



**BALDWIN COUNTY
REGULAR MEETING**

July 2, 2024

1601 N Columbia St, Suite 220

6:00 PM

MINUTES

MEMBERS PRESENT

John Westmoreland
Kendrick Butts
Henry Craig (Virtual)
Emily Davis
Sammy Hall

OTHERS PRESENT

Carlos Tobar
Brandon Palmer
Dawn Hudson
Cindy Cunningham

CALL TO ORDER

Chairman John Westmoreland called July 2, 2024 Regular Meeting to order at 6:00 p.m.

INVOCATION

The Invocation was delivered by County Manager Carlos Tobar.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Sammy Hall.

APPROVAL OF MINUTES

Commissioner Emily Davis made a motion to approve the minutes of the June 18, 2024 Public Hearing, June 18, 2024 Work Session, June 18, 2024 Regular Meeting, and June 18, 2024 Executive Session. Commissioner Sammy Hall seconded the motion and it passed unanimously.

ADMINISTRATIVE/FISCAL MATTERS

Urban Redevelopment Plan

County Manager Carlos Tobar reported a Public Hearing was held on June 18th on the Urban Redevelopment Plan. He stated the Plan has been online, available to the public for comment; sent to the housing team and Commissioners for their review and comment. Mr. Tobar again presented background information on the reason the plan has been developed which is because the County is a Georgia Initiative Community Housing (GICH) community making the County eligible to apply for Community Development Block Grant Funds every year. He stated this is a very competitive process, and we want to pursue every advantage possible to secure funding. Having an Urban Redevelopment Plan (URP) and Revitalization Area Strategy (RAS) makes the County eligible for scoring an additional twenty points on future applications which could potentially mean an extra million dollars coming into the County to replace aging infrastructure.

Mr. Tobar presented, for the Board's consideration a Resolution designating an Urban Redevelopment Area which constitutes a pocket of blight and has designated such area as appropriate for an urban redevelopment project. He stated the Urban Redevelopment Area is comprised of the following areas: Oconee Heights, Hardwick, Harrisburg, Youngblood and Ogden. He also presented a Resolution adopting the Urban Redevelopment Plan.

Vice Chairman Kendrick Butts made a motion to adopt both Resolutions as presented. Commissioner Emily Davis seconded the motion and it passed unanimously.

A copy of each Resolution is herewith attached and made an official part of the minutes at pages 258 and 259

Revisions to Purchasing Policy

County Manager Tobar stated the County Purchasing Policy has been revised to adjust thresholds for the formal bidding process from \$35,000 to \$100,000. He reported all projects at the \$100,000 threshold must be bid out through the formal bid process. Mr. Tobar reiterated the fact that all federal and state procurement requirements must be adhered to in the County's solicitation of bids.

Vice Chairman Kendrick Butts requested a report from the County Manager when projects are bid, who receives the award and the total so they can stay informed of the County's projects.

Commissioner Sammy Hall made a motion to approve the Purchasing Policy as presented. Vice Chairman Kendrick Butts seconded the motion and it passed unanimously.

A copy of the Purchasing Policy is on file in the Commissioners' Office.

Moratorium on Subdivisions and Commercial Development

County Manager Carlos Tobar reported the County previously requested that the Middle Georgia Regional Commission prepare Land Use Codes and District Based Land Use Codes. He stated the Regional Commission has prepared a map of all County districts with each parcel in the County being given a designation. Mr. Tobar stated he has reviewed the map with each Commissioner. At this time, he and County Attorney Palmer need direction from the Board as to whether they would like to proceed with this District Based Land Use. Attorney Palmer stated if Commissioners choose to proceed with District Based Land Use County Ordinances must be amended to implement zoning procedures law.

Mr. Tobar reported the current County Land Use Codes need to be updated, and a draft of the proposed revisions to these Land Use Codes as well as a draft of the District Based Land Use Codes will be provided to the Board within the next week.

Discussion was held regarding proposed County Land Use Codes. Commissioner Sammy Hall stated the matter before the Board tonight is whether to adopt a Resolution enacting a moratorium on residential subdivision development and commercial development. Attorney Palmer read the proposed Resolution.

Commissioner Sammy Hall made a motion to adopt the Resolution enacting a moratorium on commercial development and residential subdivision development for a period not to exceed sixty (60) days while the County considers changes to its land development code. Vice Chairman Kendrick Butts seconded the motion, and it passed unanimously.

A copy of the Resolution is herewith attached and made an official part of the minutes at pages 258 and 259

Workforce Innovation and Opportunity Act (WIOA) Grant

Assistant County Manager Dawn Hudson presented a grant award under the Workforce Innovation and Opportunity Act for youth programs. She stated the grant award is in the amount of \$718,979 for the period April 1, 2024 through June 30, 2026, and Baldwin County serves as the fiscal agent for the grant.

Commissioner Emily Davis made a motion to accept the grant award as presented and to authorize the Chairman to sign necessary documents. Vice Chairman Kendrick Butts seconded the motion and it passed unanimously.

Criminal Justice Coordinating Council Grant Awards

Assistant County Manager Dawn Hudson presented the following two awards:

Mental Health Court award in the amount of \$351,481 for the period July 1, 2024 through June 30, 2025.

Adult Felony Drug Courts award in the amount of \$359,783 for the period July 1, 2025 through June 30, 2025.

Ms. Hudson stated the required match for both grant awards will be paid from court fines.

Commissioner Emily Davis made a motion to accept the two grant awards as presented and to authorize the Chairman to sign necessary documents. Vice Chairman Kendrick Butts seconded the motion and it passed unanimously.

County Manager's Report

OLD BUSINESS

Vice Chairman Kendrick Butts requested an update on cutting back trees on Irwinton Road. Commissioner Emily Davis stated the fire hydrants on Emmanuel Harris Road need to be checked due to the work being done on the road.

NEW BUSINESS

There was no new business to come before the Board.

COUNTY MANAGER'S REPORT

County Manager Tobar reported he had submitted a County Manager's report to the Board prior to tonight's meeting. He presented an update on County projects to include that road resurfacing bids are due July 15th, advertisement for bids for pickleball courts has been published, still waiting for erosion control permit for Harrisburg, CHIP houses to be complete by end of month, County Attorney sent letter to Homeowners Association requiring installation of No Parking Signs on the correct side of the street; there will be no access to the Milledgeville Commons development from Southern Walk Drive and the public hearing on short term vacation rentals has been advertised to be held on July 16th at 5:00 p.m.

PUBLIC COMMENT PERIOD FOR NON-AGENDA ITEMS

Mr. Jeff Kelly, 143B Admiralty Way, stated he addressed the Board at previous meetings regarding the current Short -Term Vacation Rental ordinance, and he appreciates the County looking at the current ordinance and considering proposed revisions to the ordinance.

Mr. Ed Powelski, 121 Tara Place, addressed the Board expressing concern about the Milledgeville Commons Development and access to Southern Walk Drive. He stated he would like to be able to erect a gate to keep traffic from the townhouses from coming through the subdivision. He also stated every time it rains property at 130 Tara Place floods.

Mr. Kenneth Ward, 110 Tara Place, expressed his concern about the number of houses in the development on Log Cabin, the increased traffic, striping of roads in his neighborhood and drainage issues caused by the development. He asked when the residents in Plantation Chase would be able to tap into the County's sewer system.

Mr. Rick Dorsey, 155 Rocky Creek Court, addressed the Board requesting assistance from the County to improve the road to make it passable to emergency vehicles. He stated there has been extreme erosion due to logging and the development of a subdivision. He reported this is a private road; however, the people who live on the road must have access to fire and ambulance service. He asked the County to take ownership of the road and maintain it for the citizens.

Mr. Steve Yeatts, 153 Rocky Creek Court, stated he lives next to Mr. Dorsey and the clear cutting of timber is causing the creek to flood and wash away the road. He presented the Board with pictures about this situation.

Mr. Felix Jones, 120 Tara Place, stated homeowners in the Plantation Chase Subdivision contacted Mr. Tobar a year ago requesting to get on County sewer. He asked again if they could get an answer when the neighborhood residences could get on County sewer.

Mr. Allen Mock, 151 Rocky Creek Court, reiterated the need for the County's help on the road which has become impassable to emergency vehicles.

Ms. Mary Jo Barfield, 149 Rocky Creek Court, expressed her concern with the water runoff from timber cutting and stated the residents need to be accessible to fire and ambulance services.

Mr. Bobby Chester, 125 Muscadine Trail, stated the new development on Log Cabin Road will have a big impact on that road. He stated the road to the development should be closer to the townhouses rather than further down the road. He stated there should be a gate placed so residents in the new development do not come through his neighborhood.

Mr. Gerald McBride, 170 Emmanuel Harris Road, asked why the road just had gravel and had not been paved. County Manager responded the road base is being repaired before the paving begins.

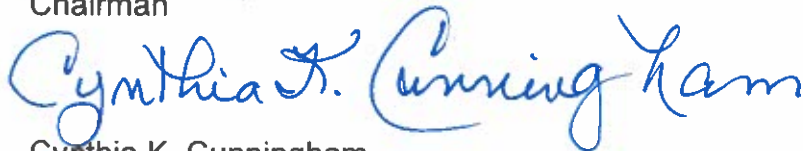
ADJOURNMENT

Commissioner Sammy Hall made a motion to adjourn the meeting at 7:10 p.m. Vice Chairman Kendrick Butts seconded the motion and it passed unanimously.

Respectfully submitted,



John H. Westmoreland
Chairman



Cynthia K. Cunningham
County Clerk

**RESOLUTION ADOPTING THE URBAN REDEVELOPMENT PLAN; AND FOR
OTHER PURPOSES.**

WHEREAS, Baldwin County, Georgia is a duly formed political subdivision of the State of Georgia;

WHEREAS, Baldwin County, Georgia has prepared an Urban Redevelopment Plan in accordance with O.C.G.A. § 36-61-1, et. seq., to rehabilitate, conserve, or redevelop a defined geographical area;

WHEREAS, the Urban Redevelopment Plan can be used alone, or in combination with many of Georgia's other legislative redevelopment tools to support local comprehensive planning, revitalize faltering commercial corridors, recruit and nurture small businesses, rehabilitate older homes and neighborhoods, ensure architecturally compatible infill development and generate new adaptive reuses for old industrial and agricultural facilities;

WHEREAS, Baldwin County has identified a defined geographic boundary that constitutes a pocket of blight and has designated such area as appropriate for an urban redevelopment project ("Urban Redevelopment Area"). The Urban Redevelopment Area is comprised of these subareas: Oconee Heights, Hardwick, Harrisburg, Youngblood, and Ogden. The boundaries of these areas are described in detail in the Baldwin County Urban Redevelopment Plan;

WHEREAS, the Board of Commissioners of Baldwin County, Georgia finds that conditions within this delineated area suffer from pockets of blight, are detrimental to public health, safety, and welfare, and are negatively affecting the community;

WHEREAS, the Board of Commissioners of Baldwin County, Georgia finds that:

- (1) A feasible method exists for the relocation of families who will be displaced from the Urban Redevelopment Area in decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to such families;
- (2) The Urban Redevelopment Plan conforms to the general plan of the County as a whole; and
- (3) The Urban Redevelopment Plan will afford maximum opportunity, consistent with the sound needs of the County as a whole, for the rehabilitation or redevelopment of the Urban Redevelopment Area by private enterprise.

WHEREAS, Baldwin County desires to work with public and private sector partners to ensure that the desired redevelopment is achieved;

WHEREAS, Baldwin County hereby identifies the influences on the geographic areas designated and intends to work diligently to foster conditions conducive to redevelopment within these areas;

WHEREAS, a public hearing on the adoption of the Baldwin County Urban Redevelopment Plan was held on June 18, 2024, at the Baldwin County Government Building, 1601 N. Columbia St, Milledgeville, GA 31061; and

WHEREAS, the said Baldwin County Urban Redevelopment Plan shall be included as part of this resolution as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Baldwin County, Georgia, and it is hereby resolved by authority of the same, as follows:

- 1. Incorporation of Recitals.** The above stated recitals are true and correct and are incorporated as though fully set forth herein.
- 2. Approval and Adoption of Baldwin County Urban Redevelopment Plan.** The Board of Commissioners of Baldwin County, Georgia does hereby approve and adopt the Urban Redevelopment Plan attached hereto as Exhibit "A".
- 3. Severability.** In case any one or more of the provisions of this Resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Resolution, but this Resolution shall be construed and enforced as if such illegal or invalid provision had not been contained herein.
- 4. Repeal of Conflicting Resolutions.** Any and all resolutions in conflict with this Resolution this day passed be and they are hereby repealed.
- 5. Effective Date.** This Resolution shall take effect immediately upon its adoption.

SO RESOLVED, this 2 day of July, 2024.

BALDWIN COUNTY, GEORGIA



Honorable John H. Westmoreland, Chairman
Baldwin County Board of Commissioners

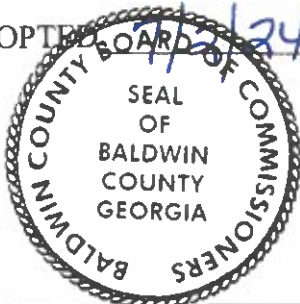
ATTEST:



Cynthia K. Cunningham
Baldwin County Clerk

DATE ADOPTED 7/2/24

[SEAL]



**A RESOLUTION DESIGNATING AN URBAN REDEVELOPMENT AREA; AND
FOR OTHER PURPOSES.**

WITNESSETH:

WHEREAS, Baldwin County, Georgia is a duly formed political subdivision of the State of Georgia;

WHEREAS, the rehabilitation, conservation, or redevelopment, or a combination thereof, of blighted areas is necessary in the interest of the public health, safety, or welfare of the residents of Baldwin County; and

WHEREAS, O.C.G.A. § 36-61-1, et. seq., entitled the "Urban Redevelopment Law," authorizes Baldwin County, Georgia to designate an "urban redevelopment area," which is defined to contain one or more "pockets of blight"; and

WHEREAS, the Urban Redevelopment Law defines "pocket of blight" to mean an area in which by reason of the presence of a substantial number of deteriorated or deteriorating structures; unsanitary or unsafe conditions; deterioration of site or other improvements; the existence of conditions which endanger life or property by fire and other causes; or any combination of such factors, substantially impairs or arrests the sound growth of the County, inhibits the provisions of housing accommodations, or constitutes an economic or social liability and is a menace to the public health, safety, or welfare in its present condition and use; and

WHEREAS, after careful study and investigation, the Board of Commissioners of Baldwin County, Georgia desires to designate the area described in the attached map titled, "Baldwin County Urban Redevelopment Area Boundaries Map" and dated July 2, 2024, as an urban redevelopment area and as appropriate for an urban redevelopment project;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Baldwin County, Georgia, and it is hereby resolved by authority of the same, as follows:

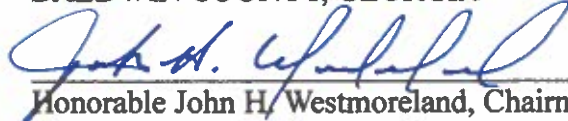
- 1. Incorporation of Recitals.** The above stated recitals are true and correct and are incorporated as though fully set forth herein.
- 2. Designation of Urban Redevelopment Area.** The Board of Commissioners hereby designates that area shown in the map attached to this Resolution as Exhibit "A" to be an urban redevelopment area because such area constitutes a "pocket of blight" which substantially impairs or arrests the sound growth of Baldwin County and constitutes an economic or social liability, and the Board of Commissioners therefore designates such area as appropriate for an urban redevelopment project.
- 3. Severability.** In case any one or more of the provisions of this Resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Resolution, but this Resolution shall be construed and enforced as if such illegal or invalid provision had not been contained herein.

4. **Repeal of Conflicting Resolutions.** Any and all resolutions in conflict with this Resolution this day passed be and they are hereby repealed.

5. **Effective Date.** This Resolution shall take effect immediately upon its adoption.


SO RESOLVED, this 2nd day of July, 2024.

BALDWIN COUNTY, GEORGIA



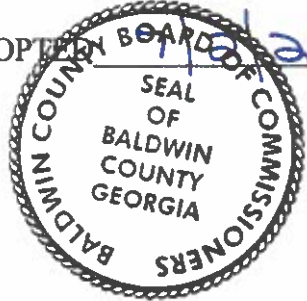
Honorable John H. Westmoreland, Chairman
Baldwin County Board of Commissioners

ATTEST:


Cynthia K. Cunningham
Baldwin County Clerk

DATE ADOPTED BY BOARD July 2, 2024

[SEAL]



A RESOLUTION ENACTING A MORATORIUM ON COMMERCIAL DEVELOPMENT AND RESIDENTIAL SUBDIVISION DEVELOPMENT FOR A PERIOD NOT TO EXCEED SIXTY (60) DAYS WHILE THE COUNTY CONSIDERS CHANGES TO ITS LAND DEVELOPMENT CODE; TO PROVIDE FOR THE PURPOSE OF THE MORATORIUM, TO PROVIDE FOR FINDINGS OF FACT, IMPOSITION OF MORATORIUM, THE DURATION OF THE MORATORIUM; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WITNESSETH:

WHEREAS, Baldwin County (the "County") is a duly formed political subdivision of the State of Georgia;

WHEREAS, Baldwin County has been vested with substantial powers, rights and functions under Article IX, Sec. II, Par. I to generally regulate the practice, conduct or use of property for the purposes of maintaining health, morals, safety, security, peace, and the general welfare of the County;

WHEREAS, Georgia law recognizes that local governments may impose moratoria on zoning decisions, building permits, and other developmental approvals where exigent circumstances exist to warrant the same, pursuant to case law found at City of Roswell v. Outdoor Systems, Inc., 274 Ga. 130 (2001); Taylor v. Shetzen, 212 Ga. 101 (1955); Lawson v. Macon, 214 Ga. 278 (1958);

WHEREAS, the Georgia Supreme Court, in the case of DeKalb County v. Townsend, 243 Ga. 80 (1979), held, "to justify a moratorium, it must appear first, that the interests of the public generally, as distinguished from those of a particular class, require such interference; and second that the means are reasonably necessary for the accomplishment of the purpose, and not unduly oppressive upon individuals";

WHEREAS, the Middle Georgia Regional Commission has worked with County staff to develop District-Based Land Use Codes;

WHEREAS, County staff is in the process of reviewing and preparing recommended changes to the County's Land Development Code;

WHEREAS, the Board of Commissioners of Baldwin County, Georgia ("the Board of Commissioners") is, and has been, interested in developing a cohesive and coherent policy regarding development in the County, and has intended to promote community development through stability, predictability and balanced growth which will further the prosperity of the County as a whole;

WHEREAS, the Board of Commissioners has always had a strong interest in growth management so as to promote the traditional police power goals of health, safety, morals, and the general welfare of the community and other public requirements;

WHEREAS, it is the belief of the Board of Commissioners that the concept of “public welfare” is broad and inclusive and includes, but is not limited to, the valid public objectives of aesthetic conservation; preservation of the value of existing lands and buildings within the County, making the most appropriate use of resources, preserving existing neighborhood characteristics, enhancing and protecting the economic well-being of the community, facilitating adequate provision of public services, and the preservation of the resources of the County; and

WHEREAS, the Board of Commissioners’ desire to review and revise its Land Development Code necessitates a limited cessation of commercial and residential subdivision development and finds that such limited cessation is reasonable and within the public interest.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Baldwin County, Georgia, and it is hereby resolved by authority of the same, as follows:

- 1. Incorporation of Recitals.** The above stated recitals are true and correct and are incorporated as though fully set forth herein.
- 2. Moratorium on Commercial Development and Residential Subdivision Development.** The County does hereby enact a moratorium for an indefinite period, not to exceed sixty (60) days from the effective date of this Resolution, to allow the County Manager and staff to adequately study, review, evaluate, and devise a recommendation to the Board of Commissioners regarding revisions to the County’s Land Development Code. The duration of this moratorium shall be until the Board of Commissioners adopts a revision of the County’s Land use Code or until the expiration of sixty (60) days from the date of adoption of this Resolution, whichever first occurs; or until such time as may be later set by the County.

During the moratorium period, no applications for any development permits, variances, or licenses or other permits of any kind shall be accepted by the County or any of its Departments, Boards, or Committees pertaining to commercial or residential subdivision developments to be located or operated on any property located within the unincorporated area of Baldwin County, Georgia. Any such applications tendered and/or submitted to the County or any Department, Board, or Committee during this moratorium period shall not be accepted, considered, nor acted upon by the County, nor any Department, Board, or Committee thereof. Should an application be accepted, in error, during the moratorium period, such application shall be deemed null and void and have no effect whatsoever and shall constitute no assurance of any right to engage in any act or action related to the development of commercial or residential subdivision developments. Reliance on any such permit shall be unreasonable.

This moratorium shall have no effect upon approvals of permits for commercial or residential subdivision developments previously issued or as to development plans previously approved by the County prior to the effective date of this Resolution. Property owners who claim to have a vested right, pursuant to the laws of the State of Georgia, to obtain a permit for commercial or residential subdivision development must submit a written application for exception to the County Manager for submission and consideration by the County Land Use Committee. The written application for

exception must include verified supporting documentation of the facts and data that support their claim of vested right, and request for exception to the moratorium.

3. **Severability.** In case any one or more of the provisions of this Resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Resolution, but this Resolution shall be construed and enforced as if such illegal or invalid provision had not been contained herein.
4. **Repeal of Conflicting Resolutions.** Any and all resolutions in conflict with this Resolution this day passed be and they are hereby repealed.
5. **Effective Date.** This Resolution shall take effect immediately upon its adoption.

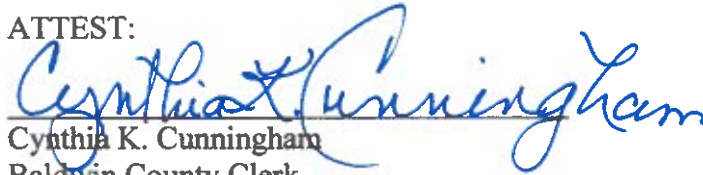
SO RESOLVED, this 2 day of July, 2024.

BALDWIN COUNTY, GEORGIA



Honorable John H. Westmoreland, Chairman
Baldwin County Board of Commissioners

ATTEST:



Cynthia K. Cunningham
Baldwin County Clerk

DATE ADOPTED 7/2/24

[SEAL]

