

# **GEORGIA, Murray County**

## **MINUTES**

**The Murray County Commissioner held a public meeting Tuesday, May 4, 2010 at 9:00 a.m. in the hearing room of the Murray County Courthouse Annex.**

**Commissioner Ridley called the meeting to order and welcomed those in attendance.**

**By signature and execution the minutes of April 2010 were approved.**

**With an addition of item (A #3/Reference Land Use Development Planning Commission Minutes to the agenda, Commissioner Ridley adopted the agenda as presented.**

**Under new business the following items were addressed and approved.**

**Presentation from Bobby Howard in reference to Land Use Development Planning Commission Minutes Dated April 20, 2010 Item A #3/Dollar General Store**

- A. Approved Murray County Land Use Development Planning Commission Minutes Dated April 20, 2010 with the exception of Item A #3/Reference Dollar General Store**

**Chairman Steve Anglea called the meeting to order.**

**Steve Anglea changed the agenda, Item 1 will be Item 3, Item 2 will be Item 1 and Item 3 will be Item 2.**

**David MaDaniel made a motion to approve the agenda with the changes. Steve Anglea asked all in favor, none oppose, motion carried.**

**Darrell Smith made a motion to approve the minutes from the March meeting, 2<sup>nd</sup> by Edward Dunn, all in favor, none opposed, motion carried.**

**No Old Business.**

**New Business, Steve Anglea read the rules of order.**

**Item 1. Property located on Brown Bridge Road rezoned from SR to RR being 2.46 acres in Land Lot 33 district 8 of Murray County and owned by Mr. Russell Reynolds. Mr. Reynolds was present for the meeting. Mr. Dick Barnes said the surrounding properties are a mixture of SR and RR properties. He recommends approval. Nancy Young said all notices have been sent to adjacent property owners. No one present either for or against the rezone. Public portion of the meeting closed**

for board review. David McDaniel made a motion to approve the request 2<sup>nd</sup> by Edward Dunn, all in favor, none opposed, motion carried.

**Item 2.** Property located at 4480 Brown Bridge Road being 1.75 in land lot 38 district 8 of Murray County being approximately 1.75 acres and zoned RR. Mr. Charlie Trentham owner of the property was present for the meeting. He requests a conditional use for his horses. He has 4 horses and is willing to sell 2 of them if need be. He says he has had horses there before. Mr. Barnes said he has concerns because of the size of the property but in this neighborhood there are farm animals on several tracts. Nancy Young said all notices had been sent to adjacent property owners. Those against the conditional use were, Ms. Pearl and her sister Sandra Arnette are against the request because they have a mobile home there and they want to rent it to someone and they say the horses stink. No one else either for or against the request. Public portion of hearing closed for board review. The board discussed the shelter that would be required for the horses and the option of Mr. Trentham's son's property being used as part of the tract for the horses. He said that he would be glad to do that. David McDaniel made a motion to table this hearing till next month so the Trentham's could present the total properties at that time. Mr. Trentham said he had a big building that he could convert into a stable for the horses. Edward Dunn asked Mr. Barnes if the Trentham's would have to pay another fee to be able to present their case in May. Mr. Barnes said he will ask the Commissioner if the fee can be waived. David Wells also asked if the shelter can be moved away from the sister's property. Edward Dunn 2<sup>nd</sup> the motion made by David McDaniel to table this request till the next meeting in May, all in favor, none opposed, motion carried.

**Item 3.** Re/Zone property owned by Mike Grant located in land lot 242 district 10 of Murray County and being addressed on Heatherly Lane. Mr. Bobby Howard was in attendance to present the request for building a Dollar General Store on this 2 acre tract. Dick Barnes said this lot is not in the subdivision and the area is typically rural with a water bottling plant on the north side of the subdivision and a convenience store about 1.5 or 2 miles south of the property. He feels this would be an asset and recommends approval. Nancy Young said all notices had been sent to adjacent property owners. Bobby Howard representing the Dollar Store explained how the store would be built, how the retention pond would work, where the buffers would be located and a privacy fence to be built and drainage. He also talked about the 30 parking spaces instead of 36 which will leave more room for the trucks to come in and out with merchandise. He said that maybe one or two trucks a week will be coming into the store. The board members asked about lighting for the store. Mr. Howard said the lights will have shields on them so they won't be lighting up the whole neighborhood. He said that they will be open to suggestions from county officials as to handling run-off water. The board also had questions about the big trucks turning into McEntire Circle off of Hwy 225. Steve Anglea opened the public portion of the meeting for audience participation. No one present for the request. Those against the request were allowed time for their concerns. Sara Hamilton, 230 Lanier Drive, her concerns are when it rains the water is

horrendous. She is concerned that Mr. Howard made the statement that they would not cause any more water run off problems. Brett Green 225 McEntire Circle says that they won't be able to bring big trucks in on McEntire Circle that is just isn't big enough. Janie Easley, 119 Heatherly Lane, has pictures of her street when it rains, she has lived here for 10 years and does not want the store here. She says it will cause problems with children; she doesn't want the children to grow up around a store. Rebecca Galloway 81 Heatherly Lane, has many concerns, she thinks sex offenders will come and shop at the store and could be in the store the same time as her children, she talks about the rain run-off problems, also the sink holes that are in the area, she said no one told her 8 years ago when she bought her house that eventually there would be a commercial business on this corner, she has a letter from the principal of North West Elementary School that says he doesn't want the store there near the school, she has a petition of 68 people who do not want the store. The residents that live here like to walk and would not be able to if there was a store there. Lisa Waters 74 Heatherly Lane, has a problem with them saying this lot was not a part of the subdivision. She like the quiet and doesn't want to be looking at the back of a dollar store when she goes out on her porch. She is also concerned that the quality of life would be affected, and she says the store would rob them of their quality of life. Ben Goldman Hwy 225 North does not want the store to go on this coroner. Josh O'Brian Heatherly Lane, says the road is too small to accommodate large trucks and will be very noisy when people are unloading the trucks, Steve Angela asked Dick Barnes how much revenue this store will bring to Murray County. Barnes said it would be a boon to the County as far as tax revenue. Mr. Howard said it would probably bring in a million or more a year. Stacey Galloway said it would make his taxes go up. Barnes said the tax is based on comparable sales. Tina Porter of McEntire Circle concern is traffic, her family has a chicken farm and the big trucks come in and out of McEntire Circle and she does not want more traffic. Melissa Ensley 119 Heatherly Lane says too much traffic and lots of people are against the store and thinks they won't keep the place clean and will cause more water runoff. Public portion of meeting closed for board discussion. Steve Anglea said he wants to do what is right for county and community. Darrell Smith wanted to know if the store had looked at any other properties. Mr. Howard said the company had a way of finding the best locations and this was one of the best. Darrell Smith is concerned with the turn in off Hwy 225. Edward Dunn has concerns with the traffic flow and the residents; he said he would not want store built in his subdivision. David Wells said his concern is the traffic he can't see an easy access for the trucks. David McDaniel does not have anything against a dollar store and his biggest concern is the truck issue and safety. David McDaniel made a motion to deny the request 2<sup>nd</sup> by Darrell Smith, all in favor, none opposed, motion carried.

**Darrell Smith made a motion to adjourn, 2<sup>nd</sup> by Edward Dunn, all in favor none opposed, meeting adjourned.**

**B. Appointment: Chatsworth-Murray County Library Board**

**Jonathan Howard's term with the Chatsworth-Murray County Library Board expires June, 2010. He cannot serve another term at this time because he has served two consecutive terms. Recommended by the Library Board Mrs. Pam Holsomback is hereby appointed to the board.**

**C. Resolution: Reaffirmation E911 \$1.50 Surcharge for Wireless Lines**

**RESOLUTION**

**REAFFIRMATION OF IMPOSING A WIRELESS ENHANCED “911” CHARGE ON WIRELESS TELECOMMUNICATIONS CONNECTIONS WITHIN MURRAY COUNTY, GEORGIA**

**WHEREAS, Part 4 of Article 2 of Chapter 5 of Title 46 of the Official Code of Georgia Annotated, as amended by Act No. 881, Georgia Laws 1998, authorizes local governments to impose a wireless enhanced 911 charge upon each wireless telecommunications connection subscribed to by subscribers whose billing address is within the jurisdiction of the local government; and**

**WHEREAS, such charges may be imposed at a rate of up to \$1.50 per month per wireless connection; and,**

**WHEREAS, such charges may be imposed by any local government that operated or contracts for the operation of an emergency “911” system which is capable of providing automatic number identification of wireless telecommunications connections and the location of the base station and cell site; and**

**WHEREAS, Murray County, Georgia operates or has contracted for the operation of an emergency “911” system which is capable of providing automatic number identification of wireless telecommunications connections and the location of the base station cell site; and,**

**WHEREAS, a public hearing was held on the question of imposing wireless enhanced “911” charge in Murray, Georgia on August 7, 1998.**

**WHEREAS, this Resolution and the continued collection of the monthly wireless Emergency Telephone Number “911” charge as provided in this Resolution are hereby affirmed; and,**

**NOW, THEREFORE, BE IT RESOLVED by the governing authority of Murray County, Georgia that a wireless enhanced “911” charge be imposed upon each wireless telecommunications connection subscribers whose billing address is within the jurisdictions of Murray County, Georgia at the rate of \$1.50 per month per wireless connections provided to each telephone subscriber.**

**BE IF FURTHER RESOLVED** that said wireless charge shall be imposed on the first day of the month January of 1999.

**BE IF FURTHER RESOLVED** that a copy of the Resolution shall be forwarded to each wireless service supplier providing service in Murray County, Georgia.

**IN WITNESS WHEREOF**, this Resolution has been duly adopted by the governing authority of Murray County, Georgia on the 1<sup>st</sup> day of September 1998.

**D. Resolution: Reaffirm E911 \$1.50 Surcharge for Wire Lines**

**RESOLUTION**

**A RESOLUTION OF MURRAY COUNTY, GEORGIA TO RAFFIRM A MONTHLY EMERGENCY TELEPHONE NUMBER “911” CHARGE UPON EACH EXCHANGE ACCESS FACILITY SUBSCRIBED TO BY TELEPHONE SUBSCRIBERS WHOSE EXCHANGE ACCESS LINES ARE IN THE AREA SERVED BY THE EMERGENCY TELEPHONE NUMBER “911” SYSTEM.**

**WHEREAS**, on October 11, 1990 at 7:00 p.m., Murray County Georgia, held a public hearing pursuant to Official Code of Georgia Annotated Section 46-5-133(b) (1) (B) concerning the implementation of an Emergency Telephone Number “911” System in Murray County, Georgia; and

**WHEREAS**, the public hearing resulted in a unanimous vote in favor of the implementation of an Emergency Telephone Number “911” system;

**WHEREAS**, it has proven to be in the best interest of the public safety of the citizens of Murray County, Georgia, to implement and maintain an Emergency Telephone Number “911” system;

**NOW, THEREFORE, BE IT RESOLVED**, as follows:

**Section I.** Murray County, Georgia, has implemented an Emergency Telephone number “911” System.

**Section II.** There is hereby affirmed a need for a monthly Emergency Telephone Number “911” charge to be imposed upon each exchange access facility subscribed to by telephone subscribers whose exchange access lines are in the areas which are served by the Emergency Telephone “911” Service. The said “911” charge is uniform and does not vary according to the type of exchange access facility used, and said “911” charge will not exceed \$1.50 per month per exchange access facility provided to the telephone subscriber.

**Section III. All acts and doings of the officers of Murray County, Georgia which are in conformity with the purposes ad intents of this Resolution and in furtherance of the implementation of the Emergency Telephone Number “911” System shall be, and the same hereby are, in all respects approved and confirmed.**

**Section IV. If any one or more of the agreements or provisions herein contained shall be held contrary to any express provisions of law, or against public policy, or shall for any reason whatsoever be held invalid then such covenants, agreements and provisions and shall in no way affect the validity of any of the other agreements and provisions hereof.**

**Section V. All resolutions of parts thereof of Murray County, Georgia in conflict with the provisions herein contained, are to the extent of such conflict, hereby superseded and repealed.**

**SECTION VI. This Resolution and the continued collection of the monthly Emergency Telephone Number “911” charge as provided in this Resolution are hereby affirmed.**

**Documents are located in the auxiliary file.**

**ADJOURNMENT:**

**This 4<sup>th</sup> day of May, 2010.**

**ATTEST:**

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**Tommy Parker, Interim County Clerk**      **David Ridley, Commissioner**

**In Attendance: David Ridley, Tom Starnes, Tommy Parker, Tina Cochran, Frank Flood, Pat Ausmus, Edward Dunn, Steve Anglea, Ramon Edwards, Shirley Thurston, Michael Jones, Patty Jones, Nathan Sanford, Dick Barnes, Dewayne Bain, Joey Arnold, Bobby Howard, Mrs. Bobby Howard and Dana Burch**