

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 10:00 a.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 modification: add Executive Session-Potential Litigation & Personnel. Motion Passed Unanimously.

MINUTES

August 15, 2023 BOC Meeting

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

CONSENT AGENDA

Motion to accept as information the August 2023 payables and financials.

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

MORGAN COUNTY PLANNING & DEVELOPMENT IS REQUESTING A TEXT AMENDMENT TO ARTICLE 7 SECTION 7.19 RELATED TO CHURCHES.

The Planning staff has been examining particular uses to determine if conditional use requests should continue to be required for accessory buildings related to churches.

Senior Planner, Tara Cooner stated that currently, conditional use approval is required when a new church is constructed. Typical issues with new churches include entrances, parking, and environmental review. Staff feels that new churches should remain a conditional use. However, additional buildings at church locations currently also require conditional use approval. These requests are most often related to a pavilion or other outbuilding and have always been approved if the structure met the required setbacks. The accessory buildings typically use the same entrance and parking lot as the church and do not create additional traffic hazards or hard surface run-off. Staff is suggesting that these structures located at stand-alone churches be permitted by right as long as the same entrance and parking are used, and as long as they are on the same parcel. However, Staff is requesting that the conditional use requirement remains for accessory uses associated with mega-churches since the scale of mega-churches could create concerns related to accessory uses. Also, the conditional use requirement for churches that are combined with other uses is recommended to remain, since accessory uses could affect the other uses with which the church is combined.

Chairman Riden opened the floor for proponents and opponents to speak. No one spoke in favor or against the proposed text amendment.

MOTION by Commissioner McCormack, Seconded by Commissioner Harris to approve the text amendment to Article 7, Section 7.19 related to churches. Motion Passed Unanimously.

MORGAN COUNTY PLANNING & DEVELOPMENT IS REQUESTING A TEXT AMENDMENT TO ARTICLE 7 SECTION 7.8 RELATED TO FAMILY BURIAL PLOTS.

Senior Planner, Tara Cooner stated that typically, a family burial plot is approved if the application and survey meet the requirements of the ordinance. The only discussion related to a family burial plot application was in late 2022/early 2023 when a proposed family cemetery was opposed by family members and the distance requirement to an accessory structure (woodshed) was not met. Issues with family members were resolved and the application was approved with a reduced distance to the accessory building.

The planning staff is suggesting that the language be modified to allow family burial plots as a permitted use if the requirements are met. This would permit a family cemetery to be approved by staff by allowing the recording of a compliant plat and remove the wait time associated with family cemetery approval.

The Planning staff is also suggesting that the distance to accessory buildings be reduced to 50 feet. Many of the properties proposed for family cemeteries have ancillary buildings scattered throughout the property that will not affect a burial plot. However, it is recommended to keep the distance from a residence at 100 feet. This will (hopefully) prevent the cemetery from being near accessory residential uses such as swimming pools and playgrounds.

Chairman Riden opened the floor for proponents and opponents to speak. No one spoke in favor or against the proposed text amendment.

MOTION by Commissioner Harris, Seconded by Commissioner Kurtz to approve the text amendment to Article 7, Section 7.8 related to family burial plots. Motion Passed Unanimously.

MORGAN COUNTY PLANNING & DEVELOPMENT IS REQUESTING A TEXT AMENDMENT TO ARTICLE 7 SECTION 7.2 RELATED TO ACCESSORY DWELLINGS

&

MORGAN COUNTY PLANNING & DEVELOPMENT IS REQUESTING A TEXT AMENDMENT TO ARTICLE 3 DEFINITIONS RELATED TO THE DEFINITION FOR ACCESSORY DWELLINGS

Senior Planner, Tara Cooner stated that requests related to tiny home use in the unincorporated county ramped up again after the tiny home show in Madison a couple of months ago, partly due to inaccurate information printed in the local newspaper that stated tiny homes are allowed in both the county and in Madison. While there were requests for tiny homes as primary dwellings, the questions were mainly related to accessory dwellings. This prompted Staff to review the language for accessory dwellings and it was realized that both the definition and the language left open the possibility for the use of tiny homes.

The proposed definition has been modified to state that particular structures are not allowed for accessory dwellings, including tiny homes and other structures for which inquiries are frequently received. The proposed minimum square footage has been increased from 300 square feet, which would be considered a tiny home, to 600 square feet, which is room for a modest one-bedroom house.

Chairman Riden noted when the Board previously made modifications to accessory dwellings, he believed an avenue was added for property owners to request a variance or conditional use to go over the permitted 1,200 square foot maximum. The way the current language reads, it appears it does not inform property owners of this option.

Cooner stated that if the Board wanted to address adding language to clarify the maximum size, it can be done in a future discussion. What is being presented today is regarding minimum square footage.

Board members agreed that they would like to revisit the maximum square footage at a future meeting.

Chairman Riden opened the floor for proponents and opponents to speak. No one spoke in favor or against the proposed text amendment. However, two Morgan County residents made comments regarding the items.

Bob McCauley stated two areas require further consideration. The two items are Section 7.2.6 Subdivision and Section 7.2.1 Purpose and Intent.

JoEllen Artz questioned if it would be better to table the request in light of the new housing committee being formed.

MOTION by Commissioner McCormack, Seconded by Commissioner von Hanstein to approve the text amendment to Article 7, Section 7.2 related to accessory dwellings and the text amendment to Article 3, Definitions related to the definitions for accessory dwellings. Motion Passed Unanimously.

GERALD AND SUMMER WOOD ARE REQUESTING A TEXT AMENDMENT TO TABLE 4.1 TO ADD SHIPPING CONTAINERS AND ASSOCIATED REGULATIONS TO THE MORGAN COUNTY ZONING ORDINANCE.

This item has come before the Board twice. First on May 2, 2023, and second on June 6, 2023. At both meetings, the item was tabled for further review and discussion.

The proposed text amendment contains modified language to address Commission comments that were provided since the June 6, 2023 meeting. Based on comments from the Board, the modified language permits shipping containers in general commercial (C2), agricultural (AG), and agricultural residential (AR). AR districts would require a minimum of 5 acres.

The Board discussed if a concrete foundation was necessary and how to handle existing containers. Overall, the Board was in favor of allowing containers in AG, but not in residential.

Senior Planner, Tara Cooner suggested tabling the item for one month to address how to handle existing containers.

MOTION by Commissioner McCormack, seconded by Commissioner Kurtz to table the text amendment request. Motion Passed Unanimously.

AMENDMENT-CODE OF MORGAN COUNTY, CHAPTER 66, ARTICLE IV. PURCHASING

This amendment will remove Article IV Purchasing from Chapter 66 of the Morgan County Code of Ordinances.

MOTION by Commissioner von Hanstein, seconded by Commissioner Harris to approve the amendment to Chapter 66, Article IV Purchasing of the Morgan County Code of Ordinances by Resolution 2023-RES-004. Motion Passed Unanimously.

FY 2023 FINAL BUDGET AMENDMENTS

This request is for final FY2023 budget amendments to move funds from contingency to cover year-end deficits. Also included is a budget amendment to move \$11,000,000 from the general fund year-end fund balance to capital projects funds. \$10 million will go into the Park and Recreation Project fund and \$1 million will go into Capital Projects Fund 350 for planned use for internet projects.

FY 2023 HIGHLIGHTS			
Revenue over			5,144,507
Expenditures under			2,508,363
Net gain for the year			7,652,870
Revenue			
Transfer in from ARPA		2,779,124	
Savings from health insurance		167,245	
Forfeited funds from retirement		174,291	
Property tax		446,123	
TAVT		205,882	
Sales tax		626,799	
Interest		270,803	
Probate fines & forfeitures		305,690	
Misc other depts		168,549	
		<u>5,144,507</u>	
Expenditures			
Salaries and benefits		1,472,216	
Sheriff (Jail, Patrol, Court)	206,108		
Fire	143,330		
Roads & Bridges	320,186		
Planning & Dev/Bldg	234,841		
E911	124,495		
	<u>1,028,960</u>		
Contingency payroll and health		865,257	
Public buildings		100,060	
Misc other departments		70,830	
		<u>2,508,363</u>	
Beginning fund balance		14,709,141	
FY 23 increase		7,652,870	
		<u>22,362,010</u>	
Transfer out to capital projects - Park & Recreation		(10,000,000)	
Transfer to fund 350 for internet projects		(1,000,000)	
		<u>11,362,010</u>	
FY 24 budgeted revenue		25,849,227	
Fund balance ratio - proposed with transfers		<u>43.95%</u>	
Comparison with where we ended FY 2022			
FY 22 ending fund balance		14,709,141	
Fund Balance ration to FY 23 budgeted revenue		<u>63.15%</u>	

Post Year Budget Amendments			
Dept	Dept name	Description	Amount
Transfer from contingency to cover deficits in various departments at year end			
1100	Boad of Commissioners	salaries, group insurance	700
1550	Tax Assessor	fuel and accrued salaries	1,100
1517			
1535	IT	communications	22,500
1550	Purchasing	accrued salaries at year end	1,500
2200	District Attorney	accrued salaries at year end	900
2450	Probate Court	Employee hired mid year	4,000
			<u>\$ 30,700</u>
Transer out of General Fund to Capital Project Funds			
9000	Transfer out to 350	for internet with Charter	1,000,000
9000	Transfer out to fund 360 P&R	self funded portion of park project	10,000,000
		Use of fund balance	<u>11,000,000</u>

MOTION by Commissioner McCormack, seconded by Commissioner Harris to approve the FY2023 budget amendments and the transfer of fund balance in the amount of \$11 million to Capital Projects Fund. Motion Passed Unanimously.

BUDGET AMENDMENT

Animal Services is requesting a budget amendment of \$9,500 from Contingency to Animal Services to purchase a slide-in kennel unit for a new truck that was recently purchased.

Vendor Quotes		
Jones Trailer Co.	Deerskin Manufacturing	Jackson Creek
\$9,473.32	\$13,202.00	\$14,555.00

MOTION by Commissioner Kurtz, seconded by Commissioner Harris to approve the budget amendment of \$9,500 from Contingency to Animal Services. Motion Passed Unanimously.

CIVIC GROUP MEDIA OPERATING AGREEMENT

On 08/15/2023 Matt Schulze with Civic Media Group presented an opportunity for our parks and recreation department to have a digital sign placed at Bill Wood Park facing the 441 bypass at no cost to the county. Mr. Schulze explained that if approved, an operating agreement would be put in place allowing the county to place paid sponsorships on the sign estimated to generate roughly \$150,000 in revenue per year.

The operating agreement being presented today governs that Morgan County would receive 50% of the earned sponsor revenues resulting in \$75,000. The remaining 50% of revenue would be retained by Civic Media Group to cover operating & maintenance costs and capital repayment costs of the digital sign. Aside from the paid sponsorships on the sign, the county would also have the ability to place informational slides on the sign about any upcoming or important events. The sign would also be used to notify the public of amber alerts and other public safety messaging as necessary.

Commissioner von Hanstein expressed concerns about the sign's placement and brightness, which could distract drivers at the busy intersection. He also stated the sign would go against the County and City ordinances.

Commissioner McCormack was not opposed to the sign but wanted to table the item until the Board could speak with the City of Madison.

MOTION by Commissioner Harris, seconded by Commissioner Kurtz to approve the operating agreement with Civic Group Media as presented. Commissioners McCormack and von Hanstein voted against the motion. Chairman Riden cast the tie-breaking vote in favor of the motion to approve the operating agreement with Civic Group Media. Motion Passed 3-2 to approve the agreement.

FLOCK SAFETY CONTRACT

The Sheriff's Office is requesting approval for a 5-year contract for annual service for Flock cameras. The contract will guarantee the current rate of \$2,500 per year per camera for the term of the contract.

MOTION by Commissioner von Hanstein, seconded by Commissioner McCormack to approve the 5-year contract with Flock Safety. Motion Passed Unanimously.

PURCHASE OF VEHICLES FOR FIRE DEPARTMENT

Between FY23 and FY24, the Fire Department was budgeted to replace 2 rescue trucks for \$234,663. Covington Ford has contacted us with an opportunity to purchase a 2020 Ford F550 with 15,000 miles already equipped with a rescue body for \$50,290. This truck was a Ford buyback but has been repaired. The purchase price includes a 3-year 36,000-mile bumper-to-bumper warranty. The battalion chiefs and mechanic have inspected the truck and repair history. The mechanic believes the issues are resolved and the battalion chiefs recommend purchasing this truck to replace the rescue truck at Central Station. The recommendation is to also equip a truck purchased in FY23 intended to replace the fire chief's vehicle as a squad truck to replace Squad 16. The result would be replacing 3 rescue trucks for approximately \$202,000. Further recommend using remaining SPLOST funds and general funds budgeted in the Fire Department's FY24 budget to purchase a vehicle for the fire chief, not to exceed \$ 60,000.

MOTION by Commissioner von Hanstein, seconded by Commissioner Kurtz to approve the purchase of a rescue truck from Covington Ford for \$50,290 and to purchase a new vehicle for the Fire Chief not to exceed \$60,000. Motion Passed Unanimously.

FIRE-SCBA REPLACEMENT

As part of the SCBA replacement program, interim Fire Chief, Cindy Williams is requesting the purchase of 8 air packs (SCBA's).



Quote

Quote # QT1730844
Date 08/17/2023
Expires 09/01/2023
Sales Rep Funderburk, Brett
Shipping Method FedEx Ground
Customer MORGAN CO FIRE RESCUE - GA
Customer # C37800

Bill To
MORGAN CO BOARD OF COMMISSIONERS
P.O. BOX 168
MADISON GA 30650
United States

Ship To
Chief Jeff Stone
MORGAN CO FIRE RESCUE
1380 MONTICELLO ROAD
MADISON GA 30650
United States

Item	Alt. Item #	Units	Description	QTY	Unit Price	Amount
X8914021305304			Air-Pak X3 Pro SCBA (2018 Edition) with Snap-Change Cylinder Connection, 4.5, Standard Harness with Parachute Buckles, Standard Belt with No Escape Rope, E-Z Flo Regulator with Standard Hose, Universal EBSS Accessory Hose, No Airline Connection, No Spare Harness Kit, Pak-Tracker, No Case, Packaged 2 SCBA Per Box (Black)	8	\$6,975.00	\$55,800.00
200129-01			Snap-Change Cylinder, Carbon-Wrapped, Pressure 4500, 45 Minutes (at 40 lpm)	16	\$1,265.00	\$20,240.00
201215-22			AV3000 HT with Kevlar lining and 4-strap harness-Red, Medium	8	\$350.00	\$2,800.00
Subtotal						\$78,840.00
Shipping Cost						\$0.00
Tax Total						\$0.00
Total						\$78,840.00

MOTION by Commissioner Harris, seconded by Commissioner von Hanstein to approve the purchase of 8 SCBAs for \$78,840 from MES. Motion Passed Unanimously.

RECREATION BOARD VACANCY

Randy Brown applied to be considered for reappointment to the Recreation Board. No other applications were received. If reappointed, the term would expire April 30, 2028.

MOTION by Commissioner Harris, seconded by Commissioner Kurtz to reappoint Randy Brown with a term ending April 30, 2028. Motion Passed Unanimously.

PROPOSED FORM BASED DESIGN STANDARDS

Senior Planner, Tara Cooner presented the Board with proposed form-based design standards which include language based on building form and massing for housing common developments. The Board was asked to review the suggested language and provide comments to the Planning staff concerning the proposed design standards.

No action was taken, discussion only.

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

JoEllen Artz, Rutledge resident commented on Rivian and a potential battery factory.

COMMISSIONER COMMENTS

Commissioners made comments and gave updates on Liaison assignments.

MOTION by Commissioner McCormack, seconded by Commissioner Kurtz to exit regular session at 12:36 p.m. Motion Passed Unanimously.

EXECUTIVE SESSION- POTENTIAL LITIGATION & PERSONNEL

MOTION by Commissioner McCormack, seconded by Commissioner Kurtz to enter Executive Session to discuss potential litigation & personnel at 12:42 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 1:45 p.m. Motion Passed Unanimously.

Ben Riden, Jr., Chairman

ATTEST:

Leslie Brandt, County Clerk