

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 Philipp von Hanstein, Vice-Chair Ben Riden, Jr., Commissioners  
Ronald H. Milton, Donald Harris and Andy A. Ainslie, Jr.

**STAFF:** County Manager Adam Mestres, Procurement Director 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** made by Commissioner Harris, Seconded by Commissioner Milton to approve agenda  
with the following addition: Executive-Personnel. Unanimously Approved.

**MINUTES**

August 04, 2020 Minutes  
August 18, 2020 Minutes

**MOTION** by Commissioner Ainslie, Seconded by Commissioner Harris to approve the  
minutes as presented. Unanimously Approved.

**CALENDARS**

County Manager, Adam Mestres reviewed September-November 2020 calendars.

**CONSENT AGENDA**

Motion to accept as information the August 2020 payables to include General Fund in the  
amount of \$454,659.76, TSPLOST in the amount of \$204,452.44, SPLOST in the amount of  
\$173,321.44, General Fund electronic payments in the amount of \$280,740.54 and the August  
2020 financials.

**MOTION** by Commissioner Harris, Seconded by Commissioner Riden to approve the consent  
agenda as presented. Unanimously Approved.

**ROOF REPLACEMENTS AT BILL WOOD PARK**

The approved FY2021 budget included several roof replacements at Bill Wood Park to include:  
the office, picnic shelter, storage building and three score booths. Three quotes were received  
from Humbled Roofing and Restoration (\$19,470), Stacey White Roofing (\$23,868) and RWN  
Roofing (\$24,500). Management recommends awarding bid to Humbled Roofing and  
Restoration.

**MOTION** by Commissioner Milton, Seconded by Commissioner Harris to approve the roof  
replacement bid to Humbled Roofing and Restoration for \$19,400.00 as presented.  
Unanimously Approved.

**COUNTY MANAGER REPORT**

County Manger, Adam Mestres presented a monthly overview of Morgan County government's  
current projects and/or issues. (Verbal report, no hardcopy)

**PUBLIC COMMENTS ON AGENDA ITEMS**

Public comments were made by:  
Ed Price, Morgan County Resident

**WILLIAM KILLMER, ON BEHALF OF THE GEORGIA SAFARI CONSERVATION  
PARK, IS REQUESTING A CONDITIONAL USE APPROVAL FOR A ZOO  
FACILITY FOR APPROXIMATELY 436 ACRES LOCATED AT 1881 MONTICELLO  
HIGHWAY (TAX PARCELS 038-002A, 038-003A, 037D-014).**

William Killmer, on behalf of The Georgia Zoo, LLC, is requesting conditional use approval to  
operate a zoo facility on approximately 436 acres in the unincorporated county.

Senior Planner, Tara Cooner stated this request is for a continuation of a conditional use that was approved by the BOC in 2017 to include the existing conditions that were set in 2017. They are also requesting a 3-year variance to the time limitation. The 3-year variance request is based on 18 months for funding and 18 months for the build out.

The Planning Commission voted unanimously to approve the conditional use request for the zoo facility located at 1881 Monticello Highway with the same conditions that were assigned to the approval in 2017.

**Conditions approved with the conditional use from the 10-03-2017 BOC meeting:**

1. Allow a delay in the parking lot paving until one year after phase one opens
2. Elimination of the barbed wire requirements for the perimeter fence;
3. Allow use of regular cattle fence where domestic animals will be kept;
4. Allow the use of existing buffers not located on the applicant's property; if existing buffers are removed, a compliant buffer must be installed immediately;
5. Allow planting of buffers as phases develop; allow use of seedlings. If seedling size is not compliant when a new phase opens, the buffer must be brought into compliance. The buffer installation between the zoo property and the adjacent property (037D-014Z) may wait until the adjacent property is sold or developed (with the exception of Phase 1).
6. No public entrance be allowed on Clack Road;
7. Written permission be given from neighbors regarding the use of buffers;
8. Amend the emergency plan to include notification to City of Madison authorities in the event of an animal escape.
9. Lodging is limited to 80 units.
10. The safari park must be approved and under construction prior to the commencement of construction of the walk-through zoo and lodging, which may be constructed concurrently.
11. Require a 100' setback with a 50' planted buffer along the property line adjacent to residential property (1390 Clack Road).

The opening of both the phase 1 safari park and the phase 1 walk-through park will be used as an end date for conditional use re-approvals, providing that phase one meets the intent of the presented project. The project, after phase 1 opens, must continue to meet the intent of the presented project. Any variation from the presented intent will require further approval.

Cooner also stated, the Planning Commission voted 6-1 to grant an 18-month variance. After the vote, Mike Conrads requested a provision to the Planning Commissions vote, that if construction was under way at the 18-month mark, the approval could be automatically extended an additional 18 months without reapplication. The Planning Commission did not include the provision in their vote.

Commissioner Riden expressed concern regarding the ability to obtain funding.

Chairman von Hanstein allowed proponents to speak:

Mike Conrads, Morgan County resident and partner of the zoo project, stated they are not asking for changes to the original conditional use. All members on their team want the project to be completed sooner than later. They have invested hard dollars into the project and are ready to have it completed.

Bill Killmer, Morgan County resident and partner of the zoo project, spoke in favor of the project and introduced Brandy Anderson of Marietta and John Beasley of Marietta.

John Beasley, of Marietta and partner of the zoo project, stated he first got involved in the project assisting with the project design. Later on, he became a partner and is committed to the project.

Commissioners then questioned if extending the variance time limitation to 18 months would be enough or if three years would be acceptable.

Planning Director, Chuck Jarrell addressed the Boards concern. Jarrell stated a precedence was set in 2017 when the Board extended the time limitation three years. He felt it would be understandable to extend another three years, given the time it takes for a project like this.

Chairman von Hanstein allowed opponents to speak:

Ed Price, Morgan County resident stated he has no issue with the conditional use staying in place. However, he is concerned about the possible disturbance to residents on Clack Road. Price stated the petitioners seem to have an entrance on Clack Road in their plans. He requested the Board add structures that would have public access be located closer to Hwy. 83 rather than Clack Road to help alleviate noise and light concerns.

**MOTION** by Commissioner Ainslie, seconded by Commissioner Harris to approve the conditional use for the zoo facility located at 1881 Monticello Highway to include the conditions that were approved in 2017 by the BOC. Unanimously Approved.

**WILLIAM KILLMER, ON BEHALF OF THE GEORGIA SAFARI CONSERVATION PARK, IS REQUESTING A VARIANCE TO THE TIME LIMITATION FOR APPROVAL IN SECTION 21.5.8 OF THE MORGAN COUNTY ZONING ORDINANCE FOR PROPERTY LOCATED AT 1881 MONTICELLO HIGHWAY (TAX PARCELS 038-002A, 038-003A, 037D-014).**

Senior Planner, Tara Cooner, discussed the variance request for the zoo facility with the previous item, conditional use request.

This request is for a 3-year variance to the time limitation. The request is based on 18 months for funding and 18 months for the build out.

Chairman von Hanstein allowed proponents to speak:

Mike Conrads spoke in favor of the variance request. Conrads stated the extra time is needed so they do not have to come back in the middle of construction to request more time from the Board. They are asking for three years, but only if the building permit is obtained in the next 18 months.

Greg Hampton, Covington resident, spoke in favor of the variance. Hampton stated he works on the property. He has seen the excitement of children visiting the site, even without much on the property yet. He stated the zoo would be a blessing to the community.

Bill Killmer also informed the Board they are collaborating with the veterinarian school at the University of Georgia on a project.

Chairman von Hanstein allowed opponents to speak:

Ed Price, Morgan County resident, spoke against the variance request and stated after six and a half years with no construction shown, another 3-year extension seems excessive.

**MOTION** by Commissioner Harris, seconded by Commissioner Ainslie to approve the variance request for 18 months, that will extend an additional 18 months only if a building permit is obtained and twice a year updates are required. Motion passed 3-1 with Commissioner Milton voting in favor of the motion and Commissioner Riden voting against.

**MORGAN COUNTY PLANNING & DEVELOPMENT IS REQUESTING A TEXT AMENDMENT TO CHAPTER 17.8 PROHIBITED SIGNS OF THE MORGAN COUNTY ZONING ORDINANCE.**

This amendment request would change the language to the prohibited signs chapter in the Morgan County Zoning ordinance from “Flashing Signs” to “Digital Signs”.

Chairman von Hanstein allowed opponents to speak:

No one spoke against the requested text amendment.

Chairman von Hanstein allowed proponents to speak:

No one spoke in favor of the requested text amendment.

**MOTION** by Commissioner Riden, seconded by Commissioner Harris to approve the text amendment to Chapter 17.8 Prohibited Signs of the Morgan County Zoning Ordinance as presented. Unanimously Approved.

**MORGAN COUNTY PLANNING & DEVELOPMENT IS REQUESTING A TEXT AMENDMENT TO CHAPTER 7.32 EVENT FACILITIES OF THE MORGAN COUNTY ZONING ORDINANCE.**

The Planning and Development staff are requesting a text amendment to the language governing event facilities and the use chart specifying the districts in which the use is allowed. Staff members are concerned about current event facility owners building new structures or renovating existing buildings without permits, lodging requests (short-term rentals), and a loophole in the non-profit exemption in the ordinance that is being used to avoid conditional use requirements. Staff has also received questions about circumventing minimum acreage and setbacks.

The Planning and Development staff is requesting the language regarding the non-profit exemption be removed and that event facilities be limited to C1 and C2 zoning districts, with conditional use approval. They also propose removing event facilities as a conditional use from the AG and AR zoning districts.

Chairman von Hanstein allowed proponents to speak:

Gary Savage, Buckhead resident spoke in favor of the text amendment request. Savage expressed concerns over how event facilities are popping up throughout the county without going through the proper procedures and bypassing the planning and development office.

Chairman von Hanstein allowed opponents to speak:

Kaitlyn Benkoski, Morgan County resident spoke against the text amendment. Benkoski stated the suggested amendment could hurt agritourism and that it sounded like current codes aren't being enforced.

Lucy Ray, Morgan County Extension Coordinator stated there are many things to be considered before voting on this request as it would harm the Ag community and current codes are not being enforced.

**MOTION** by Commissioner Riden, seconded by Commissioner Milton to table the text amendment request to Chapter 7.32 Event Facilities of the Morgan County Zoning ordinance to research further and discuss at a later date. Unanimously Approved.

**MOTION** by Commissioner Ainslie, seconded by Commissioner Milton to amend agenda with the following addition under new business, Moratorium on Event Facilities. Unanimously Approved.

**MORATORIUM ON EVENT FAILITIES**

Commissioners discussed adding a 60-day moratorium on event centers.

**MOTION** by Commissioner Ainslie, seconded by Commissioner Milton to place a 60-day moratorium on new event facilities. Unanimously Approved.

**MOTION** by Commissioner Ainslie, seconded by Commissioner Riden to exit regular session. Unanimously Approved.

**EXECUTIVE SESSION-PERSONNEL**

**MOTION** by Commissioner Ainslie, seconded by Commissioner Riden to enter Executive Session to discuss personnel. Unanimously Approved. (Original signed Affidavit in Executive Session Legal Requirement Book).

**MOTION** by Commissioner Ainslie, seconded by Commissioner Riden to exit Executive Session and adjourn. Unanimously Approved.

ATTEST:

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Leslie Brandt, County Clerk