

# PUBLIC NOTICE

The Murray County Commissioner will hold a public meeting on Tuesday October 1, 2019, 2019 at 9:00 a.m. in 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. Resolution and Agreement: Murray County to provide energy, operation and maintenance for lighting to roundabouts at SR 225 at SR 52 Alt. & SR225 & Spring Place Smyrna Rd.
- C. Re-Appointments: L.B. Ridley, Neil Keener and Mack Belue to the Murray County Board of Appeals
- D. Moratorium: Outdoor burning ban

Adjourn

Commissioner Available for Questions or Comments

# **GEORGIA, Murray County**

## **MINUTES**

**The Murray County Commissioner held a public meeting Tuesday October 1, 2019 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 September 2019 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 September 2019 (documents are stored in the 2019 Auxiliary Files)**



**MURRAY COUNTY  
COMMISSIONER'S OFFICE**

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

October 1, 2019

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

**RE: Murray County Land Use Planning Commission Meeting September 17, 2019.**

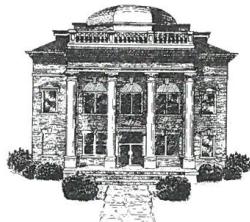
Dear Mr. McDaniel:

I have reviewed the actions of the Commission taken at the September 17, 2019 meeting. I support the Commission's actions as being in the best interest of Murray County.

Sincerely,

A handwritten signature in blue ink that reads "Greg Hogan".

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](mailto:dbarnes@murraycountyga.gov)

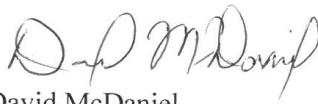
September 20, 2019

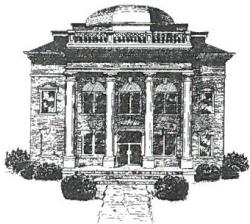
Mr. Greg Hogan  
Murray County Commissioner  
121 N. 4th Avenue  
Chatsworth, GA. 30705

Mr. Hogan,

Attached is a copy of the Murray County Land Use Planning Commission meeting minutes of September 17, 2019. 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](mailto:dbarnes@murraycountyga.gov)

### Minutes

#### Murray County Land Use Planning Commission Meeting

September 17, 2019

The Chairman, David McDaniel, called the meeting to order at 7:00 pm September 17. 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. Harrison made a motion to approve the Agenda as written. Mr. Wilson seconded the motion. The motion carried.

The next order of business was to approve the minutes of the last meetings. 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 one of new business was the Re-Classification of property from AG to CA located in Land Lot 245, District 8, located at 993 Sexton Road; consisting of 31.85 acres, owned by Thomas Whaley. The Chairman asked if Mr. Whaley was present. Mr. Whaley was present.

The Chairman asked Mr. Barnes if this proposal was in order for granting and if he had any comments. Mr. Barnes stated the proposal is in order for granting. Mr. Barnes stated this tract was part a forty-six hundred-acre tract. This tract was cut for this specific purpose. He said the area is a lightly mixed-use area. He also stated as long as the set backs are met he sees no problem. 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. Whaley to proceed with his presentation.

Mr. Whaley stated it took him a while to find land that met his needs. He stated this is his dream. He would like to build two chicken houses. He feels this property is a good place to start his new career and raise his family.

The Chairman thanked him for his presentation. He then 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. He then asked if there was anyone opposed to the proposal that would like to speak.

Bart Jones of 3255 Maple Grove Church Road stated his property adjoins Mr. Whaley's property. He asked how many chicken houses would be built.

Mr. Whaley told him two mega houses 60 by 632.

Mr. Jones stated there are six chicken houses behind him eight houses across the road and eight houses down the road. Mr. Jones stated he had nothing against anyone trying to make a living, but the smell knocks your head off. He stated it had been rough at his house since someone had put in an incinerator. He asked if the land had been separated.

Mr. McDaniel acknowledged that it had been separated.

Mr. Jones then asked which way they would be coming in.

Mr. Whaley explained they would come off Sexton Road. He stated the closest house to him was fourteen hundred feet behind him.

Mr. Jones wanted to know where Mr. Whaley would be placing the chicken houses.

Mr. Whaley stated it would be toward the front and Sexton Road. He stated it is 228 feet from the dirt road. He also stated that he had left over five hundred feet of woods on the back of the property and he left woods at the creek as well. He stated he was trying to be a good neighbor.

Mr. Jones stated he has no problem with this proposal.

The Chairman thanked Mr. Jones. He asked if there was anyone else opposed 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. Wells made a motion to approve the request based on setbacks. Mr. Dunn seconded the motion. The motion carried.

The second item on the agenda was the Re/Classification of Property located in Land Lot 81 District 9 of Murray County; located North 225 Highway; consisting of 13.3 acres owned by Brandon Crowley; from AG To HC. He then asked if Mr. Crowley was present. Mr. Crowley 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. He also stated this is a mixed used area with Highway Commercial and Suburban Residential. He stated this would be a good change given the proximity of the schools and store. Both corners at the intersection are both Highway Commercial. He feels it would fit right in with the area. He stated that they would need to be particular about what type of development would be approved on this property. He also stated a Retail business would work well in that area.

The Chairman asked Mrs. Ellis had all proper notifications been made. Mrs. Ellis stated they had. He then asked Mr. Crowley to proceed with his presentation.

Mr. Crowley stated they are speculating making the property more marketable and hopefully spur the economy on the North side. He stated they are not planning on any manufacturing plant or chicken houses. Mr. Crowley stated he would like to rezone this property for future use.

The Chairman thanked Mr. Crowley. 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. He then asked if there was anyone opposed to the proposal that would like to speak. There was no one.

Efrin Delgado of 57 Bailey Lane asked Mr. Crowley what kind of business they were planning on putting at that location.

Mr. Crowley stated it would be some kind of retail business.

Mr. McDaniel stated the Crowley's own several businesses in Murray County. He also stated whatever Mr. Crowley does will be nice.

Nancy Hernandez of 4389 Highway 225 North stated she feels this proposal would be an invasion of her privacy as she has a pool in her yard.

Mr. Barnes stated there would be a thirty- foot buffer which would include fences or a wall and vegetation. There would be some type of barrier.

Mr. Crowley stated they are not going to take anything down. They will keep everything separate.

The Chairman explained there would not be a parking lot or anything that would come right up to the property line.

Claudia Alvarez of 4387 Highway 225 North stated that she has the same concerns as Ms. Hernandez. She also stated she would like the existing buffer to stay.

The Chairman closed the public portion of the meeting for discussion and a motion.

Mr. Dunn commented that anything that Mr. Crowley and his Dad do will be top notch, based on their existing businesses. Mr. Dunn made a motion to approve the proposal. 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. The meeting was adjourned.

Respectfully Submitted,



Debra Ellis  
Land Use Secretary

**B. Resolution and Agreement: Murray County to provide energy, operation, and maintenance for lighting to roundabouts at SR 225 at SR 52 Alt. & SR 225 & Spring Place Smyrna Rd. (documents are stored in the 2019 Auxiliary Files)**



Russell R. McMurry, P.E., Commissioner  
One Georgia Center  
600 West Peachtree Street, NW  
Atlanta, GA 30308  
(404) 631-1000 Main Office

September 3, 2019

Tommy Parker  
County Manager  
Murray County  
121 N. Fourth Ave.  
P.O. Box 1129  
Chatsworth, GA 30705

RE: Roundabout lighting assistance for SR 225 @ SR 52 ALT & @ CR 48/SPRING PLACE SMYRNA RD - P.I. No. 631550; Murray County

Dear Mr. Parker,

The Department will require a signed agreement for roundabout lighting installed as part of the above referenced project. The lighting shall be administered in the form of a Local Government Lighting Project Agreement (LGLPA). It will be the responsibility of the County to provide the Energy, Operation and Maintenance for the system. The Department shall be responsible for the design and installation, including all costs of materials for the system.

Attached for your review are four (4) original copies of the proposed LGLPA between the Georgia Department of Transportation and Murray County, for County and State participation. It is requested that a Resolution be secured from the Board of Commissioners before entering into the Agreement. By virtue of the Resolution, the County can then enter into the Agreement. The Resolution/Agreement process can be done concurrently. If you concur with the terms of this Agreement, please attach an official copy of the Resolution (including all signatures and seals) to each of the Agreements. Then, please obtain the necessary signatures and appropriate seals from the Board of Commissioners on all four copies of the Agreement and return all four copies to the Office of Design Policy & Support for further handling. *Please do not fill in the date on the first page of the Agreement, as the Department will complete this upon execution.* We will return one copy of the executed Agreement for your files.



Russell R. McMurry, P.E., Commissioner  
One Georgia Center  
600 West Peachtree Street, NW  
Atlanta, GA 30308  
(404) 631-1000 Main Office

If you have any questions or need any additional assistance, please contact Robert Graham at (404) 631-1684.

Sincerely,

Brent A. Story, P.E.  
State Design Policy Engineer

Enclosure: Local Government Lighting Project Agreement (4 copies)

cc: Jerry Shearin, State Transportation Board, Congressional District 14  
Meg Pirkle, Chief Engineer  
Grant Waldrop, District 6 Engineer  
Hiral Patel, Director of Engineering

**RESOLUTION**

**ROUNABOUT LIGHTING ASSISTANCE – P.I. No. 631550-Murray County**

**State of Georgia**

**Murray County Georgia Government**

WHEREAS, the governing authority of Murray County agrees to enter into an agreement for roundabout lighting installation for P.I. No. 631550-Murray County located at SR225 @ SR 52 Alt. and at SR 225 @ CR 48/Spring Place Smyrna Rd.; and

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

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

NOW THEREFORE LET IT BE RESOLVED, that the governing authority of Murray County shall enter into an agreement with the Georgia Department of Transportation for Roundabout Lighting Assistance project P.I. No. 631550-Murray County

**RESOLVED THIS 1st DAY OF October, 2019**

BY:   
Greg Hogan, Sole Commissioner



Attest:   
Tommy Parker, County Clerk

**AGREEMENT  
BETWEEN  
GEORGIA DEPARTMENT OF TRANSPORTATION  
AND  
MURRAY COUNTY**

This Agreement is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between the GEORGIA DEPARTMENT OF TRANSPORTATION, an agency of the State of Georgia, hereinafter called the **DEPARTMENT**, and MURRAY COUNTY, GEORGIA acting by and through its Board of Commissioners, hereinafter called the **COUNTY**.

WHEREAS, the COUNTY has represented to the DEPARTMENT a desire to obtain roundabout lighting as part of the SR 225 @ SR 52 ALT & @ CR 48/SPRING PLACE SMYRNA RD project, said lighting to be installed under P.I. No. 631550, Murray County;

WHEREAS, the COUNTY has represented to the DEPARTMENT a desire to participate in: 1) Providing the Energy and 2) the Operation and Maintenance of said lighting system at the aforesaid location, and the DEPARTMENT has relied upon such representation; and

WHEREAS, the DEPARTMENT has indicated a willingness to fund the materials and installation for the said lighting system at the aforesaid location, with funds of the DEPARTMENT, funds apportioned to the DEPARTMENT by the Federal Highway Administration under Title 23, United States Code, Section 104, or a combination of funds from any of the above sources.

NOW, THEREFORE, in consideration of the mutual promises made and of the benefits to flow from one to the other, the DEPARTMENT and the COUNTY hereby agree each with the other as follows:

1. The DEPARTMENT or its assigns shall cause the installation of all materials and equipment necessary for roundabout lighting as part of the **SR 225 @ SR 52 ALT & @ CR 48/SPRING PLACE SMYRNA RD** project, said lighting to be installed under P.I. No. 631550-, Murray County as shown on Attachment "A" attached hereto and made a part hereof.

2. Upon completion of installation of said lighting system, and acceptance by the DEPARTMENT, the COUNTY shall assume full responsibility for the operation, the repair and the maintenance of the entire lighting system, including but not limited to repairs of any damages, replacement of lamps, ballasts, luminaires, lighting structures, associated equipment, conduit, wiring and service equipment, and the requirements of the Georgia Utility Facility Protection Act. The COUNTY further agrees to provide and pay for all the energy required for the operation of said lighting system.

3. The DEPARTMENT shall retain ownership of all materials and various components of the entire lighting system. The COUNTY, in its operation and maintenance of the lighting system, shall not in any way alter the type or location of any of the various components which make up the entire lighting system without prior written approval from the DEPARTMENT.

4. This Agreement is considered as continuing for a period of fifty (50) years from the date of execution of this Agreement. The DEPARTMENT reserves the right to terminate this Agreement, at any time for just cause, upon thirty (30) days written notice to the COUNTY.

5. It is understood by the COUNTY that the DEPARTMENT has relied upon the COUNTY'S representation of providing for the energy, maintenance, and operation of the lighting represented by this Agreement; therefore, if the COUNTY elects to de-energize or fails to properly maintain or to repair the lighting system during the term of this Agreement, the COUNTY shall reimburse the DEPARTMENT the materials cost for the lighting system. If the COUNTY elects to de-energize or fails to properly maintain any individual unit within the lighting system, the COUNTY shall reimburse the DEPARTMENT for the material cost for the individual unit which will include all costs for the pole, luminaires, foundations, and associated wiring. The DEPARTMENT will provide the COUNTY with a statement of material costs upon completion of the installation.

The covenants herein contained shall, except as otherwise provided accrue to the benefit of and be binding upon the successors and assigns of the parties hereto.

2 of 6

3 of 6

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement the day and year first above written.

RECOMMENDED:

MURRAY COUNTY

BY:



*Kelsey Liles*  
WITNESS

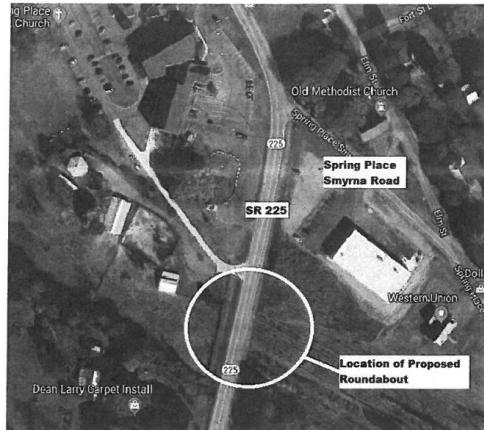
*Christ Caphart*  
Natural Public  
Christ Caphart  
Natural Public Georgia  
Commissioner  
My Commission Expires  
April 11, 2022  
Commissioner at a meeting  
held at

*Murray County, Ga.*  
this 1st day of October,  
2019.

ATTEST:

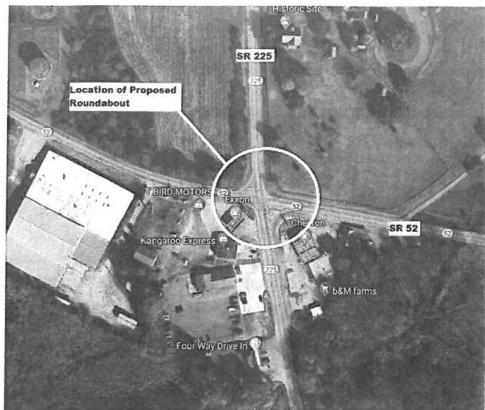
Treasurer

*Donald Liles*  
County Clerk



4 of 6

5 of 6



**Project Location Map**

SR 225 @ SR 52 ALT & @ CR 48/SPRING PLACE SMYRNA RD  
Murray County  
P.I. No. 631550-

**C. Re-Appointment: L.B. Ridley, Neil Keener, and Mack Belue to the Murray County Board of Appeals (documents are stored in the 2019 Auxiliary Files)**

Murray County  
Board of Appeals

Georgia, Murray County

Board Appointment

	<u>Term</u>	<u>Date Appointed</u>
Mr. L.B. Ridley 95 Conasauga Way Chatsworth, Ga. 30705 H-695-9273	Sept. 26, 2018 – Sept. 25, 2022	Oct. 1, 2019

  
Greg Hogan, Commissioner  
Murray County, Georgia

Attest:

  
Tommy Parker, County Clerk  
Murray County Georgia

Murray County  
Board of Appeals

Georgia, Murray County

Board Appointment

	<u>Term</u>	<u>Date Appointed</u>
Mr. Neil Keener 74 Woodlawn Rd. Chatsworth, Ga. 30705 H-695-4458 C—270-3731	Apr. 1, 2019 – Mar. 31, 2023	Oct. 1, 2019



\_\_\_\_\_  
Greg Hogan, Commissioner  
Murray County, Georgia

Attest:



\_\_\_\_\_  
Tommy Parker, County Clerk  
Murray County Georgia

Murray County  
Board of Appeals

Georgia, Murray County

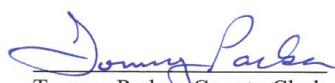
Board Appointment

	<u>Term</u>	<u>Date Appointed</u>
Mr. Mack Belue P.O. Box 445 Crandall, Ga. 30711 C- 706-537-4561	Sept. 26, 2018 – Sept. 25, 2022	Oct. 1, 2019



Greg Hogan, Commissioner  
Murray County, Georgia

Attest:



Tommy Parker, County Clerk  
Murray County Georgia

**D. Moratorium: Outdoor burning ban (documents are stored in the 2019 Auxiliary Files)**

DECLARATION OF LOCAL EMERGENCY

**WHEREAS**, officials with the Georgia Forestry Commission and the Murray County Fire/EMA Director have urged Murray County Officials to enact a Moratorium on outdoor burning within Murray County due to the extremely dry conditions that continue to exist, and

**WHEREAS**, in the judgment of the Commissioner of Murray County with the advice from the Murray County Emergency Management Agency, extremely dry conditions exist within Murray County that require immediate actions for the protection of the health, safety and welfare of the citizens of Murray County, and

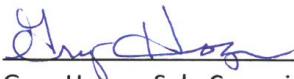
**WHEREAS**, to prevent or minimize the potential for injury to people and damage to property resulting from this condition, immediate action is required, so

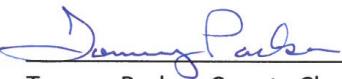
**THEREFORE**, pursuant to the authority vested in me by local and state law; **It IS HEREBY DECLARED** that a local state of emergency exists and shall continue until the conditions requiring this declaration are abated.

**THEREFORE, IT IS ORDERED;**

That a Moratorium on all outdoor burning shall be in effect in all unincorporated areas of Murray County until further notice.

**SO DESIGNATED**, this 1st. day of October, 2019

  
\_\_\_\_\_  
Greg Hogan, Sole Commissioner

  
\_\_\_\_\_  
Tommy Parker, County Clerk

**ADJOURNMENT:**  
**Executed this 1st day of October 2019**

**ATTEST:**

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**Tommy Parker, County Clerk**

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**Greg Hogan, Commissioner**

**In Attendance: Greg Hogan, Tommy Parker, Edward Dunn, Billy Childers, Anthony Noles, Shane Smith, Nancy Copeland, Illya Copeland, Neil Keener, Dickie Barnes**