

PUBLIC NOTICE

The Murray County Commissioner will hold a public meeting on Tuesday May 5, 2020 at 9:00 a.m. via Zoom Meeting. The public is invited and encouraged to attend.

TENTATIVE 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 – March 2020
- B. Amendment: The Code of Murray County Chapter 54, Article V, Sec. 54-251, 2nd Reading
- C. Capital purchase: 3 Dodge Durango Pursuits for the Sheriff's Office \$28,250 each to be paid from 2019 SPLOST funds
- D. Resolution: Temporary housing in Recreational vehicles for those displaced by April tornados
- E. Re-Appointment: Joe Davis to the Board of Assessors
- F. Budget Amendment; 2019 final budget for audit compliance

Adjourn
Commissioner Available for Questions or Comments

Attendees:

Anthony Noles
Timmy Espy
Larry Sampson
Tillya Copeland (zoom)
Kelsey Dotson (zoom)
4 unidentified (zoom)

Greg Hogan
Tay Choate
Tommy Parker

GEORGIA, Murray County

MINUTES

The Murray County Commissioner held a virtual public meeting Tuesday May 5, 2020 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 and April 2020 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 March 2020 (documents are stored in the 2020 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

April 7, 2020

Mr. David McDaniel
113 Pine St.
Chatsworth, GA 30705

RE: Murray County Land Use Planning Commission Meeting March 17, 2020.

Dear Mr. McDaniel:

I have reviewed the actions of the Commission taken at the March 17, 2020 meeting. I support the Commission's actions as being in the best interest of Murray County.

Sincerely,

Greg Hogan,
County Commissioner



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

March 19, 2020

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 17, 2020. Upon review, your approval and / or comments would be greatly appreciated.

Respectfully,

David McDaniel



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 Planning Commission Meeting
March 17, 2020

The Chairman, David McDaniel, called the meeting to order at 7:00 pm. March 17, 2020. Other members present were David McDaniel, David Wells, Terry Wilson, Edward Dunn, Heath Harrison, Dick Barnes, Land Use Administrator for Murray County and Debra Ellis, Land Use Secretary.

The first order of business on the agenda was to amend the agenda. Item 3 was removed from the agenda. Mr. Harrison made the motion to approve the agenda as amended. 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 AG to CA located in Land Lot 188, District 8, located at Berry Bennett Road; consisting of 10.5 acres, owned by Jerry Spence. The Chairman asked if Mr. Spence was present. Mr. Spence 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 also stated this area is mostly agriculture with some residential near. He further stated Mr. Spence would like to rezone the property for a poultry farm. Mr. Barnes 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. Spence to proceed with his presentation.

Mr. Spence stated he would like to build four chicken houses. He also stated the houses would be layer houses. The Chairman thanked him 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 the proposal. Mr. Harrison seconded the motion. The motion carried.

Item 2 on the agenda was the Re-Classification of property from HC to SR located in Land Lot 304, District 10, located at Hawkins Branch Road; consisting of 3.26 acres, owned by Brian Dunn. The Chairman asked if Mr. Dunn was present. Mr. Dunn 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 also stated this property has been zoned this way since 2003, but felt the property should have been zoned residential. Mr. Barnes stated approval is recommended. The Chairman asked Mrs. Ellis had all proper notifications been made. Mrs. Ellis stated they had. The Chairman asked Mr. Dunn to proceed with his presentation.

Mr. Dunn stated he would like for his daughter to be able to build a home on the property.

The Chairman thanked Mr. Dunn. He asked Mrs. Ellis to enter the proposal into the record. Mr. McDaniel asked if there was anyone there in favor of the proposal wishing to address the Council. There was no one. The Chairman then asked if there was anyone opposed wishing to address the Council. There was no one.

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

Item 4 on the agenda was the Re-Classification of property from SR to AG located in Land Lot 172, District 8, located at Maple Grove Church Road; consisting of 21 acres, owned by Rafael Garcia. Mr. McDaniel asked if Mr. Garcia was present. Mr. Garcia 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 also stated the property is in a mixed-use area consisting of agriculture and residential. Mr. Barnes stated Mr. Garcia would like to put a home on the property and have some farm animals. Mr. Barnes stated the property meets agricultural requirements and approval is recommended. The Chairman asked Mrs. Ellis had all proper notifications been made. Mrs. Ellis stated they had. The Chairman asked Mr. Garcia to proceed with his presentation.

Speaking for Mr. Garcia was David Brindle. Mr. Brindle stated he sold the property to Mr. Garcia so he could put a home on the property and have some farm animals. Mr. Brindle stated Mr. Garcia has children and would eventually like to put homes on the property for them. Mr. Brindle stated the property has always been used for agricultural purposes.

The Chairman thanked Mr. Brindle. He asked Mrs. Ellis to enter the proposal into the record. Mr. McDaniel asked if there was anyone there in favor of the proposal wishing to address the Council. There was no one. The Chairman then asked if there was anyone opposed wishing to address the Council.

Kenneth Scott of 1386 Maple Grove Church Road, stated he lives two houses down from the property, and is totally against the proposal. Mr. Scott further stated there are enough animals on the property now. Mr. Scott stated there are animals there now that are not being properly cared for.

Mr. McDaniel asked if there was anyone else opposed that would like to address the Council.

Judy Evans of 9515 Ashton Wood, Dalton, Georgia stated she owns the lot next to Mr. Garcia. Ms. Evans stated she would like to have more information, such as how many animals, what kind of animals and the reason a house can't be put on the property now. She further stated her family will leave the land to Ms. Evans stated she doesn't want the property overrun with animals. She would like to know exactly what is going to be done on the property.

Peggy Holmes, 9515 Highway 52, stated she owns twenty acres located next to Ms. Evans. Ms. Holmes stated she had taken pictures of the neighborhood, which included, new homes being built and Mr. Garcia's property. She offered the pictures to the Board to view. The Chairman stated the Board members had gone to the property and looked themselves. She further stated she agrees with Mr. Scott and Ms. Evans.

Mr. McDaniel asked if anyone else would like to speak in opposition of this proposal. There was no one. He then asked Mr. Brindle how many houses Mr. Garcia is going to build. Mr. Brindle stated that would be a long time in coming. Mr. Barnes stated if the property is subdivided each lot would have to be five acres. If the property is not subdivided there can be no more than five homes on the property. Mr. Barnes further stated that is designed for family and farm workers in the agriculture area. Each home would occupy one acre. He also stated that particular property is not conducive to a subdivision. It would have to have a county spec road which would be twenty feet paving, fifty feet right of way, curbed and guttered. Mr. Barnes also stated this would be a family type situation. There are exemptions for families. This property is not zoned for a family situation. Mr. Scott stated the way he understands that Mr. Garcia can build a house on the property the way it is zoned now. Mr. Scott stated it is zoned suburban residential now, the house would have to be a twelve hundred square foot house. If it is zoned agricultural you can build a five hundred eighty- four square foot house or bigger and it allows manufactured homes. Mr. Brindle stated the property is two hundred fifty feet wide. He further stated Mr. Garcia is not going to build on the road he would be farther back.

The Chairman asked Mr. Brindle what kind of animals and how many of each does Mr. Garcia plan to have. Mr. Brindle stated the Garcia's would like to have goats, chickens, cows. He further stated the property has already been fenced. There were no complaints when the fence was being installed. Mr. Brindle also stated there is a barn on the property that is over one hundred years old. Mr. McDaniel asked how many goats Mr. Garcia plans to have. Mr. Garcia stated he would like to have between twenty and twenty-five goats. Mr. McDaniel then asked how many chickens he wanted to have. Mr. Garcia stated he would like to have ten laying chickens. The Chairman asked how many cows Mr. Garcia plans to have. Mr. Garcia stated he would like to have one or two cows.

Mr. Dunn asked those opposed were they more concerned about buildings or the animals. Ms. Evans stated her concern is property value. She stated her other concern is what will her family be able to do with the property if it is overrun with animals. Mr. McDaniel stated there are set back requirements that have to be met. He further stated Mr. Garcia would have to be fifty feet off the property line to meet those requirements for any structures. The Chairman asked what is on the property line. Mr. Scott stated Mr. Garcia's chickens come to his property to roost. He further stated he has to clean up feces from the chickens. Ms. Evans inquired as to who would be taking care of the animals since there are no horses on the property presently. Mr. McDaniel stated there would be one horse placed on the property now and in the future horses for his children. Mr. Brindle stated Mr. Garcia owns the old home place on the property. Mr. Wells asked if the home would be a stick built or a manufactured home. Mr. Brindle stated there would be a manufactured home to begin with, later would be stick build homes.

The Chairman closed the public portion of the meeting for discussion and a motion. Mr. Dunn stated with the property being so narrow his concern is this project might interfere on the neighbors. Mr. Wells inquired about the type of fencing as goats tend to move around. Mr. Brindle stated it is a field fence. Mr. Harrison wanted to know if the chickens were going to be free range. Mr. Brindle stated the chickens would have a coop and live in. He further stated if they had known the chicken were getting on other properties the problem would have been taken care of. Mr. Dunn then asked Mr. Brindle if the existing barn would accommodate the cows. Mr. Brindle stated that it would house the cows and horses. Mr. Dunn asked if there would be another barn built. Mr. Brindle further stated his grandfather used that section for a hog lot for as long as he could remember. Mr. Wells stated it is hard for the Board to determine what is going to happen generations in the future. Mr. Brindle stated there was livestock there in the past which the barn was used for. Ms. Holmes offered a picture of the barn for the board to view. The Board Members looked at the picture. Mr. Dunn stated it is obvious that the property was used as farm land in the past. Mr. Brindle stated it had been eighty-eight acres that was split into four sections.

Mr. Dunn stated he did not see an issue with the property being zoned agriculture if there are limitations on amount and type of animals on the property. Mr. Dunn stated twenty-five goats is a lot. He would like to limit the goats to twenty, limit the cows to two, limit the chicken to ten. Mr. Brindle stated there is a donkey on the property to protect the other animals. Mr. Barnes stated the donkey is needed. Mr. Dunn stated there needs to be a limit on the animals. Mrs. Evans stated her concern of the reproduction of animals. Mr. Dunn stated that is the reason for the limits on the number of animals. He also stated if there are more than the limited number of animals the neighbors can call Code Enforcement. Mr. Wells asked Mr. David Brindle how did this come to be divided in such narrow strips. Mr. Brindle stated His grandfather took his two sons and marked the property into four pieces and then put numbers in a hat. They drew a numbered piece of paper from the hat. It was the luck of the draw, whatever you drew is what you ended up with.

Mr. Dunn made a motion to approve the proposal with limits on the animals. The Chairman stated the limitations on the animals will be a maximum of one donkey, one horse, twenty goats, ten chickens and two cows. Mr. Wilson seconded the motion. The motion carried.

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

Respectfully Submitted,
Debra Ellis
Debra Ellis
Land Use Secretary

B. Amendment: The Code of Murray County Chapter 54, Article V, Section 54-251, 2nd Reading (documents are stored in the 2020 Auxiliary Files)

**AMENDMENT
TO
THE CODE OF MURRAY COUNTY**

STATE OF GEORGIA

COUNTY OF MURRAY

WHEREAS, the Commissioner of Murray County has determined that it is in the best interest of the public to amend the Murray County Code, and

WHEREAS, the Commissioner of Murray County finds such amendments to be useful, necessary, and proper, and protective of the environment, and the health, welfare, and safety of the public, and

NOW THEREFORE BE IT SO RESOLVED, by the Murray County Commissioner, that the Murray County Code be amended as follows:

Under Chapter 54, Article V, Truck Routes, Delete Sec. 54-251 Definitions, in its entirety and replace it with Sec. 54-251 Definitions, and shall read as follows:

Sec. 54-251. Definitions.

[The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

Commissioner: The Sole Commissioner of Murray County.

County: The County of Murray, a political subdivision of the State of Georgia.

County Road System: All roads, streets and roadways owned by the county and operated and maintained for the travel and convenience of the public. This definition shall include all bridges, culverts, ditches, drainage structures, rights-of-way, sidewalks, and appurtenances and improvements to the county roads.

Large truck: A commercial motor vehicle designed, used, or maintained primarily for the transportation of property and having a gross vehicular weight in excess of 36,000 pounds, including the load thereon, or having an overall length in excess of 30 feet, or having three axles or more, except recreational vehicles, buses used in transportation of chartered parties, and government owned vehicles.

Owner/Operator: A person, firm, partnerships, associations, organizations, corporations and bodies politic, or any combination thereof, including but not limited to any owners, operators, lessees, or drivers of a large truck.

Public Works Director: The Public Works Director of the County as named and employed by the Commissioner, or such person as may be designated by the Commissioner to enforce the provisions of this article.

Residence District: The territory contiguous to and including a County maintained road or highway not comprising a business district when the frontage on such highway or road, for a distance of three hundred feet or more, is mainly occupied by dwellings or by dwellings and buildings in use for residential business; includes *Residential District*.

Residential streets: The streets or roadways with-in a residence district.

Residential subdivision: An area with streets designed primarily for residential and accessory traffic that are primarily interior subdivision streets, specifically including but not limited to all residential areas platted and regulated by the Murray County Subdivision Regulations.

Road: The entire width of a roadway between the boundary lines or edge of pavement of every way publicly maintained right of way when any part thereof is open to the use of the public for purposes of vehicular travel; includes the terms street and highway.

Unimproved road system: Those roads in the county road system which are not paved.

Under Chapter 54, Article V, Truck Routes, Sec. 54-252. Route of travel, through trucks, amend (3) and (4) to read as follows:

(3) No large truck or tractor-trailer shall enter, travel or park on a street in a residential district or subdivision with-in the unincorporated area of Murray County, for the purpose of an overnight stay by the driver or operator.

(4) No large truck shall enter, travel or park on a street in a residential subdivision in Murray County, except for the purpose of delivering goods to houses or points within such Residence District or Residential Subdivision for short periods of time during daylight hours.

FIRST READING, this the 3rd day of March, 2020

SECOND READING, this the 5th day of May, 2020

SO ORDAINED AND EFFECTIVE, this the 5th day of May, 2020

By: Greg Hogan

Greg E. Hogan, Sole Commissioner

Attest: Tommy Parker

Tommy Parker, Clerk

C. Capital Purchase: 3 Dodge Durango Pursuits for the Sheriff's Office \$28,250 each to be paid from 2019 SPLOST Funds (documents are stored in the 2020 Auxiliary Files)



Murray County Sheriff's Department for three Durango Pursuits

VIN 1C4RDJFG4LC287223	\$28,250
VIN 1C4RDJFG7LC308792	\$28,250
VIN 1C4RDJFG2LC287222	\$28,250
Total	\$84,750

Thank you,

Edward A. Parker
Edward A. Parker
Certified Sales & Fleet Manager
MTN View Chrysler Dodge Jeep Ram
6276 Alabama Highway
Ringgold GA 30736
Cell 423-544-6544
Be American Buy American
www.mtnviewcdjr.com

2019 SPLOST

Date Received _____
Vendor # _____
Due Date _____
Acct # _____
PO # _____
Approved to be paid out of
General Fund
By: *EP* _____

D. Resolution: Temporary housing in recreational vehicles for those displaced by April tornado (documents are stored in the 2020 Auxiliary Files)

RESOLUTION 2020-0422

STATE OF GEORGIA

COUNTY OF MURRAY

TO ALLOW TEMPORARY HOUSING IN RECREATIONAL VEHICLES

WHEREAS, the Georgia Constitution grants to the County Governing Authority the power to adopt clearly reasonable ordinances and resolutions, and,

WHEREAS, it has been determined by the governing authority that it is the best interest of Murray County to allow temporary housing in recreational vehicles, and,

WHEREAS, certain requirements are herein set out to insure the health, safety & welfare of the general public, and,

NOW, THEREFORE BE IT SO RESOLVED, that this resolution, shall allow temporary housing in recreational vehicles, only for those individuals affected by and that were living in the storm damaged areas of Murray County on April 12, 2020. and that the following restrictions and/or conditions shall apply:

1. All recreational vehicles to be located in Murray County shall have access to an existing approved sewage disposal system. Such existing systems are subject to inspection and approval by the Murray County Environmental Health Office. The number of recreational vehicles allowed on each approved site shall be determined by the Murray County Environmental Health Office. The use of self-contained sewage holding tanks is prohibited
2. All recreational vehicles shall be located only in existing, home sites or recognized Manufactured Home Parks currently classified as MHP (manufactured home park) under appendix "B", Zoning, of The Code of Murray County. The proposed property location shall be submitted to the Office of Building Inspections for review and approval prior to issuance of any permit.
3. Before locating in Murray County, all recreational vehicles, which will be used for temporary housing, shall obtain and display a Location Permit from the Office of Building Inspections, per the applicable M.O.G. (manual of guidelines).
4. No permanent structure shall be attached to any recreational vehicle used for temporary housing.
5. Tent Trailers, Tent Campers or Pop-Up campers are prohibited for use as Temporary Housing under the guidelines outlined in this Resolution.
6. The landlord or property owner shall be required to provide garbage service.

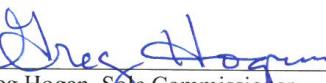
7. All recreational vehicles, permitted under this Resolution, shall be removed with-in 180 (one hundred and eighty) calendar days or upon re-establishment and completion of the permanent residence, whichever occurs first. The landlord or property owner will be responsible for removal of the recreational vehicles, and to implement eviction proceedings if required.
8. Recreational Vehicles, as defined by The Code of Murray County, shall not be located in other areas where prohibited by Zoning Regulations, Subdivision Regulations, individual Subdivision Covenants or other applicable ordinances.

This resolution is not to be interpreted to propagate temporary residence in recreational vehicles, but to make available temporary housing under special circumstances. This resolution shall not apply to recreational vehicles not used for the intended purpose of this resolution or affect the normal use of recreational vehicles which are used for temporary housing in approved RV (Recreational Vehicle) Parks.

ENFORCEMENT

Enforcement shall be as outlined in Chapter 38, Division 6, Section 38-151 thru 153 of The Code of Murray County.

This the 23rd day of April, 2020



Greg Hogan, Sole Commissioner

Attest:



Tommy Parker, Clerk to the Commissioner

E. Re-Appointment: Joe Davis to the Board of Assessors (documents are stored in the 2020 Auxiliary Files)

GEORGIA, MURRAY COUNTY

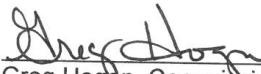
BOARD OF ASSESSORS APPOINTMENT

Pursuant to the provisions of Georgia Law 48-5-2, the following named person is appointed to the Murray County Board of Tax Assessors. The term shall begin on May 10, 2020 and expire on May 10, 2024.

Joe Davis

Let this order of appointment be entered upon the record of Murray County Superior Court.

This appointment duly executed at the May meeting of the Murray County Commissioner, this 5th day of May 2020.



Greg Hogan, Commissioner
Murray County, Ga.

Attest:



Tommy Parker, County Clerk
Murray County, Ga.

Georgia, Murray County

I, Joe Davis, do solemnly swear that I will faithfully perform the duties of Assessor in and for said County in pursuance of the Act approved August 14, 1913 and amended. I further swear that I will support the constitution of the State of Georgia and Laws enacted in pursuance thereof. That I am not the holder of any public funds unaccounted for. So help me God.

Joe Davis

Sworn to and subscribed before me
This _____ day of July 2020

Donna Flood Clerk of Court
Murray County, GA.

F. Budget Amendment: 2019 final budget for audit compliance (documents are stored in the 2020 Auxiliary Files)

FY 2019 Final Budget Amendment
Murray County Government
General Fund

Acct#	Account	Amended Budget	Actual	Final Budget	Final Amendment	Variance
	Taxes	15,973,483	16,662,092	16,660,000	686,517	2,092
	Intergovernmental	1,340,952	1,514,263	1,510,000	169,048	4,263
	Sale of capital assets	35,000	116,895	115,000	80,000	1,895
	Revenues / Other Financing Sources	17,349,435	18,293,250	18,285,000	935,565	8,250
1100	County Commissioner	289,300	291,001	292,000	2,700	999
1400	Board of Elections	145,515	160,221	161,000	15,485	779
1500	General Administration	4,199,602	5,067,088	5,068,000	868,398	912
2150	Superior Court	223,390	230,442	231,000	7,610	558
2180	Clerk of Superior Court	375,200	375,374	376,000	800	626
3300	Sheriff	2,333,400	2,043,448	2,190,322	(143,078)	146,874
3920	Emergency Management Agency	21,550	22,060	23,000	1,450	940
7200	Building Inspections	124,800	125,004	126,000	1,200	996
61100	Transfers out	-	180,274	181,000	181,000	726
	Expenditures / Other Financing Uses	7,712,757	8,494,912	8,648,322	935,565	153,410
	General Fund Total	9,636,678	9,798,338	9,636,678	-	(145,160)
	Multi-Grant Fund					
	Judicial	32,980	28,315	29,000	(3,980)	685
	Public Safety	10,000	28,973	29,000	19,000	27
	Health and Welfare	55,000	123,484	124,000	69,000	516
	Housing and Development	50,000	45,000	45,000	(5,000)	-
	Multi-Grant Fund Total	147,980	225,772	227,000	79,020	1,228
	Substance Abuse Fund	35,000	35,394	36,000	1,000	606
	Hotel Motel Fund	75,000	87,758	88,000	13,000	242


Greg Hogan, Commissioner


Tommy Parker, County Clerk

ADJOURNMENT:
Executed this 5th day of May 2020

ATTEST:

Tommy Parker, County Clerk

Greg Hogan, Commissioner

In Attendance: Greg Hogan, Tommy Parker, Anthony Noles, Jimmy Espy, Larry Sampson, Jay Choate, Illya Copeland (Zoom), Kelsey Dotson (Zoom), 4 Unidentified Zoom Participants