

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 Donald
Harris, Ben Riden, Jr., and Philipp von Hanstein

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 10:00 a.m., followed by the Pledge of Allegiance and
Invocation.**

AGENDA APPROVAL

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

MINUTES

August 6, 2024, BOC Meeting

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

**WES BANCROFT, ON BEHALF OF TOWERS, LLC, REQUESTED CONDITIONAL
USE APPROVAL FOR A TELECOMMUNICATIONS TOWER ON 149.6 ACRES
LOCATED ON PAXON DAIRY ROAD (TAX PARCEL 007-026)**

The Planning and Zoning director, Chuck Jarrell, stated the applicant's attorney requested to defer
their request until the September 3, 2024 meeting.

Motion by Commissioner Riden, Seconded by Commissioner McCormack to table the request
until a future meeting. Motion Passed Unanimously.

**SEAN FAIRPLAY PROPERTIES, LLC REQUESTED A VARIANCE TO THE
SETBACK REQUIREMENTS FOR A FUEL STATION ON 2.01 ACRES LOCATED
ON FAIRPLAY ROAD (TAX PARCEL 010-065C)**

Sean Fairplay Properties, LLC requested 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 property is only 245 feet
wide and has AR zoning on two sides. 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 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 subject parcel is currently zoned C1, with neighboring properties all zoned AR. 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 were met and as such, the property owner requested approval.

The chairman allowed proponents and opponents to speak.

Josh Osterhout of Civil Design Group, LLC spoke in favor of the request. He proposed a 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. He said the project would 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. 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 were met and as such, the property owner requested approval.

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

Chas Moore, 3590 Doster Rd., also spoke in opposition.

Motion to deny the request by Commissioner Riden, Seconded by Commissioner McCormack. The motion passed unanimously. Application not granted.

JULIA CHESNEY REQUESTED CONDITIONAL USE APPROVAL FOR A FARM STAY ON 10 ACRES AT 1401 BEAVERDAM ROAD (TAX PARCEL 016-046)

Julia Chesney is requesting conditional use approval for a Farm stay 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, 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 two yurts and one other building have been constructed or remodeled without permits.

The Planning Commission voted unanimously to recommend approval of the conditional use application for a farm stay 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, before the issuance of an Occupational Tax Certificate.

The chairman allowed proponents and opponents to speak.

No one spoke against the request.

The applicants, Matthew and Julia Chesney, spoke in favor. They 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 to 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. They would be overjoyed to share country life with visitors and educate them in sustainable food production. The farm stay proposes to accommodate no more than six in two yurts and one bedroom in the house.

Motion to approve by Commissioner McCormack, Seconded by Commissioner Riden with conditions recommended by Planning and Zoning. Motion passed unanimously.

TRAFFIC CONTROL SIGNS TO IMPROVE SAFETY IN THE RIVERWALK SUBDIVISION

On July 16, 2024, planning director, Chuck Jarrell, addressed the board regarding safety issues in the Riverwalk Subdivision about traffic control signs.

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 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.

The BOC tabled the request and asked staff to contact the Riverwalk HOA for confirmation that they agreed with the recommendations.

On July 20, 2024 Planning staff received an email from Christopher McDonald, HOA President for Riverwalk, with the HOA vote of four (4) in favor and one (1) abstained.

Motion by Commissioner Riden, Seconded by Commissioner Harris to approve the recommended traffic control signs in the Riverwalk subdivision as presented. The motion passed unanimously.

ALCOHOL LICENSE FOR HIRENKUMAR PATEL AT APALACHEE 2024 INC., 1010 APALACHEE RIVER ROAD

Hiren Kumar Patel will be taking over the operations of 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.

Motion by Commissioner McCormack, Seconded by Commissioner Harris to approve the alcoholic beverage license for the Apalachee 2024, Inc. located at 1010 Apalachee River Road. The motion passed unanimously.

ALCOHOL LICENSE FOR GHANSHYAM DAS AT NADIA GAS EXPRESS, LLC. DBA FAIRPLAY GENERAL STORE AT 2700 FAIRPLAY ROAD

Ghanshyam Das will be taking over the operations of 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.

Motion to approve by Commissioner Riden, Seconded by Commissioner McCormack to approve the alcoholic beverage license. The motion was unanimously passed.

RESOLUTION TO LEVY TAXES FOR THE FISCAL YEAR 2025 AND TAX YEAR 2024 - 2024-RES-007

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 a tax levy for 2024 for general education purposes and school bonds.

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

Motion by Commissioner Harris, Seconded by Von Hanstein to approve Resolution 2024-RES-007. The motion passed 3-1 with Commissioner Riden voting in favor of the motion and Commissioner McCormack voting in opposition.

FARMLAND PROTECTION ADVISORY BOARD BYLAWS

The Board of Commissioners approved resolution 2024-RES-006 Creation of Farmland Protection Program on July 16, 2024. The follow-up action item was to approve the Advisory Board Bylaws. Adam Mestres, county manager, presented the draft for Board Consideration.

Motion to table by Commission Riden, seconded by Commissioner McCormack. The motion passed unanimously.

2024 PAVEMENT PRESERVATION PROJECT

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. It is recommended that the project be awarded to Scruggs Company.

Motion by Commissioner Riden, Seconded by Commissioner Harris to approve the award of the Pavement Preservation Project to Scruggs Company for \$424,447.60. Unanimously approved.

PROPERTY TO BE DECLARED SURPLUS

Mark Williams, the assistant county manager, has declared the following property as surplus. The list below identifies equipment and property to be declared surplus as they are no longer utilized or have exceeded their useful life. These items will be sold or disposed of properly.

- 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 containers 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.
- Lots of Furniture - Wooden L-shape desk, credenza, drafting table Multiple
- 19 Handheld scanners Elections
- 8 portable tables Elections
- Ballot collection boxes Elections

Motion by Commissioner Riden, Seconded by Commissioner McCormack to declare the list presented as surplus property. The motion passed unanimously.

COUNTY MANAGER REPORT

County Manager, Adam Mestres, presented a monthly overview of Morgan County government's current projects and/or issues.

PUBLIC COMMENTS ON AGENDA ITEMS

Morgan County resident, Chas Moore, commented on the millage rates.

COMMISSIONER COMMENTS

Commissioners made comments and gave updates on liaison assignments.

MOTION by Commissioner Riden, seconded by Commissioner McCormack to exit the regular session and adjourn at 12:44 p.m. Motion Passed Unanimously.

Bill Kurtz, Chairman

ATTEST:

Kim Cox, County Clerk