

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 Ben Riden, Jr., Vice-Chair Bill Kurtz, Commissioners Philipp von Hanstein, Donald Harris, and Blake McCormack.

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

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

AGENDA APPROVAL

Motion by Commissioner McCormack, Seconded by Commissioner Kurtz to approve the agenda with the following addition: Executive Session to discuss potential litigation. Motion Passed Unanimously.

PROCLAMATION PRESENTATION-RETIRED EDUCATORS DAY

Chairman Riden presented the 2023 Retired Educators Day Proclamation.

FARMLAND PROTECTION PRESENTATION-CHRISTINE WATTS & ROBERT TRULOCK

Members of the Madison-Morgan Conservancy, Christine Watts, Bruce Gilbert, and Art Dombay addressed the Board regarding farmland protection in Morgan County. The Conservancy's goal is to raise funds through SPLSOT to purchase conservation easements on farmland, forestland, watersheds, and greenspace. They are asking the Board to consider allocating five million SPLOST funds toward the farmland protection project. The group also asked the Board to consider sharing the cost of two studies needed for the project which are estimated to cost \$45,000. The two studies needed are the Cost of Community Services (COCS) Study and the Critical Mass Study.

Some Board members expressed interest in the project. However, those interested were not comfortable allocating five million SPLOST funds and discussed a lower amount. The Board would like to research the project more and seek legal advice regarding the use of SPLOST funds for the project.

The Board expressed interest in co-funding the COCS Study and the Critical Mass Study. The Conservancy Group was asked to put together a presentation of the studies to be presented at the November 07, 2023 BOC meeting.

MINUTES

September 19, 2023 BOC Meeting

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

HORACE GUINN IS REQUESTING A VARIANCE TO THE REGULATIONS FOR A FAMILY BURIAL PLOT FOR 2.994 ACRES LOCATED AT 1121 GUINN ROAD (TAX PARCEL 043-079)

Horace Guinn is requesting a variance to the regulations for a family burial plot. The applicant wants to locate the cemetery on a small part of his 2+ acre parcel that was divided when Guinn Road was installed.

The applicant owns three parcels for a total of 19.95 acres. He also lists another 1-acre land-locked parcel on his application, although the Tax Assessors show it is owned by another person

(also a Guinn). The parcels are oddly shaped with 2 streams, making it impossible for the applicant to meet the regulations for setbacks associated with family burial plots. The ordinance language, recently updated, requires 200' from water, 100' from any residence, 50' from any other structure, and 50' from any property line. The proposed area for the cemetery contains a tool shed and has an encroaching manufactured home from the adjacent parcel. However, the applicant says the .75-acre area, due to size and location, is basically useless for anything else.

The applicant is requesting a 5' setback from all property lines and to keep the existing shed on the property. The Planning Commission voted 6-0 to approve the request with two conditions: remove the existing shed and a minimum 30' setback from all property lines.

Horace Guinn addressed the Board and stated that he has lived on his property since 1963. He would like to have a resting place for his large family. Mr. Guinn also stated that he would like to keep the existing shed on the property.

Chairman Riden allowed proponents and opponents to speak.

Nikki Guinn spoke in favor of the request.

No one spoke in opposition to the request.

Motion by Commissioner Kurtz, Seconded by Commissioner McCormack to approve the variance with a 25' setback from all property lines and allow the existing shed to remain. Motion Passed Unanimously.

GEORGIA SAFARI & CONSERVATION PARK IS REQUESTING CONDITIONAL USE APPROVAL FOR A ZOO FACILITY ON A COMBINED TOTAL OF 436.5 ACRES LOCATED AT 1761 MONTICELLO HIGHWAY (TAX PARCELS 037D-014, 038-003A, 038-002A)

Georgia Safari and Conservation Park is requesting conditional use approval for a zoo facility on a combined total of 436.5 acres located in Morgan County at 1761 Monticello Highway. The applicant is not seeking any changes from the previous conditions approved by the Board of Commissioners in 2020. This request is to extend the previously approved condition timeline by one year.

The applicant received building permits in 2021 but changed course due to research and funding. Building permits were issued in 2023 and construction of the giraffe and rhino barn is actively underway. Lodging, as well as the main lodge with an eating facility, is expected to be completed in October. The entrance has been moved north on Highway 83, although the long-term plan is to eventually utilize the originally planned entrance. The applicant intends to open the safari park and a reduced-size walkthrough park, with 6 lodging units in January 2024.

The applicant is requesting that their conditional use for a zoo facility be approved with the same conditions placed on their last approval in 2020:

1. Allow a delay in the parking lot paving until one year after phase 1 opens.
2. Elimination of the barbed wire requirements for the perimeter fence.
3. Allow use of regular cattle fence where domestic animals will be kept.
4. Allow the use of existing buffers not located on the applicant's property; if existing buffers are removed, a compliant buffer must be installed immediately.
5. Allow planting of buffers as phases develop; allow use of seedlings. If seedling size is not compliant when a new phase opens, the buffer must be brought into compliance. The buffer installation between the zoo property and the adjacent property (037D-014Z) may wait until the adjacent property is sold or developed (with the exception of Phase 1).
6. No public entrance be allowed on Clack Road.

7. Written permission be given from neighbors regarding the use of buffers.
8. Amend the emergency plan to include notification to City of Madison authorities in the event of an animal escape.
9. Lodging is limited to 80 units.
10. The safari park must be approved and under construction prior to the commencement of construction of the walk-through zoo and lodging, which may be constructed concurrently.
11. Require a 100' setback with a 50' planted buffer along the property line adjacent to residential property (1390 Clack Road).
The opening of both the phase 1 safari park and the phase 1 walk-through park will be used as an end date for conditional use re-approvals, providing that phase 1 meets the intent of the presented project. The project, after phase 1 opens, must continue to meet the intent of the presented project. Any variation from the presented intent will require further approval.

The Planning Commission voted 6-0 to approve the conditional use request to extend 12 months with the previous conditions that were approved in 2020.

Mike Conrads stated that they are underway with construction. They are working with the USDA to finalize their permits. The animals are starting to trickle in a little at a time. Once they obtain the USDA permit in approximately 65-70 days, more animals will begin arriving. However, they need a little extra time to get everything ready to open to the public.

Chairman Riden allowed proponents and opponents to speak.

No one spoke in favor of the request.

Ed Price, 1921 Clack Road spoke in opposition. Mr. Price lives about one mile from the location of the zoo and asked the Board to consider two conditions: an extension be granted with a requirement that construction after December 31, 2024 must be presented to and approved by the Board of Commissioners, and second, the approved exit/entrance on Clack Road can only be used for the purpose of supplying necessities to the animals as a temporary construction entrance.

Motion by Commissioner von Hanstein, Seconded by Commissioner Harris to approve the 12-month extension. Motion Passed Unanimously.

FY24 AGING SERVICES CONTRACT WITH NEGRC

Senior Center Director Mary Nunn presented the FY2024 Aging Services Contract between Morgan County and NEGRC. NEGRC (the Subcontractor) shall render services to eligible persons who are aged 60 and over, or a spouse (regardless of age) of a person aged 60 or older; persons with disabilities who are residents of housing facilities occupied primarily by older adults; volunteers, staff and guests aged 60 and older, the elderly and/or disabled in a satisfactory and proper manner. The Subcontractor shall provide the following services but not limited to meals, nutrition education in a group setting; ongoing outreach in the community; nutrition screening and assessment; access to congregate sites; shopping assistance through transportation services; health/other educational programs, and recreational activities. The total contract for all services for FY2024 is \$102,531.31, a decrease of \$5,066.68 from FY2023.

Motion by Commissioner McCormack, Seconded by Commissioner Harris to approve the FY2024 Aging Services Contract as presented. Motion Passed Unanimously.

GA FOOD SERVICES CONTRACT FOR SFY24

Senior Center Director Mary Nunn is requesting approval of the SFY24 contract with GA Food Services including price increases.

FY23 and FY24 Cost Comparison		
	FY2023	FY2024
Congregate	\$13.73	\$17.73
Home Delivery	\$16.84	\$15.66
Vendor Cost of Meal	\$4.75	\$5.14
Pre-plated	\$5.07	\$5.49
Frozen 5-pack	\$5.28	\$3.20
Shelf Stable	\$5.02	\$5.43
Picnic Meal	\$5.02	\$5.43

MOTION by Commissioner McCormack, Seconded by Commissioner von Hanstein to approve the GA Food Services SFY24 contract as presented. Motion Passed Unanimously.

PURCHASE OF TRAILER

Public Works is requesting to purchase a gooseneck trailer to replace a standard hitch trailer currently being used. The request was included in the FY24 Capital Budget request, but rather than being approved, it was listed as a possible mid-year purchase. Due to savings in other approved capital purchases, funding is available without requiring a budget amendment.

Quotes Obtained		
Hooper Trailers	B&B Fabrication	Youngblood
\$16,150	\$18,000	\$17,095

MOTION by Commissioner McCormack, Seconded by Commissioner Kurtz to approve the purchase of a gooseneck trailer from Hooper Trailers for \$16,150. Motion Passed Unanimously.

WINDSOR CREEK QUIT-CLAIM DEED

Over the last year, county staff have been working closely with Farmers and Merchants Bank regarding the roads contained inside the Windsor Creek Subdivision (Windsor Creek Drive & Windsor Creek Way). These roads were never formally adopted or accepted by the BOC. One of the main reasons was because the roads contained in the subdivision did not comply with county road standards. When Farmers and Merchants Bank took control of the property, they discussed options for road repair to bring them up to the standards. Earlier this year, the roads were repaired and resurfaced to meet county standards. As such, Farmers and Merchants Bank is seeking consideration from the BOC to accept the quit-claim deed of Windsor Creek Dr and Windsor Creek Way and add said roads to the county's road list.

MOTION by Commissioner Kurtz, Seconded by Commissioner McCormack to approve the quit-claim deed for Windsor Creek Drive and Windsor Creek Way from Farmers & Merchants Bank as presented. Motion Passed Unanimously.

BUDGET AMENDMENT FOR ANIMAL SERVICES

Animal Control is requesting a budget amendment to transfer \$12,500 from the Recreation Capital Fund to the Animal Services Capital Fund to paint the interior of the animal shelter, including the kennels. The funds are available to transfer due to savings from painting the Aquatic Center.

MOTION by Commissioner Kurtz, Seconded by Commissioner McCormack to approve the budget amendment request to transfer \$12,500 from the Recreation Capital Fund to the Animal Services Capital Fund to paint the interior of the animal shelter. Motion Passed Unanimously.

CHARTER BROADBAND INFRASTRUCTURE AGREEMENT AMENDMENT

County administration has been working diligently for over a year to ensure that reliable broadband services are expanded to all areas in Morgan County. More specifically, we have been working on a solution with Charter Communications to build out broadband infrastructure in the designated Fiberlight RDOF area. After negotiations, Charter Communications has agreed to build out broadband infrastructure in the designated Fiberlight RDOF area for a total of 1.5

million with 50% payment due at the time of the agreement being adopted and 50% when 100% of the project area is activated.

MOTION by Commissioner von Hanstein, Seconded by Commissioner Kurtz to approve the Charter Communications First Amendment to the Broadband Infrastructure Agreement as presented. Motion Passed Unanimously.

ACCG RETIREMENT PLAN ADDENDUM

The county currently has two different retirement plans - a frozen defined benefit (DB) plan and an active defined contribution (DC) plan. Over the last year and a half, administration has had conversations about the county's retirement plans with our plan administrator the Association of County Commissioners of Georgia (ACCG). After discussions during the September 19, 2023, board meeting, ACCG created the addendum to the county retirement plan to reflect the changes discussed.

If approved the hybrid plan will consist of both a defined benefit (DB) and defined contribution (DC) component for county employees to begin January 01, 2024. Eligible employees hired between January 01, 2014 through December 31, 2023 will have the option to stay on the current DC plan or make a one-time election to move to the hybrid plan. Employees who elect to move to the hybrid plan will be required to purchase credited years of service they would otherwise have earned between January 01, 2014 and December 31, 2023, using their employer basic contribution sub-account in the ACCG 401(a) DC plan. All eligible employees hired or rehired on or after January 01, 2024 will only be eligible to participate in the hybrid plan.

MOTION by Commissioner von Hanstein, Seconded by Commissioner Kurtz to approve the ACCG Retirement Plan Adoption Agreement, Addendum Amendment #1, and resolution 2023-RES-005 to amend the DB & DC plan. Motion Passed Unanimously.

LIBRARY BOARD VACANCY

There are three Library Board vacancies. Hiram Johnston applied to be considered for reappointment. Elizabeth Scott and Mariah Medlin also submitted applications to be considered for the other two vacancies.

Nancy Condon, Deputy Director for the Azalea Regional Library System recommends appointing all three applicants to the Board.

If appointed all three terms would expire June 30, 2029.

Motion by Commissioner von Hanstein, Seconded by Commissioner Harris to appoint Hiram Johnston, Elizabeth Scott, and Mariah Medlin to the Library Board with terms ending June 30, 2029. Motion Passed Unanimously.

ELECTIONS BOARD VACANCY

Mary Kay Clyburn resigned from the Board of Elections on August 9, 2023. Three applications were submitted for consideration to fill the unexpired term that will end December 31, 2025. The applicants are Stenette Brooks, Geraldine Franklin, and Stephen Shepard.

Motion by Kurtz, Seconded by Commissioner von Hanstein to appoint Stenette Brooks to the Elections Board to fill the vacant unexpired term ending December 31, 2025. Commissioner McCormack voted in favor of the motion and Commissioner Harris voted against the motion. Motion Passed 3-1.

PUBLIC COMMENTS ON AGENDA ITEMS

- Morgan County resident, David Moore commented on the farmland protection presentation.
- Morgan County resident, JoEllen Artz commented on the Charter broadband infrastructure agreement amendment.

COMMISSIONER COMMENTS

Commissioners made comments and gave updates on Liaison assignments.

MOTION by Commissioner von Hanstein, seconded by Commissioner Harris to exit regular session at 7:21 p.m. Motion Passed Unanimously.

EXECUTIVE SESSION- POTENTIAL LITIGATION

MOTION by Commissioner McCormack, seconded by Commissioner von Hanstein to enter Executive Session to discuss potential litigation at 7:26 p.m. Motion Passed Unanimously. (Original signed Affidavit in Executive Session Legal Requirement Book).

MOTION by Commissioner von Hanstein, seconded by Commissioner McCormack to exit Executive Session and adjourn at 7:50 p.m. Motion Passed Unanimously.

Ben Riden, Jr., Chairman

ATTEST:

Leslie Brandt, County Clerk