

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 Andy A. Ainslie, Jr.

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

The meeting was called to order at 10:00 a.m., followed by the Pledge of Allegiance and Invocation.

AGENDA APPROVAL

Motion by Commissioner Kurtz, Seconded by Commissioner Harris to approve the agenda with the following addition: add Joellen Artz for scheduled public comment. Motion Passed Unanimously.

MINUTES

April 19, 2022 BOC Meeting

MOTION by Commissioner Ainslie, Seconded by Commissioner Kurtz to approve the minutes as presented. Motion Passed Unanimously.

CONSENT AGENDA

Motion to accept as information the April 2022 payables to include General Fund in the amount of \$827,461.15, TSPLOST in the amount of \$187,975.69, SPLOST in the amount of \$189,983.40, and the April 2022 financials.

MOTION by Commissioner Ainslie, Seconded by Commissioner Harris to approve the consent agenda as presented. Motion Passed Unanimously.

SCHEDULED PUBLIC COMMENT

Joellen Artz read a statement before the Board regarding the JDA presentation at the April 27, 2022 Board of Assessors meeting.

TEMPORARY MORATORIUM OF THE STANTON SPRINGS EXPANSION (2022-RES-004)

At the December 7, 2021 BOC meeting, the Board approved a six-month temporary moratorium within a five-mile radius of the northeast corner of the Stanton Springs Business Park. The moratorium is set to expire today, May 3, 2022. Planning Director, Chuck Jarrell had hoped to have the final comprehensive plan draft before the expiration of the moratorium. However, the draft was just received, and additional time is needed to allow for public comment. Jarrell is asking for an additional six-month extension to get the comprehensive plan in place. If approved, the moratorium extension would expire November 1, 2022.

MOTION by Commissioner Kurtz, Seconded by Commissioner Ainslie to approve the temporary moratorium extension, Resolution #2022-RES-004. Motion Passed Unanimously.

REPLACEMENT OF COMPACTOR

The County is in the process of completing compactor site transitions to automatic compactors. Currently, nine of the thirteen sites have been outfitted with new compactors. The compactor at Highway 441, located outside of the transfer station, is one of the remaining sites yet to be replaced. After a recent inspection of the compactor, it was discovered that the unit needs immediate repair. The replacement for this compactor is included in the FY2023 budget. Staff is requesting pre-approval to move forward with a replacement compactor totaling \$34,775.00.

MOTION by Commissioner Harris, Seconded by Commissioner Kurtz to approve the purchase and installation of a replacement compactor for \$34,775.00 from CAR Industries. Motion Passed Unanimously.

FY2022 AGING SERVICES CONTRACT

This request is to approve additional funding received for the FY2022 Aging Services contract to expand access to COVID-19 vaccines via the aging network. Senior Center staff members will provide information and assistance regarding COVID-19 vaccines to older individuals, persons with disabilities, and their caregivers.

MOTION by Commissioner Harris, Seconded by Commissioner Ainslie to approve the FY2022 Expanding Access to COVID-19 Vaccines via the Aging Network (VAC5) contract with the Northeast Georgia Regional Commission. Motion Passed Unanimously.

2022 LMIG BIDS

Staff has been working on the 2022 LMIG project list, which was compiled of roads selected from the road study previously conducted. Pittman Construction was the sole bidder that responded. Staff recommends awarding the bid to Pittman Construction in the amount of \$2,319,045.00.

MOTION by Commissioner Kurtz, Seconded by Commissioner Harris to award the 2022 LMIG project to Pittman Construction in the amount of \$2,319,045.00. Motion Passed Unanimously.

DEVELOPMENT AGREEMENT - "KINGSTON ON LAKE OCONEE"

At the March 15, 2022 Board of Commissioners meeting, Kingston Ranch, LLC, requested a modification to an existing Lakeshore Town Center Overlay (LTCO) zoning approval for 882.87 total acres located on Kingston Road (Tax Parcels 066-002 and 066-003). The item was tabled by the Board to allow the County's attorney and staff to review the development agreement. Since then, the County Attorney rewrote the development agreement and in turn the applicant's attorney made changes to the document as well. County staff then met with the applicant to discuss the issues and come up with a mutual solution. Planning Director, Chuck Jarrell, revised the agreement which addresses issues and concerns for both the County and the applicant. The only item still in disagreement is the "Breach and Cure" clause added to the agreement by County staff. Jarrell feels the clause is needed to ensure the developer does not default on the agreement.

County Attorney, Christian Henry, advised he made additional revisions to the development agreement presented in the agenda packet by Jarrell. Henry cleaned up formatting, updated the definition of development agreement to make it more clear, and increased the breach clause from 30 days to 90 days. However, Henry stated the Board could increase the breach period if they wished to do so.

The Board expressed concern with the quality of homes that may be built and preferred to have a minimum single family detached home size set at 2,000 square feet and town homes with a minimum of 1,200 square feet. Commissioners also felt the breach provision was necessary as an incentive to ensure the agreement does not default but felt the 90-day provision may need to be revised to 180 days.

Developer, Doug Adams addressed the Board stating the development would be a quality project with home prices ranging between \$300,000-\$600,000. The homes would be a mixture of slab and basement homes. Adams had no issues with the minimum square footage on single family detached homes being set at 2,000 square feet and the minimum for town homes being 1,200 square feet. He also felt the breach and cure provision being changed from 90 days to 180 days was acceptable.

MOTION by Commissioner Kurtz, Seconded by Commissioner Harris to approve the Kingston Development Agreement to incorporate the changes made by County Attorney

Christian Henry, change the breach provision to 180 days, require single detached family homes to be a minimum of 2,000 square feet, and require town homes to be a minimum of 1,200 square feet. 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

Buckhead resident, Gary Savage commented on the Kingston project.
Buckhead resident, Rachel Jenkins commented on the Kingston project.
Rutledge resident, Nicole Wasendorf commented on road paving.

MOTION by Commissioner Ainslie, seconded by Commissioner Kurtz to exit regular session at 11:20 a.m. Motion Passed Unanimously.

EXECUTIVE SESSION- POTENTIAL LITIGATION

MOTION by Commissioner Ainslie, seconded by Commissioner Kurtz to enter Executive Session to discuss potential litigation at 11:33 a.m. Motion Passed Unanimously. (Original signed Affidavit in Executive Session Legal Requirement Book).

MOTION by Commissioner Ainslie, seconded by Commissioner Kurtz to exit Executive Session and adjourn at 12:16 p.m. Motion Passed Unanimously.

Ben Riden, Jr., Chairman

ATTEST:

Leslie Brandt, County Clerk