

PUBLIC NOTICE

The Murray County Commissioner will hold a public meeting on Tuesday August 4, 2020 at 9:00 a.m. in the Hearing Room of the Murray County Annex. 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
- B. Amendment: to the Code of Murray County, Chapter 26, Article II, Section 26-26, Noise Control, 2nd Reading
- C. Amendment: to the Code of Murray County, Chapter 6, Article I, Section 6.1, et.al. Alcohol Ordinance, 1st Reading
- D. Agreement: North Ga. Community Action, Inc. to operate Murray Transit
- E. Resolution: Designating the intersection of Tom Terry road and Hyden-Tyler Road as the Joe Hoyle Lents Intersection
- F. Disposal of surplus inventory

Adjourn
Commissioner Available for Questions or Comments

GEORGIA, Murray County

MINUTES

The Murray County Commissioner held a public meeting Tuesday August 4, 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 July 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 July 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.murraycountya.org

August 4, 2020

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

RE: Murray County Land Use Planning Commission Meeting July 23, 2020.

Dear Mr. McDaniel:

I have reviewed the actions of the Commission taken at the July 23, 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@murraycountya.gov

July 29, 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 July 23, 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
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Minutes

Murray County Land Use Planning Commission Meeting July 23, 2020

The Chairman, David McDaniel, called the meeting to order at 7:00 pm, July 23, 2020. Other members present were David Wells, Edward Dunn, Heath Harrison, Terry Wilson, 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. McDaniel made a motion to amend the Agenda to hear both zoning requests together since the properties adjoin each other and both are requesting Commercial Agriculture. Mr. Harrison 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. Wilson seconded the motion. The motion carried.

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

Item 1 & 2 of new business was the Re/Classification of property located in Land Lot 188, District 8 of Murray County, located on Sexton Road consisting of 75 acres, owned by Spring Bank, LLC, from AG to CA, along with Re/Classification of Property located in Land Lot 188, District 8 of Murray County, located on Sexton Road, consisting of 75 acres, owned by Spring Bank, LLC, from AG to CA. Representing Spring Bank, LLC, were Quang Nguyen and Vernon Smith. Mr. McDaniel asked if Mr. Nguyen and Mr. Smith were present. They were both 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 commented the tax description is Brindle Road. This tract is thirty-eight hundred acres. One hundred fifty acres out of that tract is being rezoned. He stated this area is where the County desires to put Agriculture and Commercial Agriculture type projects. He further stated approval is recommended. The Chairman thanked Mr. Barnes. The Chairman asked Mrs. Ellis had all proper notifications been made. Mrs. Ellis stated they had. The Chairman asked Mr. Nguyen to proceed with his presentation.

Mr. Nguyen stated he would like to rezone said property from Agriculture to Commercial Agriculture so he can build four poultry houses. Mr. McDaniel thank Mr. Nguyen.

He then asked Mr. Smith to proceed with his presentation. Mr. Smith stated he would also like to rezone the property to build four poultry houses. The Chairman thanked Mr. Smith. 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 who would like to address the Council.

At that time Brandon Gibson of 988 Blankenship Road, Resaca, wanted to know why the property needed to be rezoned since it is already zoned Agriculture. He also wanted to know if it would raise his taxes. Mr. McDaniel stated recently there was a change in zoning, which grandfathered the existing poultry houses in. He further stated since the poultry houses are a booming industry at this time, the County needs to control the location in order for them to be in their proper place. This insures that any new poultry houses coming in will be zoned Commercial Agriculture and be in their proper location without having too many different zones lumped together. Mr. Barnes stated the zoning will not affect Mr. Gibson's taxes.

The Chairman closed the public portion of the meeting for discussion and a motion. Mr. Harrison stated he works for Chatsworth Water Department. He stated there is no city water currently available to those properties. He further stated the service stops across the road, but there are plans to go further out the road to provide additional service. Mr. Harrison stated wells would have to be drilled at this time to provide water for the properties. Mr. Gibson asked if the property owners couldn't pay to get the service extended to their properties. Mr. Harrison stated it is a possibility. He further stated they should go to the water department to discuss that matter.

Mr. Dunn made a motion to approve the proposals. Mr. Harrison seconded the motion. The motion carried.

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

Respectfully Submitted,

Debra Ellis
Land Use Secretary

B. Amendment: to the Code of Murray County, Chapter 26, Article II, Section 26-26, Noise Control, 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 26, Article II Noise Control, Sec. 26-26. General prohibition. shall be amended to read as follows:

Sec. 26-26. General prohibition.

It shall be unlawful for any person to make, continue or cause to be made or continued in the unincorporated areas of the county, any loud, unnecessary or unusual sound or noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others in the county, and which is plainly audible to a person of normal hearing ability at a distance of 100 feet from the point of origin of the sound or noise, or in the case of real property, beyond the property limits from which such sound or noise emanates, whichever is farthest.

Under Chapter 26, Article II Noise Control, Sec. 26-30, Radios, phonographs, other machines or devices that produce or reproduce sound. shall be amended to read as follows:

Sec. 26-30. Radios, phonographs, other machines or devices that produce or reproduce sound.

The using, operating, or permitting to be played, used, or operated any radio receiving set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet, and comfort of the neighboring inhabitants or at any time with louder volume than is necessary for convenient hearing for the person who is in the room, vehicle, or chamber in which such machine or device is operated and who is a voluntary listener shall be a violation of this article. The operation of any such set, instrument, phonograph, machine, or device in such a manner as to be plainly audible at a distance of 100 feet from the building, structure, or vehicle in which it is located shall be *prima facie* evidence of a violation of this section.

SO ORDAINED AND EFFECTIVE, this the 4th day of August, 2020

FIRST READING, this the 7th day of July, 2020

SECOND READING, this the 4th day of August, 2020

By: Greg Hogan
Greg E. Hogan, Sole Commissioner

Attest: Tommy Parker
Tommy Parker, Clerk to the Commissioner

**C. Amendment: to the Code of Murray County, Chapter 6, Article I, Section 6.1, et.al.
Alcohol Ordinance, 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 6, Article I, Section 6-1, Definitions, add “Alcohol” and shall read as follows:

Alcohol: Shall mean ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, from whatever source or by whatever process produced.

Under Chapter 6, Article I, Section 6-1, Definitions, “Alcoholic beverage” shall be amended to read as follows:

Alcoholic beverages: Shall mean beer, malt beverage, wine, and fortified wine

Under Chapter 6, Article I, Section 6-1, Definitions, add “Farm Winery” and shall read as follows:

Farm winery: Shall mean a licensed Georgia Farm Winery which makes at least forty (40) percent of its annual production from agricultural produce grown in Georgia and:

- (A) Is located on premises, a substantial portion of which is used for agricultural purposes, including the cultivation of grapes, berries, or fruits to be utilized in the manufacture or production of wine by the winery; or
- (B) Is owned and operated by persons who are engaged in the production of a substantial portion of the agricultural produce used in its annual production. For purposes of this paragraph, the commissioner shall determine what is to be considered a “substantial portion” of such winery premises or agricultural produce.

Under Chapter 6, Article I, Section 6-1, Definitions, add “Restaurant” and shall read as follows:

Restaurant: Shall mean a bona fide full-service restaurant as an established place of business:

- (1) Which is licensed to sell alcoholic beverages for consumption on the premises;
- (2) Where meals with substantial entrees selected by the patron from a full menu are served;
- (3) Which has adequate facilities and sufficient employees for cooking or preparing and serving meals for consumption at tables in dining rooms on the premises; and
- (4) Which derives at least eighty (80) percent of its gross income from the sale of such meals, prepared, served and consumed on the premises.

Under Chapter 6, Article I, Section 6-1, Definitions, add “Samples” and shall read as follows:

Samples: Shall mean a tasting of an individual wine in an amount of not more than two (2) ounces, which may be given complimentary or for a fee in conjunction with a Farm Winery.

Under Chapter 6, Article I, Section 6-1, Definitions, add “Tasting Room” and shall read as follows:

Tasting room: Shall mean a part of a winery, typically located on the premises of the winery or brewery's production facilities, at which guests may sample the winery products.

Under Chapter 6, Article I, Section 6-1, Definitions, add “Wine” and shall read as follows:

Wine: Shall mean an alcoholic drink manufactured from fruits and berries and produced by natural fermentation (whether fortified or not) having an alcoholic strength of not more than twenty-one (21) percent alcohol by volume.

Under Chapter 6, Article I, Section 6-16, (a), add subsection (1), and shall read as follows:

- (1) With the exception of farm wineries and restaurants

Under Chapter 6, Article I, Section 6-20, “Serving time of pouring outlets”, add subsection (a) to read as follows:

- (a) the sale of alcoholic beverages by the pour on Sundays shall be allowed between the hours of 12:30 p.m. and 11:00 p.m. in any licensed restaurant or farm winery.

Under Chapter 6, Article I, Section 6-29, “Sale to certain persons”, shall be amended to read as follows:

No alcoholic beverage shall be sold, bartered, exchanged, given, provided, or furnished to any person who is in a state of noticeable intoxication.

Under Chapter 6, Article I, Section 6-34, “Advertising for sale of alcoholic beverages”, shall be amended to read as follows:

It shall be unlawful to advertise for the sale of alcoholic beverages on the premises of any so licensed outlet except for one sign visible from the exterior of the outlet, unlit internally or directly, and showing the sale of alcoholic beverages. The sign shall be limited to a size of not greater than 1,296 square inches with lettering not greater than six inches on two sides. No other signs, which will be visible from the exterior of the building, shall be permitted.

Under Chapter 6, Article II, Division 1, Section 6-63, “Types of licenses”, amend (1) and (2) and add (10) and shall read as follows:

- (1) Pouring wine and/or malt beverages.
- (2) Packaged wine and/or malt beverages
- (10) Farm Winery

Under Chapter 6, Article II, Section 6-66, “Limitations on use”, subsection (c) shall be amended to read as follows:

Not less than eighty (80) percent of the gross receipts of any business establishment or restaurant selling alcoholic beverages, as defined in this section, to the general public for consumption upon the premises, shall be generated by the sale of food products. Sales of alcoholic beverages, as defined in this section, in such establishments shall be ancillary to the primary business of serving food products to the general public. The licensee shall be required, at least annually, but more often if reasonably required by the director, to produce accurate financial records and/or other documents as reasonably required demonstrating compliance herewith. Any failure to produce such records timely shall be sufficient cause for the revocation of a license.

- (1) with the exception of farm wineries.

Under Chapter 6, Article II, Division 1, Section 6-70, "Eligibility for pouring license", add (a), and shall read as follows:

(a) with the exception of Farm Wineries, which may serve samples of no more than two (2) ounces each.

Under Chapter 6, Article II, Section 6-73, "Amount of fees", subsection (b), add (7) and shall read as follows:

(7) Farm Winery 375.00

Under Chapter 6, Article II, Division 2, Section 6-110(a), add (1), and shall read as follows:

(1) with the exception of farm wineries

Under Chapter 6, Article III, Division 2, add Sections 6-388 through 6-412 which shall be reserved for future amendments and clarifications.

SO ORDAINED AND EFFECTIVE, this the 4th day of August, 2020

FIRST READING, this the 7th day of July, 2020

SECOND READING, this the 4th day of August, 2020

By:


Greg Hogan, Sole Commissioner

Attest:


Tommy Parker, Clerk

D. Agreement: North GA Community Action, Inc. to operate Murray Transit (documents are stored in the 2020 Auxiliary Files)

**Section 5311 Public Transportation Service Agreement
For Operation of the Mountain Area Transit System
Between the Murray County Board of Commissioners
And
North Georgia Community Action, Inc. (DBA as MATS)**

This agreement is made and entered into this July day of 1st., 2020, by and between the Murray County Board of Commissioners hereinafter referred to as the "County"; and North Georgia Community Action, Inc. hereinafter referred to as "NGCA, Inc."; and shall terminate on the 30th day of June 2021, unless terminated earlier under other provisions of this agreement.

Whereas, the Georgia Department of Transportation (GDOT) in cooperation with NGCA, Inc. has provided a Notice of Intent to Award to NGCA, Inc. for the operation of the 5311 Transit Program in Murray County; and

Whereas, the county has agreed for NGCA, Inc. to operate and administer the 5311 Transit Program in the prime contractor capacity with GDOT in Murray County.

Therefore, the parties agree as follows:

Item 1: Term of Agreement

1.1 North Georgia Community Action, Inc. is engaged as the prime contractor for the purpose of operating and administering the Section 5311 Transportation Program

1.2 The term of the agreement shall be from July 1, 2020 through June 30, 2021.

1.3 The County and NGCA, Inc. reserve the right to terminate this agreement upon 60 (sixty) days written notice to the other party.

Item 2: Scope of Work & Responsibilities

2.1 NGCA, Inc. will manage the overall operation of the transit program and will ensure compliance with local, state and federal laws and regulations.

2.2 NGCA, Inc. will manage the annual and monthly financial reporting, budget compilation, statistical analysis and program monitoring for the program as required by GDOT.

2.3 The County will appropriate capital matching funds, when required at a rate of 10%, and local operating match funds at a rate no greater than 50% of total operating budget as set forth in Item 3 of this agreement.

2.4 NGCA, Inc. shall invoice the county each month for the local operating match requirement that will be accompanied by a monthly expense summary. Additionally, as the 10% capital match requirement arises, NGCA, Inc. will provide an additional invoice for any amounts due under the capital match requirement.

Item 3: Local Match and Capital Match

3.1 Local Operating Match for this agreement beginning July 1, 2020, is expected to be \$208,706.00 in total or about \$17,392.17 monthly. This amount reflects the 50% local match requirement set forth by the Georgia Department of Transportation for the 5311 Transit Program. NGCA, Inc. will bill the county monthly for the local match requirement as set forth in item 2.3.

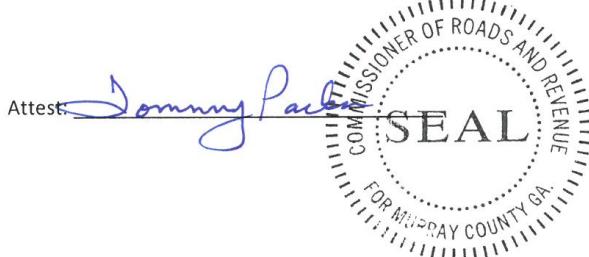
3.2 Capital Match Requirement for this agreement beginning July 1, 2020, is expected to be \$0.00 and reflects the 10% local match requirement set forth by the Georgia Department of Transportation for the 5311 Transit Program. NGCA, Inc. will bill the county as this particular invoice becomes due to GDOT. This is expected to be an annual invoice provided by GDOT to NGCA, Inc.

3.3 A Notice of Intent to Award, a breakdown of capital match due for Murray County and a finalized budget is included as additional information.

Signed: Gray Hooper

Date: 08-04-2020

Murray County Board of Commissioners



Signed: Jonathan Ray

Date: 6-24-20

Jonathan Ray, Executive Director

North Georgia Community Action, Inc.

Attest: Eric D. Reece

E. Resolution: Designating the intersection of Tom Terry road and Hyden-Tyler road as the Joe Hoyle Lents Intersection (documents are stored in the 2020 Auxiliary Files)

Resolution

Designating the Joe Hoyle Lents Memorial Intersection

Whereas, Mr. Joe Hoyle Lents was born in Murray County on February 14, 1926; and

Whereas, Mr. Lents was a lifelong resident of the Eton Community until his passing on February 18, 2007; and

Whereas, Mr. Lents proudly served his country as a Corporal in the United States Army Air Corps during WWII; and

Whereas, Mr. Lents was a pioneer in the carpet manufacturing industry and the founder of Len-Dal Carpet, Inc.; and

Whereas, a vital part of Murray County's and The State of Georgia's economic development, job creation and prosperity were based on the carpet industry; and

Whereas, Mr. Lents served on the Board of Directors for First National Community Bank for twenty-seven years; and

Whereas, Mr. Lents was well known as an entrepreneur, landowner and cattleman; and

Whereas, it is the desire of the Murray County Government to recognize and honor citizens who have contributed to the service of our community; and

Whereas, Mr. Lents has made many significant and worthwhile contributions, it is only fitting and proper that Murray County, Georgia perpetuate his name in an appropriately dignified manner.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONER OF MURRAY COUNTY, GEORGIA that the intersection of Hyden-Tyler Road and Tom Terry Road is hereby designated as the "JOE HOYLE LENTS MEMORIAL INTERSECTION".

BE IT FURTHER RESOLVED that the Public Works Department of Murray County, Georgia is authorized and directed to place appropriate signage at the appropriate location designating said road structure as provided in this Resolution.

Adopted this 4th day of August, 2020

Attest:

MURRAY COUNTY, GEORGIA



Tommy Park, County Manager

BY: 

Greg Hogan, Commissioner

F. Disposal of Surplus Inventory (documents are stored in the 2020 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:

• 2010 Ford Interceptor	2FABP7BV1AX118251
• 2011 Ford Interceptor	2FABP7BV3AX129039
• 1988 Ford F-800	1FDXK84A7JVA03102
• 2014 DuraPatcher by Duraco	20722



Greg Hogan
County Commissioner



Tommy Parker
County Manager

Date 8-4-2020

ADJOURNMENT:
Executed this 4th day of August 2020

ATTEST:

Tommy Parker, County Clerk

Greg Hogan, Commissioner

In Attendance: Greg Hogan, Tommy Parker, Edward Dunn, Gary Ridley, Billy Childers, Charles Carroll, Terri Carroll, Anthony Noles, Harold Ridley, Jerry Long, Tony Fox