accordance with O.C.G.A. § 38-3-35(a), no political subdivision of the state, nor the agents or representatives of the state or any political subdivision thereof, shall be liable for personal injury or property damage sustained by any person appointed or acting as a volunteer emergency management worker or member of any agency engaged in emergency management activity. The foregoing shall not affect the right of any person to receive benefits or compensation to which he might otherwise be entitled under Chapter 9 of Title 34, Code Section 38-3-30, any pension law, or any act of Congress.

(b) In accordance with O.C.G.A. § 38-3-35(b), no political subdivision of the state nor, except in cases of willful misconduct, gross negligence, or bad faith, the employees, agents, or representatives of the state or any political subdivision thereof, nor any volunteer or auxiliary emergency management worker or member of any agency engaged in any emergency management activity complying with or reasonably attempting to comply with Articles 1 through 3, Chapter 3, Title 38, Official Code of Georgia Annotated; or any order, rule, or regulation promulgated pursuant to Articles 1 through 3 of title, or pursuant to any ordinance relating to precautionary measures enacted by any political subdivision of the state shall be liable for the death of or the injury to person or for damage to property as a result of any such activity.

(c) It is the express intent of the parties that the immunities specified in accordance with O.C.G.A. § 38-3-35 shall apply in addition to any other immunity provided by statute or case law.

ARTICLE VII RIGHTS AND PRIVILEGES

In accordance with O.C.G.A. § 38-3-30(a), whenever the employees of any Assisting Party or political subdivision are rendering outside aid pursuant to this agreement and the authority contained in Code Section 38-3-27, the employees shall have the same powers, duties, rights, privileges and immunities as if they were performing their duties in the political subdivisions in which they are normally employed.

ARTICLE VIII REIMBURSEMENT

In accordance with O.C.G.A. § 38-3-30(b), The Requesting Party shall be liable for any loss of or damage to equipment used or placed within the jurisdiction of the Requesting Party and shall pay any expense incurred in the operation and maintenance thereof. No claim for the loss, damage or expense shall be allowed unless, within 60 days after the same is sustained or incurred, an itemized notice of

the claim under oath is served by mail or otherwise upon the designated fiscal officer of the Requesting Party. Appendix B of this Agreement shall contain the name(s) of the Participating Party's designated fiscal officer for purposes of this Agreement. Appendix B can be amended by the authorizing Participating Party as needed with no effect on the entire Agreement. Appendix B can be amended by the authorizing Participating Party as needed with no effect on the entire Agreement. All such amendments to Appendix B shall be done in writing and the Participating Party shall notify GEMA/HS and all other Participating Parties of such amendment within thirty (30) days.

The Requesting Party shall also pay and reimburse the Assisting Party for the compensation paid to employees furnished by the Assisting Party during the time of the rendition of the aid, as well as the actual travel and per diem expenses of such employees while they are rendering the aid. The reimbursement shall include any amounts paid or due for compensation due to personal injury or death while the employees are engaged in rendering the aid. The term "employee," as used herein, shall mean, and this provision shall apply with equal effect to, paid, volunteer and auxiliary employees and emergency management workers.

Expenses to be reimbursed by the Requesting Party shall include the following:

- (1) Labor costs, which shall include all usual wages, salaries, compensation for hours worked, mobilization and demobilization, the Assisting Party's portion of payroll taxes (as employer), insurance, accrued paid leave and other fringe benefits, but not those amounts paid or due as a benefit to the Assisting Parties personnel under the terms of the Georgia Workers Compensation Act; and
- (2) Equipment costs, which shall include the fair rental value, the cost of fuel and other consumable supplies, service and repairs. If the equipment is damaged while in use under this Agreement and the Assisting Party receives payment for such damage under any contract for insurance, the Requesting Party may deduct such payment from any item or items invoiced; and
- (3) Material costs, which shall include the total reasonable cost for the use and consumption of any and all consumable supplies delivered by the Assisting Party for the benefit of the Requesting Party; and
- (4) Meals, lodging and other related expenses, which shall include charges for meals, lodging and other expenses relating to the provision of assistance pursuant to this Agreement shall be the actual and reasonable costs incurred by the Assisting Party.

The Assisting Party shall maintain records and submit invoices within 60 days for reimbursement as specified hereinabove and the Requesting Party shall pay the invoice no later than 30 days following the invoice date.

ARTICLE IX IMPLEMENTATION

This Agreement shall become operative immediately upon its approval and execution by GEMA/HS and any two political subdivisions of this State; thereafter, this Agreement shall become effective as to any other political subdivision of this State upon its approval and execution by such political subdivision.

Any Participating Party may withdraw from this Agreement by mailing notice of withdrawal, approved by the governing authority of such political subdivision, but no such withdrawal shall take effect until 30 days after the governing authority of the withdrawing political subdivision has given notice in writing of such withdrawal to the governing authorities of all other Participating Parties. Such action shall not relieve the withdrawing political subdivision from obligations assumed hereunder prior to the effective date of withdrawal.

Copies of this Agreement shall, at the time of their approval, be deposited with each of the respective Participating Parties and with GEMA/HS.

ARTICLE X
TERM OF AGREEMENT

This Agreement, once executed, is valid until March 1, 2024. Agreement of the Participating Parties to extend the term of this agreement at any time during the last year of its original term or the last year of any subsequent four-year term shall extend the term of this agreement for four years. Each four-year extension shall constitute a separate agreement.

ARTICLE XI
VALIDITY

If any provision of this Agreement is declared unconstitutional, or the applicability thereof to any person or circumstances is held invalid, the constitutionality of the remainder of this Agreement and the applicability thereof to other persons and circumstances shall not be affected thereby.

Agreed:



Chief Executive Officer - Signature

Travis Turner

Chief Executive Officer – Print Name

County/Municipality: White County

Date: 01 / 06 / 2020



GEMA/HS Director – Signature
Deputy Director

Thomas R. Moore

GEMA/HS Director – Print Name
Deputy Director

Date: 4 / 4 / 2020

APPENDIX A
AUTHORIZED REPRESENTATIVE

The below named individual(s), in addition to the chief executive officer, is/are the “Authorized Representative(s)” for White County, Georgia (county/municipality), and are authorized to request, offer, or otherwise provide and coordinate mutual aid assistance on behalf of the above-named county/municipality:

David L. Murphy, Jr.

Emergency Management Director

Print Name

Job Title/Position



Signature of Above Individual

Seth Weaver

Emergency Management, Deputy Director

Print Name

Job Title/Position



Signature of Above Individual

Neal Walden

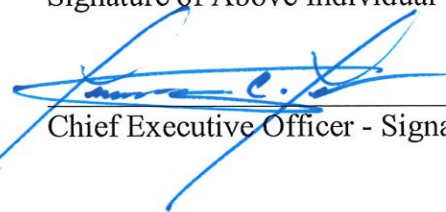
Sheriff

Print Name

Job Title/Position



Signature of Above Individual



Chief Executive Officer - Signature

Date: 01 / 06 / 2020

Travis Turner

Chief Executive Officer – Print Name

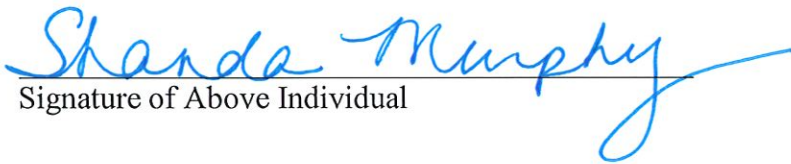
APPENDIX B
DESIGNATED FISCAL OFFICER(S)

The below named individual(s) is/are the “designated fiscal officer(s)” for White County, Georgia (county/municipality) for the purpose of reimbursement sought for mutual aid:

Jodi Ligon _____ Chief Financial Officer
Print Name Job Title/Position


Signature of Above Individual

Shanda Murphy _____ County Clerk
Print Name Job Title/Position


Signature of Above Individual

Print Name Job Title/Position

Signature of Above Individual


Chief Executive Officer - Signature

Date: 01 / 06 / 2020

Travis Turner

Chief Executive Officer – Print Name



WHITE COUNTY

Board of Commissioners

Item Title:

Westmoreland Road Repair

For Meeting Date: 1/29/2024

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

Category (Select One): Other

Submitted By: Derick Canupp

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

1. Quote
2. Picture of Roadway
3. _____

Purpose:

The purpose of this agenda item is to request approval to make roadway repairs as a result from a vehicle fire

Background / Summary:

- On June 01, 2023 a vehicle caught on fire near the address of 4614 Westmoreland Rd.
- A quote was obtained from a contractor to make repairs which was \$29,700.
- An insurance claim was filed and the county received a check for the quoted amount.
- County staff bid the project and only one bidder respond with a base bid of \$49,691.80
- County staff negotiated with the contractor to reduce the original quote which is now \$30,000
-

Department Recommendation:

Staff recommend the BOC accept revised quote from Colditz Trucking for road repairs

Options:

- Approve the quote by Colditz Trucking
- Do not approve
- Commission defined alternative

Budget Information: Applicable Not Applicable

Budgeted: Yes No

Finance Director's Comments (if applicable):

-

County Manager Comments:

- Recommend that we accept the quote from Colditz
-



Bids not signed may be declared as "Non-Responsive" and not considered for award.

**Appendix D
BID PRICING**

White County Project No.: CP100-204 (2024)

ITEM	ROADWAY	UNITS	QUANTITY	UNIT PRICE	DOLLAR AMOUNT
150-1000	Traffic Control	LS	1	11,760. ⁸⁰	11,760. ⁸⁰
432-5010	Mill Asph. Conc. Pavement	LS	1	6500	6500. ⁰⁰
402-1802	Recyc. Asph. Conc. Patching, Incl. Bitum Matl. And H Lime	LS	1	2539. ²⁰	2539. ²⁰
402-3103	Recyc. Asph. Conc. 9.5 Superpave, Tp. II, GP 2 Only, Bitum Matl. and H Lime	LS	1	5000. ⁰⁰	5000. ⁰⁰
413-1000	Bituminous Tack Coat (AC Only)	LS	1	200. ⁰⁰	200. ⁰⁰
652-2501	Solid Traffic Stripe, 5" White	LS	1	2000. ⁰⁰	2000. ⁰⁰
652-2502	Solid Traffic Stripe, 5" Yellow	LS	1	2000. ⁰⁰	2000. ⁰⁰
	TOTAL BASE BID				30,000.⁸⁰

Bid submitted by: Colditz Trucking Inc
Company Name



NAME & TITLE OF PERSON AUTHORIZED TO SIGN

William Donaldson
Name (Print)
Vice President
TITLE

William Donaldson
Signature



WHITE COUNTY

Board of Commissioners

Item Title: Enotah Judicial Circuit ARPA Grant Acceptance

For Meeting Date: 1/29/2024

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

Category (Select One): Grant App / Acceptance

Submitted By: Billy Pittard

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

1. Enotah ARPA Grant Award Packet
2. _____
- 3.

Purpose:

To approve the acceptance of the Enotah Judicial Circuit - ARPA fund.

Background / Summary:

- The Enotah Judicial Circuit was awarded a grant through the American Rescue Plan Act (ARPA) that addresses backlog court cases with priority given to serious violent offenders.
- Eligible categories are personnel, audio-visual upgrades for courtroom technology and contracted administrative services.
- White County will be serving as the fiscal agent for calendar year 2024 grant.
- This is a reimbursement grant. Each Circuit county will be responsible for its county's expenses and then will be reimbursed.
- Grant period is January 1, 2024 through December 31, 2025.

Department Recommendation:

Staff recommends approval and acceptance of the grant.

Options:

- Approve grant acceptance
- Deny grant acceptance

Budget Information: Applicable Not Applicable

Budgeted: Yes No

Finance Director's Comments (if applicable):

- Recommend acceptance of the grant.

County Manager Comments:

- Recommend acceptance of the grant as presented



Judicial Council of Georgia Administrative Office of the Courts

Chief Justice Michael P. Boggs
Chair

Cynthia H. Clanton
Director

December 8, 2023

The Honorable Joy Parks
Chief Judge
Enotah Judicial Circuit
325 Riley Road Room 212
Dahlonega, Georgia 30533

Re: The Judicial Council of Georgia American Rescue Plan Act Funding Award-CY2024-2025

Dear Chief Judge Parks:

On behalf of the Judicial Council of Georgia Ad Hoc Committee on American Rescue Plan Act (ARPA Committee), I am pleased to inform you that the Enotah Judicial Circuit has been awarded \$ 1,653,313 for CY2024-2025.

The effective date for the award begins on January 1, 2024 and will end December 31, 2025.

Attached are the CY2024-2025 Grant Agreement outlining the responsibilities and expectations of both parties and the CY2024-2025 approved budget. Please review and sign the Grant Agreement and return it within *ten* days of receipt. Upon acceptance of the award, as indicated by returning the signed agreement, the circuit will receive by email the instructions and budget reimbursement form to begin the reimbursement process. The agreement with the *original* signature may be mailed or emailed to both:

Kari Kitchens
Administrative Office of the Courts
244 Washington Street SW • Suite 300 • Atlanta, GA 30334-5900
470.734.6655
Kari.kitchens@georgiacourts.gov and arpa@georgiacourts.gov

For future reporting reference, the CFDA is 21.027.

Should there be any discrepancies in the attached award or approved budget, please notify me or a member of the Grants Team immediately to resolve the issue.

As always, we appreciate the ongoing efforts exerted in clearing your circuit's backlog of cases and continue to applaud you for your outstanding service to the State of Georgia and the Judiciary.

Sincerely,

Regina Hailey

Regina Hailey
ARPA Grants Manager

Attachments: *Grant Award Conditions and Restrictions*
Grant Award Agreement
Approved Budget Form

cc: Grace McGowan via email to gracemcgowan9thjad@gmail.com
Jodi Ligon via email to jligon@whitecounty.net

**JUDICIAL COUNCIL OF GEORGIA
AMERICAN RESCUE PLAN ACT GRANT AWARD
CONDITIONS AND RESTRICTIONS**

Judicial Circuit Name: Enotah
Award Date: November 3, 2023

Section 1. Conditions

All the following conditions apply to the enclosed grant award:

- (a) Grant recipients shall comply with the conditions and restrictions in this attachment.
- (b) Grant recipients shall comply with all procedures and instructions detailed in the current *Overview and Instructions, Judicial Branch ARPA FAQs, Award Amendments and Budget Revision Policy, and Audio-Visual Equipment Modernization Policy* (incorporated herein by reference and posted under Quick Links at <https://jcaoc.georgiacourts.gov/arpa/>).
- (c) The ARPA grants awarded by the Judicial Council of Georgia Ad Hoc Committee on American Rescue Plan Act Funding (“ARPA Committee”) on November 3, 2023, are subject to audit and were awarded for eligible expenses *beginning on November 3, 2023, through the balance of the 2025 calendar year only*. Funding in calendar year 2026 is not guaranteed and is subject to application and the approval of the ARPA Committee.
- (d) Any portion of this award that is not expended by the end of the 2025 calendar year shall revert back to the ARPA Committee on January 1, 2026. The ARPA Committee may award funds that revert back to the Committee to any and all applicants in a subsequent grant period.
- (e) *Grant recipients shall not submit a reimbursement request for any ineligible expenditure listed in Section 2 (b) of this attachment. Only the expenditures listed in Section 2 (a) of this attachment are currently authorized.*
- (f) If awarded funds for court-based mental health diversion services, recipient shall (for U.S. Treasury reporting purposes): (1) report the amount of the ARPA funds allocated to evidence-based interventions; and (2) report whether ARPA-funded activities are primarily serving a disproportionately impacted community. See Treasury’s [Compliance and Reporting Guidance](#), “Project Demographic Distribution” and “Use of Evidence,” pp. 22-23; 39; 44-45; 48 for details. *Such report shall be communicated monthly by letter accompanying the reimbursement requests for applicable expenditures.* EC 1.12; 31 CFR § 35.6 (b) (3) (i) (C).
- (g) If awarded funds for court-based substance use diversion services, recipient shall (for U.S. Treasury reporting purposes): (1) report the amount of the ARPA funds allocated to evidence-based interventions; and (2) report whether ARPA-funded activities are primarily serving a disproportionately impacted community. See Treasury’s [Compliance and Reporting Guidance](#), “Project Demographic Distribution” and “Use of Evidence,” pp. 22-23; 39; 44-45; 48 for details. *Such report shall be communicated monthly by letter accompanying the reimbursement requests for applicable expenditures.* EC 1.13; 31 CFR § 35.6 (b) (3) (i) (C).
- (h) If awarded funds for court-based eviction prevention and diversion services, recipient shall (for U.S. Treasury reporting purposes): (1) report the amount of the ARPA funds allocated to evidence-based interventions; and (2) report whether ARPA-funded activities are primarily serving a disproportionately impacted community. See Treasury’s [Compliance and Reporting Guidance](#), “Project Demographic Distribution” and “Use of Evidence,” pp. 22-23; 39; 44-45; 48 for details. *Such report shall be communicated monthly by letter accompanying the*

reimbursement requests for applicable expenditures. ECs 2.2, 2.18; 31 CFR § 35.6 (b) (3) (ii) (A) (1), (5).

(i) The enclosed grant award is subject to the following specific conditions: None.

Section 2. Restrictions

(a) *Federally Eligible Uses Currently Authorized by the Executive Branch and the ARPA Committee*

Only the following expenditures are currently authorized by the Executive Branch and the ARPA Committee:

(1) *Personnel*. Payroll costs for personnel responding to court case backlogs with a primary focus on serious violent felonies; backfilling positions requiring less experience to reassign more experienced staff to expedite the disposition of serious violent felony cases; or personnel administering the ARPA grant. *As used in this expenditure category only, “primary focus on serious violent felonies” means more than 50 percent of total personnel costs awarded in each calendar year under Application section (E) (1) must be dedicated to responding to serious violent felonies, as defined in OCGA § 17-10-6.1 (a).*

(2) *Court-based Eviction, Mental Health, or Substance Use Diversion*. Payroll costs for personnel performing court-based eviction, mental health, or substance use diversion services only if: (i) such services respond to case backlogs; and (ii) a subrecipient provides a *numerical* estimate to the AOC demonstrating that such services will conserve staff time and resources to respond to backlogs of serious violent felony cases, as defined in OCGA § 17-10-6.1 (a). *As used in these expenditure categories, “numerical” means containing one or more of the number symbols 0, 1, 2, 3, 4, 5, 6, 7, 8, or 9; e.g., 20 hours of staff time per week, 18 percent of a judge’s caseload, or some other numerical measurement.*

(3) *Other Program Costs*. Reasonable and necessary costs to support a response to court case backlogs with a primary focus on cases involving serious violent felonies or to perform ARPA grant administration, as follows:

- (i) The purchase of necessary supplies and materials used by personnel funded by the ARPA grant;
- (ii) The purchase or rental of equipment used by personnel funded by the ARPA grant, including any reasonable and required license, basic operating or word processing software, or service needed to use such equipment;
- (iii) Travel costs of personnel and contractors funded by the ARPA grant traveling between counties in multi-county judicial circuits that are necessary to address the backlog in court cases with a primary focus on cases involving serious violent felonies;
- (iv) Rental of temporary space for personnel funded by the ARPA grant;
- (v) Printing, publication, media, or postage costs;
- (vi) Jury expenditures for the trial of cases that are part of the case backlog caused by the COVID-19 pandemic;
- (vii) Jury sequestration costs if necessary for jurors in serious violent felony cases;
- (viii) Continuing legal education and professional dues for law clerks, staff attorneys, and prosecutors funded by the ARPA grant, as required by the State Bar of Georgia to maintain a law license;
- (ix) Mandatory continuing judicial education for judges funded by the ARPA grant, as required by the Institute of Continuing Judicial Education and uniform court rules;

- (x) Contracts for professional services or per diem to respond to court case backlogs, including services provided by interpreters, senior judges, state paid county reimbursed (SPCR) prosecutors, and court reporters; or to perform grant administration;
- (xi) Mandatory training for victim assistance coordinators and victims' advocates funded by the ARPA grant, as required by law and the Prosecuting Attorneys' Council;
- (xii) Mandatory training for district attorney investigators funded by the ARPA grant, as required by law and the Peace Officer Standards and Training Council;
- (xiii) Audio-visual equipment modernization in *existing* courtrooms, the purchase and installation of which is subject to all applicable federal procurement requirements found in 2 CFR §§ 200.318-200.327 (see **FAQ 28.2** for detailed federal procurement guidance from OPB) and the **Audio-Visual Equipment Modernization Policy** (available under Quick Links at jcaoc.georgiacourts.gov/arpa);
- (xiv) Legal research software for ARPA-funded law clerks, staff attorneys, and prosecutors, the purchase of which is subject to all applicable federal procurement requirements found in 2 CFR §§ 200.318-200.327 (see **FAQ 28.2** for detailed federal procurement guidance from OPB);
- (xv) Digital evidence management software, the purchase of which is subject to all applicable federal procurement requirements found in 2 CFR §§ 200.318-200.327 (see **FAQ 28.2** for detailed federal procurement guidance from OPB); and
- (xvi) Other program costs necessary to address a court backlog caused or exacerbated by the COVID-19 pandemic with a primary focus on cases involving serious violent felonies may be approved by OPB at its sole discretion following a written request for approval by AOC prior to AOC's approval of said costs.

(b) Federally Eligible Uses Not Currently Authorized by the Executive Branch or the ARPA Committee

All the following federally eligible ARPA expenditure categories (ECs) *are not* currently authorized by the Executive Branch or the ARPA Committee:

- (1) Professional dues, continuing education, and training for staff (unless expressly authorized in Section 2 (a) (3) of this attachment) (ECs 3.5, 7.1; 31 CFR § 35.6 (b) (3) (ii) (E) (4); 87 Fed. Reg. 4,438 (Jan. 27, 2022) (Uniform Guidance (2 CFR 200 Subpart E) applies to ARPA funds); 2 CFR § 200.473 (“The cost of training and education provided for employee development is allowable”)).
- (2) Case management systems and software (EC 7.1; 31 CFR § 35.6 (b) (3) (ii) (E) (4); 87 Fed. Reg. 4,389 (Jan. 27, 2022) (“improvements to case management systems . . . are eligible”).
- (3) Unauthorized software. Only the following software is currently authorized by OPB: (i) basic operating and word processing software; (ii) digital evidence management software; and (iii) legal research software for ARPA-funded staff attorneys and prosecutors. See **Overview and Instructions, Administrative Expenses Note #6** for special procurement rules for certain software.
- (4) ARPA grants to municipal courts (pursue ARPA funds from cities before contacting the ARPA Committee), public defenders, or conflict attorneys (request ARPA funds from [GPDC](#)).
- (5) COVID-19 testing (EC 1.2; 31 CFR § 35.6 (b) (3) (i) (A)). Contact the [Georgia Emergency Management and Homeland Security Agency](#) (GEMA) for COVID-19 testing assistance.
- (6) The purchase of personal protective equipment (e.g., gloves, masks, and hand sanitizer) (EC 1.5; 31 CFR § 35.6 (b) (3) (i) (A)). Contact [GEMA](#) for personal protective equipment.

- (7) Expenditures to prevent COVID-19 in congregate settings (e.g., plexiglass, cleaning supplies or services) (EC 1.4; 31 CFR § 35.6 (b) (3) (i) (A)). Contact [GEMA](#) for assistance with supplies to prevent COVID-19 in congregate settings.
- (8) Payroll supplements, stipends, bonuses, “premium pay,” or any other payroll payments to staff that do not correspond to actual documented payroll time spent responding to case backlogs or performing ARPA grant administration. “Premium pay” is defined in 31 CFR §§ 35.3, 35.6 (c). EC 4.1.
- (9) Long-term infrastructure (i.e., capital) investments in public facilities, such as physical plant improvements, permanent adaptations to existing public buildings, or constructing new facilities to respond to the pandemic or its negative economic impacts (ECs 3.5, 7.1; 31 CFR § 35.6 (b) (3) (i) (A), (b) (3) (ii), (b) (4); 87 Fed. Reg. 4,389 (Jan. 27, 2022). *Grant recipients should rent equipment (if possible, practical, and cost-effective) to avoid violating the prohibition on purchasing permanent infrastructure. See **Overview and Instructions, § 15. Audio-Visual Equipment Modernization** for an exception for audio-visual equipment modernization projects in existing permanent courtrooms.*
- (10) Adding or upgrading a court’s broadband connection, including modernization of cybersecurity for existing or new broadband infrastructure (EC 5.19; 31 CFR § 35.6 (e) (2) (i)-(ii)).
- (11) Offsets to a reduction in government revenue due to the pandemic, which may be used to maintain existing infrastructure, build new infrastructure, or provide any government service, excluding contributions to a rainy-day fund (EC 6.1; 31 CFR § 35.6 (d); 87 Fed. Reg. 4,422-4,430 (Jan. 27, 2022)).
- (12) General modernization of cybersecurity not related to broadband upgrades, including hardware, related software, and protection of critical infrastructure (falls under the category of government revenue offsets) (EC 6.1; 31 CFR § 35.6 (d)). See 31 CFR § 35.6 (e) (2) (ii).



Judicial Council of Georgia

Administrative Office of the Courts

Chief Justice Michael P. Boggs
Chair

Cynthia H. Clanton
Director

Judicial Council of Georgia American Rescue Plan Act Grant Funding Calendar Year 2024 – 2025 Grant Agreement

Award Name: 2024-25_ARPA_3Y012

Recipient Name: ENOTAH JUDICIAL CIRCUIT
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Award Amount: \$ 1,653,313	CFDA: 21.027
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Grant Period: January 1, 2024 - December 31, 2025	Award Effective: January 1, 2024
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With the acceptance of this award, you agree to administer this grant in compliance with your approved application, the grant budget, and the conditions and restrictions set forth in the grant package. Further, in accordance with Department of Treasury regulations 31 CFR Part 205, implementing the Cash Management Improvement Act, you agree to limit your request for reimbursement of federal funds to the minimum amount needed and to time the request in accordance with the actual, immediate requirements in carrying out programs funded through this award. Failure to adhere to these requirements may cause the suspension of grant funds.

Grantee Responsibilities:

Monthly reimbursement requests should be submitted to the Administrative Office of the Courts via email to Kari.Kitchens@georgiacourts.gov and ARPA@georgiacourts.gov, by the 15th of each month. The monthly requests should be submitted using the *ARPA Reimbursement Request Form* Excel document and the required supporting documentation as outlined on the *Reimbursement Request Form Checklist*.

AOC Responsibilities:

The AOC will review expense documentation for accuracy and completeness and submit the monthly requests for reimbursements to the Governor's Office of Planning and Budget (OPB). Upon reimbursement from OPB, the AOC will remit reimbursements to the grantees.

Acceptance of Terms and Conditions

Signature and Title:

Date:

JUDICIAL BRANCH ARPA GRANT BUDGET TEMPLATE										
Submitted by: Enotah Judicial Circuit										
Budget Categories	Calendar Year 2023 Current Approved Award			Calendar Year 2023			Calendar Year 2024/2025			Total Budget
	Salary	Quantity	Total	Revision/Amendment	Total	Salary	Quantity	Total		
Personnel Services										
Grant Administration and Clerical (include in application section (E) (6))										
	\$ -	0	\$ -	\$ -	\$ -	\$ -	0	\$ -	\$ -	\$ -
	\$ -	0	\$ -	\$ -	\$ -	\$ -	0	\$ -	\$ -	\$ -
Total Grant Admin and Clerical Request	\$ -	0	\$ -	\$ -	\$ -	\$ -	0	\$ -	\$ -	\$ -
Personnel Directly Responding to Case Backlog (include in application section (E) (1))										
Assistant District Attorney	\$ 65,600	3	\$ 196,800	\$ 127,000	\$ 323,800	\$ 46,301	1	\$ 46,301	\$ 370,101	\$ 370,101
Deputy Court Clerk	\$ 32,800	4	\$ 131,200	\$ -	\$ 131,200	\$ -	0	\$ -	\$ 131,200	\$ 131,200
Deputy Sheriff (move \$82,000 to Assistant District Attorney)	\$ 41,000	2	\$ 82,000	\$ (82,000)	\$ -	\$ -	0	\$ -	\$ -	\$ -
Investigator (move \$1,000 to judicial assistant)	\$ 49,200	2	\$ 98,400	\$ (1,000)	\$ 97,400	\$ -	0	\$ -	\$ 97,400	\$ 97,400
Judicial Assistance (Senior Judge)	\$ 166,400	2	\$ 332,800	\$ -	\$ 332,800	\$ -	0	\$ -	\$ 332,800	\$ 332,800
Judicial Assistant	\$ 45,000	1	\$ 45,000	\$ 1,000	\$ 46,000	\$ -	1	\$ 46,000	\$ 46,000	\$ 46,000
Judicial Staff Attorney	\$ 70,000	2	\$ 140,000	\$ -	\$ 140,000	\$ 160,000	1	\$ 160,000	\$ 300,000	\$ 300,000
Technology Specialist (move entire \$50,000 to Juror Expenses)	\$ 50,000	1	\$ 50,000	\$ (50,000)	\$ -	\$ -	0	\$ -	\$ -	\$ -
	\$ -	0	\$ -	\$ -	\$ -	\$ -	0	\$ -	\$ -	\$ -
	\$ -	0	\$ -	\$ -	\$ -	\$ -	0	\$ -	\$ -	\$ -
	\$ -	0	\$ -	\$ -	\$ -	\$ -	0	\$ -	\$ -	\$ -
	\$ -	0	\$ -	\$ -	\$ -	\$ -	0	\$ -	\$ -	\$ -
	\$ -	0	\$ -	\$ -	\$ -	\$ -	0	\$ -	\$ -	\$ -
	\$ -	0	\$ -	\$ -	\$ -	\$ -	0	\$ -	\$ -	\$ -
	\$ -	0	\$ -	\$ -	\$ -	\$ -	0	\$ -	\$ -	\$ -
Total Personnel Directly Responding to Case Backlog	\$ 520,000	17	\$ 1,076,200	\$ (5,000)	\$ 1,071,200	\$ 206,301	3	\$ 206,301	\$ 1,277,501	\$ 1,277,501
Percentage of "Total Personnel Directly Responding to Case Backlog" for CYs 2023-2025 Dedicated to Serious Violent Felonies										68.93%
Personnel Court-Based Mental Health Diversion (include in application section (E) (2))										
	\$ -	0	\$ -	\$ -	\$ -	\$ -	0	\$ -	\$ -	\$ -
Total Personnel Court-Based Mental Health Diversion (include in application section (E) (2))	\$ -	0	\$ -	\$ -	\$ -	\$ -	0	\$ -	\$ -	\$ -
Personnel Court-Based Substance Use Diversion (include in application section (E) (3))										
	\$ -	0	\$ -	\$ -	\$ -	\$ -	0	\$ -	\$ -	\$ -
	\$ -	0	\$ -	\$ -	\$ -	\$ -	0	\$ -	\$ -	\$ -
	\$ -	0	\$ -	\$ -	\$ -	\$ -	0	\$ -	\$ -	\$ -
	\$ -	0	\$ -	\$ -	\$ -	\$ -	0	\$ -	\$ -	\$ -
	\$ -	0	\$ -	\$ -	\$ -	\$ -	0	\$ -	\$ -	\$ -
Total Personnel Court-Based Substance Use Diversion (include in application section (E) (3))	\$ -	0	\$ -	\$ -	\$ -	\$ -	0	\$ -	\$ -	\$ -
Personnel Court-Based Eviction Prevention and Diversion (include in application section (E) (4))										
	\$ -	0	\$ -	\$ -	\$ -	\$ -	0	\$ -	\$ -	\$ -
	\$ -	0	\$ -	\$ -	\$ -	\$ -	0	\$ -	\$ -	\$ -
Total Personnel Court-Based Eviction Prevention and Diversion (E) (4)	\$ -	0	\$ -	\$ -	\$ -	\$ -	0	\$ -	\$ -	\$ -
Total Personnel Costs:	\$ 520,000	17	\$ 1,076,200	\$ (5,000)	\$ 1,071,200	\$ 206,301	3	\$ 206,301	\$ 1,277,501	\$ 1,277,501
Direct/Administrative Costs:										
ARPA-Eligible Administrative Expenses (include in application section (E) (6))	Amount		CY23 Total	Adjustment	CY23 Budget	Amount		CY 2024/2025	Total Budget	
Equipment < \$5,000 (Computers & Printers for add'l staff)	\$110,134	1	\$ 110,134	\$ -	\$ 110,134	\$ -	0	\$ -	\$ 110,134	\$ 110,134
Supplies and Materials (move \$70,000 to court reporter)	\$125,878	1	\$ 125,878	\$ (70,000)	\$ 55,878	\$ -	0	\$ -	\$ 55,878	\$ 55,878
Travel - Employee (move \$45,000 to assistant district attorney & \$7,000 to admin)	\$84,050	1	\$ 84,050	\$ (52,000)	\$ 32,050	\$ -	0	\$ -	\$ 32,050	\$ 32,050
Juror Expenses	\$50,000	1	\$ 50,000	\$ -	\$ 50,000	\$ 100,000	1	\$ 100,000	\$ 200,000	\$ 200,000
Continuing Education/Bar Dues	\$20,000	1	\$ 20,000	\$ -	\$ 20,000	\$ -	0	\$ -	\$ 20,000	\$ 20,000
Court Reporter approved 6.30.23	\$98,400	1	\$ 98,400	\$ 70,000	\$ 168,400	\$ -	0	\$ -	\$ 168,400	\$ 168,400

Administrative Assistant approved 6.30.23	\$40,000	1	\$	40,000	\$	7,000	\$	47,000	\$	40,000	1	\$	40,000	\$	87,000	
	\$	-	0	\$	-	\$	-	\$	-	\$	-	0	\$	-	\$	-
	\$	-	0	\$	-	\$	-	\$	-	\$	-	0	\$	-	\$	-
Total ARPA-Eligible Administrative Expenses	\$	528,462	7	\$	528,462	\$	5,000	\$	533,462	\$	140,000	2	\$	140,000	\$	673,462
ARPA-Audio Visual Equipment Modernization (include in application section (E) (7))																
AV Equipment - Lumpkin			0				-	\$	-	\$	584,517	1	\$	584,517	\$	584,517
AV Equipment - White	\$	-	0	\$	-	\$	-	\$	-	\$	272,496	1	\$	272,496	\$	272,496
AV Equipment - Union	\$	-	0	\$	-	\$	-	\$	-	\$	449,999	1	\$	449,999	\$	449,999
Total ARPA Audio Visual Equipment Modernization	\$	-	0	\$	-	\$	-	\$	-	\$	1,307,012	3	\$	1,307,012	\$	1,307,012
Temporary Facilities or Workspace (include in application section (E) (5))																
real estate rentals/modifications/expansions	\$	395,000	1	\$	395,000	\$	-	\$	395,000	\$	-	0	\$	-	\$	395,000
	\$	-	0	\$	-	\$	-	\$	-	\$	-	0	\$	-	\$	-
Total Temporary Facilities or Workspace	\$	395,000	1	\$	395,000	\$	-	\$	395,000	\$	-	0	\$	-	\$	395,000
Total Direct/Administrative Costs:	\$	923,462	8	\$	923,462	\$	5,000	\$	928,462	\$	1,447,012	5	\$	1,447,012	\$	2,375,474
TOTAL OVERALL BUDGET	\$	1,443,462	25	\$	1,999,662	\$	-	\$	1,999,662	\$	1,653,313	8	\$	1,653,313	\$	3,652,975



WHITE COUNTY

Board of Commissioners

Item Title: Annual Appointment of Vice-Chair by the Board of Commissioners

For Meeting Date: 1/23/2024

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

Category (Select One): Board Appointment

Submitted By: Shanda Murphy

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

1. Section of Enabling Legislation Referencing Annual Appointment of Vice -Chair
2. _____
3. _____

Purpose:

For the Board to consider the annual appointment of Vice-Chair for the Board of Commissioners

Background / Summary:

- Current Vice-Chair is Commissioner Craig Bryant

Department Recommendation:

For the Board to appointment a Vice-Chair per the Board's Enabling Legislation

Options:

- Reappoint Commissioner Bryant
- Appoint another member of the BOC
- Table to a later date

Budget Information: Applicable Not Applicable

Budgeted: Yes No

SECTION 8.

- (a) At the first regular meeting of each year, the board shall elect from its members a vice chairperson who shall serve for the calendar year in which elected.
- (b) In the event of death, disqualification, or resignation of the chairperson, the vice chairperson shall perform the duties and exercise the authority of the chairperson until a new chairperson is chosen as provided in this Act. The vice chairperson shall preside at meetings of the board of commissioners in the absence of the chairperson.
- (c) In the event of a vacancy in the office of vice chairperson, the board of commissioners shall elect a new vice chairperson to serve for the remainder of the calendar year.