

**WHITE COUNTY BOARD OF COMISSIONERS**  
**MINUTES OF THE REGULAR MEETING HELD**

**FRIDAY, JANUARY 14, 2011 AT 1:00 P.M.**

The White County Board of Commissioners held a Regular Meeting on Friday, January 14, 2011 in the Grand Jury Room of the White County Courthouse. Present at the meeting were: Chairman Travis Turner, Commissioner Terry Goodger, Commissioner Lyn Holcomb, Commissioner Edwin Nix, Commissioner Craig Bryant, County Manager Carol Jackson, Finance Director Vicki Mays, and County Clerk Shanda Smallwood.

Following the Pledge of Allegiance, Dean Dyer provided the invocation.

On behalf of the Board of Commissioners, Chairman Turner expressed appreciation to all County Staff who worked during the recent winter storm.

Upon a motion made by Commissioner Bryant, seconded by Commissioner Goodger there was a unanimous vote to adopt the minutes of the Regular Meeting held December 6, 2010, the Called Meeting held December 10, 2010, the Called Meeting held December 22, 2010, and the Called Meeting (Executive Session Sealed minutes regarding real estate) held January 6, 2011.

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Goodger there was a unanimous vote to approve the consent agenda as presented and containing the following items:

- Election of Craig Bryant, District 4 Commissioner, as Vice-Chairman for the Board of Commissioners for the 2011 Calendar Year;
- Adoption of resolutions for revision of bank signatories for non-certificate of deposit accounts and certificate of deposit accounts – being county resolution number 2011-01 (non-certificate of deposit accounts), county resolution number 2011-02 (certificate of deposit accounts), and county resolution number 2011-03 (safe deposit box);
- Approval of the following board appointments:
  - Reappointment of current members – Tom O’Bryant, Judy Walker, John Erbele, and John Ziemer - to the Joint Development Authority for Dawson, Limpkin, and White Counties for a four (4) year term to expire December 31, 2014; and
  - Appointment of Edwin Nix, Commissioner District 3, to the Chestatee-Chattahoochee Resource Conservation Board for a one (1) year term to expire December 31, 2011.
- Approval of final road acceptance for Hampton Hills Subdivision, including Hampton Hills Lane and Windham Court – contingent on certification of right of way to White County;
- Adoption of a resolution, being County Resolution Number 2011-04, authorizing updates to the White County Hazard Mitigation Plan; and
- Approval for the White County Fire Department’s purchase of a thermal imaging camera (TIC) from the Covenant Billing Revenue (Fire Fund) at a cost of \$9,800.00.

-End of Consent Agenda-

In considering Board Appointments to the Alcohol Beverage Commission, Chairman Turner asked if the Board had recommendations.

Upon a motion made by Commissioner Goodger, seconded by Commissioner Holcomb there was a unanimous vote to reappoint Erford Harrison and Jane Ann Allison as well as to appoint Dickie Nix and JoAnn Carroll (alternate) to the Alcohol Beverage Commission for a two (2) year term to expire January 30, 2013.

Chairman Turner asked for any recommendations for appointments to the White County Planning Commission.

Upon a motion made by Commissioner Nix, seconded by Commissioner Goodger there was a unanimous vote to reappoint Charlie Thomas Jr. and Buddy Belflower to the White County Planning Commission for a three (3) year term to expire December 31, 2013.

Chairman Turner asked for any recommendations for appointments to the White County Board of Health, with one of the two appointments meeting the requirement of being an acting physician.

Upon a motion made by Commissioner Nix, seconded by Commissioner Holcomb there was a unanimous vote to reappoint Dr. Emmett Shotts, PhD (representing the needy and underprivileged) and Dr. Stacey Parker, MD (serving as an acting physician appointment) to the White County Board of Health for a six (6) year term to expire December 31, 2016.

Chairman Turner stated the Board would consider the appointment to the White County Board of Assessors prior to the end of the meeting.

In considering changes to the current White County Sign Ordinance (White County Official Code, Chapter 58) Commissioner Goodger stated he wanted to present a recommendation, which differed from the most recent vote on revisions to this ordinance (December 10, 2010).

Commissioner Goodger stated he was concerned that the prior decision made by the Board of Commissioners would remove portable signs from the list of prohibited signs, he wanted to make sure those nonconforming signs previously in existence were grandfathered, and he recognized the utilitarian value of portable signs to be used on a temporary basis (30 days).

Chairman Turner reviewed Commissioner Goodger's recommendations stating all nonconforming signs would be grandfathered as of December 31, 2010, no grandfathering rights would transfer to any subsequent owner, businesses with a change in ownership or a new business will be allowed a six (6) month period to utilize a temporary sign for a \$50.00 permit fee, which would be applied to the fee for the permanent signs (one time \$50.00 fee regardless of the number of signs) – while bringing signs into conformance, and any business may apply for a temporary sign permit for thirty (30) days in a twelve (12) month period for a fee of \$50.00.

Chairman Turner asked for the Board's thoughts on Commissioner Goodger's recommendation.

Commissioner Holcomb stated he wanted to see new businesses be able to utilize the temporary, portable signs for a period of six (6) months without an additional fee.

Chairman Turner stated the initial \$50.00 fee which a new business would pay for a six (6) month temporary, portable (nonconforming) sign would be applied to the \$50.00 one time fee for the business's permanent (conforming) sign permit.

Commissioner Bryant stated he had counted seventeen (17) portable signs on Hwy 129 South, so in his opinion the issue of the portable signs was not a rampant problem.

Carol Jackson asked for clarification on the issue of an existing business with nonconforming signs being sold. Chairman Turner stated the grandfathered rights would not transfer and the business would have six (6) months to bring signs into conformance with the sign regulations.

Commissioner Nix stated that he did not want regulations which would be harder on businesses or any more complicated for the public to understand. He further stated that if an existing business wanted to utilize a temporary, portable (nonconforming) sign for thirty (30) days in a twelve (12) month period he did not think the business should be assessed an additional fee.

Tom O'Bryant, Director of Community & Economic Development, clarified that the current code does allow for temporary signs for a period of twenty-one (21) days for a \$50.00 temporary sign fee. Mr. O'Bryant further stated that in relation to the discussion centering around temporary, portable signs – that these types of signs were just one in the list of nonconforming signs identified within the County Code.

Upon a motion made by Commissioner Goodger, seconded by Commissioner Holcomb there was a vote to amend the White County Sign Regulations by the adoption of County Resolution Numbers 2011-05 & 2011-06 (White County Official Code, Chapter 58) to reflect the following: all nonconforming signs in existence would be grandfathered as of December 31, 2010 – subject to the one time \$50.00 sign permit fee regardless of the number of signs, no grandfathering rights would transfer to any subsequent owner, businesses with a change in ownership or a new business will be allowed a six (6) month period to utilize a temporary portable sign for a \$50.00 permit fee, which would be applied to the fee for the permanent signs (one time \$50.00 fee regardless of the number of signs) – while bringing signs into conformance, and any business may apply for a temporary portable sign permit for thirty (30) days in a twelve (12) month period for no additional fee. Chairman Turner voted in favor of this motion, with Commissioner Bryant and Commissioner Nix opposing the motion.

**WHITE COUNTY BOARD OF COMMISSIONERS  
RESOLUTION NO. 2011-05  
REVISING CHAPTER 58 (SIGN REGULATIONS)  
OF THE OFFICIAL CODE OF WHITE COUNTY**

**A RESOLUTION**

WHEREAS, the White County Board of Commissioners wishes to amend Chapter 58 of the Official Code of White County – being Sign Regulations, and

WHEREAS, there are signs in the county which were in place prior to the sign regulations and this subsequent amendment being enacted, and

WHEREAS, all signs existing prior to January 1, 2011 shall be grandfathered – allowing for existing nonconformances to continue until the business is sold or other circumstances listed in Section 58-13 (Duration and Continuance of Nonconforming Signs), and

WHEREAS, any new business owner will have a period of six (6) months to bring all nonconforming signs into conformance with the White County Sign Regulations, and

WHEREAS, the White County Board of Commissioners wishes to allow for the use of temporary portable signs by any business not to exceed thirty (30) days in a twelve (12) month period, and

WHEREAS, a separate resolution will be adopted designating the applicable sign permit fees as required.

NOW THEREFORE BE IT RESOLVED, that the Official Code of White County, Chapter 58 (Sign Regulations) be amended as follows:

**Sec. 58-7. Prohibited signs.**

The following types of signs or advertising devices are prohibited in the county, except as otherwise specifically provided by this article:

- (1) Abandoned signs.
- (2) Animated signs.
- (3) Inflatable signs, except as specifically permitted under special event sign permit.
- ~~(4) Portable signs;~~
- (4) Roof signs.
- (5) Sidewalk signs.
- (6) Any sign illuminated at such an intensity or brightness which reasonably interferes with the peace, comfort, convenience, and general welfare of residents or occupants of adjacent properties, or which reasonably creates a hazard to operators of motor vehicles.
- (7) Pennants, except as specifically permitted under special event sign permit.
- (8) Streamers and wind-blown devices.

- (9) Signs which imitate an official traffic sign or signal. This includes signs with colored lights and with shapes similar to those for traffic safety signs, used at any location or in any manner so as to be confused with or construed as traffic control devices or traffic safety signs.
- (10) Signs within the right-of-way, including those attached to traffic signs, utility poles, or guy wires, except for those signs exempted by this article and signs erected with permission of the governing body for a public purpose.
- (11) Signs attached to, drawn, or painted upon trees, rocks, or other natural features.
- (12) Advertising displayed on benches, trash cans, telephone booths, and similar devices.
- (13) Strobe, laser, and search lights.
- (14) Any sign placed in such a manner that it obstructs the vision of pedestrians or traffic in a public right-of-way or the entrance of a private street or driveway to a public right-of-way.
- (15) Any sign located so as to obscure or otherwise interfere with the effectiveness of an official traffic sign, signal, or device.
- (16) Any sign erected without the permission of the property owner or their authorized agent or tenant.

**Sec. 58-13. Duration and continuance of nonconforming sign.**

Signs which did not meet all requirements of this article when enacted, or which do not meet provisions of this article at the time of its amendment, may stay in place until one of the following conditions occurs:

- (1) The deterioration of the sign or damage to the sign makes it a hazard;
- (2) No conforming principal use or accessory use ground or wall sign shall be permitted to be erected on the same property with an existing nonconforming sign until the nonconforming sign has been removed or made to conform to the provisions of this article.
- (3) *Upon a change of ownership, the subsequent owner will be granted six (6) months to bring all nonconforming signs into conformance with the White County Sign Regulations.*

**Sec. 58-28. Temporary signs.**

Temporary signs maybe permitted on commercial properties subject to the issuance of a temporary sign permit from the planning director. Such temporary signs shall conform to the following:

- (1) Only one such permit shall be issued on the same property in any calendar year.
- (2) No temporary sign permit shall be valid for more than ~~21~~ 30 days *in a twelve month period.*
- (3) One banner shall be permitted per lot. Banners shall not exceed 32 square feet, nor may it be more than 15 feet in height. Such banner may be temporarily placed or attached to a building wall, window, or ground sign, or it may be freestanding between two poles or stakes.
- (4) One gas or air-filled advertising device may be permitted per lot, not to exceed a height of 15 feet above the ground.
- (5) *Any new business or any change in the ownership of an existing business may obtain a sign permit for a temporary portable sign for the purpose of advertising. These businesses will be allowed to use a temporary portable sign during this first six (6) month period of business.*

**TABLE 58-3**  
**SIGN AREA PERMITTED ON OFFICE-INSTITUTIONAL,**  
**COMMERCIAL AND INDUSTRIAL PROPERTIES**  
 (Numbers provided are maximum square feet per sign)

<b>Type of Sign/Use (Number if More than One Permitted)</b>	<b>Office and Institutional</b>	<b>Commercial and Industrial</b>
Ground sign, lot containing a single non-residential use (1 per road frontage)	24	48
Secondary ground sign, lot containing a single non-residential use only (2 per road frontage)	4	8
Temporary ground sign during the time when a space, unit, building, or land is for sale, rent, or lease, or under construction (1 per road frontage)	16	16
Multi-tenant ground sign, lot containing multiple non-residential or permitted principal uses only (1 per frontage)	48	48
Wall sign, on building containing a single non-residential permitted principal use	20% of sign area	25% of sign area
Window sign, building containing a single non-residential use only	25% of window area	25% of window area
Wall sign on freestanding canopy (1 per canopy wall)	15% of sign area	20% of sign area
Wall sign, on building containing a multiple tenants (non-residential permitted principal use only)	40% of sign area of leased building frontage	50% of sign area of leased building frontage
<i>Portable signs, one per business,</i>	<i>28</i>	<i>28</i>

All other rules, regulations, definitions, etc. contained in said Official Code of White County, not herein amended or deleted, shall remain in full force and effect.

**ADOPTED**, this the 14<sup>th</sup> day of January, 2011.

**WHITE COUNTY BOARD OF COMMISSIONERS**

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

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

s/Lyn Holcomb  
 Lyn Holcomb, District 2

(Opposed)  
Edwin Nix, District 3

(Opposed)  
Craig Bryant, District 4

Attest: s/Shanda Smallwood  
Shanda Smallwood, County Clerk

**WHITE COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION NO. 2011-06**

**APPLICABLE TO CHAPTER 58 (SIGN REGULATIONS)  
OF THE OFFICIAL CODE OF WHITE COUNTY**

**A RESOLUTION**

**WHEREAS**, the White County Board of Commissioners amended Chapter 58 of the Official Code of White County – being Sign Regulations – on January 14, 2011, and

**WHEREAS**, there is a need to clarify the fees associated with Sign Permits and the amending of this code section.

**NOW THEREFORE BE IT RESOLVED**, that the White County Board of Commissioners hereby adopts the following schedule of fees pertaining to the White County Official Code Chapter 58 – Sign Regulations:

- All businesses established prior to January 1, 2011 will be required to pay a one time \$50.00 sign permit fee – regardless of the number of signs – whether conforming or nonconforming;
- Any new business or any change in the ownership of an existing business will be assessed a one time \$50.00 sign permit fee – regardless of the number of signs - with a six (6) month period to bring any existing signs into conformance with the White County Sign Regulations. These businesses will be allowed a use a temporary portable sign during this six (6) month period – with the initial \$50.00 sign permit fee being applied to the permanent conforming signs.;
- Any business may obtain a sign permit for a temporary portable sign for the purpose of advertising for thirty days in a twelve month period – with no additional fee being assessed.

January 14, 2011 – Regular Meeting Minutes

**ADOPTED**, this the 14<sup>th</sup> day of January, 2011.

**WHITE COUNTY BOARD OF COMMISSIONERS**

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

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

s/Lyn Holcomb  
Lyn Holcomb, District 2

(Opposed)  
Edwin Nix, District 3

(Opposed)  
Craig Bryant, District 4

Attest: s/Shanda Smallwood  
Shanda Smallwood, County Clerk

-End of Resolutions as Adopted-

Vicki Mays, Finance Director, presented the Monthly Financial Status Report for November 2010 (see the attached report as presented).

Chairman Turner asked for recommendations for the appointment to the White County Board of Assessors.

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Bryant there was a unanimous vote for Jerry Nicholson to be appointed to the White County Board of Assessors for a three (3) year term to expire December 31, 2013.

Chairman Turner opened the floor for citizen participation.

Debbie Gilbert with the White County News asked what the County's plans for the Animal Control Facility were as she understood the facility was open and being used as a holding area for animals. Specifically she wanted to know about the County's plan for staffing the facility.

Carol Jackson stated the staffing plan for the Animal Control Facility was being worked out and the issues involved should be resolved in the very near future.



January 14, 2011 – Regular Meeting Minutes

Chairman Turner stated the Commissioners would be in attendance at the ACCG Capitol Connection Conference on January 31, 2011 – therefore the Work Session would need to be rescheduled. There was a consensus that the Work Session be rescheduled for Thursday, January 27, 2011 at 1:30 p.m.

Upon a motion made by Commissioner Holcomb, seconded by Commissioner Goodger there was a unanimous vote to enter into Executive Session in order to discuss personnel and litigation.

-See the Following Closed Meeting Affidavit-

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

Chairman Turner stated that at the Work Session scheduled for Thursday, January 27, 2011 – the Board of Commissioners would need to have a Called Meeting following the Work Session in order to consider entering into Executive Session to discuss personnel.

Upon a motion made by Commissioner Nix, seconded by Commissioner Holcomb there was a unanimous vote to adjourn the Regular Meeting of January 14, 2011.

The minutes of the January 14, 2011 Regular Meeting of the White County Board of Commissioners are hereby approved this the 7<sup>th</sup> day of February, 2011.

WHITE COUNTY BOARD OF COMMISSIONERS

s/Travis C. Turner

Travis C. Turner, Chairman

s/Terry D. Goodger

Terry D. Goodger, District 1

s/Lyn Holcomb

Lyn Holcomb, District 2

s/Edwin Nix

Edwin Nix, District 3

s/Craig Bryant

Craig Bryant, District 4

s/Shanda Smallwood

Shanda Smallwood, County Clerk