

# PUBLIC NOTICE

The Murray County Commissioner will hold a public meeting on Tuesday April 6, 2021 at 9:00 a.m. in the Hearing Room of the Murray County Annex. The public is invited and encouraged to attend.

## TENATIVE AGENDA

1. Call to Order
  2. Approval of Minutes of Prior Meetings
  3. Approval of Agenda
  4. New Business
- 
- A. Approval of Murray County Land Use and Development Planning Commission Meeting minutes
  - B. Property acquisition: 125.50 acres and 14.71 acres adjacent to the Murray County Landfill, quitclaimed by Santek Environmental
  - C. Disposal of surplus inventory

Adjourn

Commissioner Available for Questions or Comments

# **GEORGIA, Murray County**

## **MINUTES**

**The Murray County Commissioner held a public meeting Tuesday April 6, 2021 at 9:00 a.m. in the hearing room of the Murray County Annex.**

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

**By signature and execution, the minutes of March 2021 were approved.**

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

**A. Approval of Murray County Land Use and Development Planning Commission Meeting minutes (documents are stored in the 2021 Auxiliary Files)**



**MURRAY COUNTY  
COMMISSIONER'S OFFICE**  
P.O. Box 1129 • 121 North 4th Ave., Chatsworth, GA 30705  
Telephone 706-517-1400 • Fax 706-517-5193  
[www.murraycountyga.org](http://www.murraycountyga.org)



**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](mailto:dbarnes@murraycountyga.gov)

April 6, 2021

Mr. David McDaniel  
1975 Hwy. 52 East  
Chatsworth, GA 30705

**RE: Murray County Land Use Planning Commission Meeting March 16, 2021.**

Dear Mr. McDaniel:

I have reviewed the actions of the Commission taken at the March 16, 2021 meeting. I support the Commission's actions as being in the best interest of Murray County.

Sincerely,

Greg Hogan,  
County Commissioner

March 17, 2021

Mr. Greg Hogan  
Murray County Commissioner  
121 N. 4th Avenue  
Chatsworth, GA. 30705

Mr. Hogan,

Attached is a copy of the Murray County Land Use Planning Commission meeting minutes of March 16, 2021. Upon review, your approval and / or comments would be greatly appreciated.

Respectfully,

  
David McDaniel

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Minutes

Murray County Land Use Planning Commission Meeting

March 16, 2021

The Chairman, David McDaniel, called the meeting to order at 7:00 pm March 16, 2021. Other members present were Heath Harrison, Terry Wilson, Edward Dunn, and Dick Barnes, Land Use Administrator for Murray County and Debra Ellis, Land Use Secretary.

The first order of business on the Agenda was to approve the Agenda. Mr. Harrison made a motion to approve the Agenda. Mr. Wilson seconded the motion. The motion carried.

The next order of business was to approve the minutes of the last meeting. Mr. Dunn made the motion to approve the minutes as written. Mr. Harrison seconded the motion. The motion carried.

There was no old business. New business was next on the Agenda.

Item 1 of new business was the Re-Classification of property from MHP to AG located in Land Lot 13, District 9, located at 1457 Red Cut Road; consisting of 5 acres, owned by Joseph Popiel. The Chairman asked if Mr. Popiel was present. Mr. Popiel was present. The Chairman asked Mr. Barnes if this proposal was in order for granting and if he had any comments. Mr. Barnes stated the proposal is in order for granting. Mr. Barnes stated this is a Rural Residential and farming area. He stated the proposal meets the minimum requirements for Agricultural Zoning. Mr. Barnes further stated approval is recommended. The Chairman asked Mrs. Ellis had all proper notifications been made. Mrs. Ellis stated they had. Mr. McDaniel opened the public hearing and asked Mr. Popiel to proceed with his presentation.

Mr. Popiel stated he and his girlfriend, would like to have some dwarf Nigerian goats. He further stated upon inquiring about the requirements for having the goats, discovered his property is zoned Mobile Home Park. Mr. Popiel stated he would like to have the property rezoned to Agriculture so he can have the goats and later some chickens and rabbits.

The Chairman thanked Mr. Popiel for his presentation. He then asked Mrs. Ellis to enter the proposal into the record. Mr. McDaniel then asked if there was anyone there in favor of the proposal wishing to address the Council. There was no one. He then asked if there was anyone opposed to the proposal that would like to address the Council. There was no one.

The Chairman closed the public portion of the meeting for discussion and a motion. Mr. Dunn made a motion to approve this proposal. Mr. Harrison seconded the motion. The motion carried.

Item 2 of new business is the Re-Adoption to the Zoning Map. Mr. Harrison made a motion to approve the Adoption of the Zoning Map including the proposal approved March 16, 2021. Mr. Wilson seconded the motion. The motion carried.

The Chairman asked for a motion to adjourn. Mr. Dunn made the motion to adjourn the meeting. Mr. Harrison seconded the motion. The motion carried.

Respectfully Submitted,

  
Debra Ellis  
Land Use Secretary

**B. Property Acquisition: 125.50 acres and 14.71 acres adjacent to the Murray County Landfill, quitclaimed by SanteK Environmental (documents are stored in the 2021 Auxiliary Files)**

After Recording Return to:  
Robert L. Dann  
Miller & Martin, PLLC  
832 Georgia Avenue, Suite 1200  
Chattanooga, TN 37402

MURRAY COUNTY, GEORGIA  
Filed: February 24, 2021  
Recorded: February 24, 2021  
Deed Book: 9760 Page 1008  
Notary Public  
Clerk of Superior Court

Cross Reference to Deed Book 747, page 228  
Kenneth D. Higgins has signed this  
Quit Claim Deed to release restriction  
described in Deed Book 747, Page 228

STATE OF GEORGIA )  
COUNTY OF MURRAY )

**QUITCLAIM DEED**

THIS INDENTURE made this 19<sup>th</sup> day of February, 2021 between SANTEK ENVIRONMENTAL OF GEORGIA, LLC, a Georgia limited liability company ("Grantor") and MURRAY COUNTY, GEORGIA ("Grantee").

**WITNESSETH:**

That Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) in hand paid at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has remised, released, quitclaimed and conveyed and by these presents does remise, release, quitclaim and convey unto Grantee, its successors and assigns, the following described property:

Tract 1:  
All of that tract or parcel of land, together with all improvements thereon, lying and being in Land Lots 89 and 92, 8th District, 3<sup>rd</sup> Section, Murray County, Georgia, containing 125.50 acres according to plat of survey prepared for SanteK, Inc. by Jimmy L. Richmond, Georgia Registered Land Surveyor No. 2237, dated November 24, 2003 and recorded in Plat Book 39, Page 28, Murray County, Georgia Deed Records, which plat and legal description set out therein are by reference incorporated herein for a more particular description of said land. Subject to Georgia Power Transmission Line Easement shown on said plat.

Tract 2:  
All that tract or parcel of land lying and being in Land Lot No. 90, 8<sup>th</sup> District, 3<sup>rd</sup> Section, Murray County, Georgia, containing 14.71 acres according to plat of survey prepared for Bluegrass Land Holdings, LLC by Jimmy L. Richmond, Georgia Registered Land Surveyor No. 2237, dated November 22, 2004 and recorded in Plat Book 40, Page 65, Murray County, Georgia

19955608.1

**THIRD AMENDMENT TO  
SANITARY LANDFILL OPERATION AGREEMENT**

THIS THIRD AMENDMENT (this "Amendment") entered into as of the 14<sup>th</sup> day of February, 2021, by and between MURRAY COUNTY, GEORGIA (the "County") and SANTEK ENVIRONMENTAL OF GEORGIA, LLC (the "Contractor"), further amending that certain Sanitary Landfill Operation Agreement between the County and the Contractor dated as of June 1, 2002 (the "Original Agreement").

**WITNESSETH:**

WHEREAS, the County and the Contractor entered the Agreement to provide for the operation of the Murray County Westside/Highway 411 Landfill, as more particularly described in the Agreement;

WHEREAS, The County and the Contractor did enter into that certain Amendment to Sanitary Landfill Operation Agreement dated December 5, 2003 and that certain Second Amendment to Sanitary Landfill Operation Agreement dated January 10, 2005, addressing issues of access and utility easements for adjacent property (collectively, together with the Original Agreement, the "Agreement");

WHEREAS, the County and the Contractor successfully pursued and obtained a Landfill Permit expansion (the "Permit Expansion") that includes the use of two tracts of land adjacent to the original Landfill site, which are more particularly identified on Exhibit A attached hereto and incorporated herein by reference (collectively, the "Additional Land"), for disposal of Solid Waste, both of which are currently owned by the Contractor;

WHEREAS, the parties desire to amend the Agreement to incorporate new real estate into the property permitted under the Landfill Permit;

NOW, THEREFORE, for and in consideration of the foregoing premises, and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto do hereby agree to amend and supplement the terms of the Agreement as follows:

1. The definition of Landfill in Section 1.1 of the Agreement is amended to include the Additional Land.
2. The parties acknowledge that the definition of Landfill Permit in Section 1.1 of the Agreement includes all modifications, renewals and amendments, including without limitation, the Permit Expansion.
3. The Contractor agrees to transfer title to the Additional Land to the County by quitclaim deed on or before April 1, 2021, and in no event later than the first date of the acceptance of Solid Waste for disposal on the Additional Land pursuant to the terms of the Agreement.

Deed Records, which plat and the legal description set out therein are by reference incorporated herein for a more particular description of said land.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee, its successors and assigns, forever in fee simple.

IN WITNESS WHEREOF, the Grantor has caused this Deed to be executed under seal the day and year first above written.

SANTEK ENVIRONMENTAL OF  
GEORGIA, LLC  
a Georgia limited liability company

By: John A. Caplan (SEAL)  
Name: John A. Caplan  
Title: CEO

Signed, sealed and delivered  
this 17<sup>th</sup> day of Feb,  
2021, in the presence of:

Unofficial Witness

Notary Public

My Commission Expires



ATTEST:

By: Joseph T. Watts  
Name: Joseph T. Watts  
Title: CEO

Kenneth D. Higgins hereby releases the restriction against use of Tract 1 as an active landfill as set forth in Quitclaim Deed of record at Book 747, Page 228

Signed, sealed and delivered  
this 9 day of Feb,  
2021, in the presence of:

Unofficial Witness

Notary Public

My Commission Expires: May 1, 2021



19955608.1

4. All terms used in this Amendment shall have the meanings ascribed to them in the Agreement, unless expressly defined otherwise herein.
5. Except as expressly amended by this Amendment, all the terms and conditions of the Agreement, as previously amended, shall remain in full force and effect, and are hereby reevaluated by the parties hereto. In the event of a conflict between the terms of this Amendment and the Agreement, the terms of this Amendment shall control.

IN WITNESS WHEREOF, each party have caused their duly authorized representatives to execute this Amendment as of the day and year first above written.

MURRAY COUNTY, GEORGIA

By: Shirley Hagan  
Title: Seal Commission

SANTEK ENVIRONMENTAL OF GEORGIA, LLC

By: Joseph T. Watts  
Joseph T. Watts, President

**EXHIBIT A**

**[TRACTS OF "ADDITIONAL LAND"]**

**Tract 1:**

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***C. Disposal of surplus inventory (documents are stored in the 2021 Auxiliary Files)***

**Murray County Government  
Disposal of Surplus Inventory**

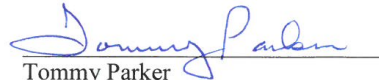
The following items of county property have been determined to be unserviceable and/or no longer cost effective for the county to operate or maintain. As a result, these items have been declared surplus inventory by the Murray County Commissioner. Therefore, the Commissioner has directed the county's Financial Officer to dispose of these items to 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:**

- CM Truck Bed
- Scotsman Ice Machine

Serial #DB44407  
Serial #C0530SA-1C

  
Greg Hogan  
County Commissioner

  
Tommy Parker  
County Clerk

Date 04-06-2021

**ADJOURNMENT:**

**Executed this 4th day of May 2021**

**ATTEST:**

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**Tommy Parker, County Clerk**

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**Greg Hogan, Commissioner**

**In Attendance: Greg Hogan, Tommy Parker, Anthony Noles, Edward Dunn, Jimmy Espy,  
Billy Childers, Diane Arnold, Eli Falls, Tankersley**