

May 3, 2016

THE HONORABLE BOARD OF COUNTY COMMISSIONERS, MADISON, GEORGIA,  
MET THIS DAY IN REGULAR SESSION.

PRESENT: Chairman Donald B. Harris, Vice-Chair Ellen Warren, Commissioners Andy A. Ainslie, Jr., Ron Milton and Philip Clack

STAFF: County Manager Michael Lamar, County Attorney Christian Henry, County Clerk Jane Laseter, Staff Member Leslie Brandt, EMA Director Gwen Ruark and Fire Chief Jeff Stone

Donald B. Harris, Chairman, called the meeting to order at 10:00 a.m. and invocation was given by Commissioner Philip Clack.

#### APPROVAL OF AGENDA

MOTION by Comm. Clack, seconded by Comm. Warren to approve the agenda as presented. Unanimously Approved.

#### MINUTES

April 5, 2016 – Regular Meeting  
April 19, 2016 – Work Session  
April 19, 2016 – Special Called Meeting

MOTION by Comm. Ainslie, seconded by Comm. Clack to approve the minutes for April 5, 2016 Regular Meeting, April 19, 2016 Work Session, and April 19, 2016 Special Called Meeting. Unanimously Approved.

#### CALENDARS

Michael Lamar reviewed the calendars for May, June and July.

#### CONSENT AGENDA

1. Motion to approve the proposed Film and Video Policy and the Film Television, Music and Video Production Permit Application.
2. Motion to approve the April 2016 financials and the April 2016 payables to include General Fund in the amount of \$577,533.97, SPLOST in the amount of \$201,059.37 and General Fund electronic payments in the total amount of \$40,123.00.
3. Motion to accept the March 2016 Staff Reports as presented at the April 19, 2016 Work Session.

MOTION by Comm. Warren, seconded by Comm. Milton to approve the consent agenda as presented. Unanimously Approved.

#### NEW BUSINESS

##### HAZARD MITIGATION GRANT PROGRAM AWARD #4165-0007 FOR PORTABLE GENERATOR AND TRANSFER SWITCHES

Morgan County has received an award letter for a Hazard Mitigation Grant in the amount of \$58,453. The amount awarded includes a Federal share of \$43,840, State share of \$5,484 and a local share of \$8,768 (in kind labor).

EMA Director, Gwen Ruark, stated the grant will be used to purchase a portable generator and transfer switches. The generator will be used at 4 fire departments that are currently set up as emergency shelters (Station 10-Mission Rd., Station 7-Clacks Chapel, Station 6-Fairplay and Station 3-Bostwick). In case of severe weather, this generator is mobile and can be pulled to any of the 4 shelters and is large enough to continue power service to the shelter.

MOTION by Comm. Ainslie, seconded by Comm. Clack to accept the Hazard Mitigation Grant for portable generator and transfer switches in the amount of \$58,453 with local share of \$8,768 (in kind labor). Unanimously Approved. (COPY: Miscellaneous Book)

DISCUSSION OF SOLAR ENERGY RFP

County Attorney Christian Henry spoke to the Board regarding the proposed timeline for getting the Solar Energy RFP out. Mr. Henry stated that once the specifications are finalized, the RFP should be complete no later than Friday, May 13, 2016 and the due date for completed proposals will be June 17, 2016.

Discussion only.

BUDGET COMMITTEE UPDATE

County Manager Michael Lamar gave an update regarding the proposed budget committee. Mr. Lamar and Finance Director Lori Sayer have reached out to several Georgia cities and counties but have received little response.

Discussion only.

VEHICLE DAMAGE REIMBURSEMENT POLICY

County Manager Michael Lamar and the Commissioners discussed revising the County's vehicle damage reimbursement policy. The current policy offers limited compensation under certain circumstances for damages to citizens' property or for injuries that occur caused by some action or inaction by the County. The County Manager and the County Attorney were previously given authority by the Commissioners to review and approve or disapprove payment after an investigation and review of the circumstances. Due to the increase in the number of claims submitted and the difficulty in determining the authenticity of some of these claims, the Commissioners decided that claims need to come before the Board during an open meeting for the facts to be heard before there is a decision for payment or non-payment. Additionally, policy changes will be considered such as adding a timeframe for claims to be made and possibly requiring a police report at the time of the incident. No decision was made on these suggestions.

Discussion only.

CITY OF MADISON'S LADDER TRUCK REQUEST

Commissioners discussed being approached by City of Madison leaders regarding the possibility of a joint purchase for a ladder fire truck in the amount of \$325,000. County Manager Michael Lamar stated that the City of Madison is intent on proceeding with the purchase regardless of County's participation and suggested possibly helping with the truck maintenance. County Fire Chief, Jeff Stone stated the ladder fire truck would primarily benefit the City of Madison and is not a pertinent issue for the County right now.

Discussion only. Commissioners agreed to continue dialogue with the City of Madison and to consider helping in some capacity regarding the ladder fire truck.

COUNTY MANAGER'S REPORT

County Manager Michael Lamar presented a monthly overview of Morgan County government's current projects and/or issues. (COPY: Miscellaneous Book)

CHAIRMAN HARRIS ALLOWED PUBLIC COMMENTS

Public comments were made by:

- Bob Hughes-Morgan County Resident
- Dr. Fred Bell-Morgan County Resident
- Ms. Laura Butler-Local NAACP President/Morgan County Resident

MOTION by Comm. Ainslie, seconded by Comm. Clack to exit regular session. Unanimously Approved.

EXECUTIVE SESSION (FIRST SESSION) – PERSONNEL & PENDING OR POTENTIAL LITIGATION

MOTION by Comm. Ainslie, seconded by Comm. Clack to enter Executive Session to discuss personnel and pending or potential litigation. Unanimously Approved. (Original signed Affidavit in Executive Session Legal Requirement Book).

MOTION by Comm. Ainslie, seconded by Comm. Clack to exit Executive Session. Unanimously Approved.

MOTION by Comm. Ainslie, seconded by Comm. Clack to enter Regular Session. Unanimously Approved.

PLANNING COMMISSION

New Business:

1. Carolyn S. Crafts is requesting conditional use approval to operate a Farmstay on 50 acres located at 2070 Fieldcrest Lane, between Madison and Buckhead (Tax Parcel 044-058A).

Tara Cooner, Senior Planner stated the applicant has 50 acres near the end of Fieldcrest Lane in the Fieldcrest Farms subdivision, and proposes 2 lodging accommodations on her property, a 2 person cabin and a 2 person suite in the main house. The applicant was notified by letter in March regarding a violation of the short term rental ordinance for an advertisement on AirBnB. The applicant responded as soon as the letter was received, came into the office and discussed options with staff. It should also be noted that the application is for the Farmstay use only and that a separate review and inspection must be done on the accommodations. The property is in the AG zoning district and is identified as agricultural/forestry/estate residential on the Future Land Use Map. The Comprehensive Plan supports agricultural ventures including agri-tourism. The application meets the requirements for a Farmstay. The residents of the subdivision were concerned regarding the proposed use and held a neighborhood meeting to discuss possible issues. The bulk of the concerns seemed to fall into 3 main categories: 1. The fact that Fieldcrest Lane is a private road maintained by the residents and whether the proposed use would cause a significant increase in traffic or safety issues. 2. The second main concern was regarding who would be coming and how visitors would be vetted. 3. The third group of concerns related to what would happen next. If approved, would the applicant expand the number of accommodations offered, evolve into an event facility or offer wine tours, would there be a domino effect. The neighbors were adamant that they did not want commercialization of their neighborhood. The Planning Commission confirmed that events could not be added without further conditional use approval, but Farmstay approval would allow for up to fifteen guests per the ordinance. The Planning Commission, with the exception of one member, did not feel that a Farmstay constituted a commercialized presence in the neighborhood, and that the feared domino effect was supposition, and highly unlikely. The Planning Commission concluded that the application met the criteria for conditional use consideration, but allowed that some compromise could possibly allay the fears of the neighbors. The applicant was amenable to the pro-offered terms. The Planning Commission voted 5:1 to recommend approval of the Farmstay application for 2070 Fieldcrest Lane with the conditions that the Farmstay approval would cease when the land was sold, that the maximum number of guests would be four total, and that the maximum number of days per stay would be two. Mr. McMahon dissented.

CHAIRMAN HARRIS ALLOWED OPPONENTS TO SPEAK.

Victor Stewman of 1070 Fieldcrest Lane spoke in opposition. Mr. Stewman stated the roadway is fully maintained by the residents living on Field Crest.

CHAIRMAN HARRIS ALLOWED PROPONENTS TO SPEAK.

Carolyn Craft spoke in favor, stating she has never had an issue with guest at her farm. She spends 4 to 5 days a week on the farm and guests are only allowed when she is present.

MOTION by Comm. Milton, seconded by Comm. Ainslie to table until the next scheduled Regular Board of Commissioners meeting. Unanimously Approved.

2. Karen Kerlin is requesting conditional use approval to operate a Farmstay on 10.83 acres located at 1230 Walker Road, Madison (Tax Parcel 048-014B).

Tara Cooner, Senior Planner, stated the applicant has 10.83 acres on Walker Road. It is not in a subdivision and is on a public road. She proposes one accommodation: a cottage with a 4 person occupancy. This applicant is a retired educator with an alpaca farm. The property is zoned AG and is Agricultural/forestry/estate residential on the Future Land Use Map. The Comprehensive Plan supports agricultural ventures including agri-tourism. The application meets the requirements for a Farmstay. The Planning Office received no comments regarding the application. The applicant reported that one neighbor asked her about the sign only out of curiosity. The Planning Commission's biggest dilemma with this application was whether conditions should be placed similar to those given to the first applicant on the agenda, despite the lack of opposition. Although some members felt the comparison between the applications was inappropriate, others disagreed with the ordinance's 15 guest maximum. The Planning Commission voted unanimously to recommend approval of the Farmstay application for 1230 Walker Road with the condition that the number of guests be limited to 8 at one time.

CHAIRMAN HARRIS ALLOWED OPPONENTS TO SPEAK.

No opponents spoke.

CHAIRMAN HARRIS ALLOWED PROPONENTS TO SPEAK.

No proponents spoke.

MOTION by Comm. Warren, seconded by Comm. Clack to approve the conditional use to operate Farmstay with the condition of 8 people maximum per stay. Votes in Opposition - Comm. Milton and Comm. Ainslie, Votes in Favor - Comm. Warren, Comm. Clack and Chairman Harris. Motion Passed 3-2.

MOTION by Comm. Ainslie, seconded by Comm. Clack to exit regular session. Unanimously Approved.

EXECUTIVE SESSION (SECOND SESSION) – PENDING OR POTENTIAL LITIGATION AND REAL ESTATE

MOTION by Comm. Ainslie, seconded by Comm. Clack to enter Executive Session to discuss pending or potential litigation and real estate. Unanimously Approved. (Original signed Affidavit in Executive Session Legal Requirement Book).

MOTION by Comm. Ainslie, seconded by Comm. Clack to exit Executive Session. Unanimously Approved.

MOTION by Comm. Ainslie, seconded by Comm. Clack to adjourn. Unanimously Approved.

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Donald B. Harris, Chairman

ATTEST:

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Jane S. Laseter, County Clerk

LB/JL