

**MADISON COUNTY BOARD OF COMMISSIONERS  
MINUTES  
REGULAR BUSINESS MEETING  
JANUARY 8, 2018  
6:30 P.M.**

**MEMBERS PRESENT:**

District 1 Commissioner Lee Allen  
District 4 Commissioner John W. Pethel, Sr.  
District 5 Commissioner Jim R. Escoe, Sr.

**MEMBERS ABSENT:**

Commission Chairman John Scarborough  
District 2 Commissioner Tripp Strickland  
District 3 Commissioner Theresa Bettis

**MEDIA PRESENT:**

Zach Mitcham, Madison County Journal

**STAFF PRESENT:**

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

Vice-Chairman Allen called the meeting to order at 6:30 p.m., led in the pledge to the American flag and gave the invocation.

County Attorney Mike Pruett advised the Board that no action is to be taken by the Board without the concurring vote of at least three members. He instructed the Board to vote to postpone voting on items that may not have three concurring votes.

**Item No. 1. Approval of Minutes:**

**Minutes of the December 18, 2017 Agenda Setting Meeting. Minutes have been distributed.**

On motion by Commissioner Escoe and second by Commissioner Pethel the Board voted to approve the minutes of the December 18, 2017 Agenda Setting Meeting. The vote was as follows: Commissioners Allen, Pethel and Escoe voted YES.

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

None

**Item No. 3. Chairman's Report.**

Vice-Chairman Allen read the report prepared by Chairman Scarborough stating that progress in the Comprehensive Plan Update approval is being made as we continue to work with the Regional Commission and Department of Community Affairs.

Vice-Chairman Allen also read Chairman Scarborough's congratulatory remarks to the Athens Regional Library System as they (along with Madison County Library) have been selected as Georgia's 2017 Public Library of the Year. Vice-Chairman Allen encouraged the audience to acknowledge this achievement when visiting the library.

**Item No. 4. Hearings and Actions on Rezone Matters, Special Use Permits, Etc. (Linda Fortson & Lamar Hughston)**

1. Consider approval of preliminary and final Woodbury Subdivision plat.

Zoning Administrator Linda Fortson presented only the preliminary plat for Woodbury Subdivision and stated that the Planning and Zoning Commission voted seven to zero to approve.

On motion by Commissioner Pethel and second by Commissioner Allen the Board voted to approve the preliminary plat for Woodbury Subdivision. The vote was as follows: Commissioners Allen, Pethel and Escoe voted YES.

2. Russell and Terry Tankersley are requesting to rezone their 2.14 acre property from R1 to RR so that they can have pigs. This property is located on Map 17 Parcel 33 at 5243 Nowhere Road in District 1.

Chairman Hughston explained the rezone request and stated that the Planning and Zoning Commission voted four to three to approve.

Vice-Chairman Allen asked if anyone would like to speak in favor of the request. Attorney Victor Johnson spoke in favor of the request and presented a Constitutional Challenge along with a petition for support of the rezone request. Applicant Terry Tankersley spoke in favor of the request. Cindy Jones and Terry Chandler also spoke in favor of the request.

Vice-Chairman Allen asked if anyone would like to speak in opposition to the request. Jerry Henderson, Sharon Yen and Mike Bush spoke in opposition to the request. Hoke Strickland addressed the Board at this time but said that he was in favor of the request.

Vice-Chairman Allen asked if anyone would like to speak in favor of the request. Attorney Victor Johnson spoke in favor of the request.

On motion by Commissioner Escoe and second by Commissioner Pethel the Board voted to postpone voting on this request until the January 29, 2018 meeting. The vote to postpone was as follows: Commissioners Allen, Pethel and Escoe voted YES.

3. Wayne and Carol Douglas are requesting to rezone a 2 acre portion of their 17.23 acre property from A1 to RR to subdivide. The property is located on Map 24 Parcel 5A on Joe Cooper Road in District 1.

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

Vice-Chairman Allen asked if anyone would like to speak in favor of the request. Applicant Wayne Douglas said that he agreed with what Chairman Hughston presented.

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

Vice-Chairman Allen asked if anyone would like to speak in favor of the request. No one came forward.

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

4. Mary Jakupi-Boutier is requesting to rezone her home with 2 acres from RR to A2 to combine with her adjoining property. The property is located on Map 21 Parcel 55A-4 on Hudson Rivers Church Road in District 2.
5. Mary Jakupi-Boutier is requesting to rezone her 12.76 acres from A1 to RR portion to subdivide one 2.76 acre property and one 2 acre property with an existing house. The property is located on Map 21 Parcel 55A-1 on Hudson Rivers Church Road in District 2.
6. Mary Jakupi-Boutier is requesting to rezone her 10 acres from A1 to A2. The property is located on Map 21 Parcel 55A-1 on Hudson Rivers Church Road in District 2.

Zoning Administrator Linda Fortson explained the rezone requests and stated that the Planning and Zoning Commission combined the three requests and voted seven to zero to approve.

Vice-Chairman Allen asked if anyone would like to speak in favor of the requests. Attorney Victor Johnson spoke in favor of the request.

Vice-Chairman Allen asked if anyone would like to speak in opposition to the requests. No one came forward.

Vice-Chairman Allen asked if anyone would like to speak in favor of the requests. No one came forward.

On motion by Commissioner Allen and second by Commissioner Pethel the Board voted to approve the request to rezone Map 21, Parcel 55A-4 from RR to A2. The vote was as follows: Commissioners Allen, Pethel and Escoe voted YES.

On motion by Commissioner Pethel and second by Commissioner Allen the Board voted to approve the request to rezone Map 21, Parcel 55A-1 from A1 to RR portion. The vote was as follows: Commissioners Allen, Pethel and Escoe voted YES.

On motion by Commissioner Allen and second by Commissioner Pethel the Board voted to approve the request to rezone Map 21, Parcel 55A-1 from A1 to A2. The vote was as follows: Commissioners Allen, Pethel and Escoe voted YES.

7. Chris Jones for Calwood Properties is requesting to rezone 16.03 acres from A2 to R1 for a major subdivision. The property is located on Map 31 Parcel 130-02 on Highway 29 South in District 3.
8. Chris Jones for Calwood Properties is requesting to rezone 5.02 acres from A2 to R1 to combine with the above property as part of the major subdivision. The property is located on Map 31 Parcel 130 on Highway 29 South in District 3.

Chairman Hughston explained the rezone requests and stated that the Planning and Zoning Commission combined the two requests and voted five to one to approve.

Vice-Chairman Allen asked if anyone would like to speak in favor of the requests. Attorney Victor Johnson spoke in favor of the requests and presented a Constitutional Challenge. Mr. Johnson requested that the two requests be taken up as a combined vote.

Vice-Chairman Allen asked if anyone would like to speak in opposition to the requests. Orlando Adler, Rhonda Alewine, Jim Hembree and Waymon Alewine spoke in opposition to the requests.

Vice-Chairman Allen asked if anyone would like to speak in favor of the requests. Attorney Victor Johnson spoke in favor of the requests.

Commissioner Pethel made a motion to deny the rezone requests. Commissioner Escoe seconded the motion.

On substitute motion by Commissioner Escoe and second by Commissioner Pethel the Board voted to postpone voting on the rezone requests until the January 29, 2018 meeting. The vote to postpone was as follows: Commissioners Allen, Pethel and Escoe voted YES.

Commissioner Pethel withdrew his motion and Commissioner Escoe withdrew his second.

9. Chris Jones for Calwood Properties is requesting to rezone 69.9 acres from A2 to R1 for a major subdivision. The property is located on Map 29 Parcel 9 on Highway 106 South in District 1.

Chairman Hughston explained the rezone request and stated that the Planning and Zoning Commission voted five to one to approve.

Vice-Chairman Allen asked if anyone would like to speak in favor of the request. Attorney Victor Johnson spoke in favor of the request and presented a Constitutional Challenge.

Vice-Chairman Allen asked if anyone would like to speak in opposition to the request. Nancy Smith and Steve Arnold spoke in opposition to the request.

Vice-Chairman Allen asked if anyone would like to speak in favor of the request. Attorney Victor Johnson spoke in favor of the request.

Commissioner Allen made a motion to approve the request. Commissioner Escoe seconded the motion.

On substitute motion by Commissioner Allen and second by Commissioner Pethel the Board voted to postpone voting on this rezone request until the January 29, 2018 meeting. The vote to postpone was as follows: Commissioners Allen, Pethel and Escoe voted YES.

10. Susan and Wendell Hanley are representing Joyce Blair in requesting the rezone of her 8.11 acre property from A2 to RR to subdivide. The property is located on Blacks Creek Church Road and Daisy Drive on Map 10 Parcel 11 in District 1.

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

Vice-Chairman Allen asked if anyone would like to speak in favor of the request. Applicant Wendell Hanley spoke in favor of the request.

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

Vice-Chairman Allen asked if anyone would like to speak in favor of the request. No one came forward.

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

11. Susan and Wendell Hanley are representing Joyce Blair in requesting the rezone of her 10.37 acre property from A1 to RR to subdivide. The property is located on Fort Lamar Road on Map 21 Parcel 30 in District 1.

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

Vice-Chairman Allen asked if anyone would like to speak in favor of the request. Applicant Wendell Hanley spoke in favor of the request.

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

Vice-Chairman Allen asked if anyone would like to speak in favor of the request. No one came forward.

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

12. Any new zoning amendments.

Chairman Hughston explained a zoning amendment to Article III regarding the definition of a commercial vehicle and stated that the Planning and Zoning Commission voted six to zero to approve the amendment.

On motion by Commissioner Escoe and second by Commissioner Pethel the Board voted to approve the zoning amendment. The vote was as follows: Commissioners Allen, Pethel and Escoe voted YES.

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

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

#### **Item No. 6. Consider allowing a SPLOST purchase for Collins Volunteer Fire Department which will exceed the sixty percent quota. (Jackson Parham)**

Collins Fire Chief Jackson Parham addressed the Board regarding a request to go over the sixty percent SPLOST quota by approximately \$4,700 to purchase six sets of turn-out gear.

On motion by Commissioner Pethel and second by Commissioner Escoe the Board voted to postpone voting on this request until the January 29, 2018 meeting. The vote to postpone was as follows: Commissioners Allen, Pethel and Escoe voted YES.

**Item No. 7. Roads Update**

Vice-Chairman Allen said that he has been talking to D.O.T about the safety features of roundabouts.

**Item No. 8. Urgent Matters**

There were no urgent matters.

**Item No. 9. Statements and Remarks from Citizens.**

Vice-Chairman Allen asked if there were any statements or remarks. Mike Bush said that in his travels he found that roundabouts that are created by D.O.T. work well. Hoke Strickland had negative comments regarding the roundabout in Danielsville.

**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 Pethel and second by Commissioner Allen the Board unanimously agreed to adjourn at 8:45 p.m.