

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 addition: under new business add JDA Budget Update. Motion Passed Unanimously.

PRESENTATION- META PRESENTATION/COMMUNITY SERVICE UPDATE

Meta's Head of Community Development for North America, Katie Comer, Morgan County School System Instructional Technology Director, Tiffany Markley, Morgan County High School Ag Teacher, Rachel Kinsaul, and Morgan County School Superintendent, Virgil Cole, presented their partnership on several projects within the school system. Through the Meta Community Action Grant Program, Morgan County Schools received funding for STEM educational projects that included Makey-Makey's, class VR kits, and webcams. Meta also donated \$300,000 to the Morgan County School System towards the Morgan County Agricultural Learning Lab (MALL).

MINUTES

April 18, 2023 BOC Meeting

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

CONSENT AGENDA

Motion to accept as information the April 2023 payables to include General Fund in the amount of \$896,940.24, TSPLOST in the amount of \$179,058.30, SPLOST in the amount of \$682,443.60, and the April 2023 financials.

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

GERALD AND SUMMER WOOD ARE REQUESTING A TEXT AMENDMENT TO TABLE 4.1 TO ADD SHIPPING CONTAINERS AND ASSOCIATED REGULATIONS TO THE MORGAN COUNTY ZONING ORDINANCE

Planning Director, Chuck Jarrell addressed the Board regarding Gerald and Summer Wood of 3150 Spears Road who are requesting a text amendment to add shipping containers to accessory buildings in Table 4.1 and remove the prohibition of shipping containers from Chapter 7.1.

The text amendment went before the Planning Commission in December of 2022 and was tabled to their February 2023 Planning Commission meeting to allow Mr. Wood to work with staff to draft new regulations for shipping containers. At the February 23, 2023 Planning Commission meeting, Mr. and Mrs. Wood presented language for shipping containers, mainly to address their

issue. Planning Staff added additional language to be considered to address shipping containers countywide. The Planning Commission discussed the language extensively during their meeting and ultimately decided to table the item again for further consideration. The Planning Commission requested that Planning Staff members research surrounding counties to see how they are regulating shipping containers.

In their research, Planning Staff members found that surrounding counties either do not regulate shipping containers at all or they prohibit them. Staff then searched outside of the state and found regulations from Texas that Staff felt were good. At the April 2023 Planning Commission meeting, Board members heard the new language:

- A. Regulations: Storage containers may be used as accessory buildings in accordance with the following:
1. Permitted: Storage containers fabricated for the purpose of transporting freight or goods on a truck, railroad or ship shall be allowed to be set up as a residential storage structure or accessory building.
 2. Building Permit Required: Purchasers, owners or users of storage containers shall obtain a building permit from the county for containers prior to placing or moving the container onto their property.
 3. Setback Requirements: Placement of the storage container shall meet all setbacks and hold down requirements in the zoning district in which it will be located.
 4. Exterior Appearance: The exterior of the storage container shall be painted or altered to cover any advertising, lettering, or numbers.
 5. Stacking Prohibited: No stacking of storage containers shall be allowed.
 6. Ground Level Location; Permanent Foundation: All storage containers shall be located at ground level for safety. Any storage container located on a permanent foundation must meet all Building Code requirements.
 7. Dwelling Use Prohibited: Storage containers shall not be used as a dwelling unit.
 8. Ventilation: Storage containers shall provide adequate ventilation for personal safety.
- B. Any violation of this ordinance shall be punishable as set forth in Section 2.17 of the Morgan County Zoning Ordinance.

Further to the above language, wording related to the commercial use of shipping containers should be included. The following is offered for consideration:

Shipping containers used for seasonal sale of landscaping materials shall be allowed at commercial businesses that typically sell such materials. Shipping containers shall not be allowed for storage of overstock or at businesses that do not typically sell outdoor or landscaping materials.

The Planning Commission recommended denial of the text amendment request with a split vote, with four in favor of the recommendation to deny and two in opposition of the recommendation.

The Board of Commissioners discussed the aesthetics of shipping containers and non-conforming uses. Board members feel there is a place for shipping containers, and that they offer good secure storage. However, they would like to take time to discuss and come up with agreeable language to address the issue.

MOTION by Commissioner von Hanstein, Seconded by Commissioner Kurtz to table the text amendment request until the Board can come up with a suitable solution. Motion Passed Unanimously.

KATELIN BENKOSKI, ON BEHALF OF BIG SANDY CREEK DAIRY FARM, IS REQUESTING CONDITIONAL USE APPROVAL TO OPERATE AN EVENT FACILITY ON 217.78 ACRES LOCATED AT 4540 AND 4541 BOSTWICK HIGHWAY (TAX PARCELS 016-048, 016-048B, 016-048D, & 016-048E)

Planning Director, Chuck Jarrell presented a conditional use request from Katelin Benkoski, on behalf of Big Sandy Creek Dairy Farm to operate an event facility on 217.78 acres located at

4540 and 4541 Bostwick Highway. The request includes Tax Parcels 016-048, 016-048B, 016-048D, and 016-048E, which are on both sides of Bostwick Highway.

Katelin Benkoski has advertised a 5K race and they are looking at other innovative ways to educate the public about the importance of farming. The 5K race, weddings, and festivals that they want to conduct is outside of the agritourism realm of the ordinance, which is why Ms. Benkoski is here today requesting conditional use to operate an Event Facility.

The Planning Commission unanimously recommended approval of the request with the following conditions:

1. Events are not to be held on both sides of Bostwick Highway that would require the public to cross the road.
2. Entrance to the parking area must be located to maximize the site distance.
3. Employee sign requirements as identified in the agricultural event facility to notify the public as the parking entrance is approaching.
4. If more than 500 attendees are planned, law enforcement must be present.
5. If holding an agricultural event that requires trailers with living quarters, they are not allowed to stay overnight, unless the applicant comes back to request an Ag Event Facility.

Katelin Benkoski spoke before the Board and stated that her family currently conducts agritourism events on their farm. Their main goal is to educate the public about agriculture in our community and hopefully keep more agriculture in Morgan County. The family thought a 5K would be a way to get different groups and community members involved. The proceeds from the 5K will go to 4-H and to the adopt a cow program.

Chairman Riden allowed proponents and opponents to speak:

No one spoke in favor or against.

MOTION by Commissioner McCormack, Seconded by Commissioner Kurtz to approve the conditional use request with the conditions recommended by the Planning Commission. Motion Passed Unanimously.

SOUTHERN READYMIX, LLC IS REQUESTING CONDITIONAL USE APPROVAL TO ALLOW A CONCRETE PLANT ON 8.25 ACRES LOCATED AT 1140 WOODKRAFT ROAD (TAX PARCEL 035-111)

The Southern Readymix conditional use request to allow a concrete plant at 1140 Woodkraft Road and the David Whittaker, on behalf of Southern Readymix variance request to setbacks for a concrete plant at 1140 Woodkraft Road were presented together. Public comments from proponents and opponents for both items were allowed at the same time, but separate votes were taken

Planning Director, Chuck Jarrell stated the next item on the agenda involves two separate actions. The first is a conditional use request to allow a concrete plant to operate on 8.25 acres located at 1140 Woodkraft Road in the I2 district and second is a request to reduce the setback for the plant itself. The property was formerly used as a metal recycling location and most recently it was an asphalt and concrete crushing plant. Other I2 businesses nearby include Bulldog Steel, International Paper, and Georgia Pacific. The site plan submitted by the applicant shows the concrete plant in the same location as the previous asphalt crushing machinery. The applicant proposes to use the same existing driveway. The plan shows a new 40' x 60' office/shop 60' from the front property line with the concrete plant structures located 60' behind the building. The area to be utilized by the plant itself will occupy less than 5 acres of the property, the subject parcel is roughly 485' x 690', which will prevent the concrete plant structures from meeting the 400' setback as required in the Morgan County Zoning Ordinance. The distances to property lines range from 160' in the front to 225' to the sides. The applicant is requesting a variance to the 400' setback to allow them to work within the setbacks as shown in the site plan.

The Planning Commission voted unanimously to recommend approval of the conditional use and the reduction as shown on the site plan.

David Whittaker, owner of Southern Readymix addressed the Board. Mr. Whittaker's business is family owned, and he currently operates four other plants. He explained that his concrete plants use a large, centralized dust collector that acts as a vacuum to collect loose particles and send them back into the storage silo to be reused. If approved, he will run six trucks daily to start and hopes to eventually move to 10 trucks.

Chairman Riden allowed proponents and opponents to speak on the conditional use request for a concrete plant a 1140 Woodkraft Road and for the variance request to the setbacks for a concrete plant at 1140 Woodkraft Road:

No one spoke in favor or against. However, Aaron Wadley did comment that he is not in opposition, but does not agree with the current plan. He believes if setbacks are going to be reduced, a landscape strip around the property should be required.

The Board discussed if a landscape buffer around the property would be necessary given the updated centralized dust collector system that will be used to help reduce dust. The Board also took into consideration the industrial zoning district and the previous uses of the property.

MOTION by Commissioner Harris, Seconded by Commissioner McCormack to approve the conditional use request as presented. Motion Passed Unanimously.

DAVID WHITTAKER, ON BEHALF OF SOUTHERN READYMIX, LLC IS REQUESTING A VARIANCE TO THE SETBACKS FOR A CONCRETE PLANT ON 8.25 ACRES LOCATED AT 1140 WOODKRAFT ROAD (TAX PARCEL 035-111)

The Southern Readymix conditional use request to allow a concrete plant at 1140 Woodkraft Road and the David Whittaker, on behalf of Southern Readymix variance request to setbacks for a concrete plant at 1140 Woodkraft Road were presented together. Public comments from proponents and opponents for both items were allowed at the same time, but separate votes were taken

MOTION by Commissioner Harris, Seconded by Commissioner McCormack to approve the variance request to the setbacks for a concrete plant with the condition that the front of the building be landscaped. Motion Passed Unanimously.

RECREATION CONSTRUCTION MANAGER AT RISK CONTRACT FOR CONSTRUCTION MANAGEMENT SERVICES

Over the last several months the recreation project working committee have been meeting regularly with the county's project manager for the new recreation complex. In mid-March, an RFP was issued for a construction manager at risk. In total, 4 companies attended the pre-proposal meeting. Two of the four companies submitted full proposals for consideration. The working committee met in April to review the 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. Parrish Construction received the highest number of points after all scoring was accounted for. The working committee invited Parrish Construction to come in for an interview for additional Q&A regarding their proposal and the project scope. After the interview, each committee member conferred and agreed that Parrish Construction would be the best construction manager at risk for the new recreation project.

MOTION by Commissioner McCormack, Seconded by Commissioner Harris to award construction manager at risk services to Parrish Construction Group and execute the contract for construction management services as presented. Motion Passed Unanimously.

JDA BUDGET UPDATE

The Board reviewed the adopted JDA budget for July 1, 2023 through June 30, 2024. This was a discussion item only, no action taken.

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:

- JoEllen Artz, Rutledge resident thanked Chairman Riden for giving JDA updates and commented on agenda item regarding shipping containers.
- Gary Savage, Buckhead resident commented on agenda item regarding the recreation project.

COMMISSIONER COMMENTS

Commissioners made comments and/or gave updates on Liaison assignments.

MOTION by Commissioner McCormack, seconded by Commissioner Kurtz to exit regular session and adjourn at 11:53 a.m. Motion Passed Unanimously.

Ben Riden, Jr., Chairman

ATTEST:

Leslie Brandt, County Clerk