

**MADISON COUNTY BOARD OF COMMISSIONERS
MINUTES
REGULAR BUSINESS MEETING
DECEMBER 1, 2014
6:30 P.M.**

MEMBERS PRESENT:

Commission Chairman Anthony Dove
District 1 Commissioner Stanley Thomas
District 2 Commissioner Dewitt Bond
District 3 Commissioner Mike Youngblood
District 4 Commissioner John Pethel, Sr.
District 5 Commissioner Jim R. Escoe, Sr.

MEMBERS ABSENT:

None

MEDIA PRESENT:

Zach Mitcham, Madison County Journal

STAFF PRESENT:

Rhonda S. Wooten, County Clerk
Mike Pruetz, County Attorney

Chairman Dove called the meeting to order at 6:30 pm, led in the pledge to the American Flag and asked Planning and Zoning Commission Chairman Wayne Douglas to give the invocation.

Item No. 1. Approval of Minutes:

Minutes of Agenda Setting Meeting of November 24, 2014. Minutes have been distributed.

On motion by Commissioner Bond and second by Commissioner Thomas the Board approved the minutes of the November 24, 2014 Agenda Setting Meeting. The vote was as follows: Commissioners Thomas, Bond, Youngblood, Pethel and Escoe voted YES.

Item No. 2. Business Involving Guests, Groups or Multiple Visitors.

Chairman Dove stated that the first year the MCYA began was in 1972 and that the league has come so far that one of our teams won a championship. The Madison County Red Raider 6 and Under Football Team were individually recognized by Chairman Dove and the Board of Commissioners for winning the North Georgia Youth Football Association Super Bowl Championship. As Chairman Dove called out the name of each player and coach, they entered the room to applause. The members of the 2014 team were Jace Aaron, Dayton Owens, Luke Hill, Tyler Fortson, Trynton Latimore, Cason Hillsman, Chip Dickens, Bradley Wallace, Jasaih Toole, Cohen Brown, J.J. Hanson, Drayden Mitchell, Jayden Moon, Ethan Madden, Noah "The Bull" Crane, Ares Edwards, Caden Foster, Mich Crane, Casen Hanson, with Head Coach Daniel Hill,

Assistant Coach Tracy Latimore, Assistant Coach Dwayne Mitchell, Assistant Coach Trent Hillsman, Assistant Coach Darius Barnes and Assistant Coach Casey Crane.

Head Coach Daniel Hill spoke of the real hard work of the team and stated that they represented themselves and the families of this community very well.

On motion by Commissioner Bond and second by Commissioner Youngblood the Board voted to approve a proclamation recognizing the tremendous athletic accomplishments of the team. The vote was as follows: Commissioners Thomas, Bond, Youngblood, Pethel and Escoe voted YES.

Item No. 3. Chairman's Report.

Chairman Dove stated that AT&T has submitted an application for a utility encroachment permit on Helican Springs Road. On motion by Commissioner Escoe and second by Commissioner Bond the Board approved the permit. The vote was as follows: Commissioners Thomas, Bond, Youngblood, Pethel and Escoe voted YES.

Chairman Dove referred to a letter regarding the retirement of Judge Bailey and the process to select a new judge.

Chairman Dove asked County Attorney Mike Pruett to discuss the Design-Builder agreement for the new jail addition. Mr. Pruett explained the agreement and advised the Board that the final agreement, with a few minor changes, will be sent tomorrow. The Board will review the final agreement and discuss at a future meeting.

Chairman Dove stated that James Holcomb Road will be closed for three or four days due to work being done by CSX Railroad.

Item No. 4. Hearings and Actions on Rezone Matters, Special Use Permits, Etc. (Linda Fortson and Wayne Douglas)

1. Tracy and Fred Dake are requesting to rezone their 3.53 ac. parcel from R3 to RR to allow for farm animals for their daughter. The property is located on Griffeth Rd. on Map 28 Parcel 52 in District 3.

Chairman Douglas explained the rezone request and stated that the Planning and Zoning Board voted four (4) to zero (0) to approve.

Chairman Dove asked if anyone would like to come forward to speak in favor of the request. The applicant, Tracy Dake, said that she was in favor of the request.

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

Chairman Dove asked if anyone would like to come forward to speak in favor of the request. No one came forward.

On motion by Commissioner Youngblood and second by Commissioner Thomas the Board voted to approve the rezone request. The vote was as follows: Commissioners Thomas, Bond, Youngblood, Pethel and Escoe voted YES.

2. Ann Smith is requesting a Conditional Use Permit to allow her to rebuild a non-conforming chicken house back on her property. She cannot meet the required setback. The property is located on Griffeth Rd. on Map 28 Parcel 115 in District 3.

Chairman Douglas explained the conditional use request and stated that the Planning and Zoning Board voted four (4) to zero (0) to approve.

Chairman Dove asked if anyone would like to come forward to speak in favor of the request. Applicant, Ann Smith, of 618 Griffeth Road, came forward and spoke in favor of the request. Justin Arthur spoke in favor of the request.

Chairman Dove asked if anyone would like to come forward to speak in opposition of the request. Adam Land, attorney speaking on the behalf of Faye and Charles Humphrey, spoke in opposition of the request.

Faye Humphrey of 726 Griffeth Road spoke in opposition of the request.

Charles Humphrey of 726 Griffeth Road spoke in opposition of the request.

Bobby Hanley spoke in opposition of the request.

Chairman Dove asked if anyone would like to come forward to speak in favor of the request. Justin Arthur came forward and spoke in favor of the request.

The Board had questions for Chairman Douglas, Attorney Adam Land and County Attorney Mike Pruet.

Commissioner Youngblood made a motion to approve the Conditional Use request. Commissioner Bond seconded the motion.

Commissioner Youngblood withdrew his motion with no objections from the Board.

On motion by Commissioner Youngblood and second by Commissioner Bond the Board voted to approve the Conditional Use for a 40' x 300' chicken house to be put back in the same place. The vote was as follows: Commissioners Thomas, Bond, Youngblood and Escoe voted YES. Commissioner Pethel voted NO.

3. Eldon Smith is requesting to rezone his 76.73 ac. parcel from A2 to A1 for chicken houses. The property is located on Pine Valley Farm Rd. on Map 105 Parcel 3 in District 4.

Chairman Douglas explained the rezone request and stated that the Planning and Zoning Board voted four (4) to zero (0) to approve.

Chairman Dove asked if anyone would like to come forward to speak in favor of the request.

Linda Fortson stated that she was representing the applicant who lives in Florida.

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

Chairman Dove asked if anyone would like to come forward to speak in favor of the request. No one came forward.

On motion by Commissioner Pethel and second by Commissioner Thomas the Board voted to approve the rezone request. The vote was as follows: Commissioners Thomas, Bond, Youngblood, Pethel and Escoe voted YES.

4. Tom Munro and Derek Fountain are requesting to rezone their 2.8 ac. parcel from A2 to R2 to subdivide into two parcels for a single family home and a duplex. The property is located on Spratlin Mill Rd. on Map 45 Parcel 19 in District 3.

Chairman Douglas explained the rezone request and stated that the Planning and Zoning Board voted two (2) to two (2).

Chairman Dove asked if anyone would like to come forward to speak in favor of the request. Applicant, Derek Fountain, of 145 Virginia Lane, came forward and spoke in favor of the request.

Chairman Dove asked if anyone would like to come forward to speak in opposition of the request. Marla Farrell of 2161 Spratlin Mill Road spoke in opposition of the request. Jeff Hendricks of 2035 Spratlin Mill Road spoke in opposition of the request.

Chairman Dove asked if anyone would like to come forward to speak in favor of the request. Applicant, Derek Fountain, spoke in favor stating he was willing to create a 50' buffer and if the duplex was denied he would like permission to build a house.

On motion by Commissioner Youngblood and second by Commissioner Escoe the Board voted to deny the rezone request. The vote was as follows: Commissioners Thomas, Bond, Youngblood, Pethel and Escoe voted YES.

Item No. 5. Statements and Remarks from Citizens on agenda items.

Chairman Dove asked if there were any statements or remarks on an agenda item. No one came forward.

OLD BUSINESS:

None

NEW BUSINESS:

Item No. 6. Consider recommendation of a down stroke baler. (Sandra Webb)

Transfer Station Director Sandra Webb approached the Board to recommend the purchase of a 15 HP down stroke baler from Georgia Baler & Compactor for \$11,200.

On motion by Commissioner Escoe and second by Commissioner Youngblood the Board voted to approve the purchase to be paid with remaining 2008 SPLOST and supplemented with current SPLOST. The vote was as follows: Commissioners Thomas, Bond, Youngblood, Pethel and Escoe voted YES.

Item No. 7. Consider expired term of Planning and Zoning District Four Board Member. (John Pethel)

Commissioner Pethel said that he would like to nominate Bob Fowler to fill the next term of the District Four Planning and Zoning Board position.

On motion by Commissioner Pethel and second by Commissioner Escoe the Board voted to approve Bob Fowler as the District Four Planning and Zoning Board Member. The vote was as follows: Commissioners Thomas, Bond, Youngblood, Pethel and Escoe voted YES.

Item No. 8. Consider 2015 Beer & Wine License applications. (Chairman Dove)

On motion by Commissioner Escoe and second by Commissioner Pethel the Board voted to approve the following Beer & Wine License applications:

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|----------------------------|---------------------|
| 1. Boutier Winery | Mary Jakupi-Boutier |
| 2. CVS Pharmacy #7782 | Deanna Echarui |
| 3. Country Superette | Sara Sexton |
| 4. Diamond Hill Grocery | Dipa Patel |
| 5. Food Mart | Gurcharan Udhwani |
| 6. Golden Farm Store & Gas | Xin Sen Zheng |
| 7. Golden Pantry #37 | Michael Griffith |
| 8. Ingles Markets #450 | Benjamin Stowers |
| 9. Jai's Country Corner | Dipa Patel |
| 10. Kwik Chek | Ifran Hameed |
| 11. Neese Grocery | Kasyapkumar Patel |
| 12. Paoli Junction | Ishwarsingh Udhwani |
| 13. Poca Grocery | Kaushikbhai Patel |
| 14. Quick Pick | Gurcharan Udhwani |
| 15. SZ Food Mart | Sumreena Hameed |
| 16. Tiny Town Looney Mart | Deborah Crawford |

The vote was as follows: Commissioners Thomas, Bond, Youngblood, Pethel and Escoe voted YES.

Item No. 9. Roads Update.

There were no road requests.

Item No. 10. Urgent Matters

There were no urgent matters.

Item No. 11. Statements and Remarks from Citizens.

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

**Item No. 12. Executive Session to discuss land acquisition, personnel matters and/or potential litigation
(if needed)**

There was no need for executive session.

Item No. 16. Adjourn

On motion by Commissioner Pethel and second by Commissioner Thomas the Board unanimously agreed to adjourn at 8:07 pm.