

**MADISON COUNTY BOARD OF COMMISSIONERS
MINUTES
REGULAR BUSINESS MEETING
MARCH 6, 2017
6:30 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.
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 Pruett, County Attorney

Chairman Scarborough called the meeting to order at 6:30 p.m. and requested that cell phone ringers be silenced. Chairman Scarborough led in the pledge to the American flag and gave the invocation.

Item No. 1. Approval of Minutes:

Minutes of Agenda Setting Meeting of February 27, 2017. Minutes have been distributed.

On motion by Commissioner Allen and second by Commissioner Bettis the Board voted to approve the draft minutes of the February 27, 2017 Agenda Setting Meeting. The vote was as follows: Commissioners Allen, Strickland, Bettis, Pethel and Escoe voted YES.

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

None

Item No. 3. Chairman's Report.

Chairman Scarborough presented an amendment to Section 2-30 of Chapter 2 of the Madison County Code of Ordinances to address provision of the vice-chair's signature on checks in the county clerk's absence.

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

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

1. Ricky Hix is requesting to rezone 3 to 4 acres of his 30 acre property from A1 to RR for a home site for his son. This property is located on Map 95 Parcel 25 on Holly Creek Church Road in District 4.

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

Chairman Scarborough asked if anyone would like to speak in favor of the request. Applicant Ricky Hix 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. No one came forward.

On motion by Commissioner Pethel and second by Commissioner Escoe the Board voted to approve the request to rezone 3 to 4 acres on Map 95 Parcel 25 from A1 to RR. The vote was as follows: Commissioners Allen, Strickland, Bettis, Pethel and Escoe voted YES.

2. Sherrard and Brenda White are requesting to rezone 2 acres from A1 to RR for a home site for their daughter. The property is located on Map 21 Parcel 120-A on Jot Em Down Road in District 1.

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

Chairman Scarborough asked if anyone would like to speak in favor of the request. Applicant Sherrard White 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. No one came forward.

On motion by Commissioner Strickland and second by Commissioner Pethel the Board voted to approve the request to rezone 2 acres on Map 21 Parcel 120-A from A1 to RR. The vote was as follows: Commissioners Allen, Strickland, Bettis, Pethel and Escoe voted YES.

3. Tim and Robert Patterson are requesting to rezone their 9.26 acre property from A1 to R1 to subdivide into two parcels with the house and barn on a 1.5 acre parcel and the remaining property on a second parcel. The property is located on Map 46 Parcel 151 on McCannon Morris Road in District 5.

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

Chairman Scarborough asked if anyone would like to speak in favor of the request. Applicant Tim 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.

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

On motion by Commissioner Escoe and second by Commissioner Allen the Board voted to approve the request to rezone the 9.26 acres on Map 46 Parcel 151 from A1 to R1. The vote was as follows: Commissioners Allen, Strickland, Bettis, Pethel and Escoe voted YES.

4. Jay Pridgen is representing Capital Resource Management LLC. They are requesting to rezone 18.46 acres from A2 to R1 for an 18 lot subdivision. The property is located on Map 58 Parcel 57 on Diamond Hill Colbert Road in District 5.

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

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

Attorney Victor Johnson spoke on behalf of Capital Resource Management and Jay Pridgen. In his representation, Mr. Johnson stated that Mr. Pridgen has agreed to build site built homes and that the City of Colbert has indicated that water will be available.

Applicant Jay Pridgen spoke in favor of the request and stated that the City of Colbert has agreed to provide water to the subdivision and that the homes will be site built, stick built homes.

Wayne Douglas and Virginia Beavers also spoke in favor of the request.

Chairman Scarborough asked if anyone would like to speak in opposition to the request.

John King, David Hazinski, Bruce Azevedo, Frank Churchman, Mandy Wagner, Tim Strickland, Randy Daniel, Patricia Adams, Diane Perry, Adam Stewart and Clark Gulley spoke in opposition to the request. Todd Higdon stated that he was not in favor or in opposition.

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

Victor Johnson, Jay Pridgen and Jared Morris spoke in favor of the request.

On motion by Commissioner Escoe and second by Commissioner Pethel the Board voted to deny the rezone request. The vote was as follows: Commissioners Allen, Bettis, Pethel and Escoe voted YES. Commissioner Strickland voted NO.

Planning and Zoning Chairman Wayne Douglas addressed the Board regarding his decision to no longer be involved with the development of the Comprehensive Land Use Plan.

Chairman Scarborough called for a short recess at 8:32. The meeting was called back to order at 8:43.

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

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

Stanley Thomas addressed the Board regarding agenda item number six. He stated that he believes six months to be too long for a moratorium.

Wayne Douglas addressed the Board regarding agenda item number six. He stated that the moratorium should be less than six months and that the county should hire a contractor for the Land Use Plan.

Victor Johnson addressed the Board regarding agenda item number six. He stated that the message of the moratorium will be that people will not be able to go forward with their plans that they have possibly already received financing for.

David Hazinski addressed the Board regarding agenda item number six. He stated that he believes that the moratorium is a good idea and recommends getting community input.

Jay Pridgen addressed the Board regarding agenda item number six. He stated that he is not in agreement with the moratorium.

Patrice Luke addressed the Board regarding agenda item number six. She stated that she is not in agreement with the moratorium.

Ralph McKay addressed the Board regarding agenda item number six. He stated that he was planning on building another poultry house this year and he believes that the moratorium is bad idea.

Terry Chandler addressed the Board regarding agenda item number six. He stated that he agrees with the concept of the moratorium but believes six months is too long and that the word "study" needs to be clearly defined.

Hoke Strickland addressed the Board regarding agenda item number six. He requested clarification on what permits can be purchased.

Gerry Burdette addressed the Board regarding agenda item number six. He stated that he is against the moratorium.

Russ Moon addressed the Board regarding agenda item number six. He stated that he is not for or against the moratorium but that he believes six months to be too long.

Lamar Dalton addressed the Board regarding agenda item number six. He stated that the longer the moratorium takes the more it hurts the county financially due to delayed property tax revenue on projects that are being postponed.

Dennis Moon addressed the Board regarding agenda item number six. He stated that the county needs to hire a professional to get the study right.

Tom Krobot addressed the Board regarding agenda item number six. He stated that he recommends that the county get professional help for the study.

OLD BUSINESS:

None

NEW BUSINESS:

Item No. 6. Consider a six month review period to facilitate better consistency with Land Use and Comprehensive Plans. (Theresa Bettis)

Commissioner Bettis and Commissioner Allen explained that a resolution addressing a review period was drafted to have a starting point. There was discussion regarding some changes to the language and the completion date.

Commissioner Bettis made a motion to approve a three month review period to facilitate better consistency with Land Use and Comprehensive Plans. Commissioner Allen seconded the motion.

After discussion, Commissioner Bettis amended her motion to include the revised resolution that was presented at the 3-6-17 meeting and to have the completion date changed from September 1, 2017 to June 1, 2017 with the option to extend an additional 90 days as may be approved by majority vote by the Board of Commissioners and the following changes to items one and three:

1. Re-zoning of any property or portion of property to the RR, R-1, R-2, or R-3 classifications ***that would create a major subdivision as defined in the County's subdivision regulations.***
3. Approval or issuance of any building permit for the construction or expansion of any structure intended to house poultry, ***except when to expand an existing farm to no more than three total houses on the farm.***

The vote was as follows: Commissioners Allen, Strickland and Bettis voted YES. Commissioners Pethel and Escoe voted NO.

Item No. 7. Roads Update

None

Item No. 8. Urgent Matters

There were no urgent matters.

Item No. 9. Statements and Remarks from Citizens.

Chairman Scarborough asked if there were any statements or remarks. Tony LeQueux addressed the Board regarding a concern with the classification of a mobile unit.

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 Allen the Board unanimously agreed to adjourn at 10:03 p.m.