

GEORGIA, Murray County

MINUTES

The Murray County Commissioner held a public meeting Tuesday, July 6, 2010 at 9:00 a.m. in the hearing room of the Murray County Courthouse Annex.

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

By signature and execution the minutes of June 2010 were approved.

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

Under new business the following items were addressed and approved.

**A. Approved Murray County Land Use Development Planning
Commissioner Minutes Dated June 15, 2010.**

Chairman Steve Anglea called the meeting to order.

Edward Dunn made a motion to approve the minutes of the last meeting, 2nd by Darrell Smith, all in favor, none opposed, motion carried.

Darrell Smith made a motion to approve the agenda 2nd by David McDaniel, all in favor, none opposed, motion carried.

Steve Anglea read rules of order and opened the public portion of the meeting.

Old Business: None

New Business:

Item 1. Re/Classification of Property from SR to AG owned by Andy Middleton, being 13.30 acres in land lot 56 district 8 of Murray County and addressed as 1006 Ballground Road. Mr. Middleton was present for the hearing. Mr. Barnes stated that Mr. Middleton's property adjoining this tract is AG and he wants this to be AG also. Nancy Young stated all notices had bee sent to adjacent property owners. No one present either for or against the request.

Chairman Steve Anglea closed the public portion of the hearing and asked for board discussion. Darrell Smith made a motion to approve the request 2nd by David McDaniel, all in favor, none opposed, motion carried.

Item 2. Re/Classification of property from SR to AG owned by Uriel Carrillo, being 7 acres in land lot 43 district 9 of Murray County and addressed as 239

Montgomery Road. Mr. Carrillo was present for the meeting. Dick Barnes said the request was in order for presenting and said the property is bordered on 2 sides by AG property and he recommends approval. Nancy Young said all notices had been sent to adjacent property owners. No one present either for or against the request, Chairman Anglea closed the public portion of the meeting for board discussion. McDaniel stated the set backs required for an animal shelter would have to be adhered to. David McDaniel made a motion to approve the request 2nd by Edward Dunn, all in favor, none opposed, motion carried.

Item 3. Re/Classification of property from SR to HC owned by Donald Tate in land lot 17 district 8 of Murray County being .80 of an acre and addressed as 1284 Hwy 411 South. Mr. Chris Osborne was present and has power of attorney to represent Mr. Tate. He states that he and a partner want to buy the property to use as a machine shop. Dick Barnes said that the request was in order for presenting and the property is in a residential area but has been used as commercial in the past, the property has been abandoned and needs a lot of work. Buffers need to be put in place and it would require a type B buffer. He recommends approval. Nancy Young said all notices had been sent to adjacent property owners. Mr. Osborne told the board that he and a partner were planning to only work here on the weekends and some evenings as they both had day jobs. They would not be working on big trucks but would be working to repair used carpet machinery nothing bigger than warper machines. No one present either for or against the request, Chairman Anglea closed the public portion of the meeting for board discussion. After discussion of buffers and the possible future use of the property David McDaniel made a motion to approve with the stipulation that no more than 6 vehicles be parked on the property at any time 2nd by Darrell Smith, all in favor, none opposed, motion carried.

Item 4. Discussion of zoning changes and workshop to be held on July 13, 2010 at 6:00 p.m.

Notice will be run in paper for the workshop.

Darrell Smith made a motion to adjourn the meeting, 2nd by David McDaniel, all in favor, none opposed, meeting adjourned.

B. Reappointment: Anita Thornton to the Murray County Board of Assessor's

Pursuant to the provisions of Georgia Law 48-5-2, the following named person is appointed to the Murray County Board of Tax Assessors. Term beginning on July 5, 2010 and expiring July 5, 2015.

Anita Thornton

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

Duly entered at the July meeting of the Murray County Commissioner, this 6th day of July, 2010.

C. 1st Reading Amendment (Deletion) Chapter 30, Article I, Section 30-1 thru 30-25 and Article II, Section 30-26 thru 30-95 from Murray County Code of Ordinances

DELETE
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 30, Floods, Article I, In General, Section 30-1 thru 30-25, and Article II, Flood and Damage Prevention, Section 30-26 thru 30-95 shall be deleted in its entirety.

SO ORDAINED AND EFFECTIVE, this the 6th day of July, 2010.

FIRST READING, this the 6th day of July, 2010

SECOND READING, this the 3rd day of August, 2010

D. First Reading Ordinance: Flood Damage Prevention

FLOOD DAMAGE PREVENTION ORDINANCE

ARTICLE 1. STATUTORY AUTHORIZATION, FINDINGS OF FACT, AND OBJECTIVES

SECTION A. AUTHORIZATION

Article IX, Section II of the Constitution of the State of Georgia and Section 36-1-20(a) of the Official Code of Georgia Annotated have delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the Commissioner of MURRAY COUNTY, GEORGIA, does ordain as follows:

SECTION B. FINDINGS OF FACT

- (1) The flood hazard areas of Murray County, Georgia are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood relief and protection, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.**
- (2) These flood losses are caused by the occupancy in flood hazard areas of uses vulnerable to floods, which are inadequately elevated, flood-proofed, or otherwise unprotected from flood damages, and by the cumulative effect of obstructions in floodplains causing increase in flood heights and velocities.**

SECTION C. STATEMENT OF PURPOSE

It is the purpose of this ordinance to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) require that uses vulnerable to floods, including facilities, which serve such uses, be protected against flood damage at the time of initial construction;**
- (2) restrict or prohibit use which are dangerous to health, safety and property due to water or erosion hazards, or which increase flood heights, velocities, or erosion;**
- (3) control filling, grading, dredging and other development which may increase flood damage or erosion, and;**
- (4) prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands;**
- (5) control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of floodwaters.**

SECTION D. OBJECTIVES

The objectives of this ordinance are:

- (1) to protect human life and health;**
- (2) to minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;**
- (3) to help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize flood blight areas.**
- (4) to minimize expenditure of public money for costly flood control projects;**
- (5) to minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;**
- (6) to minimize prolonged business interruptions, and;**
- (7) to insure that potential homebuyers are notified that property is in a flood area.**

ARTICLE 2. GENERAL PROVISIONS

SECTION A. LANDS TO WHICH THIS ORDINANCE APPLIES

This ordinance shall apply to all Areas of Special Flood Hazard within the jurisdiction of Murray County, Georgia.

SECTION B. BASIS FOR AREA OF SPECIAL FLOOD HAZARD

The Areas of Special Flood Hazard identified by the Federal Emergency Management Agency in its Flood Insurance Study (FIS), dated September 29, 2010, with accompanying maps and other supporting data and any revision thereto, are adopted by reference and declared a part of this ordinance.

For those land areas acquired by a municipality through annexation, the current effective FIS dated September 29, 2010, with accompanying maps and other supporting data and any revision thereto, for Murray County are hereby adopted by reference.

Areas of Special Flood Hazard may also include those areas known to have flooded historically or defined through standard engineering analysis by governmental agencies or private parties but not yet incorporated in a FIS.

The Repository for public inspection of the Flood Insurance Study (FIS), accompanying maps and other supporting data is located: Murray County Office of Land Development, 124 North 4th Avenue, Chatsworth, Georgia 30705.

SECTION C. ESTABLISHMENT OF DEVELOPMENT PERMIT

A Development Permit shall be required in conformance with the provisions of this ordinance PRIOR to the commencement of any Development activities.

SECTION D. COMPLIANCE

No structure or land shall hereafter be located, extended, converted or altered without full compliance with the terms of this ordinance and other applicable regulations.

SECTION E. ABROGATION AND GREATER RESTRICTIONS

This ordinance is not intended to repeal, abrogate, or impair any existing ordinance, easements, covenants, or deed restrictions. However, where this ordinance and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

SECTION F. INTERPRETATION

In the interpretation and application of this ordinance all provisions shall be: (1) considered as minimum requirements; (2) liberally construed in favor of the governing body, and; (3) deemed neither to limit nor repeal any other powers granted under state statutes.

SECTION G. WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur; flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the Areas of Special Flood Hazard or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of Murray County or by any officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

SECTION H. PENALTIES FOR VIOLATION

Failure to comply with the provisions of this ordinance or with any of its requirements, including conditions and safeguards established in connection with grants of variance or special exceptions shall constitute a violation. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$1,000 or imprisoned for not more than 60 days, or both, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent Murray County from taking such other lawful actions as is necessary to prevent or remedy any violation.

ARTICLE 3. ADMINISTRATION

SECTION A. DESIGNATION OF ORDINANCE ADMINISTRATOR

The Land Development Officer is hereby appointed to administer and implement the provisions of this ordinance.

SECTION B. PERMIT PROCEDURES

Application for a Development Permit shall be made to the Land Development Officer on forms furnished by the community PRIOR to any development activities, and may include, but not be limited to the following: plans ins duplicate drawn to scale showing the elevations of the area in question and the nature, location, dimensions, of existing or proposed structures, earthen fill placement, storage of materials or equipment, and drainage facilities.

Specifically, the following information is required:

- (1) Application Stage –**
 - (a) Elevation in relation to mean sea level (or highest adjacent grade) or the lowest floor, including basement, of all proposed structures;**
 - (b) Elevation in relation to mean sea level to which any non-residential structure will be flood-proofed;**
 - (c) Design certification from a registered professional engineer or architect that any proposed non-residential flood-proofed structure will meet the flood-proofing criteria of Article 4, Section B (2);**
 - (d) Description of the extent to which any watercourse will be altered or relocated as a result of a proposed development, and;**

(2) **Construction Stage-**

For all new construction and substantial improvements, the permit holder shall provide to the Administrator an as-built certification of the regulatory floor elevation flood-proofing level immediately after the lowest floor or flood proofing is completed. Any lowest floor certification made relative to mean sea level shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by same. When flood proofing is utilized for non-residential structures, said certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by the same.

Any work undertaken prior to submission of these certifications shall be at the permit holder's risk.

The Land Development Officer shall review the above referenced certification data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further progressive work being allowed to proceed. Failure to submit certification or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.

SECTION C. DUTIES AND RESPONSIBILITIES OF THE ADMINISTRATOR
Duties of Land Development Officer shall include, but shall not be limited to:

- (1) Review proposed development to assure that the permit requirements of this ordinance have been satisfied.
- (2) Review proposed development to assure that all necessary permits have been received from the governmental agencies from which approval is required by Federal or State law, including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334. Require that copies of such permits be provided and maintained on file.
- (3) Review all permit applications to determine whether proposed building sites will be reasonably safe from flooding.
- (4) When Base Flood Elevation data or floodway data have not been provided in accordance with Article 2 Section B, then the Land Development Officer shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other sources in order to administer the provisions of Article 4.

- (5) Review and record the actual elevation in relation to mean sea level (or highest adjacent grade) of the lowest floor, including basement, of all new or substantially improved structures in accordance with Article 3, Section B (2).
- (6) Review and record the actual elevation, in relation to mean sea level to which any new or substantially improved structures have been flood-proofed, in accordance with Article 3, Section B (2).
- (7) When flood-proofing is utilized for a structure, the Land Development Officer shall obtain certification of design criteria from a registered professional engineer or architect in accordance with Article 3(B)(1)(c) and Article 4(B)(2)or (D)(2).
- (8) Make substantial damage determinations following a flood event or any other event that causes damage to structures in flood hazard areas.
- (9) Notify adjacent communities and the Georgia Department of National Resources prior to any alteration or relocation of a watercourse and submit evident of such notification to the Federal Emergency Management Agency (FEMA).
- (10) For any altered or relocated watercourse, submit engineering data/analysis within six (6) months to the FEMA to ensure accuracy of community flood maps through the Letter of Map Revision process. Assure flood carrying capacity of any altered or relocated watercourse is maintained.
- (11) Where interpretation is needed as to the exact location of boundaries of the Areas of Special Flood Hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Land Development Officer shall make the necessary interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this Ordinance.
- (12) All records pertaining to the provisions of this ordinance shall be maintained in the office of the Land Development Officer and shall be open for public inspection.

ARTICLE 4. PROVISIONS FOR FLOOD HAZARD REDUCTION

SECTION A. GENERAL STANDARDS

In ALL Areas of Special Flood Hazard the following provisions are required:

- (1) **New construction and substantial improvements of existing structures shall be anchored to prevent flotation, collapse or lateral movement of the structure;**
- (2) **New construction and substantial improvements of existing structures shall be constructed with materials and utility equipment resistant to flood damage;**
- (3) **New construction or substantial improvements of existing structures shall be constructed by methods and practices that minimize flood damage;**
- (4) **Elevated Buildings – All New construction of substantial improvements of existing structures that include ANY fully enclosed area located below the lowest floor formed by foundation and other exterior walls shall be designed so as to be an unfinished or flood resistant enclosure. The enclosure shall be designed to equalize hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of floodwater.**
 - (a) **Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:**
 - (i) **Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;**
 - (ii) **The bottom of all openings shall be no higher than one foot above grade; and,**
 - (iii) **Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwater in both direction.**
 - (b) **So as not to violate the “Lowest Floor” criteria of this ordinance, the unfinished or flood resistant enclosure shall only be used for parking of vehicles, limited storage of maintenance equipment used in connection with the premises, or entry to the elevated area, and**
 - (c) **The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.**

- (5) All heating and air conditioning equipment and components (including ductwork), all electrical, ventilation, plumbing, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- (6) Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable State requirements for resisting wind forces.
- (7) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- (8) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
- (9) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding, and;
- (10) Any alteration, repair, reconstruction or improvement to a structure, which is not compliant with the provisions of this ordinance, shall be undertaken only if the non-conformity is not furthered, extended or replaced.

SECTION B. SPECIFIC STANDARDS

In ALL Areas of Special Flood Hazard the following provisions are required:

- (1) New construction and/or substantial improvements-Where base flood elevation data are available, new construction and/or substantial improvement of any structure or manufactured home shall have the lowest floor, including basement, elevated no lower than *one foot* above the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with standards of Article 4, Section A (4), "Elevated Buildings".
 - (a) All heating and air conditioning equipment and components (including ductwork), all electrical, ventilation, plumbing, and other service facilities shall be elevated at or above *one foot* above the base flood elevation.

(2) **Non-Residential Construction** – New construction and/or the substantial improvement of any structure located in A1-30, AE, or AH zones, may be flood-proofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be water tight to *one foot* above the base flood elevation, with walls substantially impermeable to the passage of water, and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the official as set forth above and in Article 3, Section C. (6).

(3) **Standards for Manufactured Homes and Recreational Vehicles** – Where base flood elevation data are available:

- (a) All manufactured homes placed and/or substantially improved on:
 - (1) individual lots or parcels, (2) in new and/or substantially improve manufactured home parks or subdivisions, (3) in expansions to existing manufactured home parks or subdivisions, or (4) on a site in an existing manufactured home park or subdivision where a manufactured home has incurred “substantial damage” as the result of a flood, must have the lowest floor including basement, elevated no lower than *one foot* above the base flood elevation.
- (b) Manufactured homes placed and/or substantially improved in an existing manufactured home park or subdivision may be elevated so that either:
 - (i) The lowest floor of the manufactured home is elevated no lower than *one foot* above the level of the base flood elevation, or
 - (ii) The manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements of at least an equivalent strength) of no less than 36 inches in height above grade.
- (c) All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement. (Ref. Article 4(A)(6)above)
- (d) All recreational vehicles placed on sites must either:
 - (i) Be on site for fewer than 180 consecutive days.

- (ii) Be fully licensed and ready for highway use, (a recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions), or
- (iii) The recreational vehicle must meet all the requirements for “New Construction”, including the anchoring and elevation requirements of Article 4, Section B (3)(a)(c), above.

(4). **Floodway**-Located within Areas of Special Flood Hazard established in Article 2, Section B, are areas designated as floodway. A floodway may be an extremely hazardous area due to velocity floodwaters, debris or erosion potential. In addition, the area must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights. Therefore, the following provisions shall apply:

- (a) Encroachments are prohibited, including earthen fill, new construction, substantial improvements or other development within the regulatory floodway. Development may be permitted however, provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the encroachment shall not result in any increase in flood levels or floodway widths during a base flood discharge. A registered professional engineer must provide supporting technical data and certification thereof.
- (b) ONLY if Article 4(B)(4)(a) above is satisfied, then any new construction or substantial improvement shall comply with all other applicable flood hazard reduction provisions of Article 4.

SECTION C. BUILDING STANDARDS FOR STREAMS WITHOUT ESTABLISHED BASE FLOOD ELEVATIONS AND/OR FLOODWAY (A-ZONES) –

Located within the Areas of Special Flood Hazard established in Article 2, Section B, where streams exist but no base flood data have been provided (A-Zones), OR where base flood data have been provided but a Floodway has not been delineated, the following provisions apply:

- (1) When base flood elevation data or floodway data have not been provided in accordance with Article 2(B), then the Land Development

Officer shall obtain, review, and reasonably utilize any scientific or historic base flood elevation and floodway data available from a Federal, State, or other source, in order to administer the provisions of Article 4. ONLY if data are not available from these sources, then the following provisions (2&3) shall apply:

- (2) No encroachments, including structures or fill material, shall be located within an area equal to the width of the stream or twenty feet, whichever is greater, measured from the top of the stream bank, unless certification by a registered professional engineer is provided demonstrating that such encroachment shall not result in more than a *one foot* increase in flood levels during the occurrence of the base flood discharge.
- (3) In special flood areas without base flood elevation data, new construction and substantial improvements of existing structures shall have the lowest flood of the lowest enclosed area (including basement) elevated no less than *three feet* above the highest adjacent grade at the building site. (NOTE: Require the lowest flood to be elevated on foot above the estimated base flood elevation in A-Zone areas where a Limited Detail Study has been completed). Openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with standards of Article 4, Section A(4) "Elevated Buildings".
 - (a) All heating and air conditioning equipment and components (including ductwork), all electrical, ventilation, plumbing, and other service facilities shall be elevated no less than *three feet* above the highest adjacent grade at the building site.

The Land Development Officer shall certify the lowest floor elevation level and the record shall become a permanent part of the permit file.

SECTION D. STANDARDS FOR AREAS OF SPECIAL FLOOD HAZARD (ZONES AE) WITH ESTABLISHED BASE FLOOD ELEVATIONS WITHOUT DESIGNATED FLOODWAYS

Located within the Areas of Special Flood Hazard established in Article 2, Section B, where streams with base flood elevations are provided but no floodways have been designated, (Zones AE) the following provisions apply:

1. No encroachments including fill material, new structures or substantial improvements shall be located within areas of special flood hazard, unless certification by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated

development, will not increase the water surface elevation of the base flood more than *one foot* at any point within the community. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.

2. New construction or substantial improvements of buildings shall be elevated or flood-proofed to elevations established in accordance with Article 4, Section B.

SECTION E. STANDARDS FOR AREAS OF SHALLOW FLOODING (AO ZONES)-

Areas of Special Flood Hazard established in Article 2, Section B, may include designated “AO” shallow flooding areas. These areas have base flood depths of *one to three feet above ground*, with no clearly defined channel. The following provisions apply:

(1)All new construction and substantial improvements of residential and non-residential structures shall have the lowest floor, including basement, elevated to the flood depth number specified on the Flood Insurance Rate Map (FIRM), above the highest adjacent grade. If no flood depth number is specified, the lowest floor, including basement, shall be elevated at least *three feet* above the highest adjacent grade. Openings sufficient to facilitate the unimpeded movements of flood waters shall be provided in accordance with standards of Article 4, Section A(4), “Elevated Buildings”.

The Land Development Officer shall certify the lowest floor elevation level and the record shall become a permanent part of the permit file.

(2)New construction or the substantial improvement of a non-residential structure may be flood-proofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be water tight to the specified FIRM flood level plus *one foot*, above highest adjacent grade, with walls substantially impermeable to the passage of water, and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the official as set forth above and as required in Articles 3(B)(1)(c)and(3)(B)(2).

(3)Drainage paths shall be provided to guide floodwater around and away from any proposed structure.

SECTION F. STANDARDS FOR SUBDIVISIONS

- (1) All subdivision and/or development proposals shall be consistent with the need to minimize flood damage;**
- (2) All subdivision and/or development proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;**
- (3) All subdivision and/or development proposals shall have adequate drainage provided to reduce exposure to flood hazards, and;**
- (4) For subdivisions and/or developments greater than *fifty lots or five acres*, whichever is less, base flood elevation data shall be provided for subdivision and all other proposed development, including manufactured home parks and subdivisions. Any changes or revisions to the flood data adopted herein and shown on the FIRM shall be submitted to FEMA for review as a Conditional Letter of Map Revision (CLOMR) or Conditional Letter of Map Amendment (CLOMA), whichever is applicable. Upon completion of the project, the developer is responsible for submitting the “as-built” data to FEMA in order to obtain the final LOMR.**

SECTION G. STANDARDS FOR CRITICAL FACILITIES

- (1) Critical facilities shall not be located in the 100-year floodplain or the 500-year floodplain.**
- (2) All ingress and egress from any critical facility must be protected to the 500-year flood elevation.**

ARTICLE 5. VARIANCE PROCEDURES

- (A) The Board of Appeals as established by Murray County shall hear and decide requests for appeals or variance from the requirements of this ordinance.**
- (B) The board shall hear and decide appeals when it is alleged an error in any requirement, decision, or determination is made by the Land Development Officer in the enforcement or administration of this ordinance.**
- (C) Any person aggrieved by the decision of the Board of Appeals may appeal such decision to the Superior Court of Murray County, as provided in Section 5-4-1 of the Official Code of Georgia Annotated.**
- (D) Variances may be issued for the repair or rehabilitation of Historic Structures upon a determination that the proposed repair or rehabilitation Will not preclude the structure's continued designation as a Historic Structure and the variance is the minimum to preserve the historic character And design of the structure.**

(E)Variances may be issued for development necessary for the conduct of a functionally dependent use, provided the criteria of this Article are met, no reasonable alternative exists, and the development is protected by methods that minimize flood damage during the base flood and create no additional threats to public safety.

(F)Variances shall not be issued within any designated floodway if ANY Increase in flood levels during the base flood discharge would result.

(G)In reviewing such requests, the Board of Appeals shall consider all technical evaluations, relevant factors, and all standards specified in this and other section of this ordinance.

(H) Conditions for Variances:

(1) A variance shall be issued ONLY when there is:

- (i) a finding of good and sufficient cause,**
- (ii) a determination that failure to grant the variance would result in exceptional hardship, and;**
- (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.**

(2)The provisions of this Ordinance or minimum standards for flood loss reduction; therefore any deviation from the standards must be weighed carefully. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief; and, in the instance of an Historic Structure, a determination that the variance is the minimum necessary so as not to destroy the historic character and design of the building.

(3)Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation of the proposed lowest floor and stating that the cost of flood insurance will be commensurate with the increased risk to life and property resulting from the reduced lowest floor elevation.

(4)The Land Development Officer shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.

(I) Upon consideration of the factors listed above and the purposes of this ordinance, the Board of Appeals may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.

ARTICLE 6. DEFINITIONS

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

“Accessory Structure” means a structure having minimal value and used for parking, storage and other non-habitable uses, such as garages, carports, storage sheds, pole barns, hay sheds and the like.

“Addition (to an existing building)” means any walled and roofed expansion to the perimeter of a building in which the addition is connected by a firewall or is separated by an independent perimeter load-bearing wall, shall be considered “New Construction”.

“Appeal” means a request for a review of the Land Development Officer’s interpretation of any provision of this ordinance.

“Area of shallow flooding” means a designated AO or AH Zone on a community’s Flood Insurance Rate Map (FIRM) with base flood depths. From one to three feet, and/or where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

“Area of special flood hazard” is the land in the floodplain within the community subject to a one percent or greater chance of flooding in any given year. In the absence of official designation by the Federal Emergency Management Agency, Areas of Special Flood Hazard shall be those designated by the local community and referenced in Article 2, Section B.

“Base flood,” means the flood having a one percent chance of being equaled or exceeded in any given year.

“Base Flood Elevation (BFE)” The elevation shown on the Flood Insurance Rate Map for Zones AE, AH, A1-A30, AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO, V1-V30, and VE that indicates the water surface elevation resulting from a flood that has a one percent chance of equalling or exceeding that level in any given year.

“Basement” means that portion of a building having its floor sub grade (below ground level) on all sides.

“Building” means any structure built for support, shelter, or enclosure for any occupancy or storage.

“Critical Facility” means any public or private facility, which, if flooded, would create an added dimension to the disaster or would increase the hazard to life and health. Critical facilities include:

- (a) structures or facilities that produce, use, or store highly volatile, flammable, explosive, toxic, or water-reactive materials;
- (b) hospitals and nursing homes, and housing for the elderly, which are likely to contain occupants who may not be sufficiently mobile to avoid the loss of life or injury during flood and storm events;
- (c) emergency operation centers or data storage centers which contain records or services that may become lost or inoperative during flood and storm events; and
- (d) generating plants, and other principal points of utility lines.

“Development” means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, and storage of materials or equipment.

“Elevated building” means a non-basement building built to have the lowest floor of the lowest enclosed area elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns, piers, or shear walls adequately anchored so as not to impair the structural integrity of the building during a base flood event.

***“Existing construction”** means for the purposes of determining rates, structures for which the “start of construction” commenced before August 15, 1990

***“Existing Manufactured Home Park or Subdivision”** means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including a minimum the installation of utilities, the construction of streets, and final site grading or the pouring of concrete pads) is completed before July 3, 1990

“Expansion to an existing manufactured home park or subdivision” means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed, including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads.

“Flood” or “flooding” means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (a)the overflow of inland or tidal waters; or
- (b)the unusual and rapid accumulation or runoff of surface waters from any source.

“Flood Hazard Boundary Map (FHBM)” means an official map of a community, issued by the Federal Insurance Administration, where the boundaries of areas of special flood hazard have been defined as Zone A.

“Flood Insurance Rate Map (FIRM)” means an official map of a community, issued by the Federal Insurance Administration, delineating the areas of special flood hazard and/or risk premium zones applicable to the community.

“Flood Insurance Study” the official report by the Federal Insurance Administration evaluating flood hazards and containing flood profiles and water surface elevations of the base flood.

“Floodplain” means any land area susceptible to flooding.

“Flood Proofing”, means any combination of structural and non-structural additions, changes, or adjustments to structures, which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

“Floodway” means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

“Freeboard” means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. “Freeboard” tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

“Highest adjacent grade” means the highest natural elevation of the ground surface, prior to construction, adjacent to the proposed foundation of a building.

“Historic Structure” means any structure that is;

- a.Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirement for individual listing on the National Register:

- b.Certified or preliminarily determined by the Secretary of Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district:
- c.Individually listed on a state inventory of historic places and determined as eligible by states with historic preservation programs which have been approved by the Secretary of the Interior; or
- d.Individually listed on a local inventory of historic places and determined as eligible by communities with historic preservation programs that have been certified either:
 1. By an approved state program as determined by the Secretary of the Interior, or
 2. Directly by the Secretary of the Interior in states without approved programs.

“Lowest floor” means the lowest floor of the lowest enclosed area, including basement. An unfinished or flood resistant enclosure, used solely for parking vehicles, building access, or storage, in an area other than a basement, is not considered a building’s lowest floor, provided that such enclosure is not built so as to render the structure in violation of other provisions of this code.

“Manufactured home” means a building, transportable in one or more sections, built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes park trailers, travel trailers, and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property.

“Manufactured home park or subdivision” means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

“Mean Sea Level” means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community’s Flood Insurance Rate Map are referenced.

“National Geodetic Vertical Datum (NGVD)” as corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the floodplain.

“New construction” means, for the purposes of determining insurance rates, structures for which the “start of construction” commenced after August 15, 1990 and includes any subsequent improvements to such structures. For floodplain

management purposes, “new construction” means structures for which the “start of construction” commenced after July 3, 1990 and includes any subsequent improvements to such structures.

”New manufactures home park or subdivision” means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed after July 3, 1990

”North American Vertical Datum (NAVD)” has replaced the National Geodetic Vertical Datum of 1929 in existing and future FEMA Flood Modernization Maps.

”Recreational vehicle” means a vehicle, which is

- a.built on a single chassis;
- b.400 square feet or less when measured at the largest horizontal projection;
- c. designed to be self-propelled or permanently towable by a light duty truck;
- d. designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

”Start of construction” means the date the development permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of the structure such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation, and includes the placement of a manufactured home on a foundation. (Permanent construction does not include initial land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of buildings appurtenant to the permitted structure, such as garages or sheds not occupied as dwelling units or part of the main structure. (NOTE: accessory structures are NOT exempt from any ordinance requirements) For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

”Structure” means a walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank.

”Subdivision” the division of a single lot into two or more lots for the purpose of sale or development.

“Substantial damage” means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred.

“Substantial improvement” means any reconstruction, rehabilitation, addition, or other improvement of a structure, taking place during a 5-year period, in which the cumulative cost equals or exceeds fifty (50) percent of the market value of the structure prior to the “start of construction” of the improvement. *NOTE: The market value of the structure should be (1) the appraised value of the improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring.* This term includes structures, which have incurred “substantial damage”, regardless of the actual amount of repair work performed.

For the purposes of this definition, “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. The term does not, however, include (1) those improvements of a structure required to comply with existing violations of state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions and which have been identified by the Code Enforcement Official, and not solely triggered by an improvement or repair project, or (2) any alteration of a “historic structure” provided that the alteration will not preclude the structure’s continued designation as a “historic structure”.

“Substantially improved existing manufactured home parks or subdivisions” is where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities, and pads before the repair, reconstruction or improvement commenced.

“Variance” is a grant of relief from the requirements of this ordinance, which permits construction in a manner otherwise prohibited by this ordinance.

“Violation” means the failure of a structure or other development to be fully compliant with the community’s floodplain management regulations. A structure or other development without the elevation certificate, or other certifications, or other evidence of compliance required by this ordinance is presumed to be in violation until such time as that documentation is provided.

ARTICLE 7. SEVERABILITY

If any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this Ordinance.

SO ORDAINED AND EFFECTIVE, this the 6th day of July, 2010

FIRST READING, this the 6th day of July, 2010

SECOND READING, this the 3rd day of August, 2010

E. Transmittal Resolution: Joint Comprehensive Partial Plan Update

TRANSMITTAL RESOLUTION

RESOLUTION TO TRANSMIT THE PARTIAL PLAN UPDATE, MURRAY COUNTY, CHATSWORTH, AND ETON JOINT COMPREHENSIVE PLAN, 2005-2025 TO THE NORTHWEST GEORGIA REGIONAL COMMISSION AND THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS

WHEREAS, the Sole Commissioner of Murray County, in conjunction with the municipalities of Chatsworth, and Eton, has completed the Partial Plan Update, including an updated Short-Term Work Program; and

WHEREAS, this document was prepared according to the Standards and Procedures for Local Comprehensive Planning effective May 1, 2005 and established by the Georgia Planning Act of 1989, and the required public hearings were timely advertised as joint public hearings, and were held December 10, 2009 to initiate the planning process, and June 22, 2010 to present the proposed final planning document.

BE IT THEREFORE RESOLVED, that the Sole Commissioner of Murray County does hereby transmit the Partial Plan Update of the MURRAY COUNTY, CHATSWORTH, AND ETON JOINT COMPREHENSIVE PLAN, 2005-2025 to the Northwest Georgia Regional Commission and the Georgia Department of Community Affairs for official review.

ADOPTED by the Sole Commissioner of Murray County on July 6, 2010.

F. Amendment: Appendix A, Article 4, Section 4-3-7 Access by Easements of Murray County Code of Ordinances

First Reading July 6, 2010

Second Reading August 3, 2010

AMENDMENT NUMBER 7

RESOLUTION OF THE MURRAY COUNTY COMMISSIONER AMENDING APPENDIX A OF THE CODE OF MURRAY COUNTY

WHEREAS, the Commissioner of Murray County adopted the Murray County Subdivision Regulations on or about April 2, 2002; and

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

WHEREAS, it is the desire of the Murray County Commissioner to promote the goals and objectives, and policies of the Murray County, Chatsworth and Eton Joint Comprehensive Plan 1994-2015; and

NOW THEREFORE BE IT SO RESOLVED by the Murray County Commissioner that Appendix A of The Code of Murray County is to be amended as follows:

Under Appendix A Subdivision Regulations, Article 4, Section 4-3-7 Access by easements, shall be amended to read as follows:

4-3-7 Access by Easements. In the absence of other Zoning Regulations, Easements for residential access are prohibited except if other legal access or road frontage is unavailable and must meet the guidelines set forth under section 4-3-8 (Family Easement Access Exemption) and only under the following conditions:

Under Appendix A Subdivision Regulations, Article 4, Section 4-3-8 Family easement access exemption, shall be amended to read as follows:

4-3-8 Family Easement Access Exemption.

There shall be exempted from the access requirement set forth herein above at section 1-12 any subdivision of lot or parcel into not more than four (4) total parcels (which shall include any remaining portion of the original parcel and any other pre-existing lots or parcels accessed by such easement) for purposes of transfer, either by sale or by gift, to a family member of the original owner thereof. The initial building permit shall only be issued to and completed by the recipient of such lots or parcels created under the Family Easement Access Exemption.

Under Appendix A Subdivision Regulations, Article 4, Section 4-4-14(1.) Lot area, shall be amended to read as follows:

4-4-14(1.) Lot Area.

1. Lot sizing requirements are as follows for single family dwellings such as manufactured homes, stick built homes, modular homes, etc. on or in subdivisions, manufactured home parks and residential lots at large in the county:

- G. Capital Purchase: 1 - 2010 Ford Crown Victorian from Chatsworth Ford for Sheriff's Dept at a cost of \$21,116.00 to be paid from SPLOST Funds.**
- H. Contract: Lookout Mountain Community Services as agent for Georgia Dept of Human Resources for annual transportation services**

**STATE OF GEORGIA CONTRACT
MURRAY COUNTY
FY 2011**

This contract is made and entered into July 1, 2010, by and between Lookout Mountain Community Services, Board, doing business as Lookout Mountain Community Services, hereinafter referred to as "LMCS," and MURRAY COUNTY, hereinafter referred to as "Agency."

WITNESSETH:

In consideration of the contract price of payment rates listed below, and the parties' mutual promises set forth in this agreement, and reliant thereupon LMCS and the Agency agree as follows:

- 1. SERVICES TO BE PROVIDED:** The Agency will provide transportation as requested by DHR agencies and Aging programs as required.
- 2. PAYMENT:** LMCS will pay Agency rates as detailed in Annex "A", attached hereto. Maximum payment for the fiscal year shall not exceed \$137,055.25 and/or 17,445 maximum trips. LMCS shall reimburse Agency for allowable trips within 15 workdays of current invoice submission. Aging trips have a Title III Match requirement that is deducted from monthly payment as detailed in Annex A.
- 3. DESIGNATED TARGET POPULATION:** LMCS and the Agency anticipate that the services provided will be provided for the principal benefit of persons receiving services from Department of Human Resources agencies.
- 4. DOCUMENTATION AND REPORTING PROCEDURES:** The Agency shall maintain the following documentation and make available to DHR Regional Coordinator and/or LMCS all records and documents during normal operating hours:
 - A.** All trips will be documented per DHR requirements as described in the DHR Transportation Manual or any correspondence from DHR or LMCS.

- B. A monthly invoice shall be submitted within five (5) workdays from the end of the month.
- C. Manifests shall be made available within two (2) working days to LMCS as requested.
- D. All personnel information on any drivers providing services under this contract, which information shall be made available to LMCS within two (2) working days of a request by LMCS. All drivers must undergo Criminal History Background Checks. Per O.C.G.A. 49-2-14, this background check must include fingerprinting. The background check may take up to four months, during which time employment shall be probationary.
- E. The verification of records and other data and information on all drivers, employees, and operators shall be the exclusive duty of the agency rather than LMCS.
- F. The expense of maintenance and review of drug screening and driving history of drivers shall be the sole and exclusive duty of Agency rather than LMCS.

5. **MONITORING PROCEDURES:** During the term of this Contract, the Agency shall comply with all contract requirements. The DHR Regional Coordinator and/or LMCS will monitor for compliance. Failure to comply shall be grounds for immediate termination by LMCS of this agreement, and in such event the liquidated damages provision of paragraph 8 hereof shall apply.
Documents are located in the auxiliary file.

6. **CONFLICTS OF INTEREST:** The Agency represents to LMCS that the entering into of this Contract and the performance by the Agency of the services required hereunder does not violate any applicable conflicts of interest standards imposed under federal, state or local law, ordinance, rule, or regulation.

7. **RELATIONSHIP:** The relationship between LMCS and the Agency under this Contract is that of independent contractor and nothing herein shall be deemed to create the relationship of principal and agent, master or servant, or employer and employee, joint venture, partnership, or other collaborative enterprise between the parties hereto. Agency irrevocably confirms that it rather than LMCS controls the time, means, and method of performance of the duties of the drivers and operators involved in this contract.

8. **INSURANCE:** Agency acknowledges and agrees to provide all necessary workers' compensation, liability, property, and casualty, and medical insurance coverage to all drivers providing the transportation services contracted for herein. Agency shall maintain at all times a policy of liability insurance providing liability coverage for claims arising from the use and operation of vehicles used in the implementation of this contract. Such liability insurance shall provide coverage in an amount not less than one million dollars single limits, and LMCS shall be included as a named insured in such policy. LMCS shall be furnished a copy of

such insurance policy and shall be informed not less than 48 hours in advance of any changes proposed to be made to such coverage.

9. TERM AND TERMINATION: The term of this Contract shall be for one (1) year commencing at 12:01 a.m. on July 1, 2010, and continuing to and through 12:00 a.m. on June 30, 2011. If either party desires to terminate this contract prior to June 30, 2011, such party shall advise the other party, in writing, not less than sixty (60) days prior to the desired termination date, if the termination is without cause. In addition, this Contract may be terminated by LMCS on such shorter notice as may in its judgment be appropriate in the event funding anticipated by LMCS for the payment of compensation due the Agency ceases to be available or if notice is received by LMCS that such funding will cease. If the Agency terminated the contract without a 60-day notice, the sum of \$400/day up to the 60-day notice as liquidated damages shall be immediately due and paid by Agency to LMCS to cover the cost of acquiring replacement drivers.

10. INDEMNIFICATION: Agency herewith covenants and agrees to indemnify and hold harmless LMCS from all claims, judgments, settlements, and/or recoveries, however obtained, by any drivers, passengers, or third-party claimants, asserting claims for recovery against the operators and/or Agency, its drivers, vehicles, or insureds arising out of the use and operation of the vehicles involved in this transportation agreement. In connection therewith, Agency herewith waives, to the extent permissible by law, all exemption of immunity from suit it may possess or claim arising from or premised upon any claim of sovereign or governmental immunity, with respect to any action, suit, cross-claim or counterclaim which may be asserted by LMCS against Agency to recover the sum due to LMCS under this contract or to enforce any right given to LMCS by this contract. Agency consents to the jurisdiction of the Superior Court of the county in which the services hereunder have been performed.

IN WITNESS WHEREOF, LMCS and the Agency, acting through their duly authorized representatives, have signed this Contract, which is effective as of the date stated herein.

I. Amendment 1st Reading: Ordinance #25 Murray County Personnel Policy to allow for temporary furlough period.

RESOLUTION
Applicable to Section VII
“Leaves of Absence”
The Murray County Personnel Policy
Ordinance #25

WHEREAS, the current economic environment has negatively affected the financial position of the County, and

WHEREAS, the Commissioner of Murray County is charged to implement and maintain a balanced budget, and

WHEREAS, all Expense Budget line items, for all Departments, have been reviewed and adjusted appropriately, and

WHEREAS, short of a reduction in force, the only logical, remaining source of expense reduction is the furloughing of County employees, and

WHEREAS, a reduction in force would impair the County's ability to provide acceptable levels of service to it's residents.

THEREFORE, be it resolved, under mandated guidelines, and with the execution of this Resolution, the governing authority of Murray County, Sole Commissioner David Ridley, is empowered to implement the practice of furloughing County employees to the level he determines appropriate to maintain the fiscal integrity of Murray County.

This authority is effective with the second reading and execution of this Resolution through December 31, 2010.

First reading on the 6th day of July, 2010.

Second reading on the 3rd day of August 2010.

ADJOURNMENT:

This 6th day of July, 2010

ATTEST:

Tommy Parker, Interim County Clerk

David Ridley, Commissioner

In Attendance: David Ridley, Tom Starnes, Tommy Parker, Gary Tanner, Danny Cochran, James Blackmon, Matthew Sanford, Steve Anglea, Joey Arnold, Mack Belue, Dana Burch, Edward Dunn, Emily Cogburn, Pat Ausmus