



**MADISON COUNTY BOARD OF COMMISSIONERS  
AGENDA SETTING WORK SESSION MINUTES**

**Public Meeting Room • Government Complex • June 6, 2022 • 6:00 P.M.**

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**MEMBERS PRESENT:**

Commission Chairman Todd Higdon  
District 1 Commissioner Dennis Adams  
District 2 Commissioner Terry Chandler  
District 3 Commissioner Frank May  
District 4 Commissioner Brian Kirk  
District 5 Commissioner Derek Doster

**MEDIA PRESENT:**

Zach Mitcham, Madison County Journal

**STAFF PRESENT:**

Christina Baxter, County Clerk  
Mike Pruet, County Attorney

**MEMBERS ABSENT:** None

**Item No. 1. Chairman- Call to Order**

Chairman Higdon called the meeting to order at 6:03PM.

**Item No. 2. Chairman's Report**

Chairman Higdon announced the Senior Center's Summer Market will be held June 11<sup>th</sup> from 9AM-1PM. The Summer Market is held the second Saturday of each month from June through October in the Senior Center parking lot. Higdon also announced the Splash Pad at the Recreation Department is now open. Normal operating hours will be Wednesday through Sunday from 10AM-7PM.

Fall Sports registration is currently open until July 1<sup>st</sup>. Sports include: Soccer 101, Soccer, Volleyball, Tee Ball, Baseball, Softball and Softball Travel Ball League. The Chamber of Commerce is selling Madico Made Summer Sampler boxes until June 13<sup>th</sup>. These boxes are packed full of local business products. This is a great way to support local businesses.

Chairman Higdon also noted June 14<sup>th</sup> is the first Public Workshop for the Comprehensive Plan. This event is being held at the Senior Center at 6PM. Please join us for a community meeting about the future of Madison County and its Cities. You can also take an online survey at [Madison-CompPlan.com](http://Madison-CompPlan.com).

Expansion updates for the Food Bank are underway. The concrete slab was poured today. The Comer Emergency Services Station will be having lumber delivered Tuesday and framing will start. Chairman Higdon also announced Timberlane Drive is still under construction and to use caution when in the area. Higdon explained the road department is out in all aspects. There are multiple crews working on various projects.

**Item No. 3. PUBLIC HEARINGS and ACTIONS ON ZONING MATTERS:**

**Old Business:**

**1. Gyeong Ho Park**, represented by Attorney David Jordan, is requesting for his Conditional Use application for a dog kennel of at least 25 breeding dogs, be reconsidered for approval. **District 4.** Planning and Zoning Commission recommended a 4 to 2 vote to approve. Chairman Higdon asked if anyone would to speak in favor of the Request. Attorney David Jordan representing Mr. Gyeong Ho Park and Mr. Park spoke to the Board.



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Chairman Higdon asked if anyone would like to speak in opposition of the request. Mr. Phil Smith spoke in opposition.

On motion by Commissioner Kirk and second by Commissioner Chandler the Board voted to approve the Conditional Use with conditions:

1. 25 breeding dogs max, dogs under the age of six months are not considered in the maximum animal allowance.
2. Animal waste must be composed onsite and not buried.
3. Animal mortality must conform to State Standards & Approved Practices with the exception of burial. Burial is not allowed in regards to this conditional use.
4. All kennels, housing, and other structures pertaining to the operations of this conditional use must be located behind the residence.
5. All kennels, housing, or other structures pertaining to the operation of this conditional use that are within the 100 foot minimum setbacks and/or in front of the residence must be removed, or relocated immediately.
6. A vegetative buffer must be in place.

The vote was as follows: Commissioner Chandler, May and Kirk voted YES Commissioner Adams and Doster voted NO.

**New Business:**

**1. Harold & Jhnette Appleby** are requesting to rezone their 5.75 acre property from RR to A2 to combine with 5 acres from adjoining A2 property (0015/045A) to serve as a privacy buffer for a total of 10.75 acres. The property is located at 145 Stoy Smith Road on map 0015 parcel 047 in **District 1**.

Planning and Zoning Commission recommended a 6 to 0 vote to approve.

Chairman Higdon asked if anyone would to speak in favor of the Request. Harold "Butch" Appleby spoke in favor.

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

On motion by Commissioner Adams and second by Commissioner Chandler the Board voted to approve the rezone request with the condition that both tracts be combined into one parcel. The vote was as follows: Commissioner Adams, Chandler, May, Kirk and Doster voted YES to approve.

**2. Jerry & Amy McEachin** are requesting a conditional use permit for their 38.92 acre A2 property to allow them to build and operate an event hall for weddings, birthday parties, and other family-oriented events. The property is located at 0 Hwy 29 S on map 0054 parcel 033 in **District 2**. (The property address has not yet been assigned because it is vacant property.)

Planning and Zoning Commission recommended a 6 to 0 vote to approve.

Chairman Higdon asked if anyone would to speak in favor of the Request. Jerry and Amy McEachin presented a PowerPoint to the Board of their plans for the property.



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Chairman Higdon asked if anyone would like to speak in opposition of the request. Ms. Vickie Hunter approached the Board not to speak in favor of or in opposition. Ms. Hunter is the neighboring parcel and request there be a vegetative buffer in place.

On motion by Commissioner Chandler and second by Commissioner May the Board voted to approve the rezone request with the condition to keep an undisturbed vegetative buffer along the neighboring property. The vote was as follows: Commissioner Adams, Chandler, May, Kirk and Doster voted YES to approve.

**3. Herschel & Mary Beth Dalton** are requesting to rezone two of their properties (0065/103, 0.5 acres) & (0065/108, 1.43 acres) from RR to A2 to combine with adjoining A2 properties (0065/104, 1.41 acres) & (0065/106, 3.71 acres) for a total of four parcels being combined into one tract with a total acreage of approximately 7.05 acres to sell. The properties are located near 2570 Hwy 191 in **District 4**.

Planning and Zoning Commission recommended a 6 to 0 vote to approve.

Chairman Higdon asked if anyone would to speak in favor of the Request. Charles Jones, a realtor representing Herschel and Mary Beth Dalton spoke to the Board regarding the request.

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

On motion by Commissioner Kirk and second by Commissioner Chandler the Board voted to approve the rezone request with the condition all four parcels be combined. The vote was as follows: Commissioner Adams, Chandler, May, Kirk and Doster voted YES to approve.

**4. John Michael Barton** is requesting to rezone a portion (2.01 acres) of his 14.49 acre property from A2 to RR to gift his uncle, Paul Waddell, exactly 2.01 acres that his uncle has lived on for 45 years. The property is located at 7709 Nowhere Road on map 0016 parcel 103-01 in **District 1**.

Planning and Zoning Commission recommended a 6 to 0 vote to approve.

Chairman Higdon asked if anyone would to speak in favor of the Request. Mr. Paul Waddell spoke in favor of.

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

On motion by Commissioner Adams and second by Commissioner Chandler the Board voted to approve the rezone request. The vote was as follows: Commissioner Adams, Chandler, May, Kirk and Doster voted YES to approve.

**OLD BUSINESS: There was no old business.**

**NEW BUSINESS:**

**Item No. 4. Discuss a Beer and Wine License for La Cabana LLC in Colbert**

The Board held discussion. On motion by Commissioner Doster and second by Commissioner Chandler to move this item under Urgent Matters for a Board vote. The vote was as follows: Commissioner Adams, Chandler, May, Kirk and Doster voted YES.



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**Item No. 5. Discuss reappointing Ms. Linda Holloman to the Department of Family and Children Services Board**

The Chairman noted Ms. Linda Holloman's recommendation from the Division of Family and Children Services County Director, Kristy Daniels to reappoint Ms. Holloman for another five year term. The Board discussed Ms. Holloman's reappointment.

On motion by Commissioner Chandler and second by Commissioner Adams to move this item under Urgent Matters for a Board vote. The vote was as follows: Commissioner Adams, Chandler, May, Kirk and Doster voted YES.

**Item No. 6. Discuss amendments to the Compensation Policy Ordinance Chapter 50 Section 40**

The Board discussed two options for amendments to the Compensation Policy regarding Storm Response Overtime exception. Commissioner Kirk asked for County Staff to continue to clarify and amend this Ordinance further.

**Item No. 7. Discuss amendments to the Personnel Policy Ordinance Chapter 50 section 34, section 42 and section 43**

The Board discussed the amendments presented for Separation, Disciplinary Actions, Recruitment and Selection for vacant positions. Staff advised the Board of what the ordinance previously stated, currently states and the amendments being made.

**Item No. 8. Discuss amendments to the Offenses and Miscellaneous Provisions Ordinance Chapter 42 section 6**

The Board discussed the amendments presented for smoking and tobacco use in County buildings. County Attorney Mike Pruett discussed further amendments to the ordinance presented.

**Item No. 9. Consider awarding bid for Lem Edwards Road right of way maintenance**

On motion by Commissioner Doster and second by Commissioner Adams to award the bid of \$192,500 to Cowart Tree Service for Lem Edwards Road right of way maintenance. The vote was as follows: Commissioner Adams, Chandler, May, Kirk and Doster voted YES to approve.

**Item No. 10. Consider filling the Finance Director position**

Chairman Higdon discussed the applications submitted for and the interviews held for the Finance Directors position.

On motion by Commissioner Chandler and second by Commissioner Adams to approve hiring Melissa Tolbert for the Finance Director position. The vote was as follows: Commissioner Adams, Chandler, May, Kirk and Doster voted YES to approve.

**Item No. 11. Urgent Matters**

Item No. 4 was moved to Urgent Matters for a vote:



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On motion by Commissioner Doster and second by Commissioner May the Board voted to approve the Beer & Wine License application for La Cabana LLC in Colbert. The vote was as follows: Commissioner Adams, Chandler, May, Kirk and Doster voted YES to approve.

Item No. 5 was moved to Urgent Matters for a vote:

On motion by Commissioner Chandler and second by Commissioner Kirk to re-appoint Ms. Linda Holloman to the Department of Family and Children Services Board. The vote was as follows: Commissioner Adams, Chandler, May, Kirk and Doster voted YES to approve.

Commissioner Adams requested a letter of assistance be sent to the Chairman of the Transportation State Committee regarding the intersection on Highway 106 and Neese Commerce road and Diamond Hill Neese Road. Commissioner Adams stated the dangers of this intersection and noted some possible changes.

On motion by Commissioner Adams and second by Commissioner Chandler requested the County Attorney, Mr. Pruettt draft the letter on behalf of the Board of Commissioners and send to the Chairman of the Transportation Committee at the State. The vote was as follows: Commissioner Adams, Chandler, May, Kirk and Doster voted YES to approve.

**Item No. 12. Executive Session to discuss real estate acquisition, personnel matters and/or potential litigation**  
There was no need for Executive Session.

**Item No. 13. Adjourn**

On motion by Commissioner Doster the Board unanimously agreed to adjourn at 7:37PM.