



MORGAN COUNTY COMMISSION

A G E N D A

August 06, 2024

10:00 AM

150 East Washington Street, Madison, GA
2nd Floor Board Room

Pledge and Invocation

Agenda Approval

Minutes

1. July 16, 2024 BOC Meeting

Planning Commission Unfinished Business

2. Wes Bancroft, on behalf of Towers, LLC, is requesting conditional use approval for a telecommunications tower on 149.6 acres located on Paxon Dairy Road (Tax Parcel 007-026).

Planning Commission New Business

3. Sean Fairplay Properties, LLC is requesting a variance to the setback requirements for a fuel station for 2.01 acres located on Fairplay Road (Tax Parcel 010-065C).

4. Julia Chesney is requesting conditional use approval for a Farmstay on 10 acres located at 1401 Beaverdam Road (Tax Parcel 016-046).

Unfinished Business

5. Traffic control signs to improve safety in Riverwalk Subdivision.

New Business

6. Alcohol License for Hirenkumar Patel at Apalachee 2024 Inc., 1010 Apalachee River Road

7. Alcohol License for Ghanshyam Das at Nadia Gas Express, LLC. dba Fairplay General Store at 2700 Fairplay Road.

8. Resolution to Levy Taxes for the Fiscal Year 2025 and Tax Year 2024 - 2024-RES-007

9. Farmland Protection Advisory Board Bylaws

10. 2024 Pavement Preservation Project

11. Property to be Declared Surplus

12. County Manager Report

13. Public Comments on Agenda Items

14. Commissioner Comments

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

MEETING WAS HELD ON THE SECOND FLOOR OF THE ADMINISTRATION BUILDING.

PRESENT: Chairman Bill Kurtz, Vice-Chair Blake McCormack, Commissioners Philipp von Hanstein, and Ben Riden, Jr.

ABSENT: Commissioner Donald Harris

STAFF: County Manager Adam Mestres, Assistant County Manager Mark Williams, County Attorney Christian Henry, and County Clerk Kim Cox.

The meeting was called to order at 5:00 p.m., followed by the Pledge of Allegiance and Invocation.

AGENDA APPROVAL

Motion by Commissioner Riden, Seconded by Commissioner McCormack to approve the agenda as presented. Motion Passed Unanimously.

PRESENTATIONS

Matt Schulze gave an update on the electronic sign at the Recreation Department.

MINUTES

July 2, 2024, BOC Meeting

Motion by Commissioner Riden, Seconded by Commissioner McCormack to approve the minutes as presented. Motion Passed Unanimously.

TBS CONTRACT RENEWAL

The Tax Assessor office contracts with Traylor Business Services (TBS) to conduct personal property audits. The current contract with TBS expired on June 30, 2024. Requesting to renew the contract with TBS to begin July 1, 2024, to run for twelve months. If neither party is in default, the agreement will automatically renew itself for successive periods of one year unless either of the parties furnishes the other written notice to the contrary. There are no changes to the budgeted amount for TBS services.

The county attorney has reviewed and approved the contract.

MOTION by Commissioner Riden, seconded by Commissioner von Hanstein to approve contract renewal and an addendum with TBS to begin July 1, 2024. Motion Passed Unanimously.

DEEN'S LLC CONTRACT FOR SERVICES

During budget discussions, it was recommended that the Tax Assessors office contract services for personal property for the FY25 budget year with Deen's LLC. This was discussed with the Chief Appraiser Robert Bailey and a couple of members of the BOA.

This service contract will need to be approved by the BOC and BOA.

MOTION by Commissioner Riden, seconded by Commissioner von Hanstein to approve the contract for services and an addendum with Deens, LLC. Motion Passed Unanimously.

LETTER OF APPROVAL TO C.W. MATHEWS TO ALLOW THEM TO TEMPORARY CLOSE OLD MILL ROAD TO THROUGH TRAFFIC AND DETOUR TRAFFIC DURING THE REALIGNMENT OF OLD MILL ROAD TO THE NEW BRIDGE OVER I-20

C.W. Mathews has been awarded the contract to build the new bridge and interchange at I-20 and Old Mill Road.

The new bridge and interchange construction should not interfere with traffic on the existing Old Mill Road until it is time to start construction of the realignment of the existing Old Mill Road to the new bridge.

C. W. Mathews has asked to temporarily close Old Mill Road to through traffic during the realignment of the roadway. It is estimated that the closure will be no more than 90 days and according to their schedule, the closure would be sometime in June of 2025.

The acknowledgment letter was prepared by C.W. Mathews and modified by the Planning and Zoning Department for Morgan County Commissioners to approve the temporary closure of Old Mill Road to through traffic from Newborn Road to Davis Academy Road and detour traffic per the attached plan.

MOTION by Commissioner Riden, seconded by Commissioner von Hanstein to approve the chairman to sign the acknowledgment letter for the closure and to detour the traffic per the presented plan. Motion Passed 2-1 with Commissioner McCormack abstaining from the vote.

TRAFFIC CONTROL SIGNS TO IMPROVE SAFETY IN THE RIVERWALK SUBDIVISION

Planning and Zoning Director Chuck Jarrell addressed the board and stated on March 16, 2024, a resident of the Riverwalk subdivision sent an email to Roads and Bridges to request additional traffic signs. Roads and Bridges reached out for assistance with determining if additional signs are warranted.

The Planning and Zoning Department conducted a site visit to inventory existing signs and their condition within the subdivision. A sight-distance survey was also conducted of all of the street intersections within the subdivision. Code Enforcement installed the traffic/speed counters on Riverwalk Road and Riverbanks Road to determine the amount of traffic and speed of vehicles that were traveling on these roads. Discussions were also had with the Sheriff's office concerning complaints of vehicles speeding within the neighborhood.

Staff recommendations

1. Clean or replace existing signs within the Riverwalk subdivision.
2. Replace the "Slow Children at Play" sign.
3. Install "Equestrian" signs at each end of Riverbanks Road.
4. Make the intersection of Riverwalk Road and Riverwalk Road a 3-way stop. This would include installing "Stop Ahead:" and "Stop" signs on the North and South bound lanes of Riverwalk Road.
5. Install a "Speed Limit 25 MPH" sign South of the Riverbanks Road southernmost intersection on Riverwalk Road.
6. Continue to have Sheriff Officers patrol the subdivision for vehicles exceeding the speed limit.

MOTION by Commissioner Riden, seconded by Commissioner McCormack to table the request until the August 6, 2024, BOC meeting. Motion Passed Unanimously

RESOLUTION 2024-RES-006 - FARMLAND PROTECTION PROGRAM

Earlier this year the Madison-Morgan County Conservancy presented for the Board's consideration a request to create a Farmland Protection Program which would assist landowners with placing certain eligible properties into permanent conservation easements. The Board did express interest in moving forward with the program as long as no direct property tax dollars were being used to

assist in the funding. After further discussion with the Board, it was determined that the allocation of PILOT payments from Meta could assist in the funding effort.

If the resolution is approved it would be the framework for the Farmland Protection Program.

MOTION by Commissioner McCormack, seconded by Commissioner von Hanstein to approve Resolution 2024-RES-006 as presented. Motion Passed Unanimously

PUBLIC COMMENTS ON AGENDA ITEMS

JoEllen Artz made a public comment about the Old Mill Rd. closure.

COMMISSIONER COMMENTS

Commissioners made comments and gave updates on liaison assignments.

MOTION by Commissioner McCormack, seconded by Commissioner von Hanstein to exit the regular session and adjourn at 5:56 p.m. Motion Passed Unanimously.

Bill Kurtz, Chairman

ATTEST:

Kim Cox, County Clerk



MORGAN COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date: mm/dd/yyyy

Type of Request:

Wording for the Agenda:

Wes Bancroft, on behalf of Towers, LLC, is requesting conditional use approval for a telecommunications tower on 149.6 acres located on Paxon Dairy Road (Tax Parcel 007-026).

Background/History/Details:

July 2, 2024 the Board of Commissioners tabled the request from Wes Bancroft, on behalf of Towers, LLC for a new cell tower to be located on 149.6 acres located on Paxon Dairy Road (Tax Parcel 007-026). Neither the applicant nor the opposition was at the BOC meeting.

June 27, 2024 the Planning Commission heard the application request for the subject property. Staff presented the staff report to the Planning Commission and noted that the application was almost identical to an application approved in 2020. The 2020 approved tower was not constructed within the time frame allowed by the ordinance and the approval expired.

The applicants representative spoke in favor of the request and agreed to the staff conditions that a engineered analysis and landscaping plan submittal with the building permit application.

John and Tricia Bostwick spoke in opposition to the application, stating that the proposed tower location would be adjacent to their future home place, in which they have already invested.

The Planning Commission recommended denial of the application by a vote of 8-0, with the recommendation to the BOC to recommend to the applicant to investigate relocating the tower across Paxon Dairy Road or elsewhere on the subject property.

What action are you seeking from the Board of Commissioners?

The applicant has requested that the application be tabled/deferred until the September 3, 2024 BOC meeting to give them time to address the information requested. See attached Email chain.

If this item requires funding, please describe:

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Approved by Purchasing

Manager's Approval

Staff Notes:

IVY N. CADLE, SHAREHOLDER
Direct Dial: 478-765-1823
E-Mail Address: icadle@bakerdonelson.com

July 31, 2024

Via Email to Christian Henry, County Attorney

County Commission of Morgan County
c/o chenry@hallboothsmith.com
150 East Washington Street
Madison, Georgia 30650

Re: Request for Conditional Use Permit for a Wireless Telecom. Facility
Located on Tax Parcel 007 026 on Pricemill Road
Site Name: Pricemill Road

Dear Christian:

While Verizon Wireless is optimistic that the County's consideration of the Application will be conducted in a constitutional and legal manner, Verizon Wireless hereby notifies Morgan County of its constitutional concerns. If the Morgan County Commission denies the Application for a Conditional Use Permit for the placement of a telecommunications tower to be located on Pricemill Road on Tax Parcel 007 026 ("Application") in whole or in part, then the Property does not have a reasonable economic use under the Morgan County Zoning Ordinance.

The Application meets the test set out by the Georgia Supreme Court to be used in establishing the constitutional balance between private property rights and zoning as an expression of the government's police power. See *Guhl vs. Holcomb Bridge Road*, 238 Ga. 322 (1977). If the County denies the Application in whole or in part, such an action will deprive Applicant and Owner of the ability to use the Property in accordance with its highest and best use. Similarly, if the County limits its approval of the Application by attaching conditions thereto affecting any portion of the Property or the use thereof, either of such actions being taken without Applicant's consent, then such action would deprive Applicant and Owner of any reasonable use and development of the Property. Any such action is unconstitutional and will result in a taking of property rights in violation of the just compensation clause of the Constitution of the State of Georgia (see Ga. Const. 1983, Art. I, § 3, para. 1(a)), and the just compensation clause of the Fifth Amendment to the United States Constitution (see U.S. Const. Amend. 5).

To the extent that the Zoning Ordinance allows such an action by the County, the Zoning Ordinance is unconstitutional. Any such denial or conditional approval would

4885-4791-8292

discriminate between Applicant and Owner and owners of similarly situated property in an arbitrary, capricious, unreasonable and unconstitutional manner in violation of Article I, Section I, Paragraph 2 of the Georgia Constitution and the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution.

Finally, a denial or a conditional approval of the Application (with conditions not expressly approved by Applicant) would constitute a gross abuse of discretion and an unconstitutional violation of Applicant's rights to substantive and procedural due process as guaranteed by the Georgia Constitution (see Ga. Const. 1983, Art. I, § 1, para. 1) and the Fifth and Fourteenth Amendments of the United States Constitution (see U.S. Const. Amend. 5 and 14). Applicant further challenges the constitutionality and enforceability of the Zoning Ordinance for lack of objective standards, guidelines or criteria limiting the County's discretion in deciding such applications.

Furthermore, the Telecommunications Act of 1996, codified at 47 U.S.C. § 332(c) (the "1996 TCA") was intended to "promote competition and reduce regulation in order to secure lower prices and higher quality services for American telecommunications consumers and encourage the rapid deployment of new telecommunications technologies." Preamble to 1996 TCA. The primary mechanisms used by the 1996 TCA to "promote competition and reduce regulation" are prohibitions against local regulations that (i) "unreasonably discriminate among providers of functionally equivalent services" or (ii) "prohibit or have the effect of prohibiting the provision of personal wireless services." 47 U.S.C. § 332(c)(7)(B). Also, section 253 of the 1996 TCA provides that "no State or local statute or regulation ...may prohibit or have the effect of prohibiting the ability of any entity to provide any interstate or intrastate telecommunications service." The County may violate the 1996 TCA on all three grounds if it denies the Application.

Nevertheless, Applicant remains optimistic that the County's consideration of the Application will be conducted in a constitutional and legal manner.

Sincerely yours,

BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, PC



Ivy N. Cadle

From: [Cadle, Ivy](#)
To: [Chuck Jarrell](#)
Cc: [Rotenstreich, Andy](#); [Christian G. Henry Esq. \(chenry@hallboothsmith.com\)](#)
Subject: Re: Hearing Deferral Request for Proposed Tower on Paxon Dairy Road
Date: Thursday, August 1, 2024 1:26:12 PM

Thank you!

Ivy Cadle, Esq. CRE CPA | Baker Donelson | [404-956-3233](tel:404-956-3233)

From: Chuck Jarrell <cjarrell@morgancountyga.gov>
Sent: Thursday, August 1, 2024 11:49:23 AM
To: Cadle, Ivy <icadle@bakerdonelson.com>
Cc: Rotenstreich, Andy <arotenstreich@bakerdonelson.com>; Christian G. Henry Esq. (chenry@hallboothsmith.com) <chenry@hallboothsmith.com>
Subject: RE: Hearing Deferral Request for Proposed Tower on Paxon Dairy Road

Mr. Cadle,

I will remove the application from the August 6th Board of Commissioners meeting and place it on the September 3rd meeting.

Best,

Chuck Jarrell
Director
Morgan County Planning and Development
Post Office Box 1357
150 East Washington Street, Suite 200
Madison, Georgia 30650
cjarrell@morgancountyga.gov
Office: (706) 342-4373

From: Cadle, Ivy <icadle@bakerdonelson.com>
Sent: Wednesday, July 31, 2024 5:52 PM
To: Chuck Jarrell <cjarrell@morgancountyga.gov>
Cc: Rotenstreich, Andy <arotenstreich@bakerdonelson.com>; Christian G. Henry Esq. (chenry@hallboothsmith.com) <chenry@hallboothsmith.com>
Subject: RE: Hearing Deferral Request for Proposed Tower on Paxon Dairy Road

Chuck,

To follow up on this, we would ask to be deferred until the first meeting in September so we can have time to respond to the various things you and I discussed.

Best,
Ivy

Ivy Cadle, Esq. CPA CRE | Baker Donelson | 404-956-3233

From: Cadle, Ivy
Sent: Wednesday, July 31, 2024 4:12 PM
To: Chuck Jarrell cjarrell@morgancountyga.gov <cjarrell@morgancountyga.gov>
Cc: Rotenstreich, Andy <arotenstreich@bakerdonelson.com>; Christian G. Henry Esq. (chenry@hallboothsmith.com) <chenry@hallboothsmith.com>
Subject: Hearing Deferral Request for Proposed Tower on Paxon Dairy Road

Mr. Jarrell,

Thank you for speaking with me several times today. I appreciate it.

As we discussed, I'm writing to request a deferral. To that end, I ask that the hearing on the remaining questions for the conditional use application for a telecommunications tower on Tax Parcel 007 026, near the intersection of Paxon Dairy Road and Price Mill Road, be deferred until the next meeting of the Morgan County Commissioners.

I appreciate your consideration of this request and I look forward to hearing from you tomorrow morning when you return to the office.

Best,
Ivy

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62nd President of the State Bar of Georgia
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Macon, Georgia 30128-5047

Baker, Donelson, Bearman, Caldwell & Berkowitz, PC represents clients across the U.S. and abroad from offices in Alabama, Florida, Georgia, Louisiana, Maryland, Mississippi, South Carolina, Tennessee, Texas, North Carolina, and Washington, D.C.

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MORGAN COUNTY PLANNING AND DEVELOPMENT

150 East Washington Street, Suite 200
P.O. Box 1357
Madison, Georgia 30650
(706)342-4373 Office · (706)343-6455 Fax

Memorandum

Date: July 25, 2024
To: Morgan County Board of Commissioners
From: Tara Cooner
RE: August Planning Commission recommendations

The following is a summary of Planning Commission discussions and recommendations from the July 25, 2024 Planning Commission meeting.

- I. Sean Fairplay Properties, LLC is requesting a variance to the setback requirements for a fuel station for 2.01 acres located on Fairplay Road (Tax Parcel 010-065C).

This variance request is in relation to the placement of a fuel station at the corner of Prospect Road and Fairplay Road, catty-corner to Fairplay Grocery, which is another convenience store owned by the applicant. The variance is requested because fuel stations (any structure on the property) require a 300' setback from residential property lines. The subject property is only 245 feet wide and has AR zoning on two sides. Staff explained the reason for the large setback is to protect nearby residences from off-site impacts such as light and noise pollution, traffic and possible environmental issues from fuel tanks. The closest residence is 45' from the property line and there are 33 residences within 2000' of the subject property. The proximity of an existing convenience store with fuel pumps was discussed. Fairplay Grocery's fuel pumps are not currently operational. Test wells in the area are present to monitor ground contamination from potentially leaking tanks. However, the applicant says the tanks are currently not functional because they are too small and require refilling too frequently. The applicant is seeking the elimination of the 300' setback and requesting to use only the typical commercial setback of 50'. Per the submitted site plan, the structures for the proposed convenience store and fuel station must sit right on the 50' setback line to fit on the property.

Karim Ali, applicant, stated that gas was needed in the area and he did not intend to repair the tanks at the existing fuel station. He refused to answer Planning Commission's question to confirm that the existing tanks were leaking and simply stated that they were shut down. When questioned about hours, he said Fairplay Grocery was open 7am to 9pm, but the new station would be open 5am to 11pm.

Randy Minor (owns 2650 Fairplay Road, 3971 Fairplay Road and 3500 Prospect Road) expressed concerns about lights, noise, traffic and the impact on her historic properties (Ponder House) due to the sight distance to the proposed fuel station.

Darlene Brooks (1021 Armistead Road) stated that Fairplay Grocery created noise and light pollution and did not want a larger station in her back yard.

Mack Bohlen (2261 Propsect Road) and Larry Carter (1081 Armistead Road) did not favor or oppose the application but provided history of the area.

The Planning Commission was concerned that elimination of the 300' protective setback would create a precedent and prevent its enforcement for future projects. They stated the request was not a hardship but was simply an attempt to put the project on a property that was too small. The vote was unanimous to recommend denial of the request for a variance to the 300' setback required for fuel stations for 2.01 acres at the corner of Fairplay Road and Prospect Road.

- II. Julia Chesney is requesting conditional use approval for a Farmstay on 10 acres located at 1401 Beaverdam Road (Tax Parcel 016-046).

The applicant provided maps and information about the required agricultural education to qualify as a farmstay. The application meets the requirements of Chapter 7.33 Farmstays. The applicant proposes 3 guest rooms, including one room in the main dwelling with a private bathroom and two yurts with outdoor showers and composting toilets. Morgan County already has one farmstay with an outdoor shower. Composting toilets will be within the purview of the Health Department. Staff concerns are that the two yurts and one other building have been constructed or remodeled without permits.

Julia and Matt Chesney, applicants, explained that they were transitioning from military service and wanted to educate the community about farming. They stated that the unpermitted construction was done prior to their purchase of the property, but they agreed that the structures needed to be inspected and made safe for guests.

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

The Planning Commission voted unanimously to recommend approval of the conditional use application for a farmstay at 1401 Beaverdam Road with the conditions that all structures that have been constructed or modified without permits must be inspected and CO'ed, and the property must pass a safety inspection, prior to the issuance of an Occupational Tax Certificate.



STAFF REPORT

MORGAN COUNTY PLANNING COMMISSION

PETITION FOR: VARIANCE-SETBACK FOR FUEL STATION

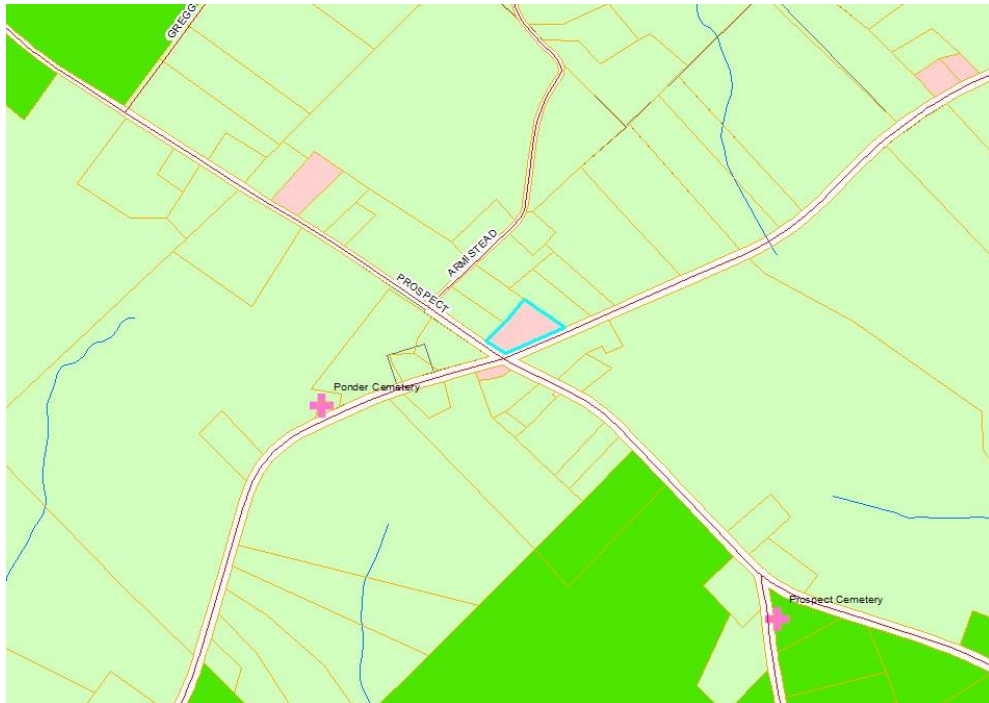
Property location: Intersection of Fairplay Road and Prospect Road
Property tax parcel: 101-065C
Acreage: 2.01 acres
Applicant: Sean Fairplay Properties, LLC
Property Owner: Sean Fairplay Properties, LLC
Existing Use: Vacant
Variance: Convenience store with fuel

Summary

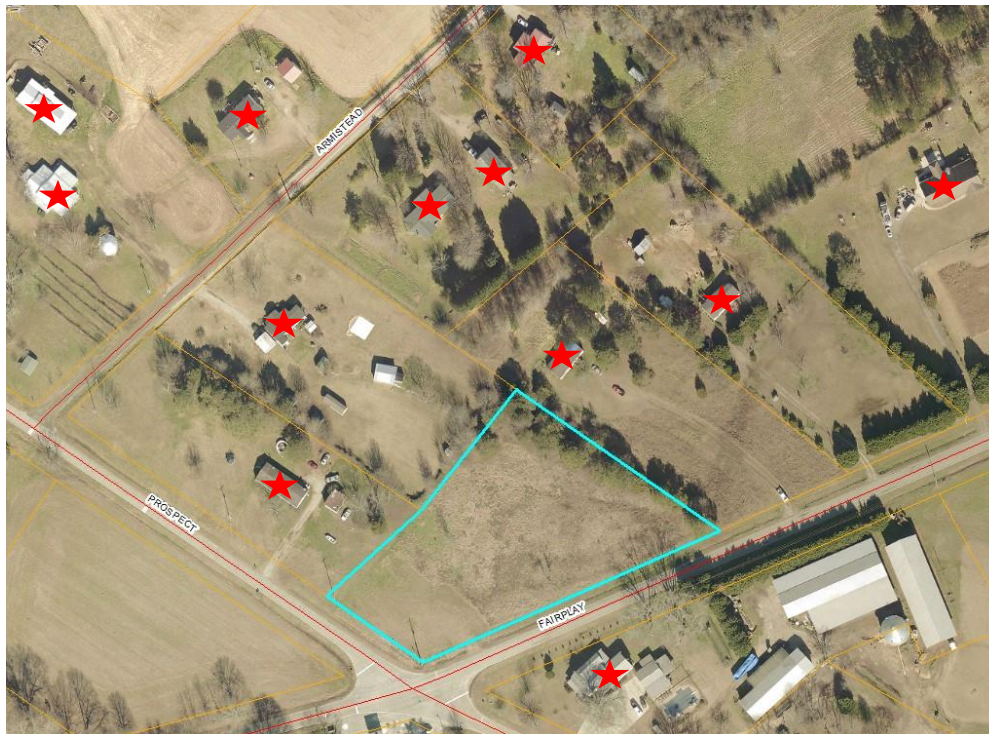


Sean Fairplay Properties, LLC is requesting a variance to the setbacks for a fuel station. The applicant proposes to construct a convenience store and fuel station on 2.01 acres at the corner of Fairplay Road and Prospect Road, which

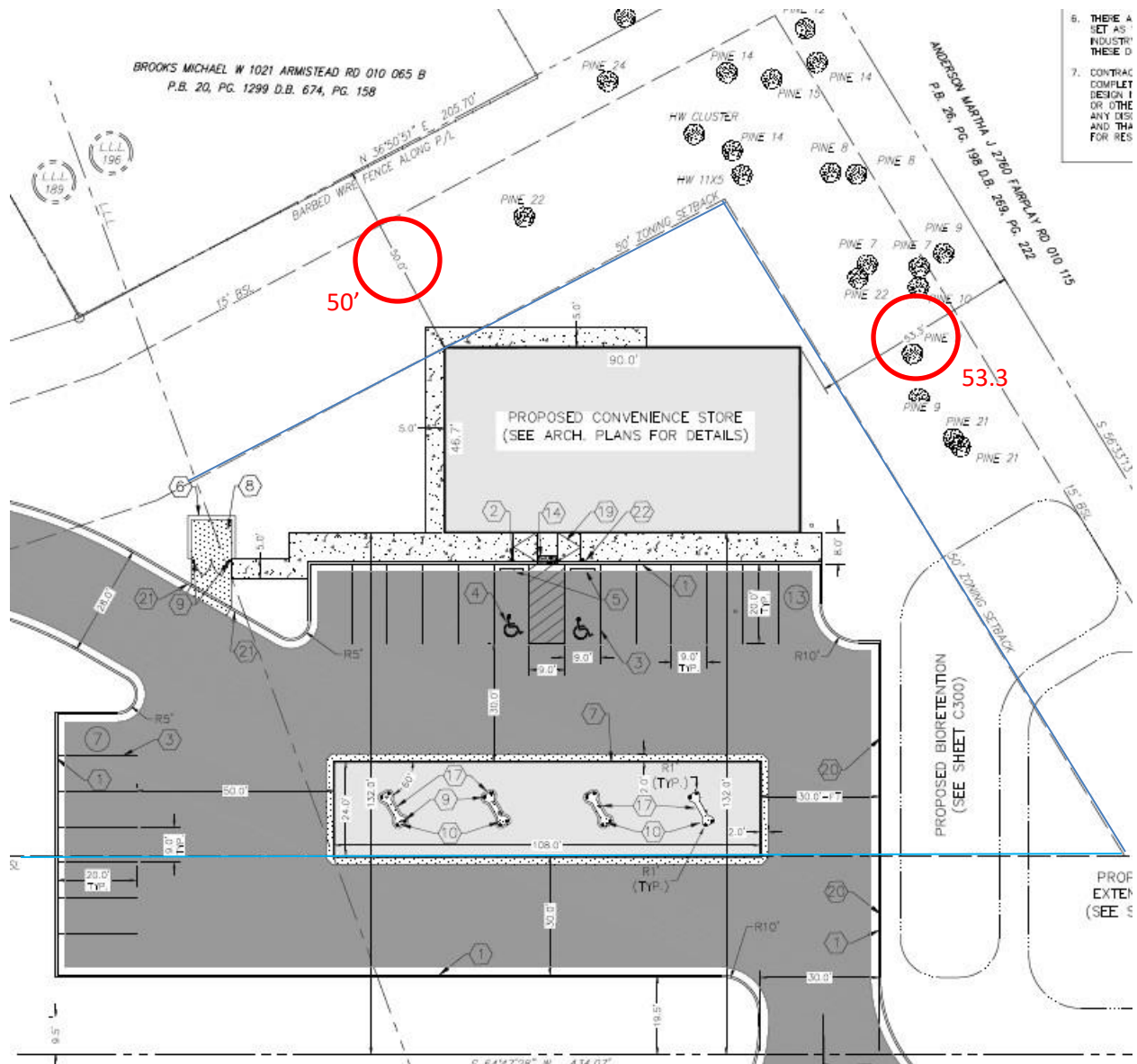
is currently a field. The applicant also owns the property diagonal to the subject property, which contains a convenience store and fuel station known locally as Fairplay Grocery. The applicant has not identified what he will do with the existing convenience store and fuel station if the variance request is approved.



The reason for the variance request is Chapter 7.22 of the Morgan County Zoning Ordinance that states no building or accessory structure for a service or fueling station shall be within 300 feet of any residential zoning district. The above zoning map shows the subject parcel surrounded by Agricultural Residential (light green).



The adjacent properties also contain numerous residences, noted by the stars. The noted house locations include 10 homes. Also shown in this photo is the house across Fairplay Road, but the collection of houses behind it on Prospect Road is not shown. Please note that the large buildings across Fairplay Road are barns.



The plan submitted by the applicant shows the convenience store 50 feet from the north property line and 53.3 feet from the east property line. The setbacks for any commercial building in the C1 zoning district when adjacent to residential property are 50 feet. Due to the size of the property, the convenience store and canopy are positioned at the commercial setbacks, indicated by the blue lines. Please see the attached larger plan for reference.

The applicant's letter acknowledges the setback issue and states that the inability of the use to work within the required setback is a hardship. The applicant states that the request meets the criteria for consideration found in Article 20.

Criteria for Consideration

From the Morgan County Zoning Ordinance. Section 20.3.1, Required Findings for Variance Approval (staff comments in blue):

1. There are extraordinary and exceptional conditions pertaining to the property because of shape, size or topography and there is no feasible alternative; circumstances surrounding the request are not the result of acts of previous owners or of the applicant; **There is no feasible alternative to fit a convenience store and fuel station on the subject property. The size of the property does not accommodate the desired use with the required setbacks.**
2. The literal interpretation of the provisions of this ordinance would create an unnecessary hardship or practical difficulty that renders it impossible to carry out the provisions of this ordinance. Such hardship does not include a financial hardship in that if the variance were granted, the applicant could receive a higher rate of financial return on the use of the property and without the variance, a lesser but still reasonable return could be realized; **The question is whether it is a hardship or if the request is simply impracticable for the identified use to go on the subject property. The current zoning designation would allow for other commercial uses that do not require the 300 foot setback.**
3. The variance requested is the minimum variance that will make possible the proposed use of the land, building or structure in the zoning district in which the development is proposed. The use must be permitted in the zoning district where proposed; and **Although not directly stated, the variance is not to reduce the 300 foot setback but to eliminate the requirement and allow only the typical C1 setback adjacent to residential property. According to the applicant's site plan, that would be the minimum variance to make the use feasible.**
4. Relief, if granted, will be in harmony with the purpose and intent of these regulations and will not be injurious to the neighborhood or general welfare in such a manner as will interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value. **The purpose and intent of the required 300 foot setback is not specifically stated, but can be reasonably interpreted as a protection to nearby residences from lights, noise and traffic. While the applicant could argue that a denial of the variance request could affect the value of his property, alternate commercial uses are still available. The location of a convenience store could, however, affect the residential properties surrounding it.**

Staff Comments

The conversation related to this request will undoubtedly need to include discussion about the existing Fairplay Grocery. The applicant will need to identify what is intended for the site should the variance be granted. Is it reasonable to have two convenience stores on opposite corners? The fact that the neighbors have lived next to Fairplay Grocery could be cited as a reason to dismiss any concern regarding lights, noise and traffic, but the scale of the two properties are vastly different. The main issue is, as stated in staff comments above, is the setback a hardship or is the applicant attempting to place a use in an unreasonable location?



MORGAN COUNTY PLANNING COMMISSION

Submit to: Morgan County Planning & Development
150 E. Washington Street, Suite 200
Madison, Georgia 30650

CRITERIA FOR VARIANCE

From the Morgan County Zoning Ordinance, Section 20.3.1 Required Findings for Variance Approval

- There are extraordinary and exceptional conditions pertaining to the property because of size, shape and topography;
- The literal application of this Ordinance would create an unnecessary hardship;
- A variance would not cause substantial detriment to public good and impair the purposes and intent of this Ordinance;
- A variance would not confer upon the property of the applicant any special privilege denied to other properties in the district;
- The special circumstances surrounding the request for the variance are not the result of acts of the applicant;
- The variance is not a request to permit a use of land, buildings, or structures which is not permitted by right or by conditional use in the district;
- The zoning proposal is consistent with all standards and criteria adopted by Morgan County;
- The variance is the minimum variance that will make possible an economically viable use of the land, building or structure.



MORGAN COUNTY PLANNING COMMISSION

Submit to: Morgan County Planning & Development
150 E. Washington Street, Suite 200
Madison, Georgia 30650

APPLICATION FOR ZONING ACTION: VARIANCE

Applicant Information (same as owner Yes No)

Name: Sean Fairplay Properties, LLC
Address: P.O. Box 7
Tucker, GA 30095
Phone: (404) 735-1683
Fax: _____
Email: rahimsutar@gmail.com

Property Information

Address: Fairplay Road
Tax Parcel: 010 065 C
Zoning Designation: C1
Acreage: 2.01
In Conservation Use: Yes No
State Waters on Property: Yes No

Submission of inaccurate information may be cause for denial of the request or, if discrepancies are realized after the approval for the petition or issuance of the relevant local permits, cause for the revocation of the approval and any related permits by the Board of Commissioners. The following documents must be submitted with this application prior to the application deadline. **Partial applications will not be accepted.**

1. Payment of appropriate fee (please make checks payable to Morgan County).
2. Plat or site plan, drawn to scale, showing the locations of structures or uses for which the variance is sought, as well as relationship to existing structures. Dimensions must be included.
3. Written description of your request in letter format, addressed to the Morgan County Planning Commission. All required criteria (attached) must be addressed in the written description. Specific sections of the ordinance that would cause hardship must be identified, along with a description of the particular hardship.

The documents listed above are the minimum requirements. Staff may require additional documentation depending on the nature of the Conditional Use request. All submitted documents are public records and subject to Opens Records Law.

Has applicant made \$250 or more in campaign contributions to a local government official within two years immediately preceding the filing of this application? Y N If yes, please complete contribution affidavit.

I have reviewed the application procedures and all applicable criteria and regulations in the Morgan County Zoning Ordinance for the above requested Conditional Use. I hereby claim that this application fulfills said procedures and meets the criteria for approval.

Applicant Signature: _____ Date: _____



MORGAN COUNTY PLANNING COMMISSION

Submit to: Morgan County Planning & Development
 150 E. Washington Street, Suite 200
 Madison, Georgia 30650

OWNER AUTHORIZATION

Owner Information

Name: Sean Fairplay Properties, LLC
 Address: P.O. Box 7
Tucker, GA 30095
 Phone: (404) 735-1683
 Fax: _____
 Email: rahimsutar@gmail.com

Property Information

Address: Fairplay Road
 Tax Parcel: 010 065 C
 Acreage: 2.01

I swear that I am the owner of the property listed above. I authorize _____
 (applicant's name) to apply for a zoning action (zoning map amendment, conditional use, variance) at the above
 listed address, as identified on the attached application.

 Owner signature

 Notary Public
 Sworn and subscribed before me this
 ___ day of _____ 20__.

CAMPAIGN CONTRIBUTION DISCLOSURE

If the business of the applicant or owner, or the applicant or owner individually, have made contributions or gifts having a total value of over \$250 or more to any elected official in Morgan County within two (2) years preceding the date of this application, the following must be completed:

Name of Recipient	Date	Contribution Amount	Description of Gift	Value of Gift

Name of Business: _____
 Business Ownership Interest: _____ Property Ownership Interest: _____

I hereby depose and say that all statements herein are true, correct and complete to the best of my knowledge and belief.

 Owner or Applicant Signature

 Notary Public
 Sworn and subscribed before me this
 ___ day of _____ 20__.

June 10, 2024

Morgan County Planning Commission
150 E. Washington Street, Suite 200
Madison, GA 30650

**Re: Fairplay Food Mart
Fairplay Road
Rutledge, GA
Tax Parcel: 010 065 C
CDG Project No.: 230028**

Dear Planning Commission:

Please find a below a request for variance for the Fairplay Food Mart (Project) located at the northeast intersection of Fairplay Road and Prospect Road in Rutledge, GA, tax parcel number 010 065 C. The Project will consist of the construction of a convenience store and fuel station with four (4) pumps.

The subject parcel is currently zoned C1, with neighboring properties all zoned AR. Chapter 7.22 of the Morgan County Zoning Ordinance, which relates to service and fueling stations, states that no building or accessory structures shall be within 300 feet of any residential zoning district. As shown on the site plan attached to the variance application, the western property line is 155.59 feet and the eastern property line is 330.94 feet. The subject parcel is not deep enough to meet the 300 foot setback from the residential property line. The requirements outlined in Chapter 7.22 prohibit the ability for a fueling station to be constructed on this property, thus creating a hardship.

All other criteria for variance outlined in Section 20.3.1 of the Morgan County Zoning Ordinance met and as such, the property owner requests approval for a variance for the 300 foot setback as outlined in Chapter 7.22. We thank you for your time and consideration of this variance request.

Sincerely,

Civil Design Group, LLC



Joshua B. Osterhout, P.E.
President



MORGAN COUNTY PLANNING AND DEVELOPMENT

150 East Washington Street, Suite 200
P.O. Box 1357
Madison, Georgia 30650
(706)342-4373 Office · (706)343-6455 Fax

Memorandum

Date: July 25, 2024
To: Morgan County Board of Commissioners
From: Tara Cooner
RE: August Planning Commission recommendations

The following is a summary of Planning Commission discussions and recommendations from the July 25, 2024 Planning Commission meeting.

- I. Sean Fairplay Properties, LLC is requesting a variance to the setback requirements for a fuel station for 2.01 acres located on Fairplay Road (Tax Parcel 010-065C).

This variance request is in relation to the placement of a fuel station at the corner of Prospect Road and Fairplay Road, catty-corner to Fairplay Grocery, which is another convenience store owned by the applicant. The variance is requested because fuel stations (any structure on the property) require a 300' setback from residential property lines. The subject property is only 245 feet wide and has AR zoning on two sides. Staff explained the reason for the large setback is to protect nearby residences from off-site impacts such as light and noise pollution, traffic and possible environmental issues from fuel tanks. The closest residence is 45' from the property line and there are 33 residences within 2000' of the subject property. The proximity of an existing convenience store with fuel pumps was discussed. Fairplay Grocery's fuel pumps are not currently operational. Test wells in the area are present to monitor ground contamination from potentially leaking tanks. However, the applicant says the tanks are currently not functional because they are too small and require refilling too frequently. The applicant is seeking the elimination of the 300' setback and requesting to use only the typical commercial setback of 50'. Per the submitted site plan, the structures for the proposed convenience store and fuel station must sit right on the 50' setback line to fit on the property.

Karim Ali, applicant, stated that gas was needed in the area and he did not intend to repair the tanks at the existing fuel station. He refused to answer Planning Commission's question to confirm that the existing tanks were leaking and simply stated that they were shut down. When questioned about hours, he said Fairplay Grocery was open 7am to 9pm, but the new station would be open 5am to 11pm.

Randy Minor (owns 2650 Fairplay Road, 3971 Fairplay Road and 3500 Prospect Road) expressed concerns about lights, noise, traffic and the impact on her historic properties (Ponder House) due to the sight distance to the proposed fuel station.

Darlene Brooks (1021 Armistead Road) stated that Fairplay Grocery created noise and light pollution and did not want a larger station in her back yard.

Mack Bohlen (2261 Propsect Road) and Larry Carter (1081 Armistead Road) did not favor or oppose the application but provided history of the area.

The Planning Commission was concerned that elimination of the 300' protective setback would create a precedent and prevent its enforcement for future projects. They stated the request was not a hardship but was simply an attempt to put the project on a property that was too small. The vote was unanimous to recommend denial of the request for a variance to the 300' setback required for fuel stations for 2.01 acres at the corner of Fairplay Road and Prospect Road.

- II. Julia Chesney is requesting conditional use approval for a Farmstay on 10 acres located at 1401 Beaverdam Road (Tax Parcel 016-046).

The applicant provided maps and information about the required agricultural education to qualify as a farmstay. The application meets the requirements of Chapter 7.33 Farmstays. The applicant proposes 3 guest rooms, including one room in the main dwelling with a private bathroom and two yurts with outdoor showers and composting toilets. Morgan County already has one farmstay with an outdoor shower. Composting toilets will be within the purview of the Health Department. Staff concerns are that the two yurts and one other building have been constructed or remodeled without permits.

Julia and Matt Chesney, applicants, explained that they were transitioning from military service and wanted to educate the community about farming. They stated that the unpermitted construction was done prior to their purchase of the property, but they agreed that the structures needed to be inspected and made safe for guests.

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

The Planning Commission voted unanimously to recommend approval of the conditional use application for a farmstay at 1401 Beaverdam Road with the conditions that all structures that have been constructed or modified without permits must be inspected and CO'ed, and the property must pass a safety inspection, prior to the issuance of an Occupational Tax Certificate.



STAFF REPORT

MORGAN COUNTY PLANNING COMMISSION

PETITION FOR: CONDITIONAL USE – TELECOMMUNICATION TOWER

Property location: 1401 Beaverdam Road
Property tax parcel: 016-046
Acreage: 10 acres
Applicant: Julia Chesney
Applicant's Agent:
Property Owner: Matthew & Julia Chesney
Existing Use: Single family home and farm
Proposed Use: Singel family home, farm and farmstay

Summary



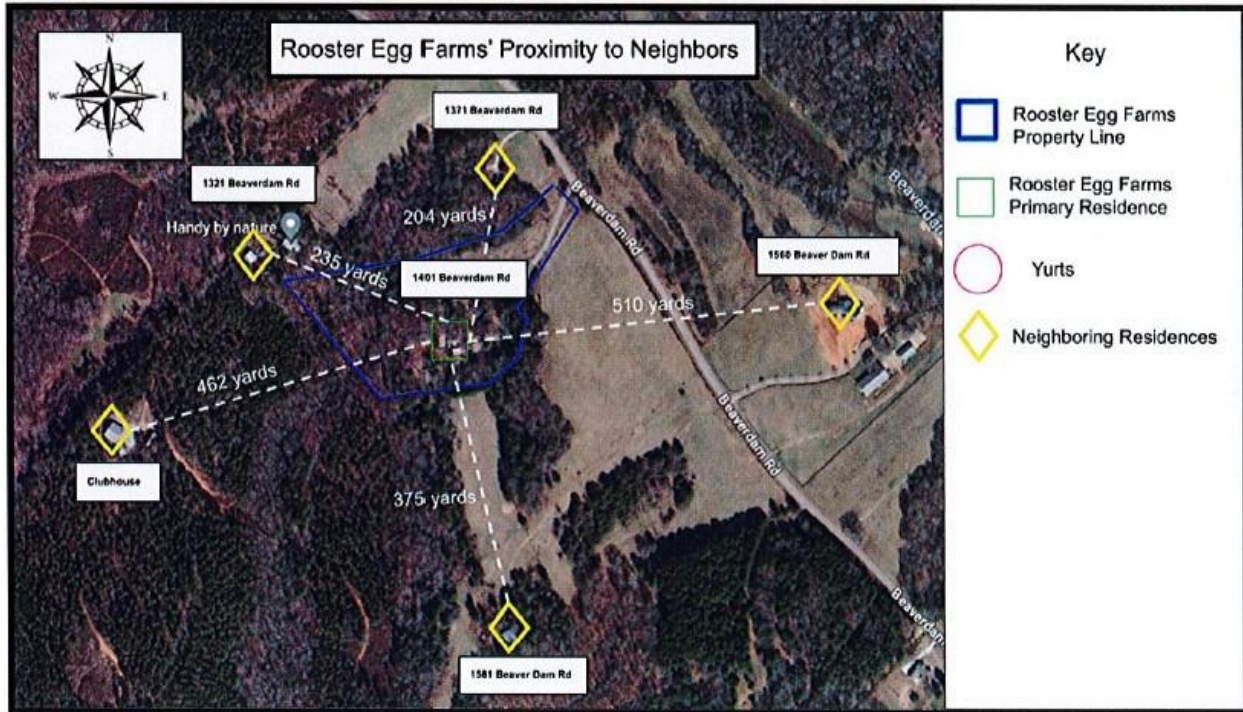
Julia Chesney is requesting conditional use approval to operate a farmstay on 10 acres located at 1401 Beaverdam Road. The property contains numerous structures, including buildings associated with the old Nolan Family plantation. Farmstays must have a minimum of 5 acres and a maximum of 5 guest rooms. The applicant intends to use one of the three bedrooms in the main dwelling as a guest room.



The applicant also intends to use two yurts located on the property as guest accommodations. These structures have composting toilets and outdoor showers. For reference, the approved farmstay on Fieldcrest Lane (alpaca farm) has an outdoor toilet and shower, and the lodging at the Georgia Safari Conservation park are non-permanent structures similar to yurts. However, the yurts on the subject property were constructed without permits and will require permitting and inspections. The guest room within the main dwelling has an in-suite bathroom and a private entrance.



Per Chapter 7.33, a farmstay must offer a minimum of 5 educational opportunities for guests related to agriculture. The applicant provided a map of the property and a description of the agricultural education that will be offered to guests. These include instruction related to farm animals, composting, making preserves and a property tour. Please see submitted descriptions of each educational opportunity, as well as a larger map of the property and educational locations.



The applicant also submitted a map showing the nearest residences and distances from the main educational area on the subject property. The nearest residence is approximately 600 feet away. The proposed educational activities do not appear to be potentially disturbing to neighbors.

Criteria for Consideration

Section 21.3.1 Required Findings from Conditional Use Approval from the Morgan County Zoning Ordinance (Staff comments in blue):

1. The proposed use is suitable in view of the use of adjacent and nearby property and the proposed use will not affect the existing uses or usability of adjacent or nearby uses;. *The proposed use should not disturb neighboring properties or prevent uses on, or usability of, neighboring properties.*
2. The proposed use will not cause an excessive or burdensome use of public facilities or services, current or planned, including but not limited to transportation facilities, utilities, educational facilities or public safety; *Utilities are already existing on-site. The proposed use should not cause a burden on county transportation or education.*
3. Off street parking and loading will be adequate, ingress and egress are suitable and safe, and vehicular traffic and pedestrian movement on adjacent streets is not substantially hindered; *Although the entrance to the property is near a curve on Beaverdam Road, there is adequate sight distance to pull out of the driveway. The applicant states in their proposal that sufficient parking is located on the property.*
4. Adequate provision is made by the applicant to reduce any adverse environmental impacts of the proposed use; and *By teaching regenerative farming, the applicant should demonstrate positive environmental practices.*

5. The hours and manner of operation, including noise, lighting, glare, odor, site design and scale are consistent with adjacent and nearby uses, as long as the manner of operation complies with all applicable ordinances and does not constitute a nuisance to nearby and adjacent properties. Typically, farmstays are not disruptive uses.

Staff Comments

The location and educational opportunities seem suitable for the requested use, and the applicant provided appropriate descriptions of the intended activities. The yurts on the property will require permits and inspections. From photos provided, it appears a roof and porch has been added to the historic manager's house, which will require permits and inspections as well. If the conditional use is approved, the property will be subject to a safety inspection.

If the Planning Commission recommends approval, Staff suggests the following condition:

Prior to the issuance of an Occupational Tax Certificate, all structures on the property which have been constructed or altered without permits must be permitted and inspected, and the property must pass a safety inspection.



MORGAN COUNTY PLANNING COMMISSION

Submit to: Morgan County Planning & Development
150 E. Washington Street, Suite 200
Madison, Georgia 30650

APPLICATION FOR ZONING ACTION: CONDITIONAL USE

Applicant Information (same as owner Yes X No)

Name: Julia Chesney
Address: 1401 Beavertan Rd
Madison, GA 30650
Phone: (202) 718-4583
Fax:
Email: roastercoffarms.ga@gmail.com

Property Information

Address: 1401 Beavertan Rd, Madison, GA 30650
Tax Parcel: 016046
Zoning Designation: AG
Acreage: 10.00
In Conservation Use: Yes No X
State Waters on Property: Yes No X

Submission of inaccurate information may be cause for denial of the request or, if discrepancies are realized after the approval for the petition or issuance of the relevant local permits, cause for the revocation of the approval and any related permits by the Board of Commissioners. The following documents must be submitted with this application prior to the application deadline. Partial applications will not be accepted.

- 1. Written description of your request in letter format, addressed to the Morgan County Planning Commission. The description must meet the requirements of Section 21.2.2.
2. Recorded plat of property. A deed may not be submitted in lieu of a recorded plat.
3. Concept plan or site plan. See Section 21.2.2 of the Morgan County Zoning Ordinance for plan requirements. Hand drawn plans will not be accepted.
4. Payment of appropriate fee (please make checks payable to Morgan County).

The documents listed above are the minimum requirements. Location within a Watershed or Groundwater Recharge Area may require additional documentation. Staff may require additional information depending on the nature of the Conditional Use request. All submitted documents are public records and subject to Open Records Law.

Staff is not responsible for providing any of the information or documents necessary for this application. Deadlines for submittal will not be waived. Please see attached for a copy of Chapter 21 from the Morgan County Zoning Ordinance.

Has applicant made \$250 or more in campaign contributions to a local government official within two years immediately preceding the filing of this application? Yes No X If yes, please complete contribution affidavit.

I have received and reviewed the application procedures and all applicable criteria in Chapter 21 of the Morgan County Zoning Ordinance and associated regulations for the above requested Conditional Use. I understand that, should this request be approved, I am not exempt from needing further approvals or permits, depending on the nature of my request. I hereby claim that this application fulfills said procedures and meets the criteria for approval.

Applicant Signature: [Handwritten Signature]

Date: June 7th 2024



MORGAN COUNTY PLANNING COMMISSION

Submit to: Morgan County Planning & Development
150 E. Washington Street, Suite 200
Madison, Georgia 30650

OWNER AUTHORIZATION

Owner Information

Name: Julia Chesney
Address: 1401 Beaverdam Rd
Madison, GA 30650
Phone: (202) 418-4583
Fax:
Email: roostereggtarms.ga@gmail.com

Property Information

Address: 1401 Beaverdam Rd, Madison GA 30650
Tax Parcel: 016 046
Acreage: 10.00

I swear that I am the owner of the property listed above. I authorize Julia Chesney
(applicant's name) to apply for a zoning action (zoning map amendment, conditional use, variance) at the above
listed address, as identified on the attached application.

Julia Chesney
Owner signature

Kacie G. Whiten
Notary Public
Sworn and subscribed before me this
7 day of June 2024



CAMPAIGN CONTRIBUTION DISCLOSURE

If the business of the applicant or owner, or the applicant or owner individually, have made contributions or gifts having a total value of over \$250 or more to any elected official in Morgan County within two (2) years preceding the date of this application, the following must be completed:

Name of Recipient	Date	Contribution Amount	Description of Gift	Value of Gift

Name of Business: _____
Business Ownership Interest: _____ Property Ownership Interest: _____

I hereby depose and say that all statements herein are true, correct and complete to the best of my knowledge and belief.

Owner or Applicant Signature

Notary Public
Sworn and subscribed before me this
____ day of _____ 20____.

Summary:

Julia Chesney is requesting conditional use approval for a Farmstay on 10 acres located at 1401 Beaverdam Road. The property is called Rooster Egg Farms. The property consists of a main residence which is a historic farmhouse, a historic storefront (not currently operational), and two semi-permanent dwellings, yurts. The approximately 2600 square foot main residence contains three bedrooms and three baths. Each yurt is one bedroom with a compost toilet and an outdoor shower.

The property is located off Beaverdam Road, across the street from Beaverdam Creek. The closest busy intersection is Nolan Store Road and Bostwick Road. The area is sparsely populated and the closest neighbor dwellings are the following distances away from the primary residence: 1321 Beaverdam Road: 235 yards; 1371 Beaverdam Road: 204 yards; 1560 Beaverdam Road: 510 yards; 1581 Beaverdam Road: 375 yards; clubhouse: 462 yards.

The property has one driveway and adequate sight distance on Beaverdam Road. The property has sufficient parking by the farmhouse.

June 10th, 2024

Morgan County Planning & Development
150 E. Washington St.
Madison, GA 30650

Dear Morgan County Board of Commissioners,

My name is Julia Nyunt. My husband and I are new to Morgan County. We made the transition from the Army into civilian life recently, and we are looking for a place, where like the Army, we can provide servant leadership and find belonging with a team. We have a dream of providing for ourselves and our community by growing food, which is why we purchased 1401 Beaver Dam Road. Our intent is to work with our fellow Veterans to transform our property into a superb example of regenerative farming.

We would cherish the opportunity to provide farm stay educational opportunities for tourists and locals to learn about where food comes from, to learn about regenerative farming, and strengthen community bonds. These farm stay tours and classes would focus on regenerative agriculture practices, identifying local flora and fauna, and pickling and preserving using local ingredients. We would be overjoyed to share country life with visitors and educate them in sustainable food production.

The property contains a historic farmhouse which was relocated to Madison from Milledgeville by one of the previous owners in the 1970s. This farmhouse was combined with another historic house already on the property, understood to be formerly inhabited by a farm worker or manager from the historic Nolan plantation. There is one bedroom in this main house with a private entrance that will be used as a guest room. The property also contains an old farm pond, historic smokehouses, a former Christmas tree storefront, and two yurts, semi-permanent structures that would provide lodging for up to four guests. We have included their approximate location on the map and photos of the buildings. The property is also home to a thriving ecosystem. In our short time in our new home in Madison we've been delighted to observe and identify a plethora of local birds, snakes, lizards, amphibians and deer. We anticipate our guests would appreciate this closeness to nature and abundant natural diversity as well.

One of our favorite regenerative farming examples is our "chicken run". The chicken run consists of a fenced area, approx 24' by 12' with approx 24 chickens and 1 Goose. We toss all of our kitchen waste and compost material into the chicken run, where it is devoured by our chickens. The resulting chicken waste is worked into a thick layer of

wood chips from trees on our farm by the chickens' scratching. This process, over time, creates rich and fertile compost which we use on our raised vegetable beds and sell to our neighbors. What we hope to show guests through practices like these is that anyone can farm, it can be great for the environment, and it generates delicious food!

The farm located at 1401 Beaverdam Road is particularly suitable for agricultural education because of its sizable pasture, woods, pond, historic farmhouse, and thriving ecosystem. Through tours and classes guests will be educated about regenerative and sustainable farming practices, raising livestock, growing produce, and identifying wildlife and native plants. In addition, the property's quaint and aesthetic nature is sure to attract visitors looking to escape the city and experience farm life. It is perfectly positioned to serve Morgan County as it seeks to expand its agritourism potential, and a perfect fit for two veterans looking to serve our community. That is why I ask you to please approve our request for a Conditional Use. Our tremendous thanks!

Yours Truly,
Julia Chesney

Section 21.2.2 Application Requirements

Each application for a conditional use must be submitted to the Planning and Development Office at least forty-five (45) days before any hearing by the Planning Commission. Each application shall include the following information:

- **A written description of the proposal designed to inform the Planning Commission and Board of Commissioners, in detail about all aspects of the proposed use, and its impacts on the community. The description should include when pertinent information on the hours of operation, number of employees, number of dwelling units, vehicle trip ends, noise, water usage, sanitary waste treatment, and any other relevant concerns identified by the Planning Commission, Board of Commissioners, staff or applicant. The written description must address the criteria for granting a conditional use, as found in this Article.**

The Farmstay at Rooster Egg Farms provides classes on chickens and rabbits, preparing farm products, and the local ecosystem. The farmstay also provides overnight accommodations for guests. This includes three separate accommodation locations: two yurts, and a bedroom inside the primary residence.

The Farmstay primarily operates between the hours of 9am-5pm M-F. Hosts are available to assist guests around the clock. At this time, the Farmstay employs two people, the two property owners, Matthew and Julia Chesney.

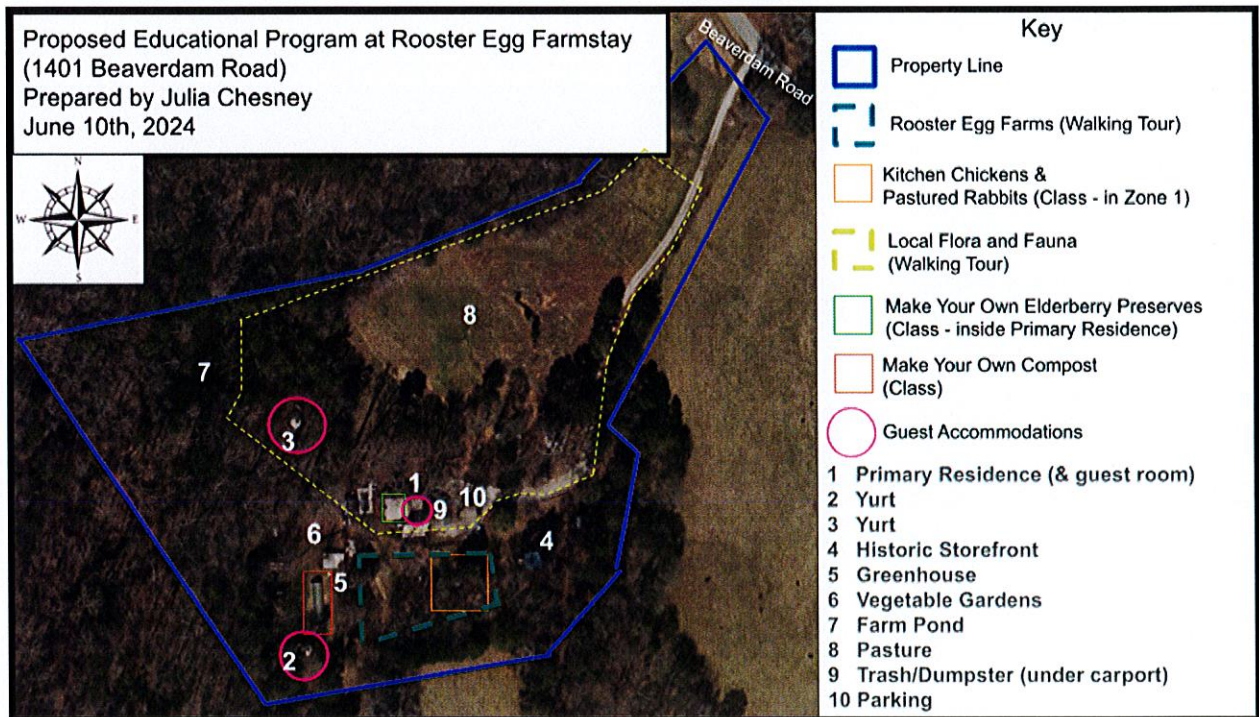
The Farmstay will use the current water and septic systems of the farm, including a well and a septic tank. Yurts will use composting toilets.

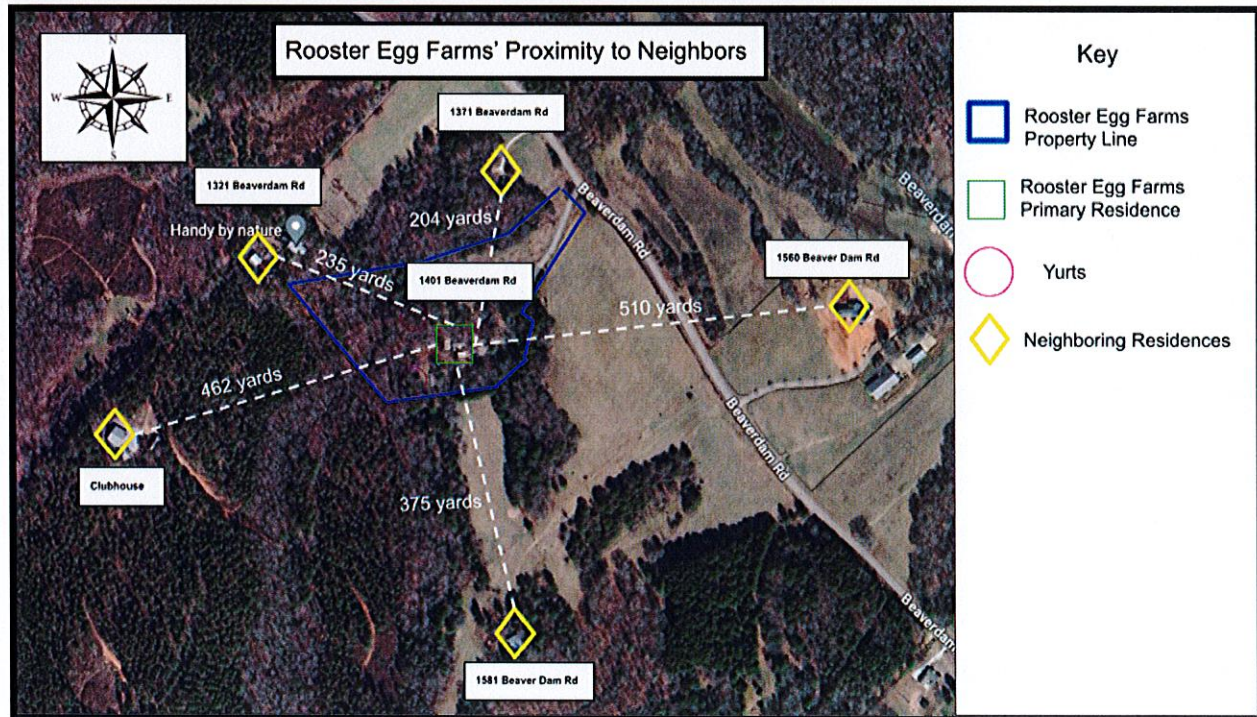
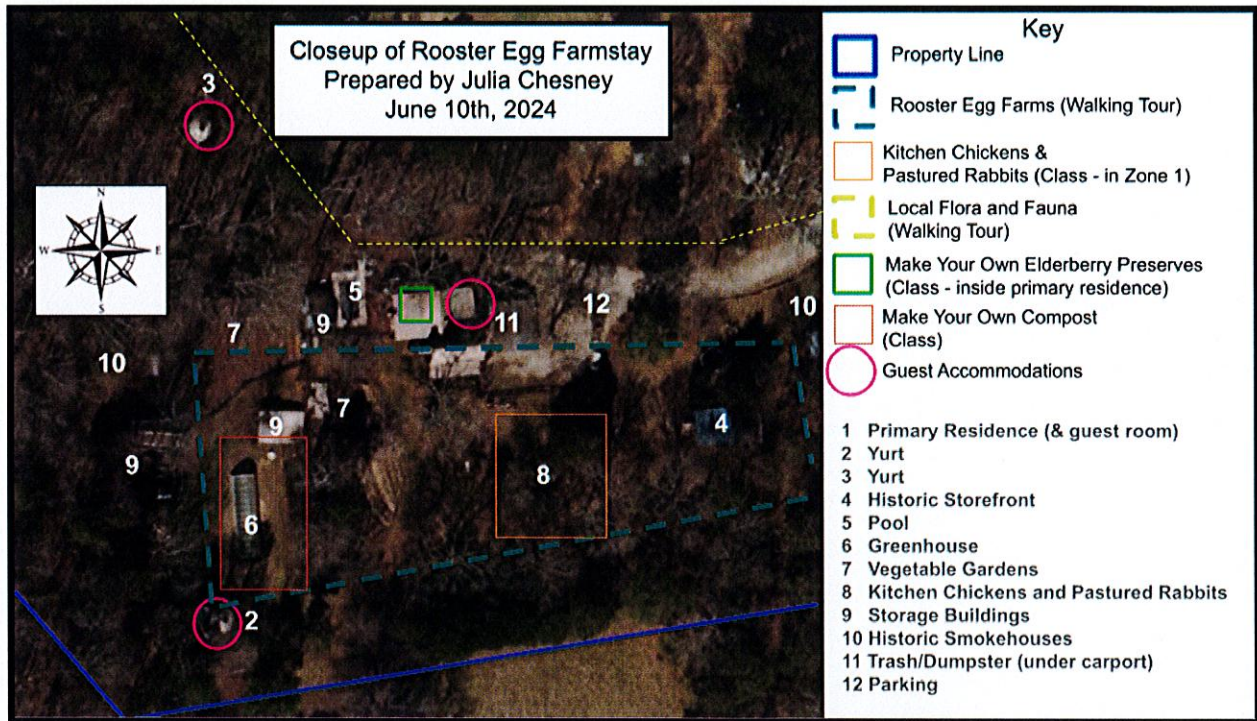
Farmstay rules will include quiet hours and noise courtesy instructions to ensure no disruptions to our neighbors.

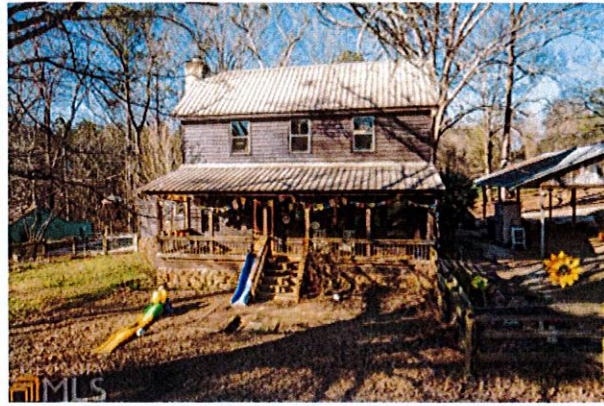
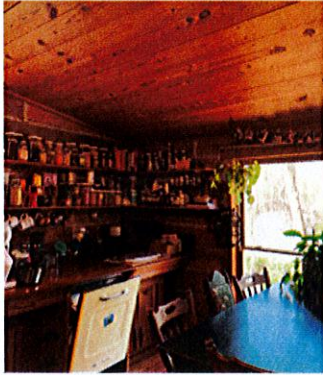
- **The preliminary building and site plans showing the following information:**

- **Project name**
- **Project owner**
- **Date, scale and north arrow**
- **Vicinity map**
- **Use of adjacent property**
- **Exterior dimensions of the site**
- **Total project acreage**
- **Location, Name and width of all existing or proposed streets**
- **Location of all proposed structures**

- Location of all off-street parking and driveways serving the project
 - Proposed buffers and/or screening
 - Location, height, fixture type and wattage of site lighting
 - Dumpster locations
 - Rough floor plans, including gross floor area
 - Building height
- When required by the Planning and Development Staff, preliminary building and site plans must be drawn to scale by a professional engineer, architect, landscape architect or surveyor;
 - Specific uses may have additional requirements outlined in this Ordinance in accordance with regulations for specific uses. All regulations for specific uses must be met to grant approval of the conditional use.
 - Incomplete applications will not be accepted.



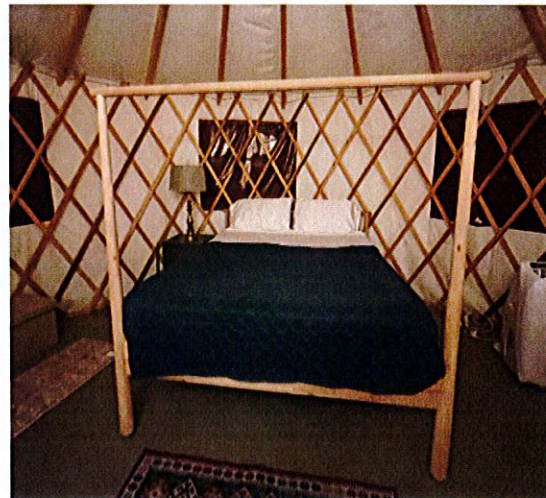
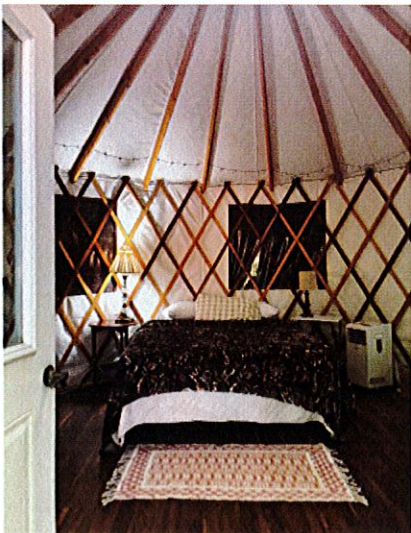




The historic farmhouse at Rooster Egg Farms



Each yurt is 16 feet in diameter and 10 feet, 6 inches tall. They are approximately 200 square feet. They are one bedroom, have electricity, and can host up to two guests. Guests would use an outdoor shower and a composting toilet.

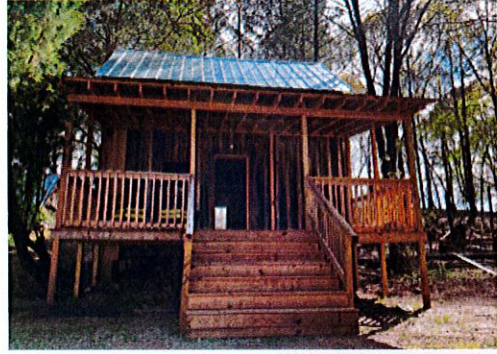


Interiors of the yurts. They use electricity, they are 1 bedroom, 200 square feet, can host up to two guests.

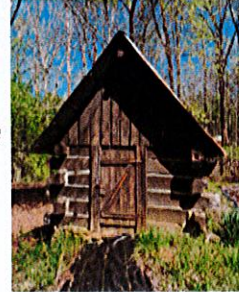
Farm Pond



Historic storefront



Historic Smokehouse



Elderberries (Farm product)



Vegetable Garden



Pasture

Chapter 7.33 Farmstays

The property proposed for a Farmstay is at least 5 acres or greater in size.

Rooster Egg Farms sits on approximately 10 acres.

No more than five guest rooms shall be allowed.

Accommodations for no more than fifteen total guests shall be allowed.

The farmstay proposes to accommodate no more than six guests, in two yurts and one bedroom in the main house.

Food shall be served only to registered guests, and the price of meals shall be included in the price of the overnight accommodations. Lodging and meals shall be incidental and not the primary function of the Farmstay establishment. Must meet the requirements of the Morgan County Health Department, if applicable.

Convenient, fast breakfast options will be offered to guests—for example granola bars. Lodging and meals will be secondary to the educational function of the farmstay.

Must provide an educational program outline which includes the following, at a minimum:

•Why the particular location is suited to be used for agricultural education and how the establishment will promote agricultural education;

The farm located at 1401 Beaverdam Road is particularly suitable for agricultural education because of its sizable pasture, woods, pond, historic farmhouse, and thriving ecosystem. Through tours and classes guests will be educated about regenerative and sustainable farming practices, raising livestock, growing produce, and identifying wildlife and native plants. In addition, the property's quaint and aesthetic nature is sure to attract visitors looking to escape the city and experience farm life.

•A description of each activity, including proposed equipment to be used, any possible risks and how such risks will be minimized;

Beaverdam Farmstay Tours and Activities:

Rooster Egg Farms Tour. This thirty minute walking tour will provide an overview of the farm's and the land's history, from the Native people to the present. Then it will

demonstrate the farm's current operations and projects, including its livestock, gardening projects, and sustainability projects.

No additional equipment will be used. Risk: tripping while walking on uneven terrain; guests will be instructed to wear appropriate footwear and tour paths will be delineated.

Kitchen Chickens. This thirty minute class demonstrates a kitchen chicken setup, which provides eggs and compost. The class discusses benefits of the setup, better/best practices, wellbeing, sustainability.

No additional equipment will be used. Risk: tripping while walking on uneven terrain; guests will be instructed to wear appropriate footwear and tour paths will be delineated.

Pastured Rabbits. This thirty minute class demonstrates a pastured rabbit setup, which provides meat, pelts, and compost. The class discusses benefits of the setup, better/best practices, wellbeing, and sustainability.

No additional equipment will be used. Risk: tripping while walking on uneven terrain; guests will be instructed to wear appropriate footwear and tour paths will be delineated.

Local Flora and Fauna. This thirty-minute tour of the property will lead guests through pasture and forest paths and alongside a farm pond identifying local plants, fungi, birds, and other wildlife.

No additional equipment will be used. Risk: tripping while walking on uneven terrain; guests will be instructed to wear appropriate footwear and tour paths will be delineated.

Make Your Own Compost. This thirty minute class will lead guests through the process of building a compost pile that can be replicated on .25 acres or 25 acres in a way that minimizes odor and does not attract vermin.

Garden/hand tools and gloves will be used. Risk: tripping while walking on uneven terrain; guests will be instructed to wear appropriate footwear and tour paths will be delineated. Risk: abrasions from mulch/leaf debris; guests will be provided with and required to wear gloves.

Make Your Own Elderberry Syrup. This one hour class will lead guests through the process of creating their own elderberry syrup. Elderberries are one of the farm's products, and they tout impressive immune-boosting properties.

Food preparation gloves, cooking utensils, and heating implements will be used. Guests will be instructed to exercise caution around heating implements. Risk: burns while cooking.

•A description of any possible adverse impacts to neighboring properties and how such impacts will be minimized;

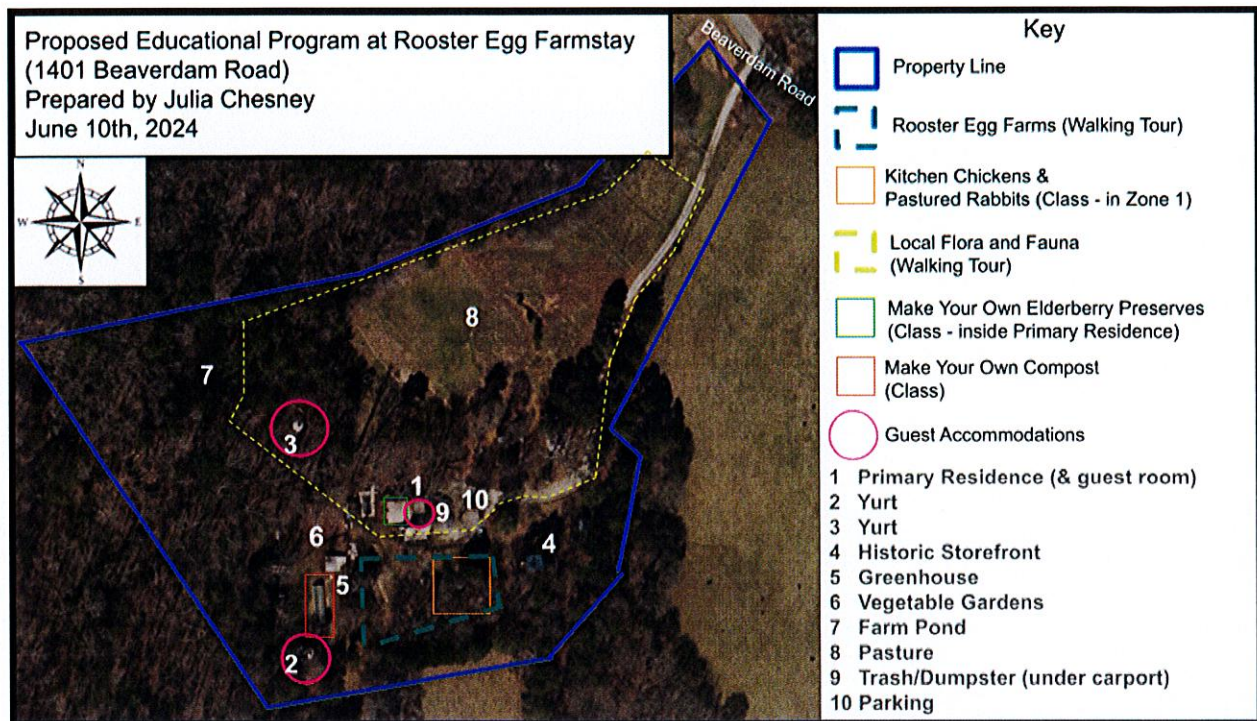
Possible adverse impacts to neighboring properties have been analyzed to be minimal, but in the unlikely event the farm experiences a large influx of tourists, there could be increased traffic on surrounding roads. In this case, we will deploy parking area guides to ensure guests arrive and exit in a timely fashion to reduce traffic on the surrounding roads.

•A minimum of five educational activities that will be available to guests as soon as the facility opens;

These include the following tours and classes:

Kitchen Chickens
Pastured Rabbits
Local Flora and Fauna
Make Your Own Compost
Make Your Own Elderberry Syrup

•A map or drawing of the farm, identifying structures and land features that will be used during educational activities.



No motorized off road vehicles shall be used for recreational purposes, but may be used as a part of normal farming functions.

All farmstay tours are designed around walking. The farm will not allow guests to use any motorized off-road vehicles during their stay.

Parking for Farmstay establishments must be contained on the property and cannot be on the street.

Beaverdam Farmstay has adequate gravel parking for up to ten vehicles on-property located by the farmhouse.

Farmstays must obtain a yearly Occupational Tax Certificate, which will require a safety code compliance inspection prior to issuance.

Beaverdam Farm will undergo a safety code compliance inspection and acquire an Occupational Tax Certificate as soon as possible.

Chapter 21.3 Criteria for Granting a Conditional Use

Section 21.3.1 Required Findings for Conditional Use Approval

In determining the compatibility of a use with adjacent properties and the overall community, the Planning Commission and Board of Commissioners must consider the following findings if the use is to be approved or approved with conditions:

- Adequate provision is made by the applicant to reduce any adverse environmental impacts of the proposed use to an acceptable level;**

To reduce adverse environmental impacts of farming, teaching, and hosting guests, we employ regenerative farming techniques, as well as composting, recycling, and providing convenient trash collection around the property.

- Vehicular traffic and pedestrian movement on adjacent streets will not be substantially hindered or endangered;**

At this time the Farmstay will only accommodate six guests, so we do not anticipate any impact to surrounding streets. Class size will be limited to fifteen participants and classes will be spaced out in the day to avoid overcrowding. In the unlikely event the farm experiences a large influx of people taking classes, there could be increased traffic on surrounding roads. In this case, we will deploy parking area guides to ensure guests arrive and exit in a timely fashion to reduce traffic on the surrounding roads.

- Off-street parking and loading, and the entrance to and exit from such parking and loading, will be adequate in terms of location, amount and design to service the use;**

Beaverdam Farmstay has adequate gravel parking for up to ten vehicles on-property located by the farmhouse.

- Public facilities and utilities are capable of adequately serving the proposed use;**
- Granting the request would not be an illogical extension of a use which would introduce damaging volumes of (1) agricultural, (2) commercial, (3) industrial, or (4) high density apartment use into a stable neighborhood of well-maintained single family homes, and likely lead to decreasing surrounding property values, neighborhood deterioration, spreading of blight, and additional requests of a similar nature which would expand the problem;**
- Granting the request would not lead to congestion, noise and traffic hazards or overload public facilities, current or planned;**

The Farmstay would accommodate up to six guests for short term stays, and up to fifteen people per class including visitors from the public. The property is ten acres and uses its own well and septic system. The public utilities it uses are public roads and electricity. To reduce electricity usage, we use high-efficiency lightbulbs, appliances, and equipment whenever possible. Impacts on public utilities would be minimal.

With these limits in place, the Farmstay would not introduce damaging volumes of people or traffic.

• Granting the request would conform to the general expectation for the area population growth and distribution according to the Comprehensive Land Use Plan;

The Farmstay will accommodate up to six guests, so impacts to population growth and distribution are minimal.

• Granting the request would not lead to a major negative change in existing (1) levels of public service, (2) government employees or (3) fiscal stability;
• Granting the request would not have a “domino effect,” in that it becomes the opening wedge for further rapid growth, urbanization or other land-use change beyond what is indicated in the Comprehensive Land Use Plan.

According to the Morgan County Comprehensive Land Use Plan, Chapter 2.2, the vision for Morgan County is “Rural living with opportunities for all generations in thriving local communities.” Community goals include “Sustainable economic growth and prosperity” and “Treasured natural and cultural resources.” Under the section *Economic Development*, it states, “Sustainable economic development will depend on the County’s ability to grow existing employment sectors while attracting new businesses that diversify the local economy and tax base.”

Approving our Farmstay supports the vision and goals of Morgan County. The Farmstay will bring tourists into the area who are curious about sustainable farming practices and the local ecosystem. The farmstay provides an economic opportunity to a new, local business owned by two Veterans in their 30s. It also supports the local community: neighbors and businesses who the farm partners with. It also provides tax revenue for Morgan County.

The growth of our farm business is necessarily slow as the nature of the business is not hugely profitable. It is a lifestyle-oriented enterprise with the purpose of sharing a connected and healthy lifestyle in the community.

•A description of any possible adverse impacts to neighboring properties and how such impacts will be minimized;

Possible adverse impacts to neighboring properties have been analyzed to be minimal, but in the unlikely event the farm experiences a large influx of people taking classes, there could be increased traffic on surrounding roads. In this case, we will deploy parking area guides to ensure guests arrive and exit in a timely fashion to reduce traffic on the surrounding roads.



MORGAN COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date: mm/dd/yyyy

Type of Request:

Wording for the Agenda:

Traffic control signs to improve safety in Riverwalk Subdivision.

Background/History/Details:

On July 16, 2024, the BOC was presented the staff report concerning the request for additional traffic control signage for the Riverwalk subdivision. The BOC tabled the request and asked staff to contact the Riverwalk HOA for confirmation that they were in agreement with the recommendations. Staff received an email from Christopher McDonald, HOA President for Riverwalk on July 20, 2024, with the HOA vote of four (4) in favor and one (1) abstained. Email is attached to staff report.

On March 16, 2024, a resident of Riverwalk subdivision sent an email to Roads and Bridges to request additional traffic signs. Roads and Bridge reached out to me for assistance with determining if additional signs are warranted.

I conducted a site visit to inventory existing signs and their condition within the subdivision. I also conducted a sight distance survey of all of the street intersections within the subdivision. Code Enforcement installed the traffic/speed counters on Riverwalk Road and Riverbanks Road to determine the amount of traffic and speed of vehicles that were traveling on these roads. Discussions with the Sheriff's office were had concerning complaints of vehicles speeding within the neighborhood.

Attached are the recommendations of measures to improve the safety within the subdivision.

What action are you seeking from the Board of Commissioners?

Acknowledgment for Roads and Bridges to implement the recommendations presented.

If this item requires funding, please describe:

There will be expense to purchase new signs and mounting post as well as man hours to install the new signs.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Approved by Purchasing

Manager's Approval

Staff Notes:

From: Christopher McDonald <chrismcdonald@att.net>

Sent: Saturday, July 20, 2024 10:57 PM

To: cjarrell@morgancountyga.gov; briden@morganga.org

Cc: john.v.rice@gmail.com; 'Sloan Crumbley' <pscrumbley@bellsouth.net>; 'Mark Buck'

<mmbuck1@gmail.com>; 'April Bishop' <aprilbishop@gmail.com>; 'Jen Lemyre'

<jen@compassassocmgmt.com>; chrismcdonald@att.net

Subject: FW: Riverwalk on the Apalachee County Road Signs

Mr. Jarrell / Mr. Riden;

Greetings from the Riverwalk on the Apalachee HOA Board. I know you have been working with Jack Rice, one of our Board members as to the traffic patterns, speeding, signage, and potential mitigants to those concerns as outlined in the attached Staff report that was shared with us.

To the request below, this report was shared with the Board in its entirety and reviewed. The Board has voted and with a vote of 4 'for' and 1 'abstain' we concur with the recommendations for the additional signs and the creation of a 3 way stop intersection where Riverwalk Rd circles back around on itself. We had conveyed that this was a possible solution under consideration in our July neighborhood newsletter and received no comments from any residents being for or against such a change.

Please accept this message as our support for the proposed recommendations. If I can be of any assistance, please reach out to me at the number below. I serve as the President of the HOA.

All Board members and our Administrative partners from Compass Management Group have been copied on this message for awareness.

Regards,

Chris McDonald

Christopher H. McDonald



MORGAN COUNTY PLANNING AND DEVELOPMENT

Post Office Box 1357
150 East Washington Street, Suite 200
Madison, Georgia 30650
Office (706) 342-4373 – Fax (706) 343-6455

Staff Report

Request: Riverwalk HOA request for additional traffic control signs for resident safety

Request Summary

Our objectives are:

At the entrance to get people to know the speed limit and that going into the curves there are children playing.

- As you come out of the curve by lot 6 and 7 heading into the subdivision heading down that hill you need to slow down and watch your speed because there are hidden drives on both side of the road.
- The opposite is true heading to the exit people are going down hill by lot 1B lot 6, 7 and 5. We will have a serious crash here some day if the exit drivers don't slow down coming down that hill into the curves.
- Almost 50 kids in the neighborhood now all bile riders' walkers etc. Suggest slow children playing signs throughout the subdivision.
- We are an equestrian neighborhood so might be good to put some horse awareness sign especially on Riverbanks Road by the commons area.

Staff Findings

1) **Assessment of traffic control signs in the Riverwalk subdivision.**

- An inventory of signs and their condition was conducted on May 8, 2024.
- The findings were:
 - The "Children at Play" sign was faded to a point it was barely readable.
 - There were 8 "Speed Limit 25" signs that need to be cleaned.
 - There were 5 "Stop" signs.



2) Sight distance assessment of street intersections.

- Riverwalk Road at Price Mill Road
 - Meets or exceeds required sight distance, 610 feet, for a 55 MPH Road (Price Mill Road)
- Riverbanks Road at Riverwalk Road (South end)
 - Meets or exceeds required sight distance, 280 feet, for a 25 MPH Road (Riverwalk Road)
- Riverwalk Road at Riverwalk Road (Loop intersection)
 - Sight distance is limited due to crest of the North and South bound lanes at the intersection where Riverwalk Road dead ends to Riverwalk Road.
 - This sight limitation effects the through traffic from seeing vehicles turning West from the North and South bound lanes.



North Bound Lane of Riverwalk Road



South bound Lane of Riverwalk Road

3) Traffic and speed counter locations.

- The traffic/speed counters were deployed from May 20 – 28, 2024 at two locations on Riverwalk Road. North of the Riverwalk Road/Riverwalk Road intersection and South of the Riverwalk Road/Riverwalk Road intersection.
- A traffic/speed counter was also deployed from May 20 – 28, 2024 on Riverbanks Road.

4) Findings of the traffic/speed counters.

Riverwalk Road, North of the intersection:

A total of 124 vehicles crossed the counter.

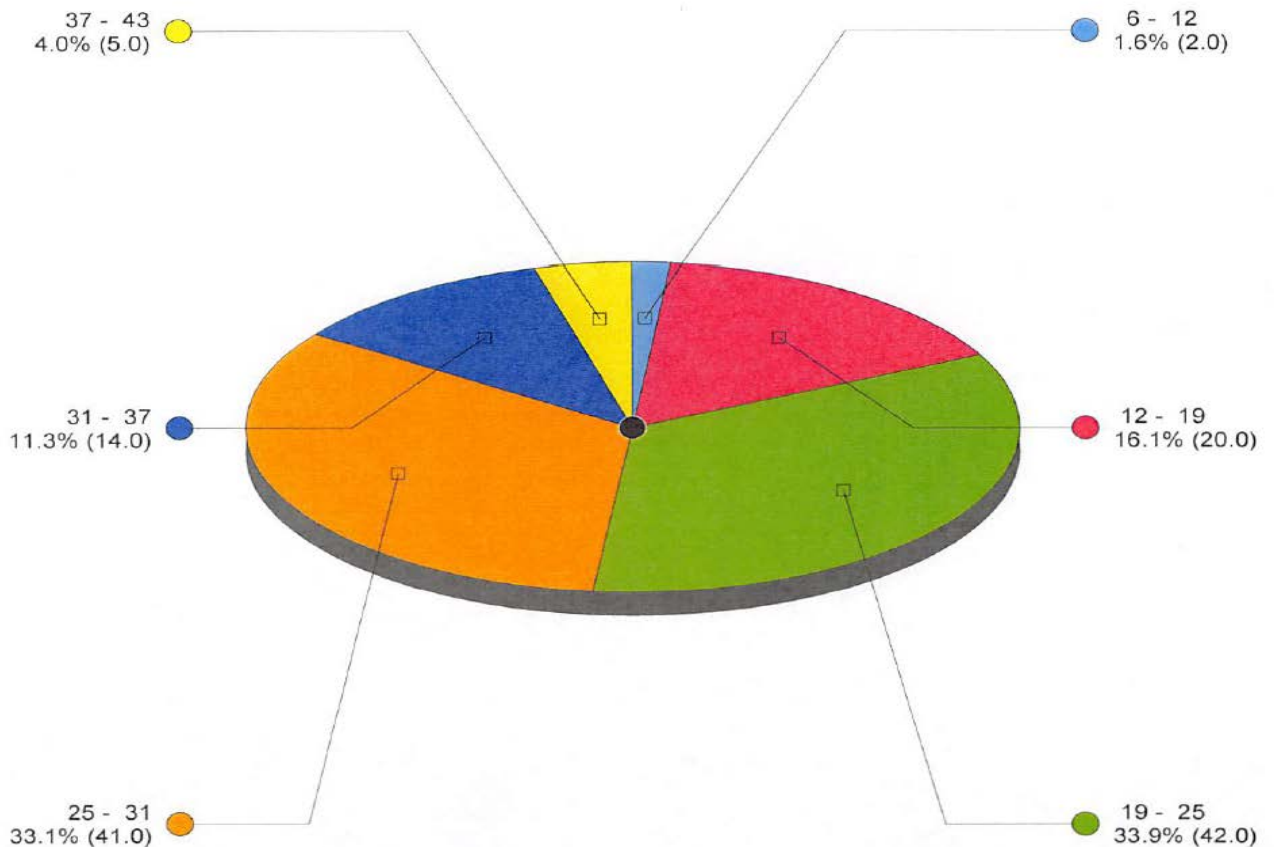
A total of 64 vehicles crossed the counter at or below the posted speed limit of 25 MPH.

A total of 55 vehicles crossed the counter at or below 36 MPH.

A total of 5 vehicles crossed the counter speeds between 37 and 43 MPH.

Speed Bin Chart

SpeedBin-42 (Non metric) Site: Counter #3.0.1SN
Description: Riverwalk Road (North End)
Filter time: 14:32 Monday, May 20, 2024 => 11:38 Tuesday, May 28, 2024
Filter: Cls(1-13) Dir(NESW) Sp(6,99) Headway(>0) Span(0 - 328.084) Lane(0-16)
Scheme: Vehicle classification (Scheme F3)
Total=124



Riverwalk Road, South of intersection:

A total of 1996 vehicles crossed the counter.

A total of 380 vehicles crossed the counter at or below the posted speed limit of 25 MPH.

A total of 1499 vehicles crossed the counter at or below 36 MPH.

A total of 111 vehicles crossed the counter speeds between 37 and 43 MPH.

A total of 6 vehicles crossed the counter at speeds between 43 and 50 MPH.

Speed Bin Chart

SpeedBin-40 (Non metric) Site: Counter #4.0.1SN

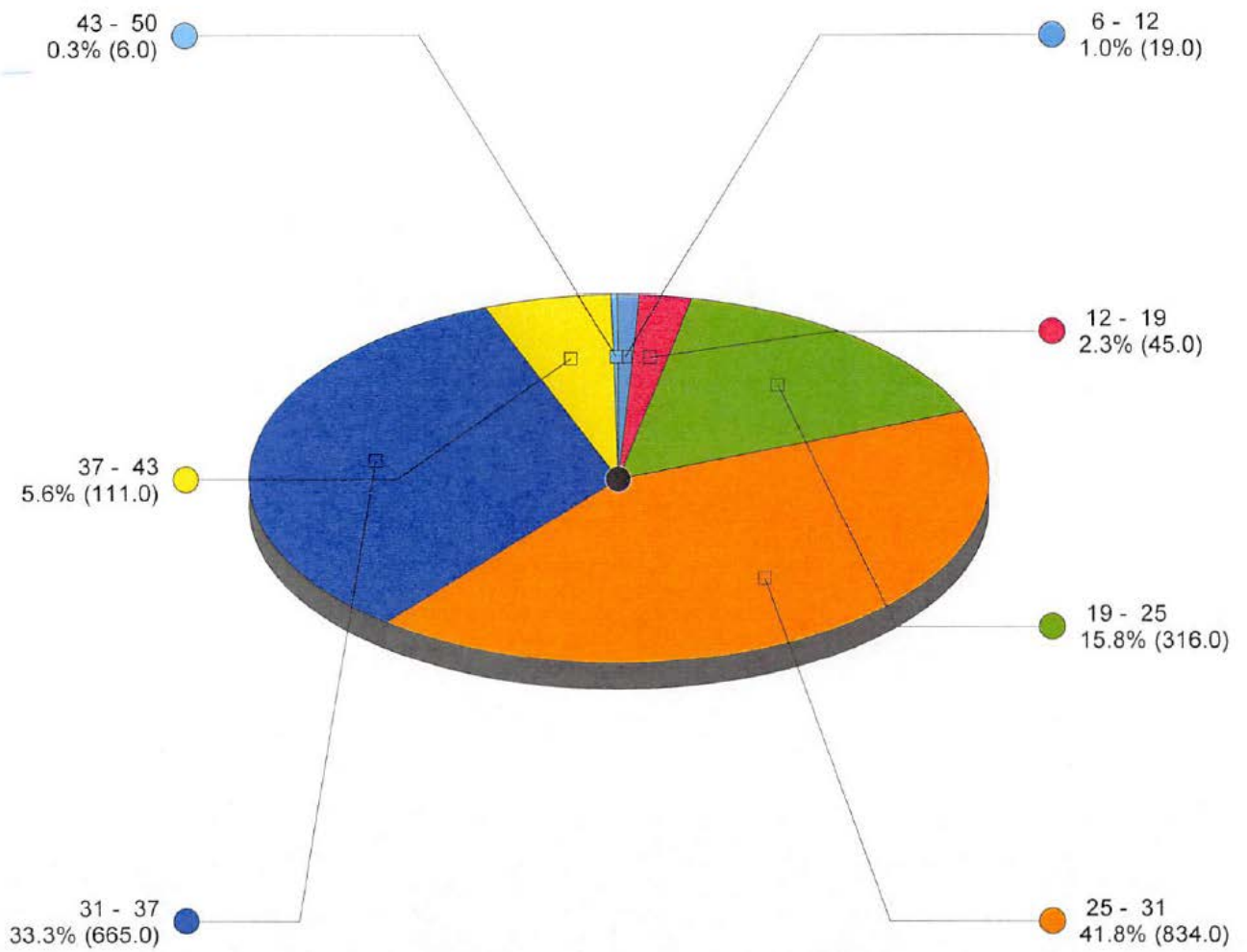
Description: Riverwalk Road (South End)

Filter time: 12:57 Monday, May 20, 2024 => 10:39 Tuesday, May 28, 2024

Filter: Cls(1-13) Dir(NESW) Sp(6,99) Headway(>0) Span(0 - 328.084) Lane(0-16)

Scheme: Vehicle classification (Scheme F3)

Total=1996



Riverbanks Road:

A total of 327 vehicles crossed the counter.

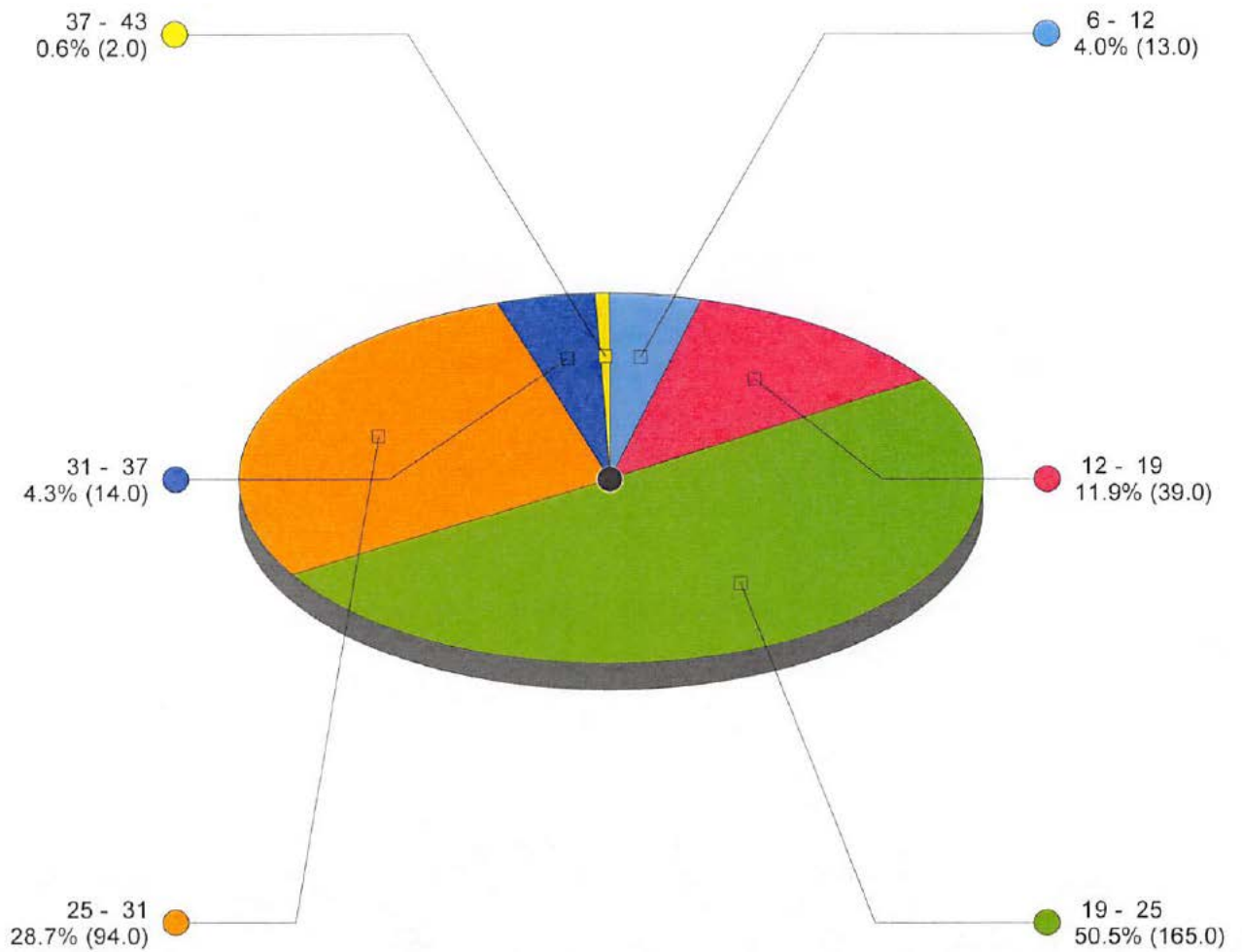
A total of 217 vehicles crossed the counter at or below the posted speed limit of 25 MPH.

A total of 108 vehicles crossed the counter at or below 36 MPH.

A total of 2 vehicles crossed the counter speeds between 37 and 43 MPH.

Speed Bin Chart

SpeedBin-41 (Non metric) Site: Counter #1.0.1SN
Description: Riverbank Road
Filter time: 13:44 Monday, May 20, 2024 => 11:23 Tuesday, May 28, 2024
Filter: Cls(1-13) Dir(NESW) Sp(6,99) Headway(>0) Span(0 - 328.084) Lane(0-16)
Scheme: Vehicle classification (Scheme F3)
Total=327



Staff Recommendations:

Based on the findings of the above information, the following is recommended:

- 1) Clean or replace existing signs within the Riverwalk subdivision.
- 2) Replace the “Slow Children at Play” sign.



(1 Sign)

- 3) Install “Equestrian” signs at each end of Riverbanks Road.



(2 Signs)

- 4) Make the intersection of Riverwalk Road and Riverwalk Road a 3-way stop. This would include installing “Stop Ahead: and “Stop” signs on the North and South bound lanes of Riverwalk Road.



(6 signs)



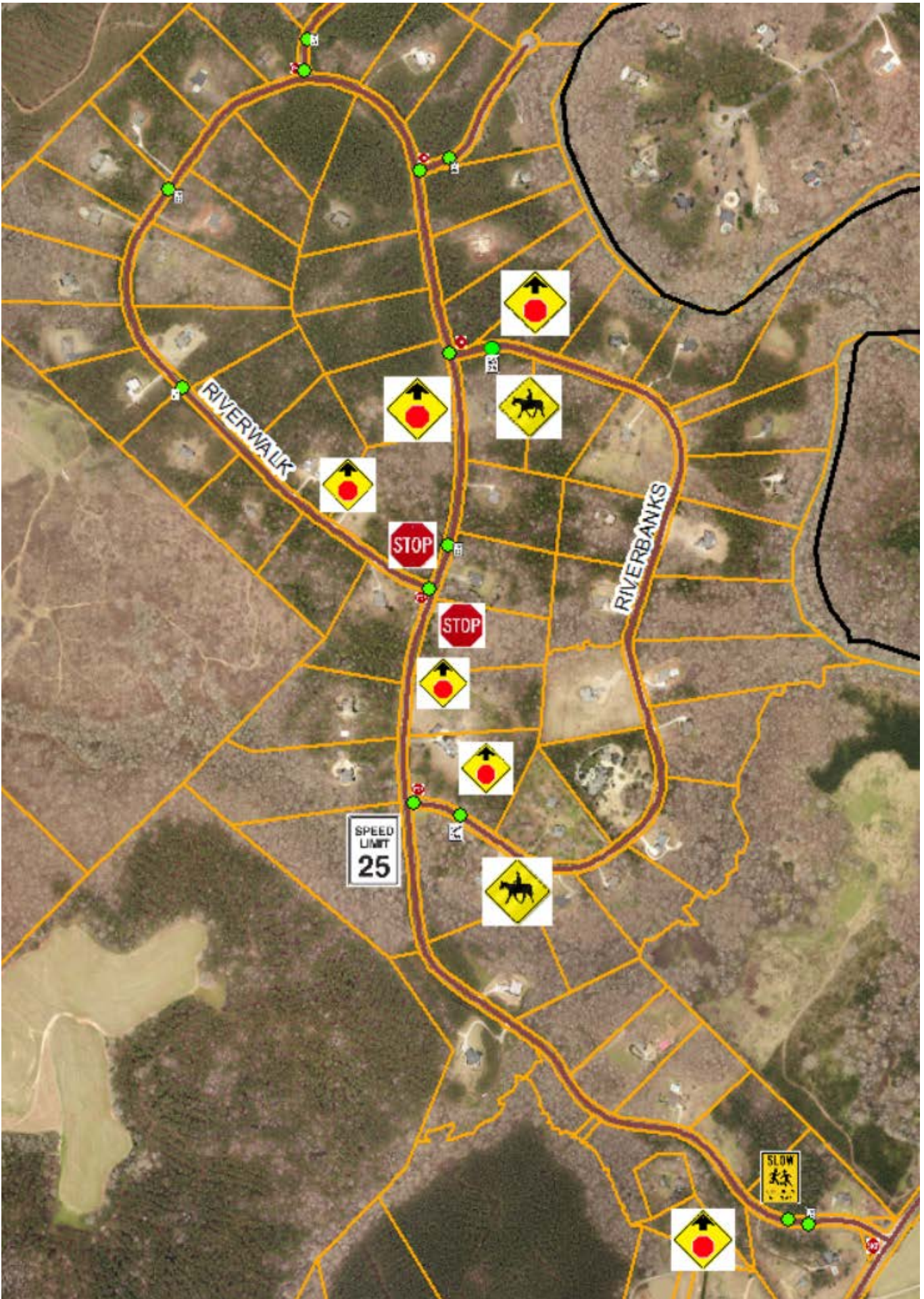
(2 Signs)

- 5) Install a “Speed Limit 25 MPH” sign South of the Riverbanks Road southernmost intersection on Riverwalk Road.



(1 Sign)

- 6) Continue to have Sheriff Officers patrol the subdivision for vehicles exceeding the speed limit.





MORGAN COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date: mm/dd/yyyy

Type of Request:

Wording for the Agenda:

Alcoholic Beverage License for Hirenkumar Patel at 1010 Apalachee River Road.

Background/History/Details:

Hirenkumar Patel will be taking over the operations the Apalachee 2024, Inc. (formerly known as the Apalachee Bait Shop) located at 1010 Apalachee River Road. He has applied for an alcoholic beverage license for package sales at this location. The store has been inspected and he has met all the requirements for approval of an alcoholic beverage license.

What action are you seeking from the Board of Commissioners?

Approval of the alcoholic beverage license for the Apalachee 2024, Inc. located at 1010 Apalachee River Road

If this item requires funding, please describe:

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Approved by Purchasing

Manager's Approval

Staff Notes:



MORGAN COUNTY PLANNING AND DEVELOPMENT

150 East Washington Street, Suite 200
P.O. Box 1357
Madison, Georgia 30650
(706)342-4373 Office · (706)343-6455 Fax

Sworn Statement of Eligibility for the Sale of Alcoholic Beverages

I, Hirenkumar K Patel being a person of good moral character, do hereby make application for a license to engage in the package sale of malt beverages and wine in Morgan County, Georgia, at:

Establishment Name: Apaluchee 2024 INC

Address: 1010 Apaluchee River Rd

City: Madison State: Gea Zip Code: 30650

Phone Number: 732-632-7780

Licensee Qualifications and Acknowledgements

Section 6-52. - I am over the age of 25 and have been a resident of the State of Georgia for a minimum of one (1) year.

Section 6-54. - I am not an official or employee of the county, nor a member of the Board of Commissioners.

Section 6-55. - I have not been convicted nor pled nolo contendere within the previous ten (10) years of the date of this application to a felony or a misdemeanor involving moral turpitude. Furthermore, I have not been convicted under federal, state or local law for a criminal offense involving alcoholic beverages, gambling or tax law violations.

Section 6-56. - I have not been denied a license to sell alcoholic beverages within one (1) year of the date of this application.

Section 6-57. - I am the owner(s) or authorized agent of the parent corporation of the premises for which the license is requested or the holder of any lease thereon.

Section 6-58. - I attest that I, or the corporation, have adequate financial participation in the proposed business to direct and manage its affairs.

Section 6-198. - I understand that I am responsible for the management and operation of the business for which the license is granted and shall be responsible for all violations by the licensee's agents and employees.

Section 6-300. - I understand that any violation of federal, state, or any of the regulations adopted by Morgan County pertaining to the sale of malt beverages and wine, shall subject my license to immediate revocation or suspension.

Section 6-210. - I have in possession a copy of the Morgan County Alcoholic Beverage Ordinance and I have read and understand the regulations.

Section 6-324. - I understand that I must post a cash bond or a performance bond with the Morgan County Board of Commissioners in the amount of \$500.00 for retail establishments and \$2,500.00 for wholesale establishments.

Over

Section 6-325 – I understand that the annual license fee is \$500.00 and must be paid prior to issuance of a license. The license is only valid for the year in which it is issued and shall expire on December 31 of the year that it is granted.

Section 6-328 – I understand that the annual license fee stated in this section must be paid prior to issuance of a license. The license is only valid for the year in which it is issued and shall expire on December 31 of the year that it is granted.

Section 6-354 – I understand that I must post a cash bond or a performance bond with the Morgan County Board of Commissioners in the amount of \$1000.00 for a pouring license.

Section 6-358 – I understand that the annual license fee is \$1000.00 and must be paid prior to issuance of a license. The license is only valid for the year in which it is issued and shall expire on December 31 of the year that it is granted.

Section 6-391 – I understand that the annual license fee is \$100.00 per location and must be paid prior to issuance of a alcoholic catering license. The license is only valid for the year in which it is issued and shall expire on December 31 of the year that it is granted.

Section 6-142. – I understand that any misstatement, false statement, or concealment of fact in this application shall be grounds for the denial of the application for license issuance or revocation of the license issued, and shall make the applicant liable to prosecution for perjury under the laws of the state.

I have read and I distinctly understand the Alcoholic Beverage regulations and the qualifications and acknowledgements above and agree to abide by these regulations. I certify to the best of my knowledge that all items of the application and sworn statement are true and correct.

Signed: _____ *Hotel*

Sworn to and subscribed before me

This 30 day of May 2024

Michelle M. Quinn

(Signature) Notary Public



(A) If ownership is vested in more than one person, additional owners Sign Below:

Please Note:

Please return all required documents **in person** to the Morgan County Planning & Development Office no later than **the second Tuesday of the month**. The applications will be reviewed at the Commissioner's work session in that month and will be voted on at their regular meeting for the following month. **No application will be placed on the current work session that is received after the second Tuesday. Applications received after the second Tuesday will be placed on the following month's work session and will not be voted on until the regular meeting in two months.** You will be notified of the decision. If your application is approved, you may bring your performance bond and required fee to the Planning & Development office and pick up your license. If your application is rejected, you will be notified of the cause of rejection.

THIS SPACE IS FOR COMMISSIONERS USE ONLY

_____ APPROVED

DATE: _____

_____ DISAPPROVED

Clerk, Morgan County Commissioners

(Form Revised 10-20-10)



MORGAN COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date: mm/dd/yyyy

Type of Request:

Wording for the Agenda:

Alcoholic Beverage License for Nadia Gas Express, LLC. dba Fairplay General Store.

Background/History/Details:

Ghanshyam Das will be taking over the operations the Fairplay General Store located at 2700 Fairplay Road. He has applied for an alcoholic beverage license for package sales at this location. The store has been inspected and he has met all the requirements for approval of an alcoholic beverage license.

What action are you seeking from the Board of Commissioners?

Approval of the alcoholic beverage license for the Fairplay General Store located at 2700 Fairplay Road.

If this item requires funding, please describe:

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Approved by Purchasing

Manager's Approval

Staff Notes:



MORGAN COUNTY PLANNING AND DEVELOPMENT

150 East Washington Street, Suite 200
P.O. Box 1357
Madison, Georgia 30650
(706)342-4373 Office · (706)343-6455 Fax

Sworn Statement of Eligibility for the Sale of Alcoholic Beverages

I, GHANSHYAM DAS being a person of good moral character, do hereby make application for a license to engage in the package sale of malt beverages and wine in Morgan County, Georgia, at:

Establishment Name: NADIA GAS EXPRESS LLC dba FAIRPLAY GENERAL STORE

Address: 2700 FAIRPLAY ROAD

City: RUTLEDGE State: GA Zip Code: 30663

Phone Number: 404 566 1817

Licensee Qualifications and Acknowledgements

Section 6-52. - I am over the age of 25 and have been a resident of the State of Georgia for a minimum of one (1) year.

Section 6-54. - I am not an official or employee of the county, nor a member of the Board of Commissioners.

Section 6-55. - I have not been convicted nor pled nolo contendere within the previous ten (10) years of the date of this application to a felony or a misdemeanor involving moral turpitude. Furthermore, I have not been convicted under federal, state or local law for a criminal offense involving alcoholic beverages, gambling or tax law violations.

Section 6-56. - I have not been denied a license to sell alcoholic beverages within one (1) year of the date of this application.

Section 6-57. - I am the owner(s) or authorized agent of the parent corporation of the premises for which the license is requested or the holder of any lease thereon.

Section 6-58. - I attest that I, or the corporation, have adequate financial participation in the proposed business to direct and manage its affairs.

Section 6-198. - I understand that I am responsible for the management and operation of the business for which the license is granted and shall be responsible for all violations by the licensee's agents and employees.

Section 6-300 - I understand that any violation of federal, state, or any of the regulations adopted by Morgan County pertaining to the sale of malt beverages and wine, shall subject my license to immediate revocation or suspension.

Section 6-210 - I have in possession a copy of the Morgan County Alcoholic Beverage Ordinance and I have read and understand the regulations.

Section 6-324 - I understand that I must post a cash bond or a performance bond with the Morgan County Board of Commissioners in the amount of \$500.00 for retail establishments and \$2,500.00 for wholesale establishments.

Over

Section 6-325 – I understand that the annual license fee is \$500.00 and must be paid prior to issuance of a license. The license is only valid for the year in which it is issued and shall expire on December 31 of the year that it is granted.

Section 6-328 – I understand that the annual license fee stated in this section must be paid prior to issuance of a license. The license is only valid for the year in which it is issued and shall expire on December 31 of the year that it is granted.


Section 6-354 – I understand that I must post a cash bond or a performance bond with the Morgan County Board of Commissioners in the amount of \$1000.00 for a pouring license.

Section 6-358 – I understand that the annual license fee is \$1000.00 and must be paid prior to issuance of a license. The license is only valid for the year in which it is issued and shall expire on December 31 of the year that it is granted.

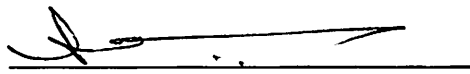
Section 6-391 – I understand that the annual license fee is \$100.00 per location and must be paid prior to issuance of a alcoholic catering license. The license is only valid for the year in which it is issued and shall expire on December 31 of the year that it is granted.

Section 6-142. – I understand that any misstatement, false statement, or concealment of fact in this application shall be grounds for the denial of the application for license issuance or revocation of the license issued, and shall make the applicant liable to prosecution for perjury under the laws of the state.

I have read and I distinctly understand the Alcoholic Beverage regulations and the qualifications and acknowledgements above and agree to abide by these regulations. I certify to the best of my knowledge that all items of the application and sworn statement are true and correct.

Signed:  ←

Sworn to and subscribed before me
This 27th day of JUNE 2024


(Signature) Notary Public

(A) If ownership is vested in more than one person, additional owners Sign Below:

Ramesh Sundarrajan
NOTARY PUBLIC

Please Note:

Fulton County, GEORGIA

Please return all required documents in person to the Morgan County Planning & Development Office no later than the **second Tuesday of the month**. The applications will be reviewed at the Commissioner's work session in that month and will be voted on at their regular meeting for the following month. **No application will be placed on the current work session that is received after the second Tuesday. Applications received after the second Tuesday will be placed on the following month's work session and will not be voted on until the regular meeting in two months.** You will be notified of the decision. If your application is approved, you may bring your performance bond and required fee to the Planning & Development office and pick up your license. If your application is rejected, you will be notified of the cause of rejection.

THIS SPACE IS FOR COMMISSIONERS USE ONLY

_____ APPROVED

DATE: _____

_____ DISAPPROVED

Clerk, Morgan County Commissioners

(Form Revised 10-20-10)



MORGAN COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date: mm/dd/yyyy

Type of Request:

Wording for the Agenda:

Resolution to Levy Taxes for the Fiscal Year 2025 and Tax Year 2024 - 2024-RES-007

Background/History/Details:

In accordance with O.C.G.A 48-5-32, the 2024 Tax Digest and 5 Year History of Levy was advertised in the County's legal organ on July 25, 2024. The County's unincorporated millage rate for 2024 was advertised at 9.686 mills allowing for the applicable rollback. Additionally, on August 12, 2024, the Board of Education will establish the tax levy for 2024 for general education purposes and for school bonds.

This resolution allow for the applicable levy from both entities for 2024.

What action are you seeking from the Board of Commissioners?

Motion to approve Resolution 2024-RES-007 for the Levy of Taxes for the Fiscal Year 2025 and Tax Year 2024 as presented.

If this item requires funding, please describe:

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Approved by Purchasing

Manager's Approval

Staff Notes:

2024-RES-007
RESOLUTION TO LEVY TAXES FOR THE
FISCAL YEAR 2024 AND TAX YEAR 2023

RESOLUTION TO LEVY TAXES FOR THE FISCAL YEAR 2025 AND TAX YEAR 2024

STATE OF GEORGIA

COUNTY OF MORGAN

BE IT RESOLVED by the Board of Commissioners of Morgan County, Georgia, that there be, and there is hereby levied a tax for 2024 in an amount and for the purposes enumerated as follows:

WHEREAS, the Board of Commissioners has determined the total budget necessary for funding functions for general county purposes;

NOW, THEREFORE BE IT RESOLVED that a tax is levied on all property in Morgan County subject to taxation for general county purposes, to pay operating expenses of the following functions of county government: public works, public safety, general government, judiciary, library, community education, health and welfare and other miscellaneous services to the public, and to pay principal and interest of any general debt of the County other than general county bonds as follows:

9.686 mills rolled back from 12.844 mills for revenue collected from Local Option Sales Tax in the amount of \$4,945,750 which is equal to 3.158 mills.

WHEREAS, Morgan County has received an annual revenue in the cash amount of \$1,167,240 in the form of a tax levied on gross direct premiums of insurance policies; and

WHEREAS, Morgan County will utilize the proceeds of this tax in the unincorporated portion of the County solely for those purposes as outlined in O.C.G.A. 33-8-8.3 in an amount corresponding to, or greater than, the revenues received.

WHEREAS, the Morgan County Board of Education in authorized session on August 12, 2024 will establish the tax levy for 2023 for general education purposes and for school bonds.

ADOPTED, August 6, 2024.

MORGAN COUNTY, GEORGIA,
Acting by and through its Board of Commissioners

Bill Kurtz, Chairman

Blake McCormick, Vice-Chairman

2024-RES-007
RESOLUTION TO LEVY TAXES FOR THE
FISCAL YEAR 2024 AND TAX YEAR 2023

Philipp von Hanstein, Commissioner

Ben Riden, Jr., Commissioner

Donald B. Harris, Commissioner

Attest: Kim Cox, County Clerk

NOTICE

The Morgan County Board of Commissioners does hereby announce that the millage rate will be set at a meeting to be held at Morgan County Board of Commissioners office located at 150 E. Washington St. Madison Ga 30650 on Tuesday, August 6, 2024 at 10:00 a.m. and pursuant to the requirements of O.C.G.A. Section 48-5-32 does hereby publish the following presentation of the current year's tax digest and levy, along with the history of the tax digest and levy for the past five years.

CURRENT 2024 TAX DIGEST AND 5 YEAR HISTORY OF LEVY

COUNTY WIDE	2019	2020	2021	2022	2023	2024
Real & Personal	1,103,723	1,185,713	1,249,988	1,370,993	1,557,666	1,827,612
Motor Vehicles	15,785	14,204	12,110	12,679	15,267	18,270
Mobile Homes	2,315	2,508	2,502	2,417	2,290	2,355
Timber - 100%	3,511	3,007	2,350	2,509	3,415	2,748
Heavy Duty Equipment	231	396	517	2,075	2,340	1,073
Gross Digest	1,125,565	1,205,828	1,267,467	1,390,673	1,580,978	1,852,058
Less Exemptions	194,026	199,435	208,438	223,827	242,374	285,955
Net Digest Value	931,539	1,006,393	1,059,029	1,166,846	1,338,604	1,566,103
Gross Maintenance & Operation Millage	13.930	14.074	13.899	14.194	13.748	12.844
Less Rollbacks (Local Option Sales Tax)	3.035	3.353	3.276	3.614	3.758	3.158
Net M&O Millage	10.895	10.721	10.623	10.580	9.990	9.686
Total M&O Taxes Levied	\$10,149	\$10,790	\$11,250	\$12,345	\$13,373	\$ 15,169
Net Taxes \$ Increase	\$92	\$640	\$461	\$1,095	\$1,027	\$1,797
Net Taxes % Increase	0.91%	6.31%	4.27%	9.73%	8.32%	13.44%
NOTE:						
Values and amounts above are expressed in 1000's.						

PT32.1 - Computation of MILLAGE RATE ROLLBACK AND PERCENTAGE INCREASE IN PROPERTY TAXES - 2024

COUNTY **104 - Morgan**

TAXING JURISDICTION **00 - County**

ENTER VALUES AND MILLAGE RATES FOR THE APPLICASBLE TAX YEARS IN YELLOW HIGHLIGHTED BOXES BELOW

DESCRIPTION	2023 DIGEST	REASSESSMENT OF EXISTING REAL PROP	OTHER CHANGES TO TAXABLE DIGEST	2024 DIGEST
REAL	1,402,906,539	47,726,549	196,672,984	1,647,306,072
PERSONAL	154,758,873		25,547,854	180,306,727
MOTOR VEHICLES	15,267,290		3,002,440	18,269,730
MOBILE HOMES	2,289,994		65,460	2,355,454
TIMBER -100%	3,415,023		-667,278	2,747,745
HEAVY DUTY EQUIP	2,339,875		-1,267,264	1,072,611
GROSS DIGEST	1,580,977,594	47,726,549	223,354,196	1,852,058,339
EXEMPTIONS	242,373,981	0	43,581,420	285,955,401
NET DIGEST	1,338,603,613	47,726,549	179,772,776	1,566,102,938
	(PYD)	(RVA)	(NAG)	(CYD)
2023 MILLAGE RATE >>>	9.990	2024 MILLAGE RATE >>>		9.686

THIS SECTION WILL CALCULATE AUTOMATICALLY UPON ENTRY OF INFORMATION ABOVE

DESCRIPTION	ABBREVIATION	AMOUNT	FORMULA
2023 Net Digest	PYD	1,338,603,613	
Net Value Added-Reassessment of Existing Real Property	RVA	47,726,549	
Other Net Changes to Taxable Digest	NAG	179,772,776	
2024 Net Digest	CYD	1,566,102,938	(PYD+RVA+NAG)
2023 Millage Rate	PYM	9.990	
Millage Equivalent of Reassessed Value Added	ME	0.304	(RVA/CYD) * PYM
Rollback Millage Rate for 2024	RR	9.686	PYM - ME

COMPUTATION OF PERCENTAGE INCREASE IN PROPERTY TAXES

If the 2024 Proposed Millage Rate for this Taxing Jurisdiction exceeds Rollback Millage Rate computed above, this section will automatically calculate the amount of increase in property taxes that is part of the notice required in O.C.G.A. Section 48-5-32.1(c) (2)	Rollback Millage Rate	9.686
	2024 Millage Rate	9.686
	Percentage Increase	0.00%

CERTIFICATIONS

I hereby certify that the amount indicated above is an accurate accounting of the total net assessed value added by the reassessment of existing real property for the tax year for which this rollback millage rate is being computed.

Chairman, Board of Tax Assessors

Date

I hereby certify that the values shown above are an accurate representation of the digest values and exemption amounts for the applicable tax years

Tax Collector or Tax Commissioner

Date

I hereby certify that the above is a true and correct computation of the rollback millage rate in accordance with O.C.G.A. Section 48-5-32.1 for the taxing jurisdiction for tax year 2024 and that the final millage rate set by the authority of this taxing jurisdiction for tax year 2024 is _____

CHECK THE APPROPRIATE PARAGRAPH BELOW THAT APPLIES TO THIS TAXING JURISDICTION

___ If the final millage rate set by the authority of the taxing jurisdiction for tax year 2024 exceeds the rollback rate, I further certify that the required advertisements, notices, and public hearings have been conducted in accordance with O.C.G.A. Sections 48-5-32 and 48-5-32.1 as evidenced by the attached copies of the published five year history and current digest advertisement, the "Notice of Intent to Increase Taxes" showing the times and places when and where the required public hearings were held, and a copy of the press release provided to the local media.

___ If the final millage rate set by the authority of the taxing jurisdiction for tax year 2024 does not exceed the rollback rate, I further certify that the required five year history and current digest advertisement have been published in accordance with O.C.G.A. Section 48-5-32 as evidenced by the attached copy of such advertised report.

Signature of Responsible Party

Title

Date



MORGAN COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date: mm/dd/yyyy

Type of Request:

Wording for the Agenda:

Background/History/Details:

What action are you seeking from the Board of Commissioners?

If this item requires funding, please describe:

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Approved by Purchasing

Manager's Approval

Staff Notes:

Morgan County Farmland Protection Advisory Board Bylaws

Article I - Purpose

The Morgan County Farmland Protection Advisory Board (the “**Board**”) has been established by the Morgan County Board of Commissioners to promote the objectives set forth in the County’s Comprehensive Plan, as amended from time to time, including retaining agriculture as a viable economic endeavor in Morgan County.

The duties of the Board may include the following:

- a) establish an application process, a timeline for farm visits, and ranking and selection criteria;
- b) review applications for farmland protection funding;
- c) recommend farmland protection funding priorities to the Morgan County Board of Commissioners annually;
- d) coordinate with the Natural Resources Conservation Service, the land trust(s), and the applicant(s);
- e) develop local ranking criteria and understand any changes in the Natural Resources Conservation Service’s Agricultural Conservation Easement Program ranking criteria year to year; and
- f) conduct community outreach about the Morgan County Farmland Protection Program.

Article II – Membership and Terms

(a) Voting Members - The voting members of the Board shall consist of **five (5) to seven (7) members**. Each District Commissioner and the Chairman of the Board of Commissioners shall each appoint one voting member of the Board. Additional members may be appointed by the Commission or Commission Chair, not to exceed seven (7) total voting members. The voting members of the Board shall be residents of Morgan County; however, the voting members are not required to reside in the same district as the District Commissioner who appointed them. A majority of the voting members must be actively engaged in agriculture and represent a cross-section of agriculture sectors in Morgan County.

(b) Non-voting members – Non-voting members of the Board shall include:

- (i) Director of Planning or his/her designee, and
- (ii) Executive Director of the Madison-Morgan Conservancy or his/her designee

(c) Term. Each member shall serve for a term of four years.

(d) Term Limits. Voting members shall be eligible to serve two terms of four years each in succession (in addition to a partial term such as for the original appointments or when a member is appointed to fill a vacancy mid-term due the resignation of a voting member); provided however, any voting member who has served two consecutive terms of four years each shall be eligible for appointment following a one-year period when he or she is not a member of the Board.

(e) Staggered Terms. Initially appointed voting members shall serve staggered terms of office as follows: District Commissioners 1 and 2 shall each appoint a voting member for a term ending June 30, 2027; District Commissioners 3 and 4 shall each appoint a voting member for a term ending June 30, 2028; and District Commissioners 5 shall appoint a voting member for a term ending June 30, 2029. Additional members appointed by the Board of Commissioners shall have terms ending June 30, 2026. Thereafter, all voting members shall serve terms of four (4) years. Despite the expiration of a voting member's term, the voting member shall continue to serve until the successor is appointed.

(f) No Compensation. The members shall serve without compensation.

(g) Prohibited Transactions. Board members and member(s) of the immediate family of a Board member are prohibited from applying to, or participating in County's ACEP-ALE program or successor program. "Members of immediate family" means a member's spouse, child, parent, or sibling residing in the same household.

Article III- Meetings

(a) Meetings - Regular meetings shall be held quarterly and more often as needed. Special meetings of the Board may be called at any time by the Chair or at the requests of any two members of the Board, or at the request of the Chairman of the Morgan County Board of Commissioners.

(b) Quorum - A majority of the voting members of the Board at a meeting duly assembled, shall constitute a quorum for the transaction of business, and the act of a majority of such voting members present at a meeting at which a quorum is present shall be the act of the Board, except as may be otherwise specifically provided by law.

(c) Attendance - Members missing more than three consecutive meetings shall be deemed to have excessive absences. In the event that a member has excessive absences, the Chair of the Board shall notify the Chairman of the Board of Commissioners of the absences, and the Board of Commissioners shall have the right to appoint a replacement.

(d) Open Meetings Act. All meetings of the Board must comply with the requirements of the Georgia Open Meetings Act (O.C.G.A. § 50-14-1 et seq.).

(e) Parliamentary Procedure. Meetings shall be conducted in accordance with the simplified Robert's Rules of Order in all cases to which they are applicable.

Article IV – Officers and Duties

(a) Officers. The Board shall elect from its voting members at the first meeting each calendar year a Chair and Vice-Chair. At the same meeting the Board shall elect a Secretary who need not

be a voting member of the Board. Officers shall serve one-year terms. The officers shall continue to serve until replaced.

(b) Officer Duties. The powers and duties of the officers shall be as follows:

(i) Chair - It shall be the duty of the Chair to set the meeting schedule for each calendar year. The Chair shall preside at all meetings of the Board. The Chair shall be the primary liaison between the Board and the Chairman of the Morgan County Board of Commissioners and serve as the spokesperson for the Board to County officials.

(ii) Vice-Chair - The Vice-Chair shall assume the duties of the Chair should the Chair be not present at any meeting.

(iii) Secretary - The Secretary shall keep the minutes of the Board and shall distribute minutes in a timely manner to the Board. The Secretary shall be responsible for ensuring proper advertising of the meetings as required by the Georgia Open Meetings Act and shall additionally perform other administrative tasks requested by the Chair in the furtherance of the work of the Board.

Article V - Amendments

Proposed amendments to these Bylaws shall be presented in writing by any person to the Chair with a copy to the Secretary, who shall then notify all members of the proposed amendments in writing. Proposed amendments shall be brought before the Board not sooner than thirty (30) days thereafter. Approval of any amendment to these Bylaws shall require the affirmative vote of no fewer than four (4) voting members of the Board and approval by the Morgan County Board of Commissioners. Amendments so adopted shall become effective immediately upon approval.

Approved for initial adoption by the Morgan County Board of Commissioners this 6th day of August, 2024.

MORGAN COUNTY
BOARD OF COMMISSIONERS

By: _____
Bill Kurtz, Chairman

Attest: _____
Kim Cox, County Clerk

(County Seal)



MORGAN COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date: mm/dd/yyyy

Type of Request:

Wording for the Agenda:

2024 LMIG/SPLOST Pavement Preservation

Background/History/Details:

An RFP was issued to resurface 7.62 miles of road with chip seal and lightweight aggregate. The only bid received was from Scruggs Company. Recommend that the project be awarded to Scruggs Company.

What action are you seeking from the Board of Commissioners?

Motion to approve the award of Pavement Preservation Project to Scruggs Company for \$424,447.60

If this item requires funding, please describe:

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

**** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.***

Approved by Finance

Approved by Purchasing

Manager's Approval

Staff Notes:

7/16/2024

Mr. Adam Mestres
County Manager
Morgan County Board of Commissioners
150 E. Washington St
Madison, GA. 30650

REFERENCE: 2024 LMIG/TSPLOST PAVEMENT PRESERVATION BID CERTIFICATION: BID DATE
7/15/24

Dear Mr. Mestres,

I have reviewed the single bid package we received for for the above referenced project, to resurface
7.62 miles of road with chip seal and lightweight aggregate (like Godfrey Road).

Scruggs Company: \$424,447.60, alternate 2 (Alternate 1: \$603,000)

I hereby certify this bid as responsible and responsive, per the solicitation. Scruggs performed this same
contract well last year. This bid included two alternates, however patching and repair work has covered
too much area to use alternate 1.

Sincerely,



Aaron Wadley, PE
LNCO Planning Engineering Construction
Madison Georgia
Aaron.wadley@LNCOpec.com



MORGAN COUNTY AGENDA REQUEST

Department:

Presenter(s):

Meeting Date: mm/dd/yyyy

Type of Request:

Wording for the Agenda:

Background/History/Details:

What action are you seeking from the Board of Commissioners?

If this item requires funding, please describe:

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Approved by Finance

Approved by Purchasing

Manager's Approval

Staff Notes:

PROPERTY TO BE DECLARED SURPLUS AND SOLD

DESCRIPTION	DEPT
Husqvarna Mower Model: M/ZT52	Public Buildings
2016 Ford F250 VIN: 1FD7X2B61GEC16956	Public Buildings
2008 Ford F250 VIN: 1FDSX21508EC98537	Public Works - Shop
2018 Ford F150 VIN: 1FTMF1CB3JFC65769	Public Works - Shop
2007 Ford F150 VIN: 1FTRF14W87NA63175	Planning and Development
2003 Toyota Sequoia VIN: 5TDZT34A13S156522	Sheriff's Office - Seizure
2010 Honda Accord VIN: 1HGCP2F72AA102633	Sheriff's Office - Seizure
2017 Ford F250 VIN: 1FT7W2B68HED70041	Fire Department
1990 Ford F700 VIN: 1FDNF70H5LVA28947	Fire Department
1992 Ford F700 VIN: 1FDNF70J2NVA04949	Fire Department
1983 Ford F700 VIN: 1FDPK70U2DVA42985	Fire Department
Lot of HP toner	Multiple
Lot of Lexmark toner and toner waste container	Multiple
Lot of Brother toner	Multiple
3.5 Yard bucket for Case 621F	Roads and Bridges
Slide in animal kennel for F150	Animal Services
Xerox Work Centre Copier 7835 SN: MX0148384	Sheriff's Office .
Lot of Furniture - Wooden L-shape desk, credenza, drafting table	Multiple
19 Handheld scanners	Elections
8 portable tables	Elections
Ballot collection boxes	Elections