

April 02, 2019

THE HONORABLE BOARD OF COUNTY COMMISSIONERS, MADISON, GEORGIA, MET THIS DAY IN REGULAR SESSION.

PRESENT: Chairman Ronald H. Milton, Vice-Chair Philipp von Hanstein, Commissioners Andy A. Ainslie, Jr., Donald Harris and Ben Riden, Jr.

STAFF: Assistant County Manager Mark Williams, County Attorney Christian Henry and County Clerk Leslie Brandt.

Commissioner Milton, called the meeting to order at 10:00 a.m. and led the Pledge of Allegiance.

Commissioner Ainslie gave the invocation.

APPROVAL OF AGENDA

Motion made by Commissioner von Hanstein, Seconded by Commissioner Riden to approve agenda with the addition of Meeting Time Discussion under new business as item #20. Unanimously Approved.

PRESENTATIONS

Irene Cheyne presented the Identifying Independence and Recovery Needs in Georgia survey.

MINUTES

March 05, 2019 Minutes

March 19, 2019 Minutes

MOTION by Comm. Ainslie seconded by Comm. von Hanstein to approve the minutes for the March 05, 2019 Regular Meeting and the March 19, 2019 Regular Meeting. Unanimously Approved.

CALENDARS

Assistant County Manager, Mark Williams reviewed the calendars for April, May and June 2019.

CONSENT AGENDA

1. Motion to accept as information the March 2019 payables to include General Fund in the amount of \$819,588.72, SPLOST in the amount of \$55,325.98 and General Fund electronic payments in the amount of \$1,697.00 and the March 2019 financials.
2. Motion to accept as information the February 2019 Staff Reports that were presented at the March 19, 2019 Commission Meeting.

MOTION by Comm. Harris, seconded by Comm. Ainslie to approve the consent agenda as presented. Unanimously Approved.

PROPERTY TO BE DECLARED SURPLUS

The following items were presented to be declared surplus property:

PROPERTY TO BE DECLARED SURPLUS AND SOLD

DESCRIPTION	QTY	DEPT
1990 Dodge Ram Wagon VIN: 2B5W35Y5LK744838	1	Ag. Extension
Lateral and Verticle File Cabinets	7	Clerk of Court
2 Drawer Verticle Fire Resistant Cabinet	1	Clerk of Court
Pallet of Toner and Ink for Xerox Copiers	1	IT
1999 Ford F150 VIN: 1FTRF1727XKB66062	1	Public Works
1986 AM General M929A1 Army Dump Truck VIN: C529-0140	1	Public Works
1982 Ford F700 Water Truck VIN: 1FDNR70H8CVA24682	1	Public Works
1991 Chevrolet 2500 Pickup VIN: 1GBGC24J6ME165844	1	Public Works
Leica Rugby 410 Laser Grading system with Exacavator & Dozer Receivers	1	Public Works
1988 Ford F-350 VIN: 2FTJW35M7JCB24440	1	Sheriff's Office
1974 MG Convertible VIN: GHN5UE331481G	1	Sheriff's Office
7 x 18 Double Axle Trailer VIN: 4TOFB182341003295	1	Sheriff's Office
2006 Ford Freestar Minivan VIN: 2FMZA52256BA65557	1	Sheriff's Office
2005 Honda Civic VIN: 1HGCM66555A002188	1	Sheriff's Office
4 Drawer Verticle Fire Resistant Cabinet	1	Tax Commissioners

MOTION by Comm. Riden, seconded by Comm. Harris to declare the items presented as surplus property. Unanimously Approved.

COUNTY MANAGER'S REPORT

Assistant County Manager, Mark Williams, presented a monthly overview of Morgan County government's current projects and/or issues. (COPY: Miscellaneous Book)

BOC MEETING TIME DISCUSSION

The Board discussed moving the BOC meeting times.

PUBLIC COMMENTS ON AGENDA ITEMS

Public comments were made by:
Wilbur Bohlen, Morgan County Resident

SANDY CREEK BAPTIST CHURCH IS REQUESTING CONDITIONAL USE APPROVAL TO BUILDING A PAVILION ON 1.42 ACRES LOCATED AT 4620 SANDY CREEK ROAD (TAX PARCEL 017-016A)

Senior Planner, Tara Cooner stated the requested pavilion is partially constructed already. The church stopped work to come through the approval process. It is located behind the church and cemetery, beside the activity building. At the Planning Commission meeting, Charles McClain spoke on behalf of the church and stated that the pavilion will be used for picnics and BBQs. Mack Bohlen spoke in favor of the application. No one spoke in opposition. The Planning office received a couple of inquiries about the sign, but no complaints about the application. The Planning commission voted unanimously to recommend approval of the conditional use request for a pavilion at Sandy Creek Baptist Church.

No one spoke in favor of, or in opposition to, the application.

Motion made by Commissioner Riden, Seconded by Commissioner Ainslie to approve the conditional use to build a pavilion on 1.42 acres located at 4620 Sandy Creek Road (tax parcel 017-016a) as presented. Unanimously Approved.

RICK SMITH ON BEHALF OF CENTER POINTE CHURCH IS REQUESTING CONDITIONAL USE APPROVAL TO CONSTRUCT A CHURCH ON 3.08 ACRES LOCATED ON OLD BUCKHEAD ROAD (TAX PARCEL 036-063)

Senior Planner, Tara Cooner stated this application is to construct a new church on Old Buckhead Road, between the therapy center and Daystar child care, across from the Aquatic Center parking lot. The address given on the application, actually belongs to the small house on the property. The church submitted a floorplan for the church and a site plan showing the proposed parking. Staff will review those drawings for code compliance when building permit applications are submitted. The site plan shows the entrance for the church directly across from College Drive. Staff was concerned about traffic and had suggested moving the driveway to the opposite end of the property, but the Planning Commission felt that traffic during church hours would be too insignificant to request the modification. The submitted site plan and application meets the requirements for a stand-alone church, as stated in Chapter 7.19 of the Morgan County Zoning Ordinance. There is floodplain on the property, but it should not affect the church building. At the Planning Commission meeting, Pastor Rick Smith spoke on behalf of the application. The Planning Commission received no phone calls about the advertising. The Planning Commission voted unanimously to recommend approval of the conditional use request to construct a new church on Old Buckhead Road.

No one spoke in favor of, or in opposition to, the application.

Motion made by Commissioner Harris, Seconded by Commissioner Ainslie to approve the conditional use to construct a church on 3.08 acres located on Old Buckhead Road (tax parcel 036-063) as presented. Unanimously Approved.

EDWARD MCDUFFIE IS REQUESTING CONDITIONAL USE APPROVAL TO OPERATE AN EVENT FACILITY ON 58.55 ACRES LOCATED AT 2761 ATHENS HIGHWAY (025-065)

Senior Planner, Tara Cooner stated this property has generated numerous questions over the last month or so because of its visibility from Athens Highway. The structure is 4,337 square feet with an 860 square foot porch. The event space inside the building is 2,800 square feet with a non-fixed seat occupancy of 186. The location of the structure meets the regulations of Chapter 7.32 of the Morgan County Zoning Ordinance, as does the two proposed areas for tent locations. There is an equipment barn on the property that is within the 500' buffer to an adjacent residence, but it will not be used as an event space. Staff's main concern was the access road across the dam. Planning Commission's main concern was the danger of accidents entering or exiting the property due to excessive speeds on that part of the highway. They were equally concerned, for the same reason, about using VFW Lane as an entrance. The Planning Commission, at their work session, asked Staff to contact DOT about the need for a decel or accel lane. Planning Director, Chuck Jarrell called and left a message with DOT but received no return call. Mr. McDuffie was present to answer questions and pointed out that other assembly

uses were located nearby, including two churches, who pulled out into the same traffic. He stated that he did not intend to have all event guests drive over the dam, only those with mobility issues or affiliated with the bridal party. All others would park on the highway side of the pond and walk across the dam. He explained his plans for a DOT compliant guardrail at the dam and landscape lighting at the entrance. He also noted that he will use a professional event coordinator for the business.

Rick and Mindy Burns, Wilbur Bohlen, Jennifer Moody and Mack Bohlen spoke in opposition to the application at the Planning Commission meeting. Their main concerns were noise and traffic. They stated that they had heard gunshots from the property and expressed fears of gun related events and drinking. Regarding the traffic, they are worried about the danger of entering and exiting the property from the Highway and how traffic would affect VFW Lane. The Planning Commission discussed the possibility of low voltage lighting at the entrance to let guests know the entrance is approaching and the narrowness of VFW Lane. The Planning Commission voted unanimously to recommend approval of the conditional use application for an Event Facility with the following conditions: 1. VFW Lane to be used as an emergency access/exit only. 2. Applicant to submit lighting plan to be approved by the Director of Planning & Development. 3. Applicant to install DOT approved guardrail on both sides of the dam.

After the Planning Commission meeting, the Planning office began researching a gun-related activity ordinance that would cover situations like gun ranges or skeet shooting events. Considering Morgan County currently has no gun related event regulations, Staff asks that you consider an additional condition prohibiting gun related events or events involving shooting. Staff also received a phone call yesterday from Wilbur Bohlen, requesting that the application be tabled until DOT can be contacted for a determination about whether an accel or decel lane is needed.

CHAIRMAN MILTON ALLOWED OPPONENTS TO SPEAK

The following Morgan County residents spoke in opposition: Wilbur Bohlen, Jennifer Moody, Mack Bohlen and Gary Savage. Citizens voiced their concern about traffic congestion and accidents, noise pollution and shooting related events. The citizens also expressed concern about the single lane road into the facility in the event of an emergency.

CHAIRMAN MILTON ALLOWED PROPONENTS TO SPEAK

Edward McDuffie spoke in favor of the facility. Mr. McDuffie clarified that he does not intend to have any shooting events on his property. He stated that he would have one or two events a month that would accommodate up to 350 people.

Motion made by Commissioner Harris, Seconded by Commissioner Ainslie to table the request for a conditional use approval to operate an event facility on 58.55 acres located at 2761 Athens Highway (025-065) until the May 7, 2019 BOC meeting. Unanimously Approved.

MARVIN GRAHAM IS REQUESTING CONDITIONAL USE APPROVAL TO PLACE A SINGLE WIDE MANUFACTURED HOME ON 1 ACRE LOCATED AT 1691 CEDAR GROVE ROAD (TAX PARCEL 059-036)

Senior Planner, Tara Cooner stated the home located on the property was destroyed by fire in January of this year. A couple of local churches are working together to help the two brothers who lived here and have found a single wide mobile home. While double wide homes are permitted in AR zoning, single wide homes are a conditional use. At the Planning Commission meeting, Leon Peters spoke on behalf of the application and stated that the churches and several individuals have reached out to help. There are already 3 single wide homes in the vicinity on Cedar Grove Road, so approval would not set a precedent. The Planning Commission voted unanimously to recommend approval of the conditional use request for a single wide mobile home on Cedar Grove Road. Yesterday, the Planning office received a complaint about garbage on the back of the property. Code Enforcement made a site visit and found several large piles of garbage bags and tires. Staff suggests that a condition be added that the garbage has to be removed from the site prior to the moving in the new home.

No one spoke in favor of, or in opposition to, the application.

Motion made by Commissioner von Hanstein, Seconded by Commissioner Harris to approve the conditional use to place a single wide manufactured home on 1 acre located at 1691 Cedar Grove Road (tax parcel 059-036) as presented. Unanimously Approved.

MORGAN COUNTY PLANNING & DEVELOPMENT IS REQUESTING TO REZONE 2 ACRES LOCATED AT CORNER OF LOWER APALACHEE ROAD AND MORRIS ROAD, FROM LIGHT INDUSTRIAL (I1) TO AGRICULTURAL RESIDENTIAL (AR) (TAX PARCEL 035-092)

No one spoke in favor of, or in opposition to, the application.

Motion made by Commissioner Riden, Seconded by Commissioner Harris to rezone 2 acres located at corner of Lower Apalachee Road and Morris Road, from Light Industrial (I1) to Agricultural Residential (AR) (tax parcel 035-092) as presented. Unanimously Approved.

MORGAN COUNTY PLANNING & DEVELOPMENT IS REQUESTING TO REZONE 2.89 ACRES LOCATED ON MORRIS ROAD, FROM LIGHT INDUSTRIAL (I1) TO AGRICULTURAL RESIDENTIAL (AR) (TAX PARCEL 035-092B)

No one spoke in favor of, or in opposition to, the application.

Motion made by Commissioner Riden, Seconded by Commissioner Harris to rezone 2.89 acres located on Morris Road, from Light Industrial (I1) to Agricultural Residential (AR) (tax parcel 035-092B) as presented. Unanimously Approved.

MORGAN COUNTY PLANNING & DEVELOPMENT IS REQUESTING TO REZONE 10 ACRES LOCATED ON MORRIS ROAD, FROM LIGHT INDUSTRIAL (I1) TO AGRICULTURAL RESIDENTIAL (AR) (TAX PARCEL 035-092E)

No one spoke in favor of, or in opposition to, the application.

Motion made by Commissioner Riden, Seconded by Commissioner Harris to rezone 10 acres located on Morris road, from Light Industrial (I1) to Agricultural Residential (AR) (tax parcel 035-092E) as presented. Unanimously Approved.

MORGAN COUNTY PLANNING & DEVELOPMENT IS REQUESTING TO REZONE 3.2 ACRES LOCATED 1381 MORRIS ROAD, FROM LIGHT INDUSTRIAL (I1) TO AGRICULTURAL RESIDENTIAL (AR) (TAX PARCEL 035-092F)

No one spoke in favor of, or in opposition to, the application.

Motion made by Commissioner Riden, Seconded by Commissioner Harris to rezone 3.2 acres located 1381 Morris Road, from Light Industrial (I1) to Agricultural Residential (AR) (tax parcel 035-092F) as presented. Unanimously Approved.

MORGAN COUNTY PLANNING & DEVELOPMENT IS REQUESTING TO REZONE 3.09 ACRES LOCATED ON MORRIS ROAD, FROM LIGHT INDUSTRIAL (I1) TO AGRICULTURAL RESIDENTIAL (AR) (TAX PARCEL 035-092G)

No one spoke in favor of, or in opposition to, the application.

Motion made by Commissioner Riden, Seconded by Commissioner Harris to rezone 3.09 acres located on Morris Road, from Light Industrial (I1) to Agricultural Residential (AR) (tax parcel 035-092G) as presented. Unanimously Approved.

MORGAN COUNTY PLANNING & DEVELOPMENT IS REQUESTING TO REZONE 2.14 ACRES LOCATED ON MORRIS ROAD, FROM LIGHT INDUSTRIAL (I1) TO AGRICULTURAL RESIDENTIAL (AR) (TAX PARCEL 035-092H)

No one spoke in favor of, or in opposition to, the application.

Motion made by Commissioner Riden, Seconded by Commissioner Harris to rezone 2.14 acres located on Morris Road, from Light Industrial (I1) to Agricultural Residential (AR) (tax parcel 035-092H) as presented. Unanimously Approved.

MORGAN COUNTY PLANNING & DEVELOPMENT IS REQUESTING TO REZONE 3.26 ACRES LOCATED ON MORRIS ROAD, FROM LIGHT INDUSTRIAL (I1) TO AGRICULTURAL RESIDENTIAL (AR) (TAX PARCEL 035-092I)

No one spoke in favor of, or in opposition to, the application.

Motion made by Commissioner Riden, Seconded by Commissioner Harris to rezone 3.26 acres located on Morris Road, from Light Industrial (I1) to agricultural residential (AR) (tax parcel 035-092I) as presented. Unanimously Approved.

MOTION by Comm. Ainslie, seconded by Comm. Riden to exit regular session. Unanimously Approved.

MOTION by Comm. Ainslie, seconded by Comm. Riden to adjourn. Unanimously Approved.

Ronald H. Milton, Chairman

ATTEST:

Leslie Brandt, County Clerk