

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

MEETING WAS HELD ON THE SECOND FLOOR OF THE ADMINISTRATION BUILDING.

PRESENT: Chairman Ben Riden, Jr., Vice-Chair Bill Kurtz, Commissioners Philipp von Hanstein, Donald Harris, and Blake McCormack.

STAFF: County Manager Adam Mestres, Assistant County Manager Mark Williams, County Attorney Christian Henry, and County Clerk Leslie Brandt.

The meeting was called to order at 10:00 a.m., followed by the Pledge of Allegiance and Invocation.

AGENDA APPROVAL

Motion by Commissioner Harris, Seconded by Commissioner Kurtz to approve the agenda with the following additions: under new business add DFACS Lease Agreement and add Executive Session/Potential Litigation. Motion Passed Unanimously.

PRESENTATION-LIBRARY UPDATE-STACY BROWN & COLBY HUNTER

Library Manager, Colby Hunter and Executive Director Stacy Brown gave an update on the library and their community program schedule.

PRESENTATION-HUEY ATKINS-EMS UPDATE

Huey Atkins, National EMS Vice President of Operations gave an update and overview of National EMS.

MINUTES

March 07, 2023 BOC Meeting

MOTION by Commissioner McCormack, Seconded by Commissioner von Hanstein to approve the minutes as presented. Motion Passed Unanimously.

CONSENT AGENDA

Motion to accept as information the March 2023 payables to include General Fund in the amount of \$613,086.19, TSPLOST in the amount of \$330,110.52, SPLOST in the amount of \$536,342.45, and the March 2023 financials.

MOTION by Commissioner Kurtz, Seconded by Commissioner Harris to approve the consent agenda as presented. Motion Passed Unanimously.

MORGAN COUNTY PLANNING & DEVELOPMENT IS REQUESTING A TEXT AMENDMENT TO ARTICLE 2 OF THE MORGAN COUNTY PLANNING COMMISSION RELATED TO APPEALS.

Text Amendment Requests to Articles 2, 19, 20, 21, and 23 were all discussed at once and public comments were taken on all 5 items at once. Votes were taken separately for each item

House Bill 1405 made revisions to the Zoning Procedures Law. It became effective July 1, 2022 and has a grace period until July 1, 2023 for each jurisdiction to modify their language. The new language addresses advertising and notification, standards and appeals, among other items.

The Planning Commission and some members of the Board of Commissioners attended a joint training with the City of Madison in October of last year. Zoning attorney Frank Jenkins conducted the class and reviewed the language changes and provided instruction to attendees related to readopting policies and procedures and reducing the number of standards used.

The standards for Zoning Map Amendments, Conditional Uses, and Variances have been condensed. These standards include the word “and,” which means all standards must be met for approval. Standards have been added for Text Amendments, but do not include “and,” as any one of the standards can justify a text amendment.

HB 1405 differentiates between legislative actions (zoning map amendments and text amendments) and quasi-judicial actions (conditional uses and variances) when specifying advertisement requirements. Because the differing advertising times would create an organizational headache for Staff, the more restrictive time frame has been included in all three Articles for continuity. This will require all applications to be advertised between 30 and 45 days prior to the regular Planning Commission meeting. Zoning signs will be placed 30 days in advance of the meeting, but the Zoning Procedures Law does not state a maximum number of days for signs. The newly added requirement to send notification letters to property owners will also meet the 30-day minimum requirement.

The existing language includes a contradiction that has allowed applicants to submit incomplete applications. Language related to application completeness has been clarified, as well as application requirements and withdrawal procedures.

Policies and procedures have not changed, as the existing language was sufficient. The advertisement for the proposed text changes for each Article included a reference to policies and procedures, per the instructions of Mr. Jenkins. Article 23 is also included on this month's agenda, which specifies the procedures for meetings. There are no proposed changes to Articles 23, but it is included for readoption to confirm compliance with HB 1405.

Article 2 includes language for appeals, which was amended in the new Zoning Procedures Law text. Staff worked with Morgan County Attorney Christian Henry to confirm the proposed changes to Article 2 were accurate. Article 2 already met the required time frame for appeals. Staff also corrected language related to building permits.

All permits will be valid for one year. After one year, an applicant can ask for one six-month extension without further review. Applications for zoning map amendments will require a concept plan. Planning staff also added qualifiers for traffic impact studies.

Most of the proposed language changes in Articles 2, 19, 20 and 21 are required per HB 1405. Staff took the opportunity to modify and clarify language related to application requirements, withdrawal procedures and permit extensions.

Chairman Riden allowed proponents and opponents to speak:

No one spoke in favor or against the proposed text amendments to articles 2, 19, 20, 21, and 23.

MOTION by Commissioner Harris, Seconded by Commissioner McCormack to approve the text amendment request to Article 2 of the Morgan County Zoning Ordinance related to Appeals as presented. Motion Passed Unanimously.

MORGAN COUNTY PLANNING & DEVELOPMENT IS REQUESTING A TEXT AMENDMENT TO ARTICLE 19 OF THE MORGAN COUNTY PLANNING COMMISSION RELATED TO ZONING AMENDMENT PROCEDURES, INCLUDING STANDARDS, POLICIES AND PROCEDURES.

MOTION by Commissioner McCormack, Seconded by Commissioner Harris to approve the text amendment request to Article 19 of the Morgan County Zoning Ordinance related to Zoning Amendment Procedures, including standards, policies, and procedures as presented. Motion Passed Unanimously.

MORGAN COUNTY PLANNING & DEVELOPMENT IS REQUESTING A TEXT AMENDMENT TO ARTICLE 20 OF THE MORGAN COUNTY PLANNING COMMISSION RELATED TO VARIANCE PROCEDURES, INCLUDING STANDARDS, POLICIES AND PROCEDURES.

MOTION by Commissioner McCormack, Seconded by Commissioner Harris to approve the text amendment request to Article 20 of the Morgan County Zoning Ordinance related to Variance Procedures, including standards, policies, and procedures as presented. Motion Passed Unanimously.

MORGAN COUNTY PLANNING & DEVELOPMENT IS REQUESTING A TEXT AMENDMENT TO ARTICLE 21 OF THE MORGAN COUNTY PLANNING

COMMISSION RELATED TO CONDITIONAL USE PROCEDURES, INCLUDING STANDARDS, POLICIES, AND PROCEDURES.

MOTION by Commissioner McCormack, Seconded by Commissioner Harris to approve the text amendment request to Article 21 of the Morgan County Zoning Ordinance related to Conditional Use Procedures, including standards, policies, and procedures as presented. Motion Passed Unanimously.

MORGAN COUNTY PLANNING & DEVELOPMENT IS REQUESTING A TEXT AMENDMENT TO ARTICLE 23 OF THE MORGAN COUNTY PLANNING COMMISSION RELATED TO PUBLIC HEARINGS.

MOTION by Commissioner McCormack, Seconded by Commissioner Harris to approve the text amendment request to Article 23 of the Morgan County Zoning Ordinance related to Public Hearings as presented. Motion Passed Unanimously.

REVISIONS TO CHAPTER 17 – SIGNS

The Planning and Development Office has rewritten the Sign Ordinance to comply with changes in the law relating to signs and to update the size placement and type of sign for each zoning district.

The item was tabled at the March BOC meeting to give more time to review the ordinance and to distinguish between "art" and "signs".

The Planning Commission recommend approval of the revised language at their regular meeting in February 2023. The vote was unanimous for recommending approval.

Chairman Riden allowed proponents and opponents to speak:

No one spoke in favor or against the proposed text amendment. Rutledge Resident, JoEllen Artz did pose a question to the Board “are we going too deep on what we can tell homeowners what they can do?”

MOTION by Commissioner Kurtz, Seconded by Commissioner von Hanstein to approve the text amendment request to Article 17 of the Morgan County Zoning Ordinance related to Signs as presented. Motion Passed Unanimously.

RECREATION DESIGN CONSULTANT PROFESSIONAL SERVICES AGREEMENT

In early February, an RFP was issued for a design consultant for the new recreation complex. Seven companies submitted proposals for consideration. The working committee met in March to review all proposals. The technical proposals were graded according to a standard set of criteria independently by each committee member. The scores were tallied, and points awarded. TSW Corporation received the highest number of points after all scoring was accounted for. Each committee member conferred and agreed that TSW Corporation would be the best design consultant for the new recreation project.

On **March 21, 2023**, Proposals were received from the following Design Consultant Firms (Teams):

1. JMA
2. LDD Blueline
3. TSW
4. GMC
5. Croft
6. Southern AE
7. Robertson Loia Roof

An evaluation committee made up of Adam Mestres, Mark Williams, Lance Alexander, Blake McCormack, Chuck Jarrell, and facilitated by APM - Jeff Prine met on March 21, 2023, to review said proposals and determine a specific ranking and recommendation for the BOC.

The evaluation followed precisely the format that had been included within the RFP. Maximum points that could have been achieved was 300 points. Each committee member reviewed each of the Proposals on their technical qualifications and those scores were tallied. At the end of that step the Technical rankings were as follows:

TECHNICAL RANK:

1. LDD Blueline
2. TSW
3. JMA
4. Southern AE
5. Robertson Loia Roof
6. Croft
7. GMC

Next, we opened and read aloud their Fees and added this score to their Technical Score:

1. TSW	\$ 581,015.00
2. LDD Blueline	\$ 823,500.00
3. Robertson Loia Roof	\$ 870,500.00
4. Southern AE	\$ 945,000.00
5. GMC	\$1,045,500.00
6. JMA	\$1,057,750.00
7. Croft	\$1,193,400.00

Taking into consideration, both the technical qualifications and the proposed Fees, the committee members completed their evaluations, and the final ranking is as follows:

<u>OVERALL RANK</u>	<u>SCORE:</u>
1. TSW	1,183
2. LDD Blueline	1,178
3. JMA	1,161
4. Robertson Loia Roof	1,132
5. Croft	1,125
6. Southern AE	1,075
7. GMC	881

Therefore, it is the recommendation of the evaluation committee that the Board of Commissioners award a Design Consultant Contract for Design Services to TSW, for the total amount of \$581,015.00.

MOTION by Commissioner McCormack, Seconded by Commissioner von Hanstein to award design consulting services to TSW Corporation and execute the professional services agreement as presented. Motion Passed Unanimously.

2022 TSPLOST INTERGOVERNMENTAL AGREEMENT

On November 8, 2022, the county-wide TSPLOST referendum passed during the general election. The intergovernmental agreement between Morgan County and the cities of Bostwick, Buckhead, Madison, and Rutledge outlines the percentages of proceeds to each jurisdiction and the list of projects that will be funded.

SCHEDULE OF DISBURSEMENTS

- 7.1 Within ten (10) days after the County’s monthly receipt from the DOR of the proceeds of the 2022 TSPLOST, the County shall disburse said proceeds pursuant in the following percentages:

<u>Jurisdiction</u>	<u>Percentage</u>
Morgan County	70.69%
Bostwick	1.88%
Buckhead	0.97%
Madison	22.13%
Rutledge	4.33%

MOTION by Commissioner McCormack, Seconded by Commissioner Kurtz to adopt the 2022 TSPLOST Intergovernmental Agreement as presented. Motion Passed Unanimously.

WATCHGUARD CLOUD STORAGE

IT Director, Trevor Giddens presented a proposal from Watchguard to migrate the Sheriff’s Office to a cloud-based storage system. Currently, the Sheriff’s Office uploads data to their server through the county network causing lagging issues with the entire system due to the amount of data being transferred. Switching to a cloud system will eliminate this issue and allow deputies to upload data from any location. The company will maintain the server and data archives to follow retention schedules.

Board members questioned the terms of the agreement as it was not clear in the documentation presented. The Board agreed to make a motion to approve the request not to exceed a one-time cost of \$49,595 for a five-year term. They asked Giddens to clarify with the sales representative the cost and term. If the cost and term is greater than what is approved, it will need to come back before the Board.

MOTION by Commissioner McCormack, Seconded by Commissioner Kurtz to approve a one-time cost not to exceed \$49,595 for five years and approve a budget amendment from contingency to general fund IT. Motion Passed Unanimously.

DFACS LEASE AGREEMENT

The Board previously signed two LOI's (letter of intent) with the State Properties Commission regarding the DFACS lease agreement. Now that all parties involved have agreed on the terms and conditions, the Master Lease Agreement must be approved. The new agreement back dates to 07/01/2022 and will expire 06/30/2023. The agreement includes two 1-year renewals (07/01/2023-06/30/2024 & 07/01/2024-06/30/2025). The monthly rent will increase from \$3,000 to \$3,590.97.

MOTION by Commissioner von Hanstein, Seconded by Commissioner Harris to approve the Master Lease Agreement with the State Properties Commission for DFACS as presented. Motion Passed Unanimously.

BOARD OF ASSESSORS VACANCY-DISCUSSION ONLY

There is a vacant unexpired term on the Board of Assessors with term ending December 31, 2024. Three applications were received from Edna Gilbert, Terry Evans, and Bill Malone. The Board will make a final decision at the April 18, 2023 BOC meeting.

COUNTY MANAGER REPORT

County Manager, Adam Mestres, presented a monthly overview of Morgan County government's current projects and/or issues.

PUBLIC COMMENTS ON AGENDA ITEMS

Public comments were made by:

- Gary Savage, Buckhead resident-commented on the Watchguard item approved for the Sheriff's Office.
- John Artz, Rutledge resident and Board of Assessors Chair-commented on the Board of Assessors vacancy.
- Nicole Wasendorf, Rutledge resident and Board of Assessors member-commented on the Board of Assessors vacancy and zoning amendments.

COMMISSIONER COMMENTS

Commissioners made comments and gave updates on Liaison assignments.

MOTION by Commissioner Harris, seconded by Commissioner McCormack to exit regular session at 12:44 p.m. Motion Passed Unanimously.

EXECUTIVE SESSION- POTENTIAL LITIGATION

MOTION by Commissioner Harris, seconded by Commissioner McCormack to enter Executive Session to discuss potential litigation at 1:00 p.m. Motion Passed Unanimously. (Original signed Affidavit in Executive Session Legal Requirement Book).

MOTION by Commissioner Harris, seconded by Commissioner McCormack to exit Executive Session and adjourn at 1:30 p.m. Motion Passed Unanimously.

Ben Riden, Jr., Chairman

ATTEST:

Leslie Brandt, County Clerk