



Agenda
City Council Meeting
November 13th, 2023
6:30pm

Baldwin Courtroom, 155 Willingham Avenue, Baldwin, GA 30511

Call Meeting to Order

Invocation and Pledge

Swearing In of Mayor Elect Stephanie Almagno

Consent Agenda

- a. Approval of Minutes: Council Meeting 10/23/2023, Special Called Meeting 10/27/2023, Special Called Meeting 11/2/2023, and Work Session 11/6/2023.
- b. Wastewater Treatment Plant Heat Pump Expense: \$5,948.00

Citizen Comments

Public Hearings

Precision Digital SUP – Ordinance [#2023-10132Z](#)

Reports

Old Business

1. Consideration/Approval of 2024 Council Meeting Calendar
2. Consideration/Approval of 1st Reading of Precision Digital SUP Ordinance [#2023-10132Z](#)

New Business

3. Consideration/Approval of Fire Department Nepotism Waiver

Executive Session

Announcements

- a. The City Council Fall Retreat will be November 16th and 17th from 8:00 am - 5:00 pm at 202 Luthi Road, Alto, GA 30510.
- b. The City of Baldwin will be hosting the 2nd Baldwin Thanksgiving Community Potluck on November 23rd from 2:30 pm – 4:30 pm at the Baldwin Fire Department. This potluck is open to all Baldwin residents. We will provide the turkey and ham and ask that you bring your favorite family dish to share. Please reserve a seat by emailing ewoodmaster@cityofbaldwin.org or by texting 470-208-9842.
- c. City Offices will be closed on November 23rd and November 24th in observance of Thanksgiving.

Adjournment

AN ORDINANCE NO. 23-10132Z

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF BALDWIN, GEORGIA, BY GRANTING A SPECIAL USE PERMIT TO ALLOW DATA CENTER, CRYPTOCURRENCY MINING AND HIGH PERFORMANCE COMPUTING BUSINESSES TO ALL THAT TRACT(S) OR PARCEL(S) OF LAND OWNED BY TDB SOUTHERN ENTERPRISES, LLC, AND BEING MAP AND PARCELS 090 008B, 090 015, 090 014 AND 090 013, IN HABERSHAM COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED ON AN AUGUST 24, 2022 PLAT AND PREPARED BY J. SCOTT STROUD, RLS AND BEING RECORDED AT PLAT BOOK 73, PAGE 198 OF THE HABERSHAM COUNTY DEED RECORDS WHICH IS ATTACHED HERETO AND, WHICH IS INCORPORATED BY REFERENCE INTO THIS ORDINANCE, AND CURRENTLY ZONED AS LIGHT INDUSTRIAL (LI) WITH CONDITIONS; REPEALING CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT ORDAINED by the City Council of Baldwin, Georgia as follows:

Section 1. ZONING IMPOSED WITH CONDITIONS.

That from and after the passage of this ordinance the following described lands located within the City of Baldwin shall be zoned and so designated on the zoning map of the City of Baldwin as Light Industrial (LI) District with the following Special Use Permit:

Conditional Use Allowed:

- (1) Data Centers
- (2) Cryptocurrency Mining
- (3) High Performance Computing

36 Conditions:

37 Noise levels will not exceed 100 dB, measured at the property line of TDB Southern
38 Enterprises, LLC.

39 Legal Description:

40 All that tract or parcel of land lying and being in Land Lots 152, 153, 168 and 169 of the
41 10th District of Habersham County, City of Baldwin, Georgia and being designated as PAD 10,
42 containing 14.46 acres, more or less, as shown on a plat of survey for Habersham County
43 Industrial Park prepared by J. Scott Stroud, RLS, under date of August 24, 2022 and being
44 recorded in Plat Book 73, Page 198, Habersham County, Georgia records and which is attached
45 hereto, and incorporated by reference hereof, into this legal description.

46 **Section 2. REPEAL OF CONFLICTING ORDINANCES.**

47 All ordinances and parts of ordinances in conflict herewith are hereby repealed to the
48 extent of the conflict.

49 **Section 3. SEVERABILITY OF PARAGRAPHS.**

50 If any portion of this ordinance shall be invalid or unconstitutional, such invalidity or
51 unconstitutionality shall not affect or impair the remaining portions unless it clearly appears that
52 other parts are wholly and necessarily dependent upon the part held to be invalid or
53 unconstitutional.

54 **Section 4. AMENDMENT TO THE ZONING MAP.**

55 This ordinance is enacted as an amendment to the zoning map of the City of Baldwin.

56 **Section 5. EFFECTIVE DATE.**

57 The effective date of the zoning conditional use imposed by this ordinance shall be on the

58 date the zoning conditional use is approved by the City of Baldwin, by and through its City
59 Council.

60 **SO ORDAINED** this 27th day of November 2023.

61 **BALDWIN CITY COUNCIL**

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64 By: _____
65 Mayor Stephanie Almagno

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69 Council Member Erik Keith

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73 Council Member Theron Ayers

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77 Council Member Maarten Venter

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80 Attest: _____
81 Council Member Alice Venter

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83 _____
84 Erin Gathercoal
85 City Clerk
86

2024 Proposed Council Meetings

January						
Su	Mo	Tu	We	Th	Fr	Sa
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April						
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November						
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March						
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June						
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September						
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December						
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Important Dates	Holiday (\$\$)
Council Meeting	Proposed Event Dates
Work Session	Consider
Council Retreats	Employee Appreciation

- Jan 1 - New Year's Day
- Jan 15 - MLK Jr. Day
- Feb 19 - President's Day
- Mar 29 - Good Friday
- May 27 - Memorial Day

- Jun 19 - Juneteenth
- July 4 - Independence Day
- Sept 2 - Labor Day
- Oct 14 - Columbus Day
- Nov 11 - Veterans Day

- Nov 28 - Thanksgiving
- Nov 29 - Day After Thanksgiving
- Dec 24 - Christmas Eve
- Dec 25 - Christmas Day



Council Calendar 2024

January 9th, 2024 Work Session**
January 16th, 2024 Council Meeting
January 29th, 2024 Council Meeting
February 6th, 2024 Work Session
February 12th, 2024 Council Meeting
February 26th, 2024 Council Meeting
March 5th, 2024 Work Session
March 11th, 2024 Council Meeting
March 25th, 2024 Council Meeting
April 9th, 2024 Work Session**
April 15th, 2024 Council Meeting
April 29th, 2024 Council Meeting
May 7th, 2024 Work Session
May 13th, 2024 Council Meeting
May 28th, 2024 Council Meeting
June 4th, 2024 Work Session
June 10th, 2024 Council Meeting
June 24th, 2024 Council Meeting

July 9th, 2024 Work Session**
July 15th, 2024 Council Meeting
July 29th, 2024 Council Meeting
August 6th, 2024 Work Session
August 12th, 2024 Council Meeting
August 26th, 2024 Council Meeting
September 3rd, 2024 Work Session
September 9th, 2024 Council Meeting
September 23rd, 2024 Council Meeting
October 8th, 2024 Work Session**
October 15th, 2024 Council Meeting
October 28th, 2024 Council Meeting
November 4th, 2024 Work Session
November 12th, 2024 Council Meeting**
November 25th, 2024 Council Meeting
December 3rd, 2024 Work Session
December 9th, 2024 Council Meeting

All meetings are held pursuant to O.C.G.A § 50-14-1(d)(2)

**Unless noted, all Council Meetings and Work Sessions take place at 6:30 pm at The Baldwin Municipal Courtroom
155 Willingham Avenue, Baldwin, GA 30511**

**** These meetings will be at the Baldwin Police Training Center located directly behind the Police Department**

All Council Meetings have a time designated for Public Comments if you would like to address the City Council.

Baldwin Municipal Court

courtclerk@cityofbaldwin.org

*Honorable Judge
Robert Sneed
155 Willingham Avenue
Baldwin, GA 30511*

*Clerk of Court
Susan Newsom
Phone(706) 776-5256 x210
Fax(706)778-0131*



Susan Newsom

Baldwin Municipal Court **2024 Court Calendar Schedule**

Tuesday Court 4:00pm

Wednesday Court 11:00am

January 9, 2024	January 10, 2024
February 13, 2024	February 14, 2024
March 12, 2024	March 13, 2024
April 9, 2024	April 10, 2024
May 14, 2024	May 15, 2024
June 11, 2024	June 12, 2024
July 9, 2024	July 10, 2024
August 13, 2024	August 14, 2024
September 10, 2024	September 11, 2024
October 8, 2024	October 9, 2024
November 12, 2024	November 13, 2024
December 10, 2024	December 11, 2024

GSP- either date but most will write for Tuesday court at 4:00pm

*****Please write for a court date AT LEAST 30 days after the violation.*****



City of Baldwin Human Resources Department

P. O. Box 247
186 Hwy 441 Bypass, Baldwin, GA 30511

Policy Waiver

This is to acknowledge that 1 employee, Hayden Benfield, has been hired on a part-time basis to fill in as needed in the fire department. The employee in question is the son of Assistant Fire Chief Shaun Benfield and is therefore subject to the nepotism policy:

“7. NEPOTISM

7.1 EMPLOYEES

Relatives of employees may be employed within the Baldwin City Government. However, relatives of employees cannot be employed within the same department or within a department providing services, supervision or control city-wide, including Human Resource Office, City Clerk’s Office, Accounts Payable Office, and Finance Department.

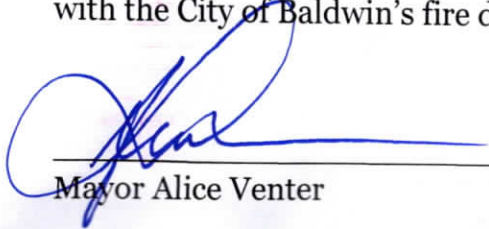
7.2 DEFINITION OF A RELATIVE

Relative shall be defined as immediate family and family related by, as close as first cousins and including father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparent, parents, grandchild, stepmother, stepfather, stepson, stepdaughter, stepsister, stepbrother, or other relative living in the household.

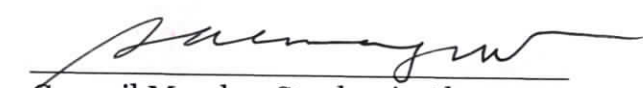
NOTE: The City Council shall have the right to waive the provisions of the nepotism section in situations involving rare and critical skills.”

As stated above, the City Council has the right to waive the nepotism provision in situations involving critical skills. This employee has achieved both NPQ Certification of Firefighter 1 and Emergency Medical Responder.

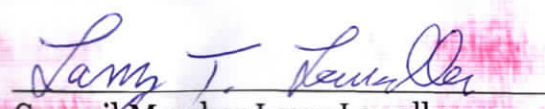
City Council has chosen to allow Hayden Benfield to be employed on a part-time basis with the City of Baldwin’s fire department.



Mayor Alice Venter



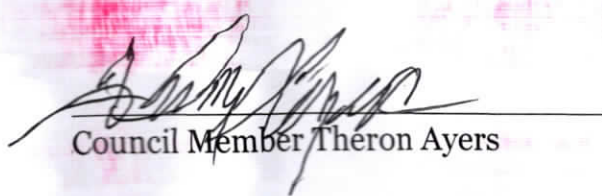
Council Member Stephanie Almagro



Council Member Larry Lewallen



Council Member Maarten Venter



Council Member Theron Ayers

Post 5 Vacant

2/13/2023
Date Approved

The current Public Works building is in dire disrepair and the department is in need of a cleaner and safer space. This project will meet Baldwin's minimum development standards and will last 50 years or more into the future.

Action: A motion was made by Stephanie Almagno to award the Public Works Building Site Development Project to Square Deal Enterprise with a cost not to exceed \$448,757.62 as presented in Resolution #2023-02120R with a second by Larry Lewallen. Motion Carried 4-0.

7. Consideration/Approval of Animal Control Invoice

Woodmaster presented a revised invoice from Habersham County for animal control services from July 2022 to November 2022. The original IGA with Habersham required a 60-day cancellation notice, which was sent in September. The services have been rendered, and Baldwin is contractually obligated to pay \$12,351. Woodmaster recommended paying the expense from the general fund balance.

Action: A motion was made by Stephanie Almagno to approve the Habersham Animal Control Invoice for \$12,351.00 to be expense from the General Fund Balance with a second by Larry Lewallen. Motion Carried 4-0.

8. Consideration/Approval of Fire Department Nepotism Waiver

Woodmaster presented a policy waiver of the nepotism clause from Baldwin's Policies and Procedures manual. Assistant Fire Chief Shaun Benfield's son, Hayden Benfield, is wanting to enter the field and has already obtained Firefighter 1 certification and Emergency Medical Responder certification. On a day-to-day basis, Mr. Benfield would report directly to Chief Roy for any disciplinary or human resource issues, avoiding any conflict of interest with Assistant Chief Benfield.

Chief Roy stated that he would like Benfield to work part-time, filling in while full-time firefighters are off the clock or on PTO. While Benfield needs further training and experience before being considered for full-time employment, he has already achieved two valuable certifications. Chief Roy stated that while he has had many people stop by the fire department expressing interest in working for Baldwin, they have little to no training, and that he is not receiving many applications with the necessary training/experience to fill the open full-time position.

Action: A motion was made by Maarten Venter to invoke the nepotism waiver for Hayden Benfield to be hired for part time for Baldwin fire department with a second by Larry Lewallen. Motion Carried 4-0.



Policy Waiver

This is to acknowledge that 1 employee, Hayden Benfield, has been hired on a full-time basis to fill in as needed in the fire department. The employee in question is the son of Assistant Fire Chief Shaun Benfield and is therefore subject to the following nepotism policy:

7. NEPOTISM

7.1 EMPLOYEES

Relatives of employees may be employed within the Baldwin City Government. However, relatives of employees cannot be employed within the same department or within a department providing services, supervision or control city-wide, including Human Resource Office, City Clerk's Office, Accounts Payable Office, and Finance Department.

7.2 DEFINITION OF A RELATIVE

Relative shall be defined as immediate family and family related by, as close as first cousins and including father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparent, parents, grandchild, stepmother, stepfather, stepson, stepdaughter, stepsister, stepbrother, or other relative living in the household.

NOTE: The City Council shall have the right to waive the provisions of the nepotism section in situations involving rare and critical skills.

As stated above, the City Council has the right to waive the nepotism provision in situations involving critical skills. This employee has achieved the following NPQ Certifications:

- Firefighter 1
- Firefighter 2
- Emergency Medical Responder
- Hazmat Awareness & Operations
- Crash Victim Extractions
- Interior Search & Rescue
- Structural Fire Control
- Apparatus Operator
- Response to Battery Emergencies
- Pressurized Container
- Flammable Liquids

City Council has chosen to allow Hayden Benfield to be employed on a full-time basis with the City of Baldwin's fire department.

Mayor Stephanie Almagno

Council Member Erik Keith

Council Member Theron Ayers

Post 3 Vacant

Council Member Maarten Venter

Council Member Alice Venter

Date Approved