

PUTNAM COUNTY BOARD OF COMMISSIONERS



117 Putnam Drive, Suite A ♦ Eatonton, GA 31024

Agenda

Friday, April 4, 2025 ♦ 10:00 AM

Putnam County Administration Building – Room 203

Opening

1. Welcome - Call to Order
2. Approval of Agenda
3. Invocation - Pastor Jonathon Dawson, Lakepoint Community Church
4. Pledge of Allegiance (SH)

Regular Business Meeting

5. Public Comments
6. Consent Agenda
 - a. Approval of Minutes - March 17, 2025 Joint Called Meeting (staff-CC)
 - b. Approval of Minutes - March 18, 2025 Regular Meeting (staff-CC)
7. Report from Putnam Development Authority
8. Short Term Rental Update (BS)
 - a. Licensing
 - b. Code Enforcement
9. Authorization for Chairman to sign Resolution Naming County Roads in Proposed Habitat for Humanity Community (staff-CM)
10. Authorization for staff to schedule a Public Hearing on proposed changes to the Putnam County Code of Ordinances - Chapter 2 (Administration) (staff-CA)
11. Authorization for staff to schedule a Public Hearing on proposed changes to the Putnam County Code of Ordinances - Chapter 18 (Buildings and Building Regulations) (SH)
12. Discussion and possible action on Harmony Road widening project (SH)
13. Authorization for the Chairman to sign a Resolution enacting a moratorium on development in District Three and to schedule a Work Session on development in Putnam County (SH)

Reports/Announcements

14. County Manager Report
15. County Attorney Report
16. Commissioner Announcements

Closing

17. Adjournment

The Board of Commissioners reserves the right to continue the meeting to another time and place in the event the number of people in attendance at the meeting, including the Board of Commissioners, staff, and members of the public exceeds the legal limits. The meeting cannot be closed to the public except by a majority vote of a quorum present for the meeting. The board can vote to go into an executive session on a legally exempt matter during a public meeting even if not advertised or listed on the agenda. Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities are required to contact the ADA Compliance Officer, at least three business days in advance of the meeting at 706-485-2776 to allow the County to make reasonable accommodations for those persons.

File Attachments for Item:

6. Consent Agenda

- a. Approval of Minutes - March 17, 2025 Joint Called Meeting (staff-CC)
- b. Approval of Minutes - March 18, 2025 Regular Meeting (staff-CC)

PUTNAM COUNTY BOARD OF COMMISSIONERS



117 Putnam Drive, Suite A ♦ Eatonton, GA 31024

Joint Called Meeting Minutes
Monday, March 17, 2025 ♦ 5:00 PM
Putnam County Administration Building – Room 203

The Putnam County Board of Commissioners met with the City of Eatonton Council on Monday, March 17, 2025 at approximately 5:00 PM in the Putnam County Administration Building, 117 Putnam Drive, Room 203, Eatonton, Georgia.

PRESENT

Chairman Bill Sharp
Commissioner Tom McElhenney
Commissioner Richard Garrett
Commissioner Steve Hersey

CITY OF EATONTON PRESENT

Mayor John Reid
Councilmember At Large Chip Walker
Councilmember Marie Rainey
Councilmember Michael Smith
Councilmember Mylle Mangum
Councilmember James A. Gorley
Councilmember Janie B. Reid
Councilmember Teresa Doster

ABSENT

Commissioner Jeff Wooten

STAFF PRESENT

County Manager Paul Van Haute
County Clerk Lynn Butterworth
Deputy County Clerk Mercy Fluker

CITY OF EATONTON STAFF PRESENT

City Administrator Gary Sanders
City Attorney Chris Huskins
City Clerk Maria Jimenez

STAFF ABSENT

County Attorney Adam Nelson

Opening

1. Welcome - Call to Order

Chairman Sharp called the meeting to order at approximately 5:00 p.m.
(Copy of agenda made a part of the minutes on minute book page _____.)

Chairman Sharp led the Pledge of Allegiance.

Joint Called Meeting

2. Discussion and possible action concerning SPLOST #10 (staff-CM)
 - a. Number of Years
 - b. Distribution of Proceeds
 - c. Projects

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Chairman Sharp introduced the agenda and invited County Manager Van Haute to give his presentation about the county’s potential SPLOST #10 projects.
(Copy of presentation made a part of the minutes on minute book pages _____ to _____.)

Commissioner Hersey suggested reducing the timeframe to no more than 5 years.

Chairman Sharp invited Mayor Reid to make comments regarding the city’s projects. Mayor Reid explained they are keeping the same package from last year and invited City Administrator Gary Sanders to give more information regarding the projects. Mr. Sanders explained their wish list projects and commented that they are under review and there will be potential changes due to the predicted increased funds.

Motion to limit SPLOST # 10 collection to five (5) years.
Motion made by Commissioner Hersey, Seconded by Commissioner Garrett.
Voting Yea: Commissioner Hersey
Voting Nay: Commissioner McElhenney, Commissioner Garrett, Chairman Sharp

Public Comments were received at this time:
Mr. Billy Webster questioned the ability to take action in a called meeting.
Ms. Jennifer Ray commented that the term of the SPLOST should be discussed in a regular meeting.

Motion to approve a six (6) year term for SPLOST #10.
Motion made by Commissioner McElhenney, Seconded by Commissioner Garrett.
Voting Yea: Commissioner McElhenney, Commissioner Garrett, Chairman Sharp
Voting Nay: Commissioner Hersey

Motion to approve the SPLOST #10 distribution at 69% Putnam County and 31% City of Eatonton, after the tier 1 project is taken off the top and pending an Intergovernmental Agreement.
Motion made by Commissioner Garrett, Seconded by Commissioner McElhenney.
Voting Yea: Commissioner McElhenney, Commissioner Garrett, Commissioner Hersey

Eatonton City Council approved the following motions:

Motion to approve a six (6) year term for SPLOST #10.
Unanimously approved.

Motion to approve the SPLOST #10 distribution at 69% Putnam County and 31% City of Eatonton, after the tier 1 project is taken off the top and pending an Intergovernmental Agreement.
Unanimously approved.

Commissioner Garrett requested information on the next steps, which will consist of both parties signing an Intergovernmental Agreement. The projects will be discussed as an agenda item at upcoming meetings.

Closing

3. Adjournment

Motion to adjourn the meeting.

Motion made by Commissioner McElhenney, Seconded by Commissioner Garrett.

Voting Yea: Commissioner McElhenney, Commissioner Garrett, Commissioner Hersey

Meeting adjourned at approximately 5:53 p.m.

ATTEST:

Lynn Butterworth
County Clerk

B. W. "Bill" Sharp
Chairman

PUTNAM COUNTY BOARD OF COMMISSIONERS



117 Putnam Drive, Suite A ♦ Eatonton, GA 31024

Minutes

Tuesday, March 18, 2025 ♦ 6:00 PM

Putnam County Administration Building – Room 203

The Putnam County Board of Commissioners met on Tuesday, March 18, 2025 at approximately 6:00 PM in the Putnam County Administration Building, 117 Putnam Drive, Room 203, Eatonton, Georgia.

PRESENT

- Chairman Bill Sharp
- Commissioner Tom McElhenney
- Commissioner Richard Garrett
- Commissioner Steve Hersey

ABSENT

- Commissioner Jeff Wooten

STAFF PRESENT

- County Attorney Adam Nelson
- County Manager Paul Van Haute
- County Clerk Lynn Butterworth

STAFF ABSENT

- Deputy County Clerk Mercy Fluker

Opening

1. Welcome - Call to Order

Chairman Sharp called the meeting to order at approximately 6:10 p.m.
 (Copy of agenda made a part of the minutes on minute book page_____.)

2. Approval of Agenda

Motion to approve the agenda.

Motion made by Commissioner McElhenney, Seconded by Commissioner Garrett.

Voting Yea: Chairman Sharp, Commissioner McElhenney, Commissioner Garrett

Voting Nay: Commissioner Hersey

3. Invocation

Rev. Dylan L. Bowden, Associate Pastor and Minister of Music at First Baptist Church Eatonton gave the invocation.

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4. Pledge of Allegiance (RG)
Commissioner Garrett led the Pledge of Allegiance.

Zoning Public Hearing

5. Request by Harmony 40, LLC for a zoning condition change at 842 Harmony Road.
Presently zoned RM-3 [Map 097, Parcel 060001, District 1] (staff-P&D)

REQUEST TO WITHDRAW WITHOUT PREJUDICE

No one signed in to speak for or against this item.

Motion to approve the request to withdraw without prejudice the request by Harmony 40, LLC for a zoning condition change at 842 Harmony Road.

Motion made by Commissioner McElhenney, Seconded by Commissioner Garrett.

Voting Yea: Commissioner McElhenney, Commissioner Garrett, Commissioner Hersey

Regular Business Meeting

6. Public Comments

Ms. Hannah Erickson, project manager of Putnam County High School’s BETA club, commented on the recent improvements at Jimmy Davis Park and showed interest in a landscaping project as part of their April community service project.

Ms. Karen Henry-Garrett commented in favor of Ms. Erickson’s idea and provided more ways Jimmy Davis Park can be improved and utilized in the community.

7. Consent Agenda

a. Approval of Minutes - March 7, 2025 Regular Meeting (staff-CC)

Motion to approve the consent agenda.

Motion made by Commissioner Garrett, Seconded by Commissioner Hersey.

Voting Yea: Commissioner McElhenney, Commissioner Garrett, Commissioner Hersey

8. Audit Presentation (staff-Finance)

Mr. Pat Muse from McNair, McLemore, Middlebrooks & CO., LLC gave the Audit Presentation. (Copy of presentation made a part of the minutes on minute book pages _____ to _____.)

9. Discussion and possible action regarding the potential renewal/extension of the Jimmy Davis Park Partnership Advisory Council (RG)

Commissioner Garrett commented that he is pleased with the creation of the Jimmy Davis Park Partnership Advisory Council (JDPPAC) by the previous District 2 Commissioner. The original council was set to expire after one year; his opinion is for the council to continue with some changes to the council members, including considering additional members and giving people a chance to attend meetings and share ideas.

Motion to extend the Jimmy Davis Park Partnership Advisory Council for another year.

Motion made by Commissioner Garrett, Seconded by Commissioner McElhenney

Voting Yea: Commissioner McElhenney, Commissioner Garrett, Commissioner Hersey

Reports/Announcements

10. County Manager Report

County Manager Van Haute reported that he talked to Miss Erickson, the Beta Club member, and will talk with them further regarding her proposed project at Jimmy Davis Park. He also congratulated Finance Director Cook on the audit.

11. County Attorney Report

No report.

12. Commissioner Announcements

Commissioner McElhenney: thanked Finance Director Cook for a tremendous job; announced that he attended classes in Tifton last week where he listened to other Commissioners, and we are way ahead of others.

Commissioner Garrett: commented that it is great to hear the positive audit opinion, we have a great finance team; thanked the Commissioners for supporting the JDPPAC and thanked County Manager Van Haute for extending the park hours for Spring Break; announced that the Butler Baker Alumni Group Annual Lunch is on Saturday, March 22nd at noon.

Commissioner Hersey: thanked the finance staff and County Manager Van Haute for managing the finances and keeping us within budget; reminded Chairman Sharp that he is a taxpayer and resident of the county.

Chairman Sharp: announced that it has been a busy week and thanked everybody for coming out to tonight’s meeting.

Closing

13. Adjournment

Motion to adjourn the meeting.

Motion made by Commissioner McElhenney, Seconded by Commissioner Garrett

Voting Yea: Commissioner McElhenney, Commissioner Garrett, Commissioner Hersey

Meeting adjourned at approximately 6:50 p.m.

ATTEST:

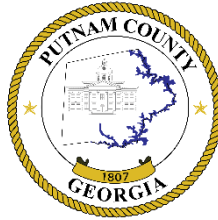
Lynn Butterworth
County Clerk

B. W. “Bill” Sharp
Chairman

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File Attachments for Item:

9. Authorization for Chairman to sign Resolution Naming County Roads in Proposed Habitat for Humanity Community (staff-CM)



RESOLUTION RENAMING COUNTY ROADS IN PROPOSED HABITAT FOR HUMANITY COMMUNITY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, Article IX, Section II, Paragraph 1(a) of the Georgia Constitution of 1983 authorizes the governing authority of each county the legislative power to adopt clearly reasonable ordinances, resolutions, or regulations relating to its property, affairs, and local government for which no provision has been made by general law and which is not inconsistent with this Constitution or any local law applicable thereto; and

WHEREAS, O.C.G.A. § 32-4-3 provides that a political subdivision of the state is not prohibited from renaming any road under its jurisdiction; and

WHEREAS, there exists in Putnam County three public roads currently named “Little Creek Woods Drive”, “Ashton Court”, and “Peekaboo Street”, which are a part of a proposed development undertaken by the Putnam County Chapter of Habitat for Humanity; and

WHEREAS, on December 29, 2024, former U.S. President and Governor of the State of Georgia, James Earl Carter, Jr., passed away, following more than 40 years of volunteer service to Habitat for Humanity International; and

WHEREAS, the Board of Commissioners of Putnam County (“Board”) has determined the renaming of “Little Creek Woods Drive”, “Ashton Court”, and “Peekaboo Street” to “Jimmy Carter Road”, “North Rosalynn Carter Road”, and “South Rosalynn Carter Road” would serve as fitting tribute to the commitment of President Carter and former first lady, Rosalynn Carter, to support and construct decent and affordable housing both domestically and throughout the world; and

WHEREAS, the proposed change was reviewed by county staff, for any duplicate road name, addressing concerns with internal controls and with the postal service, and confusion with emergency services, and no concerns over the change to the road name were reported; and

WHEREAS, the property owners adjoining a portion of said property were notified of the proposed change and their respective opportunity to express any concerns before the Chairman and Board of Commissioners; and

WHEREAS, it is possible to change the name of the public roads to “Jimmy Carter Road”, “North Rosalynn Carter Road”, and “South Rosalynn Carter Road” where the postal service will forward mail to the new address for a certain period of time, and the change will require the residents to change their respective addresses with the Post Office and notify senders of their respective new addresses;

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

Section 1. The governing authority hereby resolves to change the names of “Little Creek Woods Drive”, “Ashton Court”, and “Peekaboo Street” be changed to “Jimmy Carter Road”, “North Rosalynn Carter Road”, and “South Rosalynn Carter Road” (see Attached “Exhibit A”). Furthermore, the Chairman is authorized to execute and continue with any further acts necessary to accomplish the intent of this Resolution.

Section 2. The change in name to these roads shall be effective upon affirmative vote of the Board.

Section 3. The Clerk is directed to forward a certified copy of this Resolution to the Post Office and appropriate county departments to make the required changes to replace signs and make changes to county maps and directories.

SO RESOLVED, this 4th day of April 2025.

BY: _____
Bill Sharp, Chairman

ATTEST: _____
Lynn Butterworth, County Clerk



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057B01

File Attachments for Item:

10. Authorization for staff to schedule a Public Hearing on proposed changes to the Putnam County Code of Ordinances - Chapter 2 (Administration) (staff-CA)

AN ORDINANCE CREATING
THE PUTNAM COUNTY RECREATION COMMITTEE

WHEREAS, pursuant to O.C.G.A. § 36-64-1 et seq., the Board of Commissioners of Putnam County, Georgia, has established a supervised system of recreation in the county and has retained the power to provide, maintain, and conduct parks, playgrounds, recreation centers, and other recreational activities and facilities in the county;

WHEREAS, pursuant to O.C.G.A. § 36-64-1 et seq., the Board of Commissioners of Putnam County, Georgia, is authorized to dedicate and set apart for use as parks, playgrounds, and recreation centers and for other recreation purposes any lands or buildings owned or leased by the county and not dedicated or devoted to another or inconsistent public use;

WHEREAS, pursuant to O.C.G.A. § 36-64-1 et seq., the Board of Commissioners of Putnam County, Georgia, is authorized to accept any grant or devise of real estate or any gift or bequest of money or other personal property or any donation, the principal or income of which is to be applied for either temporary or permanent use for playgrounds or recreation purposes in the county;

WHEREAS, the Board sees benefit to the county in continuing to develop, enhance, and expand county recreation facilities and initiatives, finds that a Recreation Committee, under the direction of the Board of Commissioners, offers scope for new ideas and to generate additional funds, and believes the goal is to supplement, not replace, existing county recreation activity and funding; and

WHEREAS, the Board of Commissioners of Putnam County, Georgia, finds it necessary to create a committee to be known as the Putnam County Recreation Committee to advise the Board of Commissioners of Putnam County, Georgia, with respect to parks, playgrounds, recreation centers, and other recreational activities and facilities in the county, and to explore opportunities for devises, grants, gifts, and bequests of money and property for the purpose of providing, establishing, conducting, and maintaining parks, playgrounds, recreation centers, and other recreational activities and facilities in the county;

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

1. Division 4 of Article III of Chapter 2 of the Putnam County Code of Ordinances, which is currently reserved, is hereby titled "Putnam County Recreation Committee."
2. Sections 2-141 through 2-149 of Division 4 of Article III of Chapter 2 of the Putnam County Code of Ordinances, which are currently reserved, are hereby amended as follows:

Sec. 2-141. - Created.

There is hereby created a committee to be known as the Putnam County Recreation Committee.

Sec. 2-142. - Purpose.

The purpose of the committee is to advise the Board of Commissioners of Putnam County, Georgia, with respect to parks, playgrounds, recreation centers, and other recreational activities and facilities in the county, and to explore opportunities for devises, grants, gifts, and bequests of money and property for the purpose of providing, establishing, conducting, and maintaining parks, playgrounds, recreation centers, and other recreational activities, facilities, or purposes in the county. Provided, however, that the committee shall have no powers with respect to parks, playgrounds, recreation centers, or other recreational activities, facilities, or purposes in the county, and shall not seek or accept any devises, grants, gifts, or bequests of money or property for the purpose of providing, establishing, conducting, or maintaining parks, playgrounds, recreation centers, or other recreational activities, facilities, or purposes in the county without the prior approval of the Board of Commissioners of Putnam County, Georgia.

Sec. 2-143. - Members.

The committee shall consist of six (6) members. Except for the chairperson and the ex officio member, the members shall be residents of the commissioner districts they represent and shall continue to reside in their respective districts during their term. The chairperson shall be a resident of the county and shall continue to reside in the county during his or her term. The ex officio member shall be the director of the recreation department of the county and shall be a non-voting member of the committee. Except as otherwise provided herein, the appointment procedures of Sec. 2-53 shall apply to the appointment of the members.

Sec. 2-144. - Terms.

Except for the ex officio member, the terms of the members of the committee shall be from the date of their appointment until December 31 of the year in which they were appointed and until their successors are duly appointed. The term of the ex officio member shall run and be appurtenant to his or her employment as the director of the recreation department of the county.

Sec. 2-145. - Organization.

After the initial appointment of all of the members of the committee, the members shall hold an organizational meeting, at the call of a majority of the members, to complete the organization of the committee by adopting bylaws. The bylaws may contain any provision for regulating and managing the affairs of the committee that is not inconsistent with the law or this division and, at a minimum, must fix the dates and times of the regular meetings of the committee, the quorum and voting requirements of the committee, and the voting and quorum requirements for the amendment of the bylaws.

Sec. 2-146. - Duties.

The duties of the committee shall be as follows:

- (a) The committee shall advise the county manager in developing the annual budget for parks, playgrounds, recreation centers, and other recreational activities, facilities, and purposes in the county;
- (b) The committee shall explore opportunities for devises, grants, gifts, and bequests of money and property for the purpose of providing, establishing, conducting, and maintaining parks, playgrounds, recreation centers, and other recreational activities, facilities, and purposes in the county and shall seek or accept the same when instructed to do so by the Board of Commissioners of Putnam County, Georgia;
- (c) The committee may incorporate and organize a nonprofit corporation, the directors of which shall be the members of the committee, the purpose of which shall be to seek or accept any devises, grants, gifts, or bequests of money or property for the purpose of providing, establishing, conducting, or maintaining parks, playgrounds, recreation centers, or other recreational activities, facilities, or purposes in the county when so approved by the Board of Commissioners of Putnam County, Georgia;
- (d) The committee, when required, shall prepare and file all returns and other documents required to maintain the nonprofit status of the nonprofit corporation under Section 501(c) (3) of the Internal Revenue Code and tax exempt status under O.C.G.A § 48-7-25;
- (e) The committee shall immediately pay into the county treasury any and all money and property acquired by it or the nonprofit corporation for the purpose of providing, establishing, conducting, or maintaining parks, playgrounds, recreation centers, or other recreational activities, facilities, or purposes in the county; and,
- (f) The committee, by and through its chairperson, shall make quarterly reports to the Board of Commissioners of Putnam County, Georgia, with respect to its activities and to the parks, playgrounds, recreation centers, and other recreational activities, facilities, and purposes in the county.

Sec. 2-147. – Expenditure of devises, grants, gifts, and bequests.

Any and all money and property paid into the county treasury by the committee or the nonprofit shall be deposited to the account of the Board of Commissioners of Putnam County, Georgia, and shall be withdrawn and paid out by the Board of Commissioners of Putnam County, Georgia, in the same manner as money appropriated for the Recreation Department of Putnam County, Georgia, or other recreation purposes of Putnam County, Georgia. Any and all such money and property shall be used to supplement the budget of

the Recreation Department of Putnam County, Georgia, or be used for other recreation purposes of Putnam County, Georgia, and shall not be used for any other purposes.

Sec. 2-148. - Exclusion(s).

The purpose and duties of the committee shall not extend to the Oconee Springs Park, but shall include Jimmy Davis Park, Poole Recreation Center, Uncle Remus Golf Course, and the Putnam County Swimming Pool.

Sec. 2-149. - Compensation.

Except for the chairperson of the committee, the members shall be paid fifty dollars (\$50.00) per meeting that they attend. The chairperson shall be paid seventy-five dollars (\$75.00) per meeting that he or she attends. Provided, however, that no member may be paid for attending more than fourteen (14) meetings per year.

Sec. 2-150. - Repealer.

This division shall stand repealed on April 4, 2027, unless it is continued in effect by the Board of Commissioners of Putnam County, Georgia, prior to that date.

- 3. Sections 2-151 through 2-175 of Division 4 of Article III of Chapter 2 of the Putnam County Code of Ordinances, which are currently reserved, are hereby further reserved for future use.
- 4. All ordinances and resolutions and parts of ordinances and resolutions in conflict with this ordinance are hereby repealed.

IN WITNESS WHEREOF, this ordinance, having been introduced by the Board of Commissioners of Putnam County, Georgia, on the _____ day of _____, _____, and having been heard upon prior notice by the Board of Commissioners of Putnam County, Georgia, on the _____ day of _____, _____, is approved and adopted by the Board of Commissioners of Putnam County, Georgia, on this _____ day of _____, _____.

Bill Sharp, Chairman

Attest: _____
Lynn Butterworth, County Clerk

File Attachments for Item:

11. Authorization for staff to schedule a Public Hearing on proposed changes to the Putnam County Code of Ordinances - Chapter 18 (Buildings and Building Regulations) (SH)

AN ORDINANCE PROVIDING FOR THE REPAIRING, CLOSING, OR DEMOLISHING OF PUBLIC NUISANCE DWELLINGS, BUILDINGS, OR STRUCTURES

WHEREAS, the Board of Commissioners of Putnam County, Georgia, finds that there exist in the county dwellings, buildings, or structures which are unfit for human habitation or for commercial, industrial, or business uses due to dilapidation and not in compliance with applicable codes; which have defects increasing the hazards of fire, accidents, or other calamities; which lack adequate ventilation, light, or sanitary facilities; or where other conditions exist rendering such dwellings, buildings, or structures unsafe or unsanitary, or dangerous or detrimental to the health, safety, or welfare, or otherwise inimical to the welfare of the residents of the county, or vacant, dilapidated dwellings, buildings, or structures in which drug crimes are being committed;

WHEREAS, pursuant to O.C.G.A. § 41-2-7 et seq., the Board of Commissioners of Putnam County, Georgia, is authorized to declare the aforesaid dwellings, buildings, or structures a public nuisance and to exercise its police power to repair, close, or demolish the aforesaid dwellings, buildings, or structures in the manner provided therein;

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

1. Article III of Chapter 18 of the Putnam County Code of Ordinances is hereby amended to add Secs. 18-96 through 18-119 following Sec. 18-95. These additional sections are hereby reserved for future use.
2. Chapter 18 of the Putnam County Code of Ordinances is hereby amended to add Article IV, which is hereby titled "PUBLIC NUISANCE DWELLINGS, BUILDINGS, OR STRUCTURES," following Article III and to add the following sections thereunder:

Sec. 18-120. - Definitions.

As used in this article, the term:

Applicable codes means:

- (1) Any optional housing or abatement standard provided in Chapter 2 of Title 8 of the Official Code of Georgia Annotated as adopted by ordinance or operation of law, or other property maintenance standards as adopted by ordinance or operation of law, or general nuisance law, relative to the safe use of real property;
- (2) Any fire or life safety code as provided for in Chapter 2 of Title 25 of the Official Code of Georgia Annotated; and
- (3) Any building codes adopted by ordinance prior to October 1, 1991, or the minimum standard codes provided in Chapter 2 of Title 8 of the Official Code of Georgia Annotated after October 1, 1991, provided that such building or

minimum standard codes for real property improvements shall be deemed to mean those building or minimum standard codes in existence at the time such real property improvements were constructed unless otherwise provided by law.

Board means the board of commissioners of the county.

Clerk means the clerk of the superior court of the county.

Closing means causing a dwelling, building, or structure to be vacated and secured against unauthorized entry.

County means the unincorporated area of Putnam County, Georgia.

Magistrate court means the magistrate court of the county.

Director means the director of the planning and development department of the county.

Drug crime means an act which is a violation of Article 2 of Chapter 13 of Title 16 of the Official Code of Georgia Annotated, known as the “Georgia Controlled Substances Act.”

Dwellings, buildings, or structures means any building or structure or part thereof used and occupied for human habitation or commercial, industrial, or business uses, or intended to be so used, and includes any outhouses, improvements, and appurtenances belonging thereto or usually enjoyed therewith and also includes any building or structure of any design. As used in this article, *dwellings, buildings, or structures* shall not mean or include any farm, any building or structure located on a farm, or any agricultural facility or other building or structure used for the production, growing, raising, harvesting, storage, or processing of crops, livestock, poultry, or other farm products.

Interested parties means:

- (1) An owner;
- (2) Those parties having an interest in the property as revealed by a certification of title to the property conducted in accordance with the title standards of the State Bar of Georgia;
- (3) Those parties having filed a notice in accordance with O.C.G.A. § 48-3-9;
- (4) Any other party having an interest in the property whose identity and address are reasonably ascertainable from the records of the petitioner or records maintained in the courthouse of the county or by the clerk. *Interested parties* shall not include the holder of the benefit or burden of any easement or right of way whose interest is properly recorded which interest shall remain unaffected; and

(5) Persons in possession of said property and premises.

Owner means the holder of the title in fee simple and every mortgagee of record.

Public authority means any member of the board and any housing authority officer or any other officer who is in charge of any department or branch of the government of the county or of the state relating to health, fire, or building regulations or to other activities concerning dwellings, buildings, or structures in the county.

Repair means altering or improving a dwelling, building, or structure so as to bring the structure into compliance with the applicable codes in the county and the cleaning or removal of debris, trash, and other materials present and accumulated which create a health or safety hazard in or about any dwelling, building, or structure.

Resident means any person residing in the county on or after the date on which the alleged nuisance arose.

Superior court means the superior court of the county.

Tax commissioner means the tax commissioner of the county.

Sec. 18.121. - Declaration of public nuisance.

The board finds and declares that there exist in the county dwellings, buildings, or structures which are unfit for human habitation or for commercial, industrial, or business uses due to dilapidation and not in compliance with applicable codes; which have defects increasing the hazards of fire, accidents, or other calamities; which lack adequate ventilation, light, or sanitary facilities; or where other conditions exist rendering such dwellings, buildings, or structures unsafe or unsanitary, or dangerous or detrimental to the health, safety, or welfare, or otherwise inimical to the welfare of the residents of the county, or vacant, dilapidated dwellings, buildings, or structures in which drug crimes are being committed. The board finds and declares it to be a public nuisance to construct or maintain any dwelling, building, structure, or property as described in this section.

Sec. 18.122. - Duty of owners.

It is the duty of the owner of every dwelling, building, structure, or property within the county to construct and maintain such dwelling, building, structure, or property in conformance with the applicable codes in force within the county, or such ordinances which regulate and prohibit activities on property and which declare it to be a public nuisance to construct or maintain any dwelling, building, structure, or property in violation of such codes or ordinances. A finding by any governmental health department, health officer, or building inspector that a dwelling, building, structure, or property is a health or safety hazard shall constitute prima-facie evidence that said dwelling, building, structure, or property is in violation of this section and this article.

Sec. 18.123. - Powers of the director.

The director is appointed and authorized to exercise such powers as may be necessary or convenient to carry out and effectuate the purpose and provisions of this article, including, in addition to those other powers granted in this article, the following powers:

- (1) To investigate the dwelling conditions in the county in order to determine which dwellings, buildings, or structures therein are unfit for human habitation or are unfit for current commercial, industrial, or business use or are vacant, dilapidated, and being used in connection with the commission of drug crimes;
- (2) To administer oaths and affirmations, to examine witnesses, and to receive evidence;
- (3) To enter upon premises for the purpose of making examinations; provided, however, that such entries shall be made in such manner as to cause the least possible inconvenience to the persons in possession;
- (4) To appoint and fix the duties of such officers, agents, and employees as he or she deems necessary to carry out the purposes of the ordinances; and
- (5) To delegate any of his or her functions and powers under this article to such officers and agents as he or she may designate.

Sec. 18.124. - Determination by the director.

(a) The director may determine, under existing ordinances, that a dwelling, building, or structure is unfit for human habitation or is unfit for its current commercial, industrial, or business use if the director finds that conditions exist in such building, dwelling, or structure which are dangerous or injurious to the health, safety, or morals of the occupants of such dwelling, building, or structure; of the occupants of neighborhood dwellings, buildings, or structures; or of other residents of the county. Such conditions may include the following (without limiting the generality of the foregoing):

- (1) Defects therein increasing the hazards of fire, accidents, or other calamities;
- (2) Lack of adequate ventilation, light, or sanitary facilities;
- (3) Dilapidation;
- (4) Disrepair;
- (5) Structural defects; and
- (6) Uncleanliness.

- (b) The director may determine, under existing ordinances, that a dwelling, building, or structure is vacant, dilapidated, and being used in connection with the commission of drug crimes upon personal observation or report of a law enforcement agency and evidence of drug crimes being committed.

Sec. 18.125. - Procedures.

- (a) Whenever a request is filed with the director by a public authority or by at least five residents of the county charging that any dwelling, building, structure, or property is unfit for human habitation or for commercial, industrial, or business use and not in compliance with applicable codes; is vacant and being used in connection with the commission of drug crimes; or constitutes an endangerment to the public health or safety as a result of unsanitary or unsafe conditions, the director shall make an investigation or inspection of the specific dwelling, building, structure, or property.
- (b) If the investigation or inspection of the director identifies that any dwelling, building, structure, or property is unfit for human habitation or for commercial, industrial, or business use and not in compliance with applicable codes; is vacant and being used in connection with the commission of drug crimes; or constitutes an endangerment to the public health or safety as a result of unsanitary or unsafe conditions, the director may issue a complaint in rem against the lot, tract, or parcel of real property on which such dwelling, building, or structure is situated or where such public health hazard or general nuisance exists and shall cause summons and a copy of the complaint to be served on the interested parties for such dwelling, building, or structure.
 - (1) The complaint shall identify the subject real property by appropriate street address and official tax map reference; identify the interested parties; state with particularity the factual basis for the action; and contain a statement of the action sought by the director to abate the alleged nuisance.
 - (2) The summons shall notify the interested parties that a hearing will be held before the magistrate court at a date and time certain and at a place within the county. Such hearing shall be held not less than 15 days nor more than 45 days after the filing of said complaint in the magistrate court.
- (c) The interested parties shall have the right to file an answer to the complaint and to appear in person or by attorney and offer testimony at the time and place fixed for hearing.
- (d) If, after such notice and hearing, the magistrate court determines that the dwelling, building, or structure in question is unfit for human habitation or is unfit for its current commercial, industrial, or business use and not in compliance with applicable codes; is vacant and being used in connection with the commission of drug crimes; or constitutes an endangerment to the public health or safety as a result of unsanitary or unsafe conditions, the magistrate court shall state in writing findings of fact in support of such

determination and shall issue and cause to be served upon the interested parties that have answered the complaint or appeared at the hearing an order:

- (1) If the repair, alteration, or improvement of the said dwelling, building, or structure can be made at a reasonable cost in relation to the present value of the dwelling, building, or structure, requiring the owner, within the time specified in the order, to repair, alter, or improve such dwelling, building, or structure so as to bring it into full compliance with the applicable codes relevant to the cited violation and, if applicable, to secure the structure so that it cannot be used in connection with the commission of drug crimes; or
- (2) If the repair, alteration, or improvement of the said dwelling, building, or structure in order to bring it into full compliance with applicable codes relevant to the cited violations cannot be made at a reasonable cost in relation to the present value of the dwelling, building, or structure, requiring the owner, within the time specified in the order, to demolish and remove such dwelling, building, or structure and all debris from the property.

For purposes of this section, the magistrate court shall make its determination of *reasonable cost in relation to the present value of the dwelling, building, or structure* without consideration of the value of the land on which the structure is situated; provided, however, that costs of the preparation necessary to repair, alter, or improve a structure may be considered. Income and financial status of the owner shall not be factor in the determination of the court. The present value of the structure and the costs of repair, alteration, or improvement may be established by affidavits of real estate appraisers with a Georgia appraiser classification as provided in Chapter 39A of Title 43 of the Official Code of Georgia Annotated, qualified building contractors, or qualified building inspectors without actual testimony presented. Costs of repair, alteration, or improvement of the structure shall be the cost necessary to bring the structure into compliance with the applicable codes relevant to the cited violations in force in the county.

- (e) Review of an order of the magistrate court requiring the repair, alteration, improvement, or demolition of a dwelling, building, or structure shall be a de novo proceeding in the superior court under O.C.G.A. §§ 5-3-4 and 5-3-5.

Sec. 18.126. - Service of complaints, orders, and other filings.

- (a) Complaints issued by the director pursuant to this article shall be served at least 14 days prior to the date of the hearing. The director shall mail copies of the complaint by certified mail or statutory overnight delivery, return receipt requested, to all interested parties whose identities and addresses are reasonably ascertainable. Copies of the complaint shall also be mailed by first-class mail to the property address to the attention of the occupants of the property, if any, and shall be posted on the property within three business days of filing the complaint and at least 14 days prior to the date of the hearing.

- (b) For interested parties whose mailing address is unknown, a notice stating the date, time, and place of the hearing shall be published in the newspaper in which the advertisements of the sheriff appear in the county once a week for two consecutive weeks prior to the hearing.
- (c) A notice of lis pendens shall be filed in the office of the clerk, at the time of filing the complaint in the magistrate court. Such notice shall have the same force and effect as other lis pendens notices provided by law.
- (d) Orders and other filings made subsequent to service of the initial complaint shall be served in the manner provided in this article on any interested party who answers the complaint or appears at the hearing. Any interested party who fails to answer or appear at the hearing shall be deemed to have waived all further notice in the proceedings.

Sec. 18.127. - Failure of owners to comply.

- (a) If the owner fails to comply with an order to repair or demolish the dwelling, building, or structure, the director may cause such dwelling, building, or structure to be repaired, altered, or improved or to be vacated and closed or demolished. Such abatement action shall commence within 270 days after the expiration of time specified in the order for abatement by the owner. Any time during which such action is prohibited by a court order issued pursuant to Sec. 18.128 of this article or any other equitable relief granted by a court of competent jurisdiction shall not be counted toward the 270 days in which such abatement action must commence. The director shall cause to be posted on the main entrance of the building, dwelling, or structure a placard with the following words:

“This building is unfit for human habitation or commercial, industrial, or business use and does not comply with the applicable codes or has been ordered secured to prevent its use in connection with drug crimes or constitutes an endangerment to public health or safety as a result of unsanitary or unsafe conditions. The use or occupation of this building is prohibited and unlawful.”

- (b) If the director has the structure demolished, reasonable effort shall be made to salvage reusable materials for credit against the cost of demolition. The proceeds of any moneys received from the sale of salvaged materials shall be used or applied against the cost of the demolition and removal of the structure, and proper records shall be kept showing application of sales proceeds. Any such sale of salvaged materials may be made without the necessity of public advertisement and bid. The director and board are relieved of any and all liability resulting from or occasioned by the sale of any such salvaged materials, including, without limitation, defects in such salvaged materials.
- (c) The amount of the cost of demolition, including all court costs, appraisal fees, administrative costs incurred by the tax commissioner, and all other costs necessarily associated with the abatement action, including restoration to grade of the real property

after demolition, shall be a lien against the real property upon which such cost was incurred.

Sec. 18.128. - Injunctions against order to repair, close, or demolish unfit buildings or structures.

Any person affected by an order issued by the director may petition to the superior court for an injunction restraining the director from carrying out the provisions of the order and the superior court may, upon such petition, issue a temporary injunction restraining the director pending the final disposition of the cause; provided, however, that such person shall present such petition to the superior court within 15 days of the posting and service of the order of the director. De novo hearings shall be had by the superior court on petitions within 20 days. The superior court shall hear and determine the issues raised and shall enter such final order or decree as law and justice may require; provided, however, that it shall not be necessary to file bond in any amount before obtaining a temporary injunction under this section.

Sec. 18.129. - Lien.

- (a) The lien provided for in subsection (c) of Sec. 18.127 of this article shall attach to the real property upon the filing of a certified copy of the order requiring repair, closure, or demolition in the office of the clerk and shall relate back to the date of the filing of the lis pendens notice required under subsection (c) of Sec. 18.126 of this article. The clerk shall record and index such certified copy of the order in the deed records of the county and enter the lien on the general execution docket. The lien shall be superior to all other liens on the property, except liens for taxes to which the lien shall be inferior, and shall continue in force until paid.
- (b) Upon final determination of costs, fees, and expenses incurred in accordance with this article, the director shall transmit to the tax commissioner a statement of the total amount due and secured by said lien, together with copies of all notices provided to interested parties. The statement of the director shall be transmitted within 90 days of completion of the repairs, demolition, or closure. It shall be the duty of the tax commissioner to collect the amount of the lien using all methods available for collecting real property ad valorem taxes, including specifically Chapter 4 of Title 48 of the Official Code of Georgia Annotated; provided, however, that the limitation of O.C.G.A. § 48-4-78 which requires 12 months of delinquency before commencing a tax foreclosure shall not apply. The tax commissioner shall remit the amount collected to the board.
- (c) Enforcement of liens pursuant to this section may be initiated at any time following receipt by the tax commissioner of the final determination of costs in accordance with this article. The unpaid lien amount shall bear interest and penalties from and after the date of final determination of costs in the same amount as applicable to interest and penalties on unpaid real property ad valorem taxes. An enforcement proceeding

pursuant to O.C.G.A. § 48-4-78 for delinquent ad valorem taxes may include all amounts due under this article.

- (d) The redemption amount in any enforcement proceeding pursuant to this section shall be the full amount of the costs as finally determined in accordance with this section together with interest, penalties, and costs incurred by the board or tax commissioner in the enforcement of such lien. Redemption of property from the lien may be made in accordance with the provisions of O.C.G.A. §§ 48-4-80 and 48-4-81.
- (e) The board may waive and release any such lien imposed on property upon the owner of such property entering into a contract with the county agreeing to a timetable for rehabilitation of the real property or the dwelling, building, or structure on the property and demonstrating the financial means to accomplish such rehabilitation.

Sec. 18.130. - Taking by eminent domain; police power.

Nothing in this article shall be construed as preventing the owner or owners of any property from receiving just compensation for the taking of such property by the power of eminent domain under the laws of the state of Georgia nor as permitting any property to be condemned or destroyed except in accordance with the police power of the state of Georgia.

Sec. 18.131. - Authority to use revenues, grants, and donations.

The board is authorized to make such appropriations from its revenues as it may deem necessary and may accept and apply grants or donations to assist it in carrying out the provisions of this article.

Sec. 18.132. - Construction of article.

- (a) Nothing in this article shall be construed to abrogate or impair the powers of the courts or of any department of the county to enforce any provisions of its local enabling act or its ordinances or regulations nor to prevent or punish violations thereof. The powers conferred by this article shall be in addition to and supplemental to the powers conferred by any other law.
- (b) In addition to the procedures and remedies in this article, the director may issue citations for violations of state minimum standard codes, optional building, fire, life safety, and other codes adopted by ordinance, and conditions creating a public health hazard or general nuisance, and seek to enforce such citations in a court of competent jurisdiction prior to issuing a complaint in rem as provided in this article.
- (c) Nothing in this article shall be construed to impair or limit in any way the power of the county to define and declare nuisances and to cause their removal or abatement by summary proceedings or otherwise.

Sec. 18.133. - Prior ordinances.

Ordinances relating to the subject matter of this article adopted prior to the date of the enactment of this article shall remain in force and effect.

- 3. All ordinances and resolutions and parts of ordinances and resolutions in conflict with this ordinance are hereby repealed.

IN WITNESS WHEREOF, this ordinance, having been introduced by the Board of Commissioners of Putnam County, Georgia, on the ____ day of _____, _____, and having been heard upon prior notice by the Board of Commissioners of Putnam County, Georgia, on the ____ day of _____, _____, is approved and adopted by the Board of Commissioners of Putnam County, Georgia, on this ____ day of _____, _____.

Bill Sharp, Chairman

Attest: _____
Lynn Butterworth, County Clerk

Ordinance on Public Nuisance Buildings – Process Summary

- 1. Complaint filed with Director
 - Director
 - Commissioner
 - 5 or more residents
- 2. Inspection to verify complaint
- 3. Complaint filed with Court
 - Magistrate Court
 - State Court
- 4. Court issues summons for a Hearing (no less than 15 days or more than 45 days before Hearing)
- 5. Court decides validity of complaint – issues Order
 - Repair
 - Remove
- 6. If owner fails to comply with Order – Director will Repair/Remove structure (within 270 days)
- 7. Any costs to the County are a Lien on the property
- 8. Tax Commissioner to collect Lien (same as a tax lien) at sale of property.

File Attachments for Item:

13. Authorization for the Chairman to sign a Resolution enacting a moratorium on development in District Three and to schedule a Work Session on development in Putnam County (SH)

RESOLUTION TO ENACT A MORATORIUM ON ISSUANCE OF BUILDING PERMITS AND ACCEPTANCE OF APPLICATIONS FOR REZONING WITHIN THE THIRD DISTRICT OF PUTNAM COUNTY, GEORGIA

WHEREAS, the Board of Commissioners of Putnam County, Georgia, (“Board”), under the law of the State of Georgia has the power to establish certain restrictions on the use of land within the boundaries of Putnam County; and

WHEREAS, the Board has established, in the Putnam County Code of Ordinances, specific criteria for the grant of building permits and consideration of rezoning applications; and

WHEREAS, the Board desires to amend the certain development standards as well as the criteria for consideration of rezonings; and

WHEREAS, a majority of the development of real property takes place within the 3rd Electoral District of Putnam County and the proposed amendments to the land development code would have the highest impact in the same; and

WHEREAS, the Board recognizes the need to allow for adequate time to consider and weigh the adoption of such regulations;

NOW THEREFORE, IT SHALL BE AND IS HEREBY RESOLVED by the Board that a moratorium on the issuance of building permits and acceptance of rezoning applications for parcels within the 3rd Electoral District of Putnam County shall be enacted, as follows:

Section 1: Grant of Building Permits: Upon passage of this resolution, no building permits shall be issued within the 3rd Electoral District of Putnam County.

Section 2. Approval of Subdivision. Upon passage of this resolution, no Major Subdivision shall be approved within the 3rd Electoral District of Putnam County.

Section 3: Acceptance of Rezoning Applications: Upon passage of this resolution, no applications shall be accepted for rezoning of parcels within the 3rd Electoral District of Putnam County.

Section 4: Impact on Other Ordinances: The provisions of this resolution shall not restrict or prohibit any improvement of any real property except that specifically stated herein.

Section 5: Effective Date and Duration: The provisions of this Resolution and the effects of the moratorium set forth herein shall commence on April 4, 2025 at 11:00 a.m. or upon its passage and adoption, whichever shall later occur and shall terminate on July 3, 2025 at 11:59 p.m., unless extended or terminated by the Board.

SO RESOLVED, this ____ day of _____ 2025.

BY: _____

Bill Sharp, Chairman

ATTEST: _____
Lynn Butterworth, County Clerk