

**MADISON COUNTY BOARD OF COMMISSIONERS
MINUTES
REGULAR BUSINESS MEETING
OCTOBER 1, 2018
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 John W. Pethel, Sr.

MEMBERS ABSENT:

District 5 Commissioner Jim R. Escoe, Sr.

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. Approval of Minutes:

Minutes of the September 24, 2018 Agenda Setting Meeting. Minutes have been distributed.

On motion by Commissioner Allen and second by Commissioner Bettis the Board voted to approve the minutes of the September 24, 2018 Agenda Setting Meeting. The vote was as follows: Commissioners Allen, Strickland, Bettis and Pethel voted YES.

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

None

Item No. 3. Chairman's Report.

No report given.

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

1. Buddy Robinson with Value Concepts is representing Spratt Bullock. They are requesting a conditional use on 64.65 acres for a cell tower. The property is located on Map 31 Parcel 146 on Piedmont Road in District 3.

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

Chairman Scarborough asked if anyone would like to speak in favor of the request. Clay Brogdon with Southern Linc spoke in favor of the request.

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

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

On motion by Commissioner Strickland and second by Commissioner Bettis the Board voted to approve the conditional use for a cell tower. The vote was as follows: Commissioners Allen, Strickland, Bettis and Pethel voted YES.

2. Dawn Eberhardt is representing Elmer and Dianne Hartley in their rezone request. They are requesting to rezone approximately two acres of their 62.52 acres. They are requesting to rezone from A1 to RR to combine with Ms. Eberhardt's property. The property is located on Map 21 Parcel 39 in District 1.

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

Chairman Scarborough asked if anyone would like to speak in favor of the request. Dawn Eberhardt 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. The vote was as follows: Commissioners Allen, Strickland, Bettis and Pethel voted YES.

3. Bruce Patterson is representing the Estate of Juanelle Bowen. He is requesting to rezone one acre with the existing Neese Grocery from A2 to B. This is part of an 18.4 acre parcel on Map 29 Parcel 39 in District 1.

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

Chairman Scarborough asked if anyone would like to speak in favor of the request. Bruce Patterson 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 Bettis the Board voted to approve the rezone request. The vote was as follows: Commissioners Allen, Strickland, Bettis and Pethel voted YES.

4. Tina Mazariegos is requesting to rezone her 5.74 acre property from R3 to A2 to allow her to keep her farm animals. The property is located on Map 59 Parcel 103 on Shoal Creek Road in District 5.

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

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

Chairman Scarborough asked if anyone would like to speak in opposition to the request. Bree Alexander and Roy Wampole spoke in opposition to the request.

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

Commissioner Bettis made a motion to deny the rezone request. Commissioner Allen seconded the motion. The vote to deny was as follows: Commissioners Allen and Bettis voted YES. Commissioners Strickland and Pethel voted NO. Chairman Scarborough voted NO.

Commissioner Strickland made a motion to approve the rezone request. Commissioner Pethel seconded the motion. The vote to approve was as follows: Commissioners Allen and Bettis voted NO. Commissioners Strickland and Pethel voted YES. Chairman Scarborough voted YES.

Commissioner Pethel asked Lamar Hughston and Linda Fortson the status of the amendment regarding zoning for dog kennels.

Item No. 5. Roads Update

Commissioner Pethel said that he received a phone call expressing pleasure in being able to travel Cheek Pulliam Road with the new bridge in place.

Chairman Scarborough said that according to the Department of Transportation, the widening of Jones Chapel Shiloh Road is about a month to six weeks away.

Chairman Scarborough asked for the Board to submit their requests for 2019 LMIG Projects.

Item No. 6. Urgent Matters

There were no urgent matters.

Item No. 7. Statements and Remarks from citizens.

Chairman Scarborough asked if there were any statements or remarks.

Stanley Thomas addressed the Board regarding the status of the zoning amendment for dog kennels and questioned why 20 acres would be required.

Kyle Waldrop and Jimmy Waldrop addressed the Board stating that they disagree with the County burying livestock on private property without charging a fee.

Marion Baker addressed the Board stating that he agrees with the County burying livestock without charging a fee.

Conolus Scott addressed the Board stating that regarding the last rezone request, the Board should be careful of spot zoning.

Item No. 8. Executive Session to discuss land acquisition, personnel matters and/or potential litigation (if needed).

There was no need of executive session.

Item No. 9. Adjourn

On motion by Commissioner Pethel and second by Commissioner Strickland the Board unanimously agreed to adjourn at 7:00 p.m.