

GEORGIA, Murray County

MINUTES

The Murray County Commissioner held a meeting on Tuesday, January 5, 2016 at 9:00 a.m. in the hearing room of the Murray County Courthouse Annex.

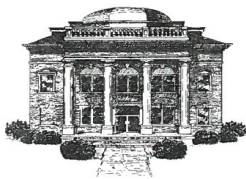
Commissioner Pittman called the meeting to order and welcomed those in attendance.

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

By signature and execution the minutes of December, 2015 were approved

Under new business the following items were addressed and approved.

A. Approval of the December, 2015 Land Use Meeting Minutes



MURRAY COUNTY LAND USE PLANNING COMMISSION

P.O. Box 1129 / 121 N. 4th Avenue,
Chatsworth, Georgia 30705
(706) 517-1400 ext. 1208 or 1231 Fax (706) 517-5893
dbarnes@murraycountyga.gov

Minutes

Murray County Land Use Commission Meeting

December 15, 2015

The meeting was called to order at 7 pm by Chairman Steve Anglea. Other members present were David McDaniel, Edward Dunn, Terry Wilson and Dick Barnes, Land Use Administrator for Murray County.

The first order of business on the agenda was approval of the agenda. David McDaniel made the motion to approve the agenda as presented and the second was made by Edward Dunn. The motion carried.

The second order of business was approval of the minutes of the November 17, 2015 meeting. Edward Dunn made the motion to approve the minutes as written. Terry Wilson seconded the motion. The motion carried.

Having no old business to address, the Chairman opened the public hearing on the first item of new business, which was the Re-Classification of property from Suburban Residential to Neighborhood Commercial. Located at 256 W. Holly Creek Rd., Land Lot 38 and District 8 of Murray County. Consisting of 0.69 acres and identified as Tax Parcel 0016 - 002, owned by Bruce King.

Mr. Barnes stated that all proper public notices had been made and the property was in order for granting. He also stated that the area is a mix of residential and agricultural uses and he recommends approval. Mr. King was present, and his wife stated that she wanted to open a small retail fashion boutique. No one else was there in favor or against the request. The chairman closed the public portion of the meeting for board discussion. Edward Dunn made the motion to approve the request. Terry Wilson seconded the motion and the motion carried in favor of the request.

The Chairman opened the public hearing on item 2 of new business, which was the Re-Classification of property from Suburban Residential to Agriculture. Located at 50 McNeely Rd., Land Lot 121 and District 10 of Murray County. Consisting of 5.50 acres and identified as Tax Parcel 0041 - 080, owned by Clifford Wheat.

Mr. Barnes stated that all proper public notices had been made and the property was in order for granting. He also stated that the area is a mix of residential and agricultural uses and that Mr. Wheat's property was surrounded by AG parcels. Mr. Barnes recommended approval. Mr. Wheat was present but did not comment on the request. No one else was there in favor or against the request. The chairman closed the public portion of the meeting for board discussion. David McDaniel made the motion to approve the request. Edward Dunn seconded the motion and the motion carried in favor of the request.

The Chairman opened the public hearing on item 3 of new business, which was the Re-Classification of property from Agriculture to Rural Residential. Located on Peebles Rd., Land Lot 197 and District 9 of Murray County. Consisting of 2.0 acres and identified as Tax Parcel 0066D - 022, owned by Harold Harris.

Mr. Barnes stated that all proper public notices had been made and the property was in order for granting. He also stated that the area is a mix of residential and agricultural uses. Mr. Barnes recommended approval. Mr. Harris was not present, but had signed power of attorney to his granddaughter, Kelsey Dotson, who was there. Ms. Dotson did not comment on the request. No one else was there in favor or against the request. The chairman closed the public portion of the meeting for board discussion. David McDaniel made the motion to approve the request. Edward Dunn seconded the motion and the motion carried in favor of the request.

Having no other business, Edward Dunn made the motion to adjourn at approximately 7:10 pm. David McDaniel seconded the motion and the vote was unanimous in favor of adjournment.

Dick Barnes, Land Use Administrator

B. Resolution: Freeport Exemption to increase from 80% to 100%, effective January 1, 2016

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, 2016; 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 2nd 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.

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, 2016, 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, 2016, 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, 2016, 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

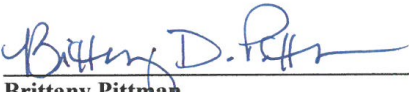
transshipment to a final destination outside this state. This exemption shall be for a period not exceeding 12 months from the date such property is stored in this state.

3.

The exemptions so applied for shall be implemented at a rate of 100% per year for 2016 and all subsequent years and shall not increase said increment to a greater rate by subsequent resolution.

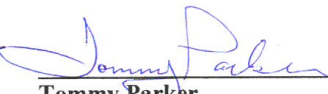
ADOPTED AND APPROVED, this 5th day of January, 2016.

MURRAY COUNTY, GEORGIA



Brittany Pittman
COMMISSIONER

ATTESTED TO:



Tommy Parker
County Clerk

C. Resolution: Agreement with GDOT for Roundabout Lighting Maintenance at Hwy 225 and Mt. Carmel/Mitchell Bridge

Resolution

Roundabout Lighting Assistance – P.I. No. 0009620

State of Georgia

Murray County Government

County of Murray

WHEREAS, the governing authority of Murray County agrees to enter into an agreement for roundabout lighting installation for P.I. No. 0009620 located at S.R. 225 and CR 132/Mt. Carmel Church Rd.

WHEREAS, the Georgia Department of Transportation shall be responsible for the design and installation along with the cost of materials for the system, it will be the responsibility of Murray County to provide energy, operations and maintenance for the system.

WHEREAS, the lighting shall be administered in the form of *Local Government Lighting Project Agreement (LGLPA)*.

NOW THEREFORE, BE IT RESOLVED, the governing authority of Murray County shall go into agreement with Georgia Department of Transportation for Roundabout Lighting Assistance, P.I. No. 0009620.

BE IT SO RESOLVED, this 5th day of January, 2015.

BY:



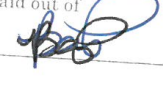

Brittany D. Pittman, Sole Commissioner




ATTEST:


Tommy Parker, County Clerk

**D. Capital Purchase: Two 2015 Dodge Chargers from Don Jackson
Chrysler/Dodge/Jeep.**

DON JACKSON 		3950 Jonesboro Rd. • Union City, GA 30291 Phone: (770) 969-7229	
SOLD TO ADDRESS MURRAY COUNTY GOVERNMENT 810 1/2 G I MADDOX PKWY CHATSWORTH, GA 30705-0000 HOME: (706) 695-4592		STK# FL511	DATE 12/10/15
SALESMAN MIKE DAVIS		INVOICE NO. FL511-A	STOCK NO. FL511
YEAR 2015	MAKE DODGE	MODEL CHARGER	NEW OR USED NEW
VEHICLE VIN. OR SERIAL NO. 2C3CDXAT1FH928816			
INSURANCE COVERAGE INCLUDES <input type="checkbox"/> FIRE & THEFT <input type="checkbox"/> COLLISION-AMT. DEDUCTIBLE <input type="checkbox"/> PUBLIC LIABILITY-AMT. <input type="checkbox"/> PROPERTY DAMAGE-AMT.			
GROUP DESCRIPTION PRICE PO # 3300-1209			
Date Received 12-11-15 Vendor # 9822 Due Date 12-11-15 Acct # 420-4200-201304 Approved to be paid out of General Fund By:  			
LIENHOLDER:			
USED CAR TRADED			
YEAR 2015	MAKE DODGE	MODEL CHARGER	VEHICLE VIN. OR SERIAL NO. 2C3CDXAT1FH928816
BODY COLOR			
DATE 12/10/15			
INVOICE NO. FL511-A			
STOCK NO. FL511			
SOURCE			
DESCRIPTION			
COST			
SALE			
NEW CAR			
NEW TRUCK			
LEASES			
USED CAR			
USED TRUCK			
DEALER TRADE			
WHOLESALE			
DOCUMENT FEE			
CAR DEAL NO.			
SALES TAX			
TITLE			
TOTAL CASH PRICE			
FINANCING			
INSURANCE			
TOTAL TIME PRICE			
DEPOSIT			
CASH ON DELIVERY			
USED CAR ALLOWANCE			
PAYMENTS			
MONTHS DOLLARS			
1 @ 851.00 PER MONTH			
TOTAL 24,851.00			
PAY-OFF BAL. OWING FIN. CO.			
FINANCE CONTRACTS			
DISCOUNTS AND OVER ALLOWANCES			
COST OF SALES-USED CARS			
VALUE OF TRADE			
STOCK NO.			

SPLOST
 Pub. Safety reh.
 M.C.S.D.


SPLOST
Pub. Safety Veh.
MCSB

E. Amendment: Chapter 42, Article 1, Section 42-1, Disorderly Conduct – 1st Reading

Sec42-1 Disorderly Conduct (suggested amendments)

Any person who shall do or engage in any of the following acts or things within the unincorporated area of Murray County, Georgia, shall be guilty of disorderly conduct and shall be punished in accord with the provisions of this section. Such acts or things which shall constitute disorderly conduct are more particularly described as follows:

- (1) Fighting or quarreling or acting in such a manner as to annoy or disturb the peace, quiet, comfort or repose of persons in any office, school building, hospital or in any dwelling, hotel, or other type residence, or of any persons in the vicinity.
- (2) Using any indecent, vulgar, opprobrious, obscene, threatening or abusive words which by their very utterance tend to incite to an immediate breach of the peace, that's to say words that are common knowledge and under normal circumstance will when used to or in front of another person natural tend to provoke violent resentment that is words commonly called "fighting words".
- (3) Striking or attempting to strike another.
- (4) Assemble or congregate with another or with others to cause, provoke, or engage in any fight or brawl.
- (5) Collect in bodies or in crowds and engage in unlawful activities and fail to withdraw from the assembly on being lawfully commanded to do so by a peace officer.
- (6) Create by or in any manner loud noises which disrupt, disturb, or otherwise interfere with the peace and tranquility of the public.
- (7) Interfere, by acts of violence, with another's pursuit of a lawful occupation.
- (8) Without provocation, uses obscene and vulgar or profane language in the presence of or by telephone to a person under the age of 14 years which threatens an immediate breach of the peace.
- (9) Defecating or urinating or exposing genitals or female breast; on or adjacent to any street or sidewalk or in any public or quasi-public parking lot or in the halls, elevators, stairways, or any other area designated for public passage within any public or commercial buildings or on any property open to public view.
- (10) Knowingly and willfully harass or attempt to harass or mislead any E-911 operator or law enforcement officer or firefighter or emergency medical technician by false alarms or repeatedly dialing 911 and hanging up or any unauthorized use of any device of whatever nature to summon law enforcement, firefighters, or emergency medical provider aid without reasonable cause.
- (11) Knowingly and willfully strike, fight, oppose, interfere or prevent the lawful discharge of official duties of the county sheriff, his or her lawful deputies, the county marshal, his or her lawful deputies, a county code enforcement or land development officer, animal control officer, animal shelter staff, firefighter, emergency medical technician, paramedic or other arresting officer.
- (12) Knowingly and willfully provide a false name, address, date of birth or social security number or any personal identification information in an effort to mislead as to his or her identity or personal identification the county sheriff, his or her lawful deputies, the county marshal, his or her lawful deputies, a county code enforcement or land development officer, animal control officer, animal shelter staff, firefighter, emergency medical technician, paramedic or other arresting officer.
- (13) For any person to peddle or sell door to door his or her service or the services of another or any item without a county, state, business, professional or other legal and binding license or permit; unless said individual is raising money for a local not for profit event such as for his/her school, church, etc.
- (14) Knowingly invite, allow, permit, a person(s) under the age of 21 to gather collect, assemble in any building or upon any land for the purpose of consuming alcoholic beverages in violation of state law and or any person(s) to keep and maintain a common, ill-governed, disorderly place which encourages gaming, drinking, misbehavior or disturbance any neighborhood or orderly citizen(s).
- (15) Any person who shall throw any bottle, paper, can, glass, stick, stone, missile or any other debris on public property.
- (16) Any person who shall commit an act of public indecency tending to debauch the morals of any person.

(17) Any person who shall be found in a state of drunkenness or intoxication upon the public rights-of-way, county or other publicly owned property or any public park.

(18) Any person who commits any act against public safety, morality and decency, or who exhibits any other conduct that is manifestly disorderly that tends to disturb other persons anywhere in the county.

Punishment. (ADDED)

(a) Pursuant to O.C.G.A. 16-11-39 any person who violates this article may be punished by a fine not to exceed \$1,000.00 or imprisonment for 60 days or both.

(b) In lieu of, or in addition to, any fine or incarceration, community service may be ordered by the court as punishment for a violation of this article. Said community service shall be not less than 20 hours but not more than 250 hours, which must be performed within probationary period from the date of conviction for a violation of this article.

(c) Any person placed on community service or otherwise placed on probation for a violation of this article shall pay such supervisory fees as may be authorized by law.

Destruction of public property. (ADDED)

(a) Definitions. For the purposes of this section, these terms are defined as follows:

(1) *Graffiti*. Any inscriptions, words, figures, paintings, or other defacements that are written, marked, etched, scratched, sprayed, drawn, painted, or engraved on or otherwise affixed to any surface of real property or improvements thereon without prior authorization of the owner or occupant of the property by means of any aerosol paint container, broad-tipped marker, gum label, paint stick, graffiti stick, etching equipment, brush, or other device capable of scarring or leaving a visible mark on any surface.

(b) A person violates this subsection when he intentionally damages property owned by another, including the application of graffiti, and the damage is under \$500.00.

(c) It shall be unlawful for any person having a legal or equitable interest in a parcel of real property to permit graffiti to remain on a structure located thereon for a continuous period of more than 72 hours, after receiving written notice from the county served either personally or by certified mail. A person so served may request the county, at its expense, and subject to appropriate waivers, to come onto the subject property and remove the graffiti. If the person having legal or equitable interest in the subject real property refuses to remove the graffiti or is a nonresident or is unknown or unreachable after a diligent effort, the county may proceed in accordance with subsection (d) of this section.

(d) Penalty; removal of graffiti by order of the court; costs.

(1) *Penalty*. If a person having a legal or equitable interest in a parcel of real property containing graffiti refuses to remove or have the graffiti removed in accordance with subsection (d) of this section, after receipt of notice, this violation shall be punishable in accordance with the Official Code of Murray County.

(2) *Removal by order of the court*. If the person having legal or equitable interest in the subject real property refuses to remove the graffiti or is a nonresident or is unknown or unreachable after a diligent effort, the county may, in addition to any other penalty or remedy allowed by law, proceed in a court of competent jurisdiction and in accordance with the appropriate rules of civil procedure, to obtain a court order which directs the county to enter upon the subject property and remove the graffiti.

(3) *Cost of removal*. The court, in its order, may also specify that the property owner may be liable for the cost incurred in the removal of the graffiti.

Punishment. (ADDED)

(a) Any person who violates this article may be punished by a fine not to exceed \$1,000.00 or imprisonment for 60 days or both.

(b) In lieu of, or in addition to, any fine or incarceration, community service may be ordered by the court as punishment for a violation of this article. Said community service shall be not less than 20 hours but not more than 250 hours, which must be performed during probationary period from the date of conviction for a violation of this article.

(c) Any person placed on community service or otherwise placed on probation for a violation of this article shall pay such supervisory fees as may be authorized by law.

§ 44-7-14.1 - Landlord's duties as to utilities (added)

O.C.G.A. 44-7-14.1 (2010)

44-7-14.1. Landlord's duties as to utilities

- (a) As used in this Code section, the term "utilities" means heat, light, and water service.
- (b) It shall be unlawful for any landlord knowingly and willfully to suspend the furnishing of utilities to a tenant until after the final disposition of any dispossessory proceeding by the landlord against such tenant.
- (c) Any person who violates subsection (b) of this Code section shall, upon conviction, be assessed a fine not to exceed \$500.00.

*** Hearing to be scheduled within 24-48hrs due to severe weather and danger of occupants!

15+ readings January 5, 2014

2nd Reading

F. Ordinance: Credit Card use policy by County Departments

Purchasing Card and Credit Card Ordinance for Murray County and Elected Officials

WHEREAS, effective January 5, 2016, O.C.G.A. § 36-80-24 prohibits county and elected officials from using government purchasing cards and government credit cards unless the county governing authority authorizes the issuance of such cards and has promulgated specific policies regarding the use of such cards;

WHEREAS, the Murray County Sole Commissioners promulgates this ordinance as the official policy of Murray County.

NOW, THEREFORE, BE IT ORDAINED that the following ordinance be adopted by the Murray County Sole Commissioners to be effective January 5, 2016.³

I. Intent and Scope

This ordinance is intended to comply with the policy requirements of O.C.G.A. § 36-80-24 regarding the use of County issued government purchasing cards and credit cards.

II. Definitions

A. "Authorized elected official" means an elected official designated by public vote of the Sole Commissioners to receive a county issued government purchasing card or credit card.

B. "Card Administrator" means the purchasing card and credit card administrator designated by the Sole Commissioners.⁴

C. "County" means Murray County and/or the Sole Commissioners

D. "County purchase card," "county p-card" or "county credit card" means a financial transaction card issued by any business organization, financial institution, or any duly authorized agent of such organization or institution, used by a County official to purchase goods, services and other things of value on behalf of the County.

E. "Financial transaction card" means an instrument or device as the term is defined in O.C.G.A. § 16-9-30(5).

F. "User agreement" means the required agreement between the Sole Commissioners and the authorized elected officials which restricts the use of a county purchasing card or credit card.⁵

15 + Reading January 5th, 2016

³ If elected officials currently use county purchasing or credit cards, this ordinance should be effective no later than January 1, 2016.

⁴ The board of commissioners is required by O.C.G.A. § 36-80-24(c)(6) to designate a purchasing card or credit card administrator.

⁵ See, O.C.G.A. § 36-80-24(c)(2).

Documents are located in the auxiliary file.

ATTEST:

Tommy Parker, County Clerk

Brittany Pittman, Commissioner

In Attendance: Brittany Pittman, Tommy Parker, Matthew Sanford, Dickie Barnes, Lorri Harrison, Steve Anglea, Gale Buckner, Anthony Noles, Donna Flood, Linda Fowler, Brandon Crisp.