

# **GEORGIA, Murray County**

## **MINUTES**

**The Murray County Commissioner held a public meeting Tuesday, April 3, 2012 at 9:00 a.m. in the hearing room of the Murray County Courthouse Annex.**

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

**By signature and execution the minutes of March 2012 were approved.**

**With no additions or deletions to the agenda, Commissioner Hogan adopted the agenda as presented.**

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

- A. Approved Murray County Land Use Development Planning Commission Minutes Dated March 20, 2012**

**The meeting was called to order by Chairman Steve Angela at 7:00 p.m. All members present. The first order of business was approval of the agenda. All in favor, none opposed, agenda approved.**

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

**Old Business: Re-Classification of property from SR to NC owned by Steve Bush, addressed on Carters Road. Mr. Bush would like to build a museum to be used for his antique cars and motorcycles. David McDaniel made a motion to deny the request, 2<sup>nd</sup> by Darrell Smith, all in favor, none opposed, motion carried.**

**New Business:**

**Item 1. Re-Classification of property from SR to RR owned by David Dunn in land lot 310 district 10 of Murray County located on Hooker Road being 2.5 acres. Mr. Dunn was present for the meeting. Dick Barnes said the request was in order for presenting and he recommends approval. Nancy Young said all notices had been sent. No one present either for or against the request, 2<sup>nd</sup> by Larry Morrison, all in favor, none opposed, motion carried.**

**Item 2. Re-Classification of property from SR to AG, in land lot 30 district 9 of Murray County, owned by Baltazar DeSantiago located at 1620 Norton Bridge Road. Dick Barnes said the request was I order for presenting and that Mr. DeSantago had gotten a conditional use for animals in 2006 which stated he could have no more than 4 horses on his property at any time and he would prefer that the current conditional use be modified to accommodate Mr. DeSantiago's needs, otherwise he would reluctantly recommend approval. Nancy Young said all notices**

have been sent to adjacent property owners. Mr. DeSantiago was present. Present against the request: Mary Bartley, whose property is behind Mr. Santiago's property says the smell and flies from the animals is awful and she does not want him to be allowed to have more animals. She says he has sheep in the barn now. Ruth Ellis 457 River Road also present and against the request. Pam Jones 425 River Road said Mr. DeSantiago had horses in her pasture and needed to move them because he had not paid rent on the pasture. Public portion of the meeting closed for board discussion. Darrell Smith made a motion to deny the request, 2<sup>nd</sup> by Edward Dunn, all in favor, none opposed, motion carried. Chairman Anglea told Mr. DeSantiago that he needed to adhere to the conditional use for his property which stated he could keep no more than 4 horses on his property or they would revoke the conditional use.

**Item 3. Conditional Use of property owned by Daniel Bautista at 3255 Hwy 286 in land lot 65 district 9 of Murray County.** Dick Barnes said the request was in order for presenting and he recommends approval as long as the number and type of animals is limited and that adequate grazing area is provided. Nancy Young said all notices had been sent to adjacent property owners. Harold Wilbanks at 3259 Hwy 286 was against the request. He said the property is residential and he doesn't want farm animals on it. No one else for or against the request. Public portion of the hearing closed for board discussion. David McDaniel made a motion to approve the request with the condition that there be no more than 20 laying hens at any time, 2<sup>nd</sup> by Darrell Smith, all in favor, none opposed, motion carried.

**Item 4. Re-Classification of property owned by Gary and Kirby Patterson in land lot 232 district 10 of Murray County located on Hwy 411 North.** Mr. Gary Patterson was present for the meeting, he says they have no immediate plans to build on the property but think its best use would be commercial. Dick Barnes said the request was in order for presenting and he recommends approval. Nancy Young said all notices had been sent to adjacent property owners. No one present for or against the request. Public portion of the meeting closed for board discussion. Darrell Smith made a motion to approve the request, 2<sup>nd</sup> by David McDaniel, all in favor, none opposed, motion carried.

David McDaniel made a motion to adjourn, 2<sup>nd</sup> by Edward Dunn, all in favor, meeting adjourned.

**B. Bid Award: Felker Construction Company, Base Bid \$421,000, Station 3 Relocation**

A bid of \$421,000.00 from Felker Construction, Company, Inc., PO Box 1647, Dalton, Georgia 30722-1647 is accepted for construction of a new fire department to be located on Hwy 225 North, Chatsworth, Georgia.

**C. Disposal of Surplus Inventory**

The following items of county property have been determined to be unserviceable and/or no longer cost effective for the county to operate or maintain. As a result these items have been declared surplus inventory by the Murray County Commissioner. Therefore, the highest bidder in the setting that would achieve the greatest financial benefit for the county, and that those proceeds be returned to the county's General Fund. In the event that no bids are received, or if the item is in such a state of disrepair that storage and handling would exceed any possible bid proceeds, then the item would be sold for salvage value or disposed of as waste.

**Surplus Property List:**

Honda 250cc 3-Wheeler	JH3TE0406HM301906
Honda 250cc 3-Wheeler	JH3TE0404HM304335
Honda 250cc 3-Wheeler	JH3TE0400HM301870
Honda 250cc 3-Wheeler	JH3TE040XHM301830
Honda 250cc 3-Wheeler	JH3TE0409HM301916
Honda 250cc 3-Wheeler	JH3TE0400HM301948
Honda 250cc 3-Wheeler	JH3TE0403HM301877

**D. 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 County, 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 \$.150 per month per wireless connections provided to each telephone subscriber.**

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

**BE IT 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.**

**E. Resolution: Reaffirmation E911 \$1.50 Surcharge for Land Lines**

#### **RESOLUTION**

**A RESOLUTION OF MURRAY COUNTY, GEORGIA TO REAFFIRM 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 and 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 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.**

**F. Proclamation: Designating April 2012 as “Donate Life Month”**

**National Donate Life Month Proclamation**

**Murray County, Georgia PROCLAMATION**

**WHEREAS, one of the most meaningful gifts that a human being can bestow upon another is the gift of life; and**

**WHEREAS, more than 113,000 men, women, and children await life-saving or life-enhancing organ transplants, of which over 3,400 reside in Georgia; and**

**WHEREAS, the need for organ, eye, and tissue donation grows daily as a new patient is added to the national waiting list for an organ transplant every 11 minutes; and**

**WHEREAS, the critical donor shortage remains a public health crisis as an average of 18 people die daily due to the lack of available organs; and**

**WHEREAS, organ, eye, and tissue donation can provide families the comfort of knowing the gift of donated organs and tissue endows another person with renewed**

hope for a healthy life; and

WHEREAS, donating life through organ, eye, and tissue donation is the ultimate act of generosity and kindness we Murray County, Georgia citizens can perform; and

WHEREAS, 14,845 citizens of Murray County, Georgia have already registered their decision to give the Gift of Life at [www.donatelifegeorgia.org](http://www.donatelifegeorgia.org); and

WHEREAS, LifeLink of Georgia is the non-profit, community service organization dedicated to the recovery of high quality organs and tissues for transplantation therapy; and

WHEREAS, Murray County, Georgia supports LifeLink of Georgia's life-saving mission; and

NOW, THEREFORE, I, Greg Hogan, Sole Commissioner, in Murray County, Georgia, do hereby proclaim April 2012 as

#### **DONATE LIFE MONTH**

In Murray County, Georgia to honor all those who made the decision to give the gift of life, to focus attention on the extreme need for organ, eye and tissue donation, to encourage all residents to take action and sign up on Georgia's Donor Registry at [www.donatelifegeorgia.org](http://www.donatelifegeorgia.org), to discuss the miracle of transplantation as a family, and to make a family commitment to organ, eye, and tissue donation.

#### **G. Resolution: Board of Assessors from 5 to 3 Members**

#### **RESOLUTION**

WHEREAS, O.C.G.A. 48-5-295 provides for the appointment of tax assessors by the Governing Authority and also provides that the County Governing Authority shall by resolution, select the length of terms of office for members of the Board of Tax Assessors and,

WHEREAS, O.C.G.A. 48-5-290 provides for the establishment of a Murray County Board of Tax Assessors which shall consist of not less than three (3) nor more than five (5) members to be appointed by the governing authority and,

WHEREAS, in consideration of the continuing economic crisis that requires the County to consider every opportunity to reduce expenditures, the Governing Authority of Murray County considers it prudent to reestablish the Murray County Board of Assessors from a five (5) members to a three (3) member board,

THEREFORE, BE IT RESOLVED AS FOLLOWS: Joe Davis was appointed to Seat No. 1 of the Murray County Board of Tax Assessors for a four (4) year term beginning on May 10, 2008, and expiring on May 10, 2012, and shall

**continue such term, and**

**Anita Thornton was appointed to Seat No 2 of the Murray County Board of Tax Assessors for a five (5) year term beginning July 5, 2010, and expiring on July 5, 2015, and shall continue such term, and**

**Leroy Green was appointed to Seat No. 3 of the Murray County Board of Tax Assessors for a six (6) year term beginning on May 10, 2006, and expiring on May 10, 2012, and shall continue such term, and**

**Dana Burch was appointed to Seat No. 4 of the Murray County Board of Tax Assessors for a four (4) year term beginning on February 7, 2010, and expiring on February 7, 2014, and this seat shall be abolished upon the execution of this ordinance, and**

**Mickey McNeill was appointed to Seat No. five (5) of the Murray County Board of Tax Assessors for a six (6) year term beginning on March 4, 2009, and expiring on March 4, 2015, and shall continue such term, however this eat will become Seat No. 3 on May 10, 2012.**

#### **H. Mike McCarthy, Circuit Public Defender: 2011 Indigent Defense Funds**

**Mr. McCarthy was not present for the meeting, he was going to speak on the 2011 Indigent Defense Funds.**

#### **I. Georgia Department of Community Affairs Service Delivery Strategy**

**Georgia  
Department of  
Community Affairs  
Service Delivery Strategy  
FORM 4: Certifications**

**Instructions:**

**This form must, at a minimum, be signed by an authorized representative of the following governments: 1) the county; 2) the city serving as the county seat; 3) all cities having a 2000 population of over 9,000 residing within the county, and 4) no less than 50% of all other cities with a 2000 population of between 500 and 9,000 residing within the county, Cities with a 2000 population below 500 and local authorities providing services under the strategy are not required to sign this form, but are encouraged to do so.**

**County: Murray**

**We, the undersigned authorized representatives of the jurisdictions listed below, certify that:**

- 1. We have executed agreements for implementation of our service delivery strategy and the attached forms provide an accurate depiction of our agreed upon strategy (O.C.G.A. 36-70-21);**
- 2. Our service delivery strategy promotes the delivery of local government services in the most efficient, effective, and responsive manner (O.C.G.A. 36-70-24(1));**
- 3. Our service delivery strategy provides that water or sewer fees charged to customers located outside the geographic boundaries of a service provider are reasonable and are not arbitrarily higher than the fees charges to customers located within the geographic boundaries of the service provider (O.C.G.A. 36-70-24(20); and**
- 4. Our service delivery strategy ensures that the cost of any services the county government provides (including those jointly funded by the county and one or more municipalities) primarily for the benefit of the unincorporated area of the county are borne by the unincorporated area residents, individuals, and property owners who receive such service (O.C.G.A. 36-70-24(3)).**

<b>JURISDICTION</b>	<b>TITLE</b>	<b>NAME</b>	<b>SIGNATURE</b>	<b>DATE</b>
City of Chatsworth	Mayor	Dan Penland		
City of Eton	Mayor	Billy Cantrell		
Murray County	Sole Commissioner	Greg Hogan		

### **REVISING AN EXISTING SERVICE DELIVERY STRATEGY**

**Local governments are encouraged to keep their Service Delivery Strategy accurate and up to date in order to efficiently and effectively address the service delivery needs of their citizens. Counties and their cities: (1) should complete periodic updates/revisions to specific portions of an existing Service Delivery Strategy so it will always be current reflect locally preferred service delivery arrangements; and (2) must complete an update of their entire Strategy under certain conditions outlined in the law. In accordance with section 36-70-28 of the Service Delivery Strategy law, local strategies must be reviewed and completely updated if any of the following six conditions are met:**

**In conjunction with a local government updating its comprehensive plan;  
Whenever necessary in order to change service delivery or revenue distribution arrangements;**

**Whenever necessary due to changes in revenue distribution arrangements;**

**In the event of the creation, abolition, or consolidation of local governments (including first time cross-county annexations by cities);**

**When the existing service delivery strategy agreement expires; or**

**Whenever the county and affected municipalities agree to revise the strategy.**

**If any of these six conditions occur in a county, the local governments in that county are responsible for: (1) reviewing their entire strategy; (2) revising any portion of the strategy necessary to reflect the “new” preferred service delivery arrangements; (3) getting the updated strategy approved and signed by the local**

governments required to approve and adopt the revisions to the strategy; and (4) forwarding a copy of the updated/revised portion(s) of the strategy to DCA for review and verification in accordance with the requirements of state law. Failure of a county and its cities to update its strategy in accordance with the six requirements identified above may result in DCA revoking its verification of a local strategy, thereby causing the sanctions identified in section 36-70-27(a) of the law to be imposed on all local governments and authorities in the county. Listed below is more detailed guidance for meeting these requirements, including steps to take even if a review of the existing strategy is completed and no changes are warranted as a result of the review.

**J. Resolution: Freeport Tax Exemption to be set at 40% effective January 1, 2013**

**RESOLUTION**

**Resolution to Allow a Freeport Tax Exemption after Application Made**

**WHEREAS, pursuant to Chapter 5 of Title 48 of the Official Code of Georgia Annotated, the electors of a political subdivision of the State of Georgia may grant an exemption from ad valorem taxation on certain tangible personal property located within the political subdivision; and**

**WHEREAS, the Commissioner of Murray County, Georgia, finds it to be in the best interest of the County that a freeport exemption be granted for all qualified inventory commencing January 1, 2013; and**

**WHEREAS, the Commissioner of Murray County, Georgia did in fact call a special election for the purpose of determining whether a freeport exemption should be granted for some or all of the personal property that qualifies for tax exemption pursuant to Georgia law and the same having passed by a majority vote of the registered voters of Murray County, Georgia.**

**NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED, by the Commissioner of Murray County, Georgia, as follows:**

**-1-**

**That a special election was called and was held in the County on the 2<sup>nd</sup> day of November, 2010, for the purpose of submitting to the voters of the County for their determination the question of whether a freeport exemption should be granted for some or all of the personal property that qualifies for freeport tax exemption pursuant to Georgia law.**

**-2-**

**The following provisions were in fact passed by a majority of the voters of Murray County, Georgia and the Commissioner of Murray County, Georgia finds it in the best interests of Murray County, Georgia to implement the same:**

**Commencing January 1, 2013, Murray County shall exempt from ad valorem taxation inventory of goods in process of manufacture or production which shall include all partly finished goods and raw materials held for direct use or consumption in the ordinary course of the taxpayer's**

manufacturing or production business in this state. The exemption shall apply only to tangible personal property which is substantially modified, altered, or changed in the ordinary course of the taxpayer's manufacturing or production business in this state. This exemption shall only be effective if applied for to the Murray County Board of Assessors and the Georgia Department of Revenue, if applicable.

Commencing January 1, 2013, Murray County shall exempt from ad valorem taxation inventory of finished goods manufactured or produced within this state in the ordinary course of the taxpayer's manufacturing or production business when held by the original manufacturer or producer of such finished goods. This exemption shall be for a period not exceeding 12 months from the date such property is produced or manufactured.

Commencing January 1, 2013, Murray County shall exempt from the ad valorem taxation inventory of finished goods which, on January 1, are stored in a warehouse, dock, or wharf, whether public or private, and which are destined for shipment to a final destination outside this state, and inventory of finished goods which are shipped into this state from outside this state and stored for transshipment to a final destination outside this state. This exemption shall be for a period not exceeding 12 months from the date such property is stored in this state.

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The exemptions so applied for shall be implemented at a rate of 40% per year, unless it is deemed appropriate to increase said increment to a greater rate upon subsequent resolution.

**K. Appointment: Kirk Hemphill to Recreation Board**

	<b>Term</b>	<b>Date Appointed</b>
<b>Mr. Kirk Hemphill</b>	<b>Jan 1, 2009 – Dec 31, 2014</b>	<b>April 3, 2012</b>
<b>732 Chestnut Street</b>	<b>(To fill the unexpired term of Clay Powell)</b>	
<b>Chatsworth, GA 30705</b>		

**SO RESOLVED this 3<sup>rd</sup> day of April 2012**

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

**ADJOURNMENT:**

**This 3<sup>rd</sup> day of April, 2012.**

**ATTEST:**

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**Tommy Parker, Interim County Clerk**

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**Greg Hogan, Commissioner**

**In Attendance: Tommy Parker, Greg Hogan, Edward Dunn, Bill Keen, Joey Arnold, Lewis Flood, Joan Dooley, Lori Harrison, Frank Adams, Brittany Pittman, Gary Burnham, Dianne Davis and Mark Millican**