1. Approval of Minutes:
   Minutes of Regular Business Meeting of February 25, 2019 and Agenda Setting Meeting of March 4, 2019. Minutes have been distributed.

2. Business Involving Guests, Groups or Multiple Visitors

3. Chairman’s Report
   Proclamation naming April 7 – 13, 2019 as National Library Week.

4. Statements and Remarks from citizens on an agenda item

OLD BUSINESS:

5. Amend Stormwater Facilities Maintenance Agreement

6. Consider approving a Beer & Wine License application for Dogsboro, LLC

NEW BUSINESS:
None

7. Roads Update

8. Urgent Matters


10. Executive Session to discuss land acquisition, personnel matters and/or potential litigation (if needed).

11. Adjourn
AGENDA ITEM # 1  
3-25-19

MADISON COUNTY BOARD OF COMMISSIONERS
MINUTES
REGULAR BUSINESS MEETING
FEBRUARY 25, 2019
6:00 PM

MEMBERS PRESENT:
Commission Chairman John Scarborough
District 1 Commissioner Lee Allen
District 2 Commissioner Tripp Strickland
District 3 Commissioner Theresa Bettis
District 4 Commissioner Brian Kirk
District 5 Commissioner Derek Doster

MEMBERS ABSENT:
None

MEDIA PRESENT:
Zach Mitcham, Madison County Journal

STAFF PRESENT:
Rhonda S. Wooten, County Clerk
Mike Pruett, County Attorney

Chairman Scarborough called the meeting to order at 6:03 p.m., led in the pledge to the American Flag and gave the invocation.

Item No. 1. Approval of minutes:
Minutes of the February 4, 2019 Agenda Setting Meeting

On motion by Commissioner Doster and second by Commissioner Allen the Board voted to approve the minutes of the February 4, 2019 Agenda Setting Meeting. The vote was as follows: Commissioners Allen, Strickland, Bettis, Kirk and Doster voted YES.

Item No. 2. Business Involving Guests, Groups or Multiple Visitors
None

Item No. 3. Chairman’s Report

Chairman Scarborough requested recommendations to present to the Department of Transportation for Off System Safety Projects.

Chairman Scarborough reminded everyone of the Sheriff’s direction to use the back door for entrance and exit.
Item No. 4. Statements and Remarks from Citizens on agenda items

Chairman Scarborough asked if there were any statements or remarks on an agenda item.

Stanley Thomas requested clarification of agenda item number six and requested Board support of agenda item number ten.

Mark Jenkins spoke in opposition to agenda item number nine.

Ruth Ann Tesanovich requested status of Highway 172 road work and spoke in favor of agenda item number nine.

Drago Tresanovich spoke in favor of agenda item number nine.

Evan Junker spoke in favor of agenda item number nine.

CONSENT AGENDA:

The following items were discussed at the February 4, 2019 Agenda Setting Meeting and were taken up as one vote:

Item No. 5. Adopt Hazard Mitigation Plan Update 2018-2023

Item No. 6. Amend Section 2-2(6) with respect to Agenda Setting Meetings

Item No. 7. Approve 2018 Budget Amendments

Item No. 8. Approve appointment of Glen Thomas to the Recreation Board

On motion by Commissioner Allen and second by Commissioner Bettis the Board voted to approve the consent agenda items five through eight. The vote was as follows: Commissioners Allen, Strickland, Bettis, Kirk and Doster voted YES.

OLD BUSINESS:

Item No. 9. Consider placing Sunday alcohol sales on the referendum

On motion by Commissioner Allen and second by Commissioner Bettis the Board voted to adopt an ordinance to place the question of whether the governing authority of Madison County, Georgia, should be authorized to permit and regulate package sales by retailers of both malt beverages and wine on Sundays between the hours of 12:30 P.M. and 11:30 P.M. The vote was as follows: Commissioners Allen, Bettis and Kirk voted YES. Commissioners Strickland and Doster voted NO.
Item No. 10. Consider financing options for fire departments

On motion by Commissioner Allen and second by Commissioner Bettis this item was postponed until March 4, 2019. The vote was as follows: Commissioners Allen, Strickland, Bettis, Kirk and Doster voted YES.

NEW BUSINESS:
None

Item No. 11. Roads Update

Chairman Scarborough said that the Highway 172 road work is a Department of Transportation project and that he would be following the status.

Chairman Scarborough said that he plans to present the widening of Lem Edwards Road to the Department of Transportation as an Off System Safety Project.

Commissioner Doster requested a short term road work plan.

Item No. 12. Urgent Matters

Due to the legislative session coming to a close soon, on motion by Commissioner Strickland and second by Commissioner Allen the Board unanimously agreed to consider presenting a resolution opposing House Bill 302 to each member of the Georgia House of Representatives and Senate. The vote to consider this subject under Urgent Matters was as follows: Commissioners Allen, Strickland, Bettis, Kirk and Doster voted YES.

After discussion, on motion by Commissioner Doster and second by Commissioner Allen the Board voted to adopt a resolution opposing House Bill 302, Preemption of Local Building Design Standards. The vote was as follows: Commissioners Allen, Strickland, Bettis, Kirk and Doster voted YES.

Item No. 13. Statements and Remarks from Citizens

Chairman Scarborough asked if there were any statements or remarks. No one came forward.

Item No. 14. Executive Session to discuss land acquisition, personnel matters and/or potential litigation (if needed)

There was no need for executive session.

Item No. 15. Adjourn

On motion by Commissioner Kirk and second by Commissioner Allen the Board unanimously agreed to adjourn at 7:02 p.m.
AGENDA ITEM # 1

3-25-19

MADISON COUNTY BOARD OF COMMISSIONERS
MINUTES
AGENDA SETTING MEETING
MARCH 4, 2019
6:00 P.M.

MEMBERS PRESENT:
Commission Chairman John Scarborough
District 1 Commissioner Lee Allen
District 2 Commissioner Tripp Strickland
District 3 Commissioner Theresa Bettis
District 4 Commissioner Brian Kirk
District 5 Commissioner Derek Doster

MEMBERS ABSENT:
None

MEDIA PRESENT:
Zach Mitcham, Madison County Journal

STAFF PRESENT:
Rhonda S. Wooten, County Clerk
Mike Pruett, County Attorney

Chairman Scarborough called the meeting to order at 6:00 p.m., led in the pledge to the American flag and gave the invocation.

Item No. 1. Chairman’s Report
Recognize 9-1-1 Director David Camp and 9-1-1 Assistant Director Ricky Hix

In recognition of their upcoming retirement, Chairman Scarborough commended 9-1-1 Director David Camp and Assistant Director Ricky Hix for over twenty years of dedicated public service and professionalism. He presented each of them with a plaque recognizing their service. The audience stood with applause.

Item No. 2. Hearings and Actions on Rezone Matters, Special Use Permits, Etc. (Linda Fortson & Lamar Hughston)

1. Consider final plat approval for Woodbury Subdivision

Chairman Hughston stated that the Planning and Zoning Commission voted seven to zero to approve the final plat for Woodbury Subdivision. Ned Butler addressed the Board regarding a question from Commissioner Doster pertaining to lots that do not allow for a conventional septic system.
On motion by Commissioner Bettis and second by Commissioner Allen the Board voted to approve the final plat for Woodbury Subdivision. The vote was as follows: Commissioners Allen, Strickland, Bettis, Kirk and Doster voted YES.
2. Becky Eubanks is requesting to rezone her 5.9 acre property from A2 to RR to allow for an additional home on the property for Ms. Eubanks. The property is located on Map 28 Parcel 5 on Williams Wilson Road in District 1.

Chairman Hughston stated that the Planning and Zoning Commission voted seven to zero to approve the rezone request.

Chairman Scarborough asked if anyone would like to speak in favor of the request. Becky Eubanks spoke in favor of the request.

Chairman Scarborough asked if anyone would like to speak in opposition to the request. No one came forward.

On motion by Commissioner Allen and second by Commissioner Strickland the Board voted to approve the rezone request. The vote was as follows: Commissioners Allen, Strickland, Bettis, Kirk and Doster voted YES.

3. Lamar Adams is requesting to rezone his 8.45 acre property from A2 to RR for a division of four lots. The property is located on Map 47 Parcel 73-W on Lem Edwards Road in District 5.

Chairman Hughston stated that the Planning and Zoning Commission voted seven to zero to approve the rezone request.

Chairman Scarborough asked if anyone would like to speak in favor of the request. Lamar Adams spoke in favor of the request.

Chairman Scarborough asked if anyone would like to speak in opposition to the request. No one came forward.

On motion by Commissioner Doster and second by Commissioner Allen the Board voted to approve the rezone request. The vote was as follows: Commissioners Allen, Strickland, Bettis, Kirk and Doster voted YES.

4. Silas Kinley is representing owner Jane Stafford. They are requesting to rezone .5 acres of her 43 acre property from A2 to RR to sell to Mr. Kinley to add to his adjoining property. The property is located on Adams Duncan Road in District 3.

Chairman Hughston stated that the Planning and Zoning Commission voted seven to zero to approve the rezone request.

Chairman Scarborough asked if anyone would like to speak in favor of the request. Silas Kinley spoke in favor of the request.

Chairman Scarborough asked if anyone would like to speak in opposition to the request. No one came forward.

On motion by Commissioner Strickland and second by Commissioner Bettis the Board voted to approve the rezone request.
5. Codification of the Madison County Zoning Ordinance, the Subdivision Regulations and the Stormwater Ordinance.

Chairman Hughston stated that the Planning and Zoning Commission voted seven to zero to approve the codification of the Madison County Zoning Ordinance, the Subdivision Regulations and the Stormwater Ordinance.

Chairman Scarborough asked if anyone would like to speak in favor of or in opposition to the codification of the ordinances. No one came forward.

On motion by Commissioner Doster and second by Commissioner Kirk the Board voted to approve the codification of the Madison County Zoning Ordinance, the Subdivision Regulations and the Stormwater Ordinance. The vote was as follows: Commissioners Allen, Strickland, Bettis, Kirk and Doster voted YES.

Item No. 3. Statements and Remarks from Citizens on agenda items.

Chairman Scarborough asked if there were any statements or remarks on an agenda item.

Bradley Floyd spoke in favor of agenda item number four.

OLD BUSINESS:

Item No. 4. Discuss financing options for fire departments

Commissioner Allen said that they are continuing to gather data and schedule meetings. He said that all of the information should be made available to the Board within ten days.

NEW BUSINESS:

Item No. 5. Discuss amending Stormwater Ordinance to include a Storm Water Facilities Maintenance Agreement

The Board discussed the Stormwater Facilities Maintenance Agreement. Commissioner Doster requested corrections be made regarding the Land Lot(s) language and the Certificate of Occupancy issuance referred to in Exhibit C should name the Building Inspector rather than Department of Community Development.

Item No. 6. Discuss approving a Beer & Wine License application for Dogsboro, LLC.

The Board requested that the county attorney provide his legal opinion on this application prior to their March 25, 2019 meeting.

Item No. 7. Discuss Special Purpose Local Option Sales Tax

The Board discussed the sequence of events that need to occur to place SPLOST on the November 5, 2019 ballot.
Item No. 8. Roads Update

Chairman Scarborough said that he will put a short term road plan together. Commissioner Kirk asked how work is going on dirt roads with all of the rain. Commissioner Strickland asked about the cutting of low hanging limbs on New Haven Church Road. He also asked about work on Escoe Road and Audie Porterfield Road. Commissioner Doster asked when the recommendations for Off System Safety Projects need to be submitted.

Item No. 9. Urgent Matters

There were no urgent matters.

Item No. 10. Executive Session to discuss land acquisition, personnel matters and/or potential litigation (if needed).

There was no need for executive session.

Item No. 11. Adjourn

On motion by Commissioner Strickland and second by Commissioner Bettis the Board unanimously agreed to adjourn at 7:12 p.m.
WHEREAS, today’s libraries are not just about books but what they do for and with people;

WHEREAS, libraries of all types are at the heart of cities, towns, schools and campuses;

WHEREAS, librarians and library workers partner with other civic organizations to make sure their community’s needs are being met;

WHEREAS, through events such as Madison County Schools Family Night the library partners with multiple community organizations to provide a fun and informative event for 250 families in the community;

WHEREAS, Madison County Library provided arts instruction to tweens and teens through an acting workshop, adults through a printmaking class, and a musical concert for all ages made possible by the Vibrant Communities grant from the Georgia Council for the Arts;

WHEREAS, libraries promote civic engagement by keeping people informed and aware of community events and issues;

WHEREAS, Branch Manager Jennifer Ivey informs the community about library services and resources via articles in the Madison County Journal;

WHEREAS, libraries and librarians empower their communities to make informed decisions by providing free access to information;

WHEREAS, libraries are a resource for all members of the community regardless of race, ethnicity, creed, ability, sexual orientation, gender identity or socio-economic status, by offering services and educational resources that transform lives and strengthen communities;

WHEREAS, Madison County Library hosted Georgia Artists with DisAbilities traveling art exhibit, sponsored by the Pilot Club of Georgia;

WHEREAS, libraries, librarians, library workers and supporters across America are celebrating National Library Week;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Madison County hereby proclaim National Library Week, April 7-13, 2019. We encourage all residents to visit the Madison County Library during that week and explore what’s new at your library and engage with your librarian.

So resolved by the Madison County Board of Commissioners on this the 25th day of March, 2019.

Honorable John D. Scarborough, Chairman, Madison County Board of Commissioners

ATTEST:

Rhonda S. Wooten, Clerk, Madison County Board of Commissioners
RESOLUTION TO AMEND THE MADISON COUNTY CODE OF ORDINANCES
MADISON COUNTY, GEORGIA

WHEREAS, the Madison County Board of Commissioners (hereinafter sometimes referred to as “Board”) has determined that it would be in the best interests of the citizens to amend Section 26-204 of the Madison County Code of Ordinances (the "Code") in the following respects; and

WHEREAS, Section 50-31(d) of the Code specifically reserves to the Board of Commissioners to amend it at any time and in any manner the Board deems prudent;

NOW, THEREFORE, the Policy is hereby amended as follows:

1.

Section 26-204 of the Code is deleted in its entirety and the following substituted in its place:

“Sec. 26-204. - Stormwater management inspection and maintenance agreements.

(a) Prior to the issuance of any permit for a land development activity requiring a stormwater management facility or practice hereunder and for which Madison County requires ongoing maintenance, the applicant or owner of the site must, unless an on-site stormwater management facility or practice is dedicated to and accepted by Madison County, execute an inspection and maintenance agreement, and/or a conservation easement, if applicable, that shall be binding on all subsequent owners of the site.

The inspection and maintenance agreement, if applicable, must be in substantially the form set forth in subsection (b) hereof, must be approved by Madison County prior to plan approval, and must be recorded in the deed records upon final plat approval.

Responsibility for the operation and maintenance of the stormwater management facility or practice, unless assumed by a governmental agency, shall remain with the property owner and shall pass to any successor owner. If portions of the land are sold or otherwise transferred, legally binding arrangements shall be made to pass the inspection and maintenance responsibility to the appropriate successors in title. These arrangements shall designate for each portion of the site, the person to be permanently responsible for its inspection and maintenance.

In addition to enforcing the terms of the inspection and maintenance agreement, Madison County may also enforce all of the provisions for ongoing inspection and maintenance in division 5 of this article.

Madison County, in lieu of an inspection and maintenance agreement, may accept dedication of any existing or future stormwater management facility for maintenance, provided such facility meets all the requirements of this article and includes adequate and perpetual access and sufficient area, by easement or otherwise, for inspection and regular maintenance.
(b) The form of the inspection and maintenance agreement shall be substantially as follows:

MAINTENANCE AGREEMENT
MADISON COUNTY, GEORGIA

WHEREAS, the Property Owner _______ recognizes that the structural and non-structural stormwater management facility or facilities (hereinafter referred to as "the facility" or "facilities") must be maintained for the development called ___________, located in the _______ District, G.M., of Madison County, Georgia, a political subdivision of the State of Georgia (hereinafter called the "County"), located on property presently identified as Parcel ______, Map _____, of the official Tax Maps of the County; and

WHEREAS, the Property Owner is the owner of real property more particularly described on the attached Exhibit A (hereinafter referred to as "the Property"), and,

WHEREAS, Madison County, Georgia, and the Property Owner, or its administrators, executors, successors, heirs, or assigns, agree that on February 27, 2006, the Chairman and Commission of Madison County, Georgia, adopted the Ordinance for Post-development Stormwater Management for New Development and Redevelopment to protect public health and safety, protection of public and private property and infrastructure, and environmental protection from post-development stormwater runoff quality and quantity impacts resulting from the permanent alteration of the character and hydrology of the land surface as well as the nonpoint source pollution from land use activities, and,

WHEREAS, the Development Regulations, of Madison County, Georgia, require that the facility, or facilities as shown on the development plans and specifications submitted after February 27, 2006 be constructed and maintained per the technical criteria and standards of the Georgia Stormwater Management Manual (latest edition) and the Madison County, Georgia, and maintained by the Property Owner, its administrators, executors, successors, heirs, or assigns.

NOW, THEREFORE, in consideration of the foregoing premises, the mutual covenants contained herein, and the following terms and conditions, the parties hereto agree as follows:

SECTION 1

The facility or facilities shall be constructed by the Property Owner in accordance with the approved plans and specifications for the development.

SECTION 2

The Property Owner, its administrators, executors, successors, heirs or assigns shall maintain the facility or facilities in good working condition, determined through site inspection by a representative of the Madison County, Georgia, or its authorized agents, and employees.
SECTION 3
The Property Owner, its administrators, executors, successors, heirs or assigns hereby grants permission to the Madison County, Georgia, its authorized agents and employees, to enter upon the property and to inspect the facilities whenever the County deems necessary. The Property Owner shall execute an access easement in favor of the Madison County, Georgia, to allow the County, or its agents, and employees, to inspect, observe, maintain, and repair the facility as deemed necessary. A fully executed original easement is attached to this Agreement and by reference made a part hereof.

SECTION 4
In the event the Property Owner, its administrators, executors, successors, heirs, or assigns fails to maintain and/or repair the facility or facilities as shown on the approved plans and specifications in good working order, determined through site inspection, by Madison County, Georgia, its authorized agents, and employees, in accordance with the Georgia Stormwater Management Manual (latest edition), the County, with due notice, may enter the property and take whatever steps it deems necessary to return the facility or facilities to good working order. This provision shall not be construed to allow the County to erect any structure of a permanent nature on the property. It is expressly understood and agreed that the County is under no obligation to maintain or repair the facility or facilities and in no event shall this Agreement be construed to impose any such obligation on the County.

SECTION 5
In the event Madison County, Georgia, pursuant to this Agreement, performs work of any nature, or expends any funds in the performance of said work for labor, use of equipment, supplies, materials, and the like, the Property Owner shall reimburse the County, or shall forfeit any required bond upon demand within thirty (30) days of receipt thereof for all the costs incurred by the County hereunder. If not paid within the prescribed time period, the County shall secure a lien against the real property in the amount of such costs. The actions described in this section are in addition to and not in lieu of any and all legal remedies available to the County as a result of the Property Owner's failure to maintain the facility or facilities.

SECTION 6
It is the intent of this agreement to insure the proper maintenance of the facility or facilities by the Property Owner; provided, however, that this Agreement shall not be deemed to create or effect any additional liability of any party for damage alleged to result from or caused by storm water runoff.

SECTION 7
Sediment accumulation resulting from the normal operation of the facility or facilities will be catered for. The Property Owner will make accommodation for the removal and disposal of all accumulated sediments on its own initiative or when requested by Madison County, Georgia. Disposal will be provided onsite in a reserved area(s) or will be removed from the site. Reserved area(s) shall be sufficient to accommodate for a minimum of two dredging cycles.

SECTION 8
At the County's request, the Property Owner shall provide Madison County, Georgia,
with a bond, or a letter of credit providing for the maintenance of the facility or facilities pursuant to the Post Development Stormwater Development Ordinance and/or other ordinances/regulations as adopted by the Chairman and Commission of the Madison County, Georgia, concerning Maintenance Agreements.

SECTION 9

The Property Owner shall use the standard Best Management Practice (BMP) Operation and Maintenance Inspection Reports in the Georgia Stormwater Management Manual, or similar reports approved by the Madison County, Georgia, for the purpose of a minimal annual inspection of the facility or facilities, by a qualified inspector.

SECTION 10

The Property Owner, its administrators, executors, successors, heirs and assigns hereby indemnifies and holds harmless Madison County, Georgia, and its authorized agents and employees for any and all damages, accidents, casualties, occurrences or claims which might arise or be asserted against the County from the construction, presence, existence or maintenance of the facility or facilities by the Property Owner, or the County. In the event a claim is asserted against the County, its authorized agents or employees, the County shall promptly notify the Property Owner and the Property Owner shall defend at its own expense any suit based on such claim. If any judgment, or claims against the County, its authorized agents, or employees shall be allowed, the Property Owner shall pay for all costs and expenses in connection herewith.

SECTION 11

This Agreement shall be recorded among the deed records of the Clerk of Superior Court, of Madison County, Georgia, and shall constitute a covenant running with the land and shall be binding on the Property Owner, its administrators, executors, heirs, assigns, and any other successors in interest.

SECTION 12

This Agreement may be enforced by proceedings at law, or in equity by or against the parties hereto and their respective successors in interest.

SECTION 13

Invalidation of any one of the provisions of this Agreement shall in no way effect any other provisions and all other provisions shall remain in full force and effect.

SO AGREED this_________________ day of_________________, 20_____.

Name of Property Owner: ________________________________
Address of Property Owner: ________________________________

By: ___________________________ Attest: ___________________________ Signature

Typed or Printed Name

Title: ___________________________ Title: ___________________________
   (President or Vice President)  (Corporate Secretary or Notary)

(CORPORATE OR NOTARY SEAL)

MADISON COUNTY, GEORGIA

By: ___________________________ Attest: ___________________________
    Director                                County Clerk

(COUNTY SEAL)

Attachments:

Exhibit A. Plat and Legal Description
Exhibit B. General Inspection and Maintenance/Repair Schedule (GSWMM)
Exhibit C. Permanent Water Quality BMP and Access Easement Agreement
Exhibit D. Inspections, Operation and Maintenance Requirements of Approved
Stormwater Control Structure (GSWMM)
Exhibit A. PLAT AND LEGAL DESCRIPTION

[Remove this sheet and insert 2 sheets with the following information on them]

Sheet # 1: EXHIBIT “A1” (Insert Project Name)

Plat will be a drawn plat (8.5 x 11 or 8.5 x 14 size-no larger) of the description(s) given in Exhibit “A2” showing the stormwater facilities and easements in relation to the lots on the final plat.

Sheet # 2: EXHIBIT “A2” (Insert Project Name)

All that tract or parcel of land lying and being in the _____ District, G.M., of Madison County, Georgia, located on property presently identified as Parcel _____, Map _____, of the official Tax Maps of the County, and being more particularly described as follows:

(Insert legal description of each stormwater facility in relation to the lot(s) where they are located.)
### Exhibit B. GENERAL INSPECTION AND MAINTENANCE/REPAIR SCHEDULE

[Remove this sheet and insert recommended inspection and maintenance/repair schedule for the Georgia Stormwater Management Design Manual (latest edition) for the specific stormwater management control structure(s) in the project.]

<table>
<thead>
<tr>
<th>STORMWATER FACILITY</th>
<th>COUNTY INSPECTION FREQUENCY</th>
<th>OWNER MAINTENANCE FREQUENCY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wet Pond</td>
<td>Once per Year</td>
<td>Once per Quarter, Year and after a Major Rain Event (&gt;3&quot;)</td>
</tr>
<tr>
<td>Dry Pond</td>
<td>Once per Year</td>
<td>Once per Quarter, Year and after a Major Rain Event (&gt;3&quot;)</td>
</tr>
<tr>
<td>Constructed Wetlands</td>
<td>Once per Year</td>
<td>Once per Quarter, Year and after a Major Rain Event (&gt;3&quot;)</td>
</tr>
<tr>
<td>Filtration Facility</td>
<td>Once per Year</td>
<td>Once per Quarter, Year and after a Major Rain Event (&gt;3&quot;)</td>
</tr>
<tr>
<td>Enhanced Swales, Grass Channels and Filter Strips</td>
<td>Once per Year</td>
<td>Once per Quarter, Year and after a Major Rain Event (&gt;3&quot;)</td>
</tr>
<tr>
<td>Other Stormwater Infrastructure (culverts, pipes, drop inlets, outfalls, etc.)</td>
<td>20% per Year</td>
<td>Maintain if &gt; 25% full of debris; Repairs should be done asap and no more than 30 days unless approval by County is obtained</td>
</tr>
</tbody>
</table>
Exhibit C. PERMANENT WATER QUALITY BMP AND ACCESS EASEMENT AGREEMENT
MADISON COUNTY, GEORGIA

THIS EASEMENT granted this __________ day of ____________________, 20__,
between the property owner __________ as party of the first part, hereinafter referred to as
Grantor, and the Madison County, Georgia, a political subdivision of the State of Georgia, as
party of the second part, hereinafter referred to as Grantee.

WITNESSETH THAT: Grantor, for and in consideration of the sum of ONE DOLLAR ($1.00)
in hand paid at and before the sealing and delivery of this easement and in consideration of the
agreements and covenants contained in this document and the Maintenance Agreement between
Grantor and Grantee, hereby grants unto the Grantee a perpetual easement in and to that
portion of the property shown on Exhibit “A” to the Maintenance Agreement, as shown and
identified on the plat attached hereto as Exhibit “1”.

The purpose of this easement is to allow Grantee, or its agents, access for maintenance activities
to the Water Quality Best Management Practice (BMP) facility, and to prevent development of
the property within the easement following issuance of the Certificate of Occupancy, issued by
the Building Inspection Department of Madison County, Georgia, or in the case of a residential
subdivision, the approval of the Final Plat, without written permission from the Building
Inspection Department of Madison County, Georgia. This easement is required by the
provisions of the Maintenance Agreement executed by and between the Grantor and Grantee.

The easement herein granted shall bind the heirs and assigns of the undersigned and shall inure to
the benefit of the successors in title of the Grantee.

IN WITNESS WHEREOF, said Grantor(s) has/have hereto set his/her/their hand(s),
affixed his/her/their seal(s) and delivered these presents the date first above written.

____________________________________ (SEAL)
Grantor

Signed, sealed and delivered
in the presence of:

________________________________________
Witness

________________________________________
Notary Public
Exhibit D. INSPECTION, OPERATION AND MAINTENANCE REQUIREMENTS OF APPROVED STORMWATER MANAGEMENT CONTROL STRUCTURE

[To be provided by the Design Engineer based on the GA Stormwater Management Design Manual or Designers of County-approved Proprietary Device]
2.

Except as amended hereby, the Code does and shall remain in full force and effect.

Approved by the Madison County Board of Commissioners on the ___ day of ______________, 2019, to be effective immediately.

By: ____________________________________________
Hon. John D. Scarborough, Chairman, Board of Commissioners

Attest: ____________________________________________
Rhonda S. Wooten, Clerk, Madison County Board of Commissioners
APPLICATION FOR BEER AND WINE LICENSE

Alcoholic License Year: 2019

X New License Effective ____________

___ Renewal

A. License Type:

( ) A. Retail sale of malt beverage & wine, Private Clubs, Restaurants, Event Hall

X B. Retail sale of malt beverage & wine, off premise consumption

( ) C. Wholesale sale & distribution of malt beverage & wine

( ) D. Manufacturing of malt beverage & wine in Madison County, Georgia

B. Applicant Type:

1. Individual ( Sole Proprietorship):

Name of Manager Agent: ___________________________ Social Security No. ______________________

Street Address: ____________________________

City: __________________ State: ______ Zip: _______ Telephone: ______________________

Business Name: ____________________________

Business Street Address: ____________________________

City: __________________ State: ______ Zip: _______ Telephone: ______________________

Business Mailing Address: ____________________________

City: __________________ State: ______ Zip: _______ Telephone: ______________________

___________ (initials): I hereby certify that effective ____________, I will maintain regular managerial and supervisory authority over the business conducted on the licensed premises.
2. Corporation, LLC, or Partnership:

Name of Manager-Agent:  John Allen Betts  Social Security No.  

Street Address: 9029 Highway 29 S.  

City: Hull  State: GA  Zip: 30646-3787  Telephone: (706) 340-3920  

Mailing Address: 9029 Highway 29 S.  

City: Hull  State: GA  Zip: 30646-3787  Telephone: (706) 340-3920  

Business Name: Dogsboro, LLC d/b/a Kwik Chek  

Business Street Address: 9029 Highway 29 S.  

City: Hull  State: GA  Zip: 30646-3787  Telephone: (706) 340-3920  

Business Mailing Address: 9029 Highway 29 S.  

City: Hull  State: GA  Zip: 30646-3787  Telephone: (706) 340-3920  

(Initials): I hereby certify that effective  Johnny Betts  , I will maintain regular managerial and supervisory authority over the business conducted on the licensed premises.

3. Private Club  

Name of Officer:  

Title of Officer:  

Street Address:  

City:  State:  Zip:  Telephone:  

Mailing Address:  

City:  State:  Zip:  Telephone:  

Club Name:  

Club Street Address:  

City:  State:  Zip:  Telephone:  

(Initials): I hereby certify that effective  , I will be an officer of the private club named above, and I do and will maintain regular managerial and supervisory authority over the business conducted on the licensed premises.
C. General Provisions:

1. Are you familiar with the state laws and county ordinance regarding the sale of alcoholic beverages?
   (X) Yes    ( ) No

2. Do you have an existing beer, wine or liquor license or business in the state of Georgia?
   ( ) Yes    (X) No

3. Have you been convicted or plead guilty or entered a plea of nolo contendere to any felony or misdeameanor involving alcoholic beverages or drugs within a period of three (3) years immediately prior to the filing of this application?
   ( ) Yes    (X) No

4. Have you ever been the holder of an alcoholic beverage license that was suspended or revoked?
   ( ) Yes    (X) No

If you answered “yes” to questions 3 and/or 4, please provide full details below, including but not limited to date of offense, nature of offense, state and county/city where offense occurred, and final disposition:


D. Coin Operated Machines:

Will coin operated machines (as defined by O.C.G.A. § 48-17-1) be at your business location? ( ) Yes (X) No

If you answered yes, please read and fully understand the Madison County Internet Café ordinance and affirm that you will comply with all provisions and requirements by signing here:

[Signature]

Applicant’s Signature
E. License Fees:

Class A - ________ Fee: $1,000.00
Class B - ________ X $1,000.00
Class C - ________ $200.00
Class D - ________ $1,000.00

Less Non-Refundable Application Fee (New applications only) $200.00

Total Due: $800.00

F. Criminal Background Check:

(1) The following must be completed and signed by the individual applicant, manager-agent, manager-partner or club officer (as the case may be):

I hereby authorize the Madison County Board of Commissioners and or the Madison County Sheriff’s Department to conduct a background investigation to determine any criminal record I may have.

I understand you may use whatever means necessary to conduct this investigation.

I also authorize this information to be attached to the application for a retail beer and wine license I have submitted to the Madison County Board of Commissioners.

Print full name: John Allen Betts

Signature: John Allen Betts

Notary Public
Sworn to and subscribed before me
this the 22nd day of February, 2019

My commission expires: 10/6/2019

(2) The applicant must also complete and sign a GCIC (Georgia Crime Information Center) consent form.
G. Advertisement and Posting:

1. Advertisement:

This ad must appear in the Madison County Journal newspaper, which is the legal organ of Madison County, two
times during the thirty-day period preceding the hearing on the application:

"NOTICE IS HEREBY GIVEN THAT THE OWNER/PURCHASER OF John Allen Betts, Dogshere LLC
LOCATED AT 9029 Highway 29 Hall, GA 30046
HAS MADE APPLICATION TO THE BOARD OF COMMISSIONERS OF MADISON COUNTY GEORGIA FOR
A CLASS B MALT BEVERAGE AND WINE LICENSE. THE HEARING ON SUCH APPLICATION WILL BE HELD
AT THE REGULAR BUSINESS MEETING OF THE MADISON COUNTY BOARD OF COMMISSIONERS ON
March 25, 2019."

Applicants must request an original Publisher's Affidavit from the Madison County Journal to be
submitted to the County Clerk's office.

2. Posting: (not applicable to renewals)

This notice must be posted at least thirty days prior to the hearing on the application, in the front window of the
building, or if there is no building yet constructed, on the lot so as to be easily read from the nearest road, and
no more than 25 feet from the shoulder of the road. Letters must be a minimum of four inches, and the sign
must be a minimum of four and one-half square feet.

"NOTICE IS HEREBY GIVEN THAT THE OWNER OF THIS ESTABLISHMENT HAS MADE APPLICATION TO THE
BOARD OF COMMISSIONERS OF MADISON COUNTY GEORGIA FOR A CLASS B MALT BEVERAGE AND WINE
LICENSE. THE HEARING ON SUCH APPLICATION WILL BE HELD AT THE REGULAR BUSINESS MEETING OF THE
MADISON COUNTY BOARD OF COMMISSIONERS ON March 25, 2019."

H. Georgia Security and Immigration Compliance Act:

Pursuant to O.C.G.A. § 50-36-1, the Affidavit attached hereto as Exhibit "A" must be executed by the individual
applicant, manager-agent, or managing club officer (as the case may be).
I. Verification Under Oath:

The following must be completed and signed by the designated manager-agent or club officer:

I do solemnly swear that the statements and answers made on the foregoing questions in this application are true and complete, that I shall be active in, and solely responsible for, the management and operation of the business for which the license is requested, that I have read and fully understand the Madison County Ordinance for the sale of beer and wine entitled "Alcoholic Beverages Ordinance, Madison County, Georgia", and I affirm that I will comply with all provisions and requirements of this Code Section, and I shall not offer for retail sale any beer, wine, ale, or malt beverages except same was purchased or acquired from a licensed wholesale distributor of such alcoholic and malt beverages.

Print full name: John Allen Betts, Managing Member, Dogsboro, LLC d/b/a Kwik Chek

Signature: [Signature]

Notary Public

Sworn to and subscribed before me

This the 22nd day of February, 2019.

[Notary Seal]

My commission expires: 10/6/19

O.C.G.A. § 16-10-71. False swearing

(a) A person to whom a lawful oath or affirmation has been administered or who executes a document knowing that it purports to be an acknowledgement of a lawful oath or affirmation commits the offense of false swearing when, in any matter or thing other than a judicial proceeding, he knowingly and willfully makes a false statement.

(b) A person convicted of the offense of false swearing shall be punished by a fine of not more than $1,000.00 or by imprisonment for not less than one nor more than five years, or both.

O.C.G.A. § 16-10-72. Subordination of perjury or false swearing

A person commits the offense of subordination of perjury or false swearing when he procures or induces another to commit the offense of perjury or the offense of false swearing and, upon conviction thereof, shall be punished by a fine of not more than $1,000.00 or by imprisonment for not less than one or more than ten years, or both.

Exhibit “A”
Affidavit Verifying Status for County Public Benefit Application

By executing this affidavit under oath, as an applicant for a Madison County, Georgia Beer and Wine License as referenced in O.C.G.A. § 50-36-1, the undersigned applicant verifies one of the following with respect to my application for a public benefit for John Allen Betts, Managing Member, Dogsboro, LLC d/b/a Kwik Chek

(Name of natural person applying on behalf of individual, business, corporation, partnership, or other private entity)

1) X I am a United States citizen.

2) ___ I am a legal permanent resident of the United States.

3) ___ I am a qualified alien or a non-immigrant under the Federal Immigration and Nationality Act with an alien number issued by the Department of Homeland Security or other federal immigration agency.

   My alien number is issued by the Department of Homeland Security or other federal immigration agency is:______________________

The undersigned applicant also hereby verifies that he or she is 18 years of age or older and has provided at least one secure and verifiable document, as required by O.C.G.A. § 50-36-1(e)(1), with this affidavit either electronically or in person.

The secure and verifiable document provided with this affidavit can best be classified as:

__________________________________________

State of Georgia, Driver's License

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious or fraudulent statement or representation in an affidavit shall be guilty of a violation of O.C.G.A. §16-10-20, and face criminal penalties as allowed by such criminal statute.

Executed in Athens, Georgia (city) (state).

Signature of Applicant

John Allen Betts, Managing Member, Dogsboro, LLC d/b/a Kwik Chek

Printed Name of Applicant

SUBSCRIBED AND SWORN BEFORE ME ON THIS
THE 26TH DAY OF February, 2019

My Commission Expires: 10/6/2019

NOTARY PUBLIC
Exhibit “B”

Private Employer Affidavit Pursuant to O.C.G.A. § 36-60-6(d)

By executing this affidavit under oath, the undersigned private employer verifies its compliance with O.C.G.A. § 36-60-6, stating affirmatively that as of July 1, 2013 the individual, firm or corporation employed 11 or more employees and is registered with and utilizes the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-90. Furthermore, the undersigned private employer hereby attests that its federal work authorization user identification number and date of authorization are as follows:

Dogsboro, LLC d/b/a Kwik Chek
Name of Private Employer

E-Verify Identification Number & Date of Authorization

OR

If less than 11 employees indicate by initialing here

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on February 20, 2019 in Ann (city), GA (state).

Signature of Authorized Officer or Agent

John Allen Betts, Managing Member, Dogsboro, LLC d/b/a Kwik Chek
Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE 22nd DAY OF FEBRUARY, 2019.

My Commission Expires: 10/6/2019

NOTARY PUBLIC
Exhibit “C”

GCIC Consent Form

In signing below, I hereby authorize the agency in possession of this document to release any and all Georgia criminal record information pertaining to me which may be in the files of any state or local criminal justice agency in Georgia.

Betts, John Allen

Full Name (print: Last, First and Middle Name)

None

Alias names used and time periods used (print: Last, First and Middle Name)

<table>
<thead>
<tr>
<th>Male</th>
<th>Caucasian (White)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sex</td>
<td>Race</td>
</tr>
</tbody>
</table>

Date of Birth

Social Security Number

I give consent to perform periodic criminal history background checks for the duration of my employment with this company.

Signature  

Date  

SUBSCRIBED AND SWORN BEFORE ME ON THIS
THE 22ND DAY OF February, 2019

[Notary Public Signature]

Notary Commission Expires: 10/6/2019

[Notary Public Seal]