MORGAN COUNTY COMMISSION
AGENDA

September 01, 2026
10:00 AM
150 East Washington Street, Madison, GA
2nd Floor Board Room

Pledge and Invocation

Agenda Approval

Minutes

1. August 4, 2026 BOC Meeting
2. August 18, 2026 BOC Work Session

Consent Agenda

3. Morgan County Planning and Development is requesting a text amendment to the Morgan County Development Regulations to add a tree ordinance.
4. Morgan County Planning and Development is requesting a text amendment to the Morgan County Development Regulations to modify language and organization of the development regulations.
5. Morgan County Planning and Development is requesting a text amendment to the Morgan County Zoning Ordinance to modify Chapter 7.32 Event Facilities.
6. Morgan County Planning and Development is requesting a text amendment to Table 4.1 Permitted and Conditional Uses of the Morgan County Zoning Ordinance.
7. Hospital Authority Board Applications
8. Purchasing Policy Updates

New Business

9. Alcoholic Beverage License for Irfan Lakhani with Spinx Properties LLC operating as Country Store BP
10. Renewal of Trinity Services Group Contract for Jail Food Services
11. County Manager Report
12. Public Comments on Agenda Items
13. Commissioner Comments

THE HONORABLE BOARD OF COUNTY COMMISSIONERS OF MORGAN COUNTY, MADISON, GEORGIA, MET THIS DAY IN REGULAR SESSION.

THE MEETING WAS HELD ON THE SECOND FLOOR OF THE ADMINISTRATION BUILDING.

PRESENT: Chairman Blake McCormack, Vice-Chairman Ben Riden, Jr., Commissioners Philipp von Hanstein, Nathan Park, and Carl Jones.

STAFF: County Manager Adam Mestres, County Attorney Patrick Jaugstetter, and County Clerk Kim Cox.

ABSENT: Assistant County Manager Mark Williams

The meeting was called to order at 10:00 a.m., followed by the Pledge of Allegiance and Invocation.

AGENDA APPROVAL

Motion by Commissioner Park, seconded by Commissioner Jones, to move Item # 9, Discussion of the Recreation Commission and Advisory Board, from the Consent Agenda to Unfinished Business. Motion passed unanimously.

Motion by Commissioner Park, seconded by Commissioner Jones, to approve the agenda as amended. Motion passed unanimously.

SCHEDULED PUBLIC COMMENTS

Clayton Bearden made public comments and gave a presentation regarding the closure of the Apalachee dumpster site.

Geraldine Cooper and Rosie Crawford addressed the Board and requested that the road at Wallace Grove Baptist Church in Rutledge be paved.

MINUTES

July 7, 2026 BOC Meeting

Motion by Commissioner Park, seconded by Commissioner Jones to approve the July 7, 2026, BOC Meeting Minutes. Motion passed unanimously.

July 9, 2026 1st Millage Rate Public Hearing

Motion by Commissioner Jones, seconded by Commissioner Park to approve the July 9, 2026, 1st Millage Rate Public Hearing Minutes. Motion passed unanimously.

July 21, 2026, 2nd Millage Rate Public Hearing

Motion by Commissioner Jones, seconded by Commissioner Park to approve the July 21, 2026, 2nd Millage Rate Public Hearing Minutes. Motion passed unanimously.

July 21, 2026, 3rd Millage Rate Public Hearing

Motion by Commissioner Jones, seconded by Commissioner Park to approve the July 21, 2026, 2nd Millage Rate Public Hearing Minutes. Motion passed unanimously.

July 21, 2026, BOC Work Session

Motion by Commissioner Park, seconded by Commissioner Jones to approve the July 21, 2026, BOC Work Session Minutes. Motion passed unanimously.

CONSENT AGENDA

PSC Roof Replacement

Motion by Commissioner Park, seconded by Commissioner Riden to approve the Consent Agenda. Motion passed unanimously.

ASSURANCE CONTRACT FOR PROPERTY TAX CONTRACT

County Manager Adam Mestres presented the Master SAAS Agreement between Nitorco, Inc. (Assurance) and the Morgan County Tax Commissioner for hosted software and related support services.

Motion by Commissioner Riden, seconded by Commissioner Park, to approve the contract with Assurance for Property Tax Services. Motion passed unanimously.

NEW INFORMATION ON A COMPLETE PUBLIC SAFETY RADIO SYSTEM DISCUSSION

The Board discussed questions and concerns regarding the previously approved Motorola P25 radio system for public safety communications.

Commissioner Park stated that he would like to go on record as standing by his original vote in support of the P25 system.

Commissioner McCormack stated that he supported the P25 radio system based on the recommendations of the Fire Chief, Assistant County Manager, and Chief Deputy.

DISCUSSION OF RECREATION COMMISSION AND ADVISORY BOARD

County Attorney Patrick Jaugstetter presented a draft ordinance establishing a Recreation Advisory Board to advise the Board of Commissioners on parks and recreation matters.

Motion by Commissioner Park, seconded by Commissioner Riden, to table the discussion until the August 18, 2026 Work Session under Unfinished Business. Motion passed unanimously.

COUNTY MANAGER REPORT

County Manager Adam Mestres presented a monthly overview of Morgan County government's current projects and/or issues.

PUBLIC COMMENTS ON AGENDA ITEMS

George Coats of Madison made public comments regarding agenda items.

COMMISSIONER COMMENTS

Commissioners made comments and gave updates on liaison assignments.

Motion by Commissioner Park, seconded by Commissioner Riden to adjourn at 11:40 am. Motion passed unanimously.

_____
Blake McCormack, Chairman

ATTEST:

_____
Kim Cox, County Clerk

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Memorandum

Date: August 7, 2026
To: Morgan County Board of Commissioners
From: Tara Cooner
RE: August Planning Commission recommendation

The following is a summary of the Planning Commission discussions and recommendations from the August 6, 2026 Planning Commission meeting.

I. Morgan County Planning and Development is requesting a text amendment to the Morgan County Development Regulations to add a tree ordinance.

The proposed tree ordinance will only apply to major subdivisions with more than 5 lots. The goal of the ordinance is to protect the greenspace of Morgan County and provide regulations and guidance to developers related to clearing land for subdivisions, protecting native tree species and removing invasive trees. The language requires a developer to keep or plant an average of 100 caliper inches of trees per acre with a minimum of 20 caliper inches per lot. The average allows developers the flexibility to create active open space areas while the per-lot minimum prevents them from clear cutting all trees from areas to be divided into lots. Plans related to the tree ordinance would be required when preliminary plans are submitted. No public was present at the meeting for comments. The Planning Commission requested minor clarification and voted unanimously to recommend approval.

II. Morgan County Planning and Development is requesting a text amendment to the Morgan County Development Regulations to modify language and organization of the development regulations.

Despite the number of pages in this text amendment, the number of actual modifications is minor. These chapters required only clarification of terms and updated or new definitions. The intent of submitting these chapters together is to get though those chapters needing minor changes to allow focus on the upcoming Development Regulations chapters that incorporate more changes. No public was present at the meeting for comments. The Planning Commission requested minor clarification and voted unanimously to recommend approval.

III. Morgan County Planning and Development is requesting a text amendment to the Morgan County Zoning Ordinance to modify Chapter 7.32 Event Facilities.

This language is regarding the text in the Event Facility ordinance that allows non-profits to by-pass event facility approval and operate outside of the ordinance regulations. Two properties have taken advantage of this wording (both in District 3) and events at both resulted in numerous complaints due to events taking place too close to property lines, too close to adjacent residences and parking on the county right-of-way. The original intent of the wording was to assist existing non-profits such as Camp Twin Lakes and the

Stephan Thomas Museum, but time has proven that those organizations and other local non-profits do not need the exemption from the ordinance because they are either grandfathered in or regularly use approved event spaces.

Specifically, the request is to remove the language allowing for non-profits to be exempt from Chapter 7.32 of the Morgan County Zoning Ordinance.

No public was present at the meeting for comments. The Planning Commission had no questions and voted 8:1 to recommend approval. Jeff Farese dissented.

IV. Morgan County Planning and Development is requesting a text amendment to Table 4.1 Permitted and Conditional Uses of the Morgan County Zoning Ordinance.

This agenda item included two requests for Table 4.1:

1. Removing the use "Data Management and Data Processing Facility" from the permitted and conditional use table. This language will be replaced by "Data Center" when the forthcoming data center ordinance is approved.
2. Changing the note related to the use of metal siding from "No attached or detached single family dwellings, accessory dwelling, or tenant dwelling shall have metal siding" to "Architectural metal siding shall be reviewed for suitability and will be subject to design merit, provided the siding is 24 or heavier gauge." The purpose of the request is to allow the use of metal siding that was approved earlier this year for major subdivisions in the rest of the unincorporated county. The Planning Commission debated the gauge, which is a heavier quality that typically seen in residential construction with the admission that the recommended 24 gauge would prevent oil canning (waves or ripples) frequently seen with lighter gauges. Discussion about the affordability of metal siding revealed that even the lighter gauge is more expensive that hardi-board siding, making the cost effectiveness of metal siding over other siding options a moot point. The Planning Commission favored the lighter 26 gauge allowed in surrounding counties. No public was present at the meeting for comments. The Planning Commission voted unanimously to recommend approval of the request to remove "Data Management and Data Processing Facility" from the use table and to approve the allowance of metal siding with a lighter gauge: "Architectural metal siding shall be reviewed for suitability and will be subject to design merit, provided the siding is 26 or heavier gauge." Changing the gauge will create a difference in what is allowed in general and what is allowed in major subdivisions under the house form standards, requiring higher quality metal siding in subdivisions. The BOC may want to consider the additional requirement for <u>stamped</u> architectural metal siding, which will help hide any oil canning present with the lighter gauge.

Purpose

The purpose of this section is to preserve, protect, and enhance existing trees and mitigate the effects of tree removal within Morgan County related to new development. Trees, particularly native species, add natural beauty and distinct local character, add shade, promote water conservation, provide locations for habitat, and increase property values. The provisions of this section are intended to support the long-term viability of healthy trees and promote natural ecological, environmental, and aesthetic quality in the county. The clear cutting of developments is prohibited.

Applicability

The provisions of this section shall apply to any activity that requires the issuance of a land development permit for residential developments of more than five (5) lots, tree ordinance requirements apply to the entire development and to each individual lot.

Exemptions

The following activities are exempt from this section:

(a) Trees within existing and proposed public or private rights-of-way, and utility easements.

(b) Agricultural operations, including land clearing for legitimate agricultural purposes.

(c) Tree nursery and horticultural operations.

(d) Forestry operations, including land clearing for legitimate timber harvesting purposes.

(e) Removal of any tree that the Director of Planning and Development or their designee has determined that is a public nuisance or danger to human life or property or any tree found to be diseased, hazardous, dying, dead, or infested with insects. The property owner or developer may elect to hire a licensed professional to confirm or reverse the County's determination.

Appeals

The Board of Commissioners shall consider an appeal request, if it determines that compliance with this section creates undue hardship for the applicant. The applicant must submit a written appeal identifying the issues that make complying with this section a hardship and must submit an alternate plan for consideration. At the appeal hearing the Board of Commissioners shall hear arguments and decide whether to uphold the administrative decision, modify the administrative decision, or negate the administrative decision. The decision of the Board of Commissioner's shall be final. Fees related to the appeal process may apply.

Tree density and preservation of existing trees.

An emphasis of this section is the preservation of as many existing trees as possible. Therefore, inch-for-inch credit will be given for preserving existing trees with the exception of invasive trees.

(a) All trees to be counted toward meeting the required tree density requirements shall be inventoried. Existing tree inventory information (caliper or DBH and genus) shall be shown on the tree plan and must be provided by a licensed professional along with a statement that the provider conducted the inventory in the field.

(b) To aid preservation efforts, applicants shall have the option of moving existing trees to prevent their damage or destruction by development activities. To receive credit for transplanted trees, the following standards shall be adhered to:

(1) Trees shall be less than ten inches caliper measured six inches above grade;

(2) Trees shall remain within the planting areas of the parcel;

(3) Trees shall not be moved to or from stream buffers or wetlands.

(c) Tree protection areas for residential developments shall be located in common areas, or in buffers required to be undisturbed by zoning or other regulations. Tree protection areas must also be located on individual lots, the lots shall be of sufficient size to reasonably expect the trees to be preserved at the completion of the building process.

(d) Every lot in a residential development shall have trees, either preserved or planted. Planted trees shall be used to supplement preserved trees within the development and on individual lots to meet the minimum number of inches per acre for residential lots. Developments with no trees prior to land disturbance permit shall utilize planted trees to meet the required inches per acre. All planted trees shall be a minimum of two caliper inches and shall be shown on the required Site or Tree Protection Plan. This requirement shall apply to the developer or homebuilder, whoever is the responsible party at the issuance of the certificate of occupancy for the individual lot.

(e) Residential developments with more than 5 lots shall maintain a minimum average of 100 inches per acre within the development, including within common areas. This requirement shall apply regardless of tree coverage prior to development planning. Further, the following shall apply:

1. Each residential lot shall preserve or plant a minimum of 20 caliper inches of trees. Developments that are formerly open pasture shall preserve or plant more heavily wooded areas within the development to satisfy the remaining minimum number of inches per acre after inches per lot are addressed;

2. Preference shall be given to specimen trees (see below) and trees within sensitive environmental areas, such as wetlands, floodplains and areas bordering creeks or streams;

3. Developments seeking open space recreation areas shall preserve or plant more heavily wooded areas within the development to satisfy the minimum number of inches per acre;

4. Trees within the right-of-way, or partially within the right-of-way, adjacent to a development shall not apply to the minimum requirements for this Chapter;

The applicant shall provide a tree plan demonstrating both responsible canopy preservation and tree replacement inches on sites submitted for development in accordance with this section. All trees designated for replacement shall be on an inch-for-inch basis. The density may be achieved as follows:

(1) Counting existing trees (inches measured at DBH) to be preserved with no impact to critical root zone.

(2) Planting new trees (minimum two-inch caliper) for lots that do not meet the required densities as designated herein.

Formula example for residential development:

Acreage x 50 inches = required inches per acre

Example: 3.2 acres x 50 inches = 175 inches required

The minimum required inches per acre shall be calculated and established pursuant to the formula as shown above and calculations shall be in a prominent location on the tree preservation and replacement plan.

(3) Shrubs shall not be given credit.

Tree selection and preservation

Specimen Trees

A specimen tree is any tree which qualifies for special consideration for preservation due to its size, type, and condition. The following criteria are used by the county to identify specimen trees. Both the size and condition criteria must be met for a tree to qualify.

(1) Minimum Size Criteria:

a. Twenty-four-inch caliper at DBH—Oak, Beech, Ash, Black gum, Sycamore, Hickory, Maple (does not include Silver Maple), Pecan, Walnut, Magnolia (does not include Bigleaf Magnolia), Persimmon, Sourwood, Cedar, Cypress, Redwood.
b. Thirty-inch caliper at DBH—Tulip Poplar, Sweet Gum, River Birch, Silver Maple.
c. Ten-inch caliper at DBH—American Holly, Dogwood, Redbud.

(2) Condition Criteria:

a. Life expectancy greater than 15 years.
b. Relatively sound and solid trunk with no extensive decay or significant structural deficiencies.
c. No more than two major and/or several minor dead limbs (excluding pine for minor limbs).
d. A radial trunk dieback of no more than 20 percent or a canopy dieback of no more than 30 percent.

(3) Small trees can be classified as specimen trees if of a rare or unusual species, of exceptional quality, or socio-historical significance. Small trees may also qualify as specimen if used in a landscape as a focal point of the design. In order to claim this credit, the applicant shall submit a letter from a licensed professional stating that the tree(s) meet these qualifications.

(4) The licensed professional report for each specimen tree impacted by a proposed development requiring a land disturbance permit shall be submitted to the County to determine whether that tree meets the condition criteria for specimen status. The report must be prepared and signed by a licensed professional. The report shall contain the following information:

a. Site plan showing an accurate surveyed location of the tree;
b. Identification/verification of the tree's size, genus and species;
c. Description of the surrounding site conditions;
d. Detailed description of the tree's condition; and
e. Digital photographs to illustrate any defects which would disqualify the tree from specimen status.

(5) The final determination of specimen tree status will be made by County staff after reviewing the report.

Removal of Specimen Trees

Specimen trees removed after being designated for preservation on an approved plan must be replaced on an inch-for-inch basis with tree species with potential for comparable size and quality, regardless of the 100 inches per acre requirement. If a tree is removed without approval and there is no evidence of its condition, size alone shall be the determining factor for replacement.

a. If a specimen tree is to be removed, a plan or written documentation indicating the reason for removal must be submitted to the County.
b. The removal of any specimen tree impacted by a proposed development shall be mitigated by replacing the removed specimen tree with minimum four caliper inch trees of comparable species on an inch-for- two inch replacement basis.

Example: Twenty-four-inch Oak would require replanting 12 four caliper inch trees [24x2=48 replacement inches required; 48 / 4 = 12 trees]. These replacement trees are in addition to the minimum 100 inches per acre for a particular site.

To encourage the preservation of specimen trees and the incorporation of these trees into the design of new development projects, the following incentive is offered: Preserved specimen trees shall receive one and one-half (1.5) x inches DBH.

Champion Trees

Champion trees are identified by the Georgia Forestry Commission as the state's largest trees, based on species. Several Champion Trees have been designated in Morgan County. Developers shall confirm with the Georgia Forestry whether Champion Trees are located on a development site. Designated trees shall not be cut or harmed during development activities and sufficient space shall be maintained to protect the root system at all times. Champion Trees removed from the property shall result in fines. The following substitution shall be allowed for designated Champion Trees located on the development property: Champion Trees shall receive three (3) x inches DBH.

Invasive Trees

When reviewing existing trees, all efforts shall be made to remove invasive trees prior to those native to the area. Primary invasive trees are Tree of Heaven, Mimosa, Bradford/Callery Pear, Empress, Privet, Autumn Olive and Paper Mulberry. A full list of invasive trees may be obtained from Georgia Forestry Commission. To encourage the removal of invasive species prior to native trees, preserved invasive trees shall receive one quarter (.25) x inch DBH.

Tree protection standards.

Allowing enough space for a tree's root system is a critical factor in tree protection throughout the development process. Disturbance within this critical root zone can directly affect a tree's chances for survival. To protect trees, the following standards shall apply:

(a) Site layout should be designed to accommodate tree protection areas.

(b) Construction activities shall be arranged to prevent encroachment into tree protection areas. Encroachment of up to 10 percent into the critical root zone of individual preserved trees

shall be allowed providing no chemicals are used within the critical root zone. Encroachment beyond 10 percent into the critical root zone of individual preserved trees shall be prohibited. No encroachment is allowed into the critical root zone for specimen trees or designated Champion Trees.

(c) No disturbance whatsoever shall occur within tree protection areas without prior written approval. Disturbance permitted with approval from the County shall be limited to general maintenance (i.e., removal of dead trees and/or cleaning of underbrush by hand). Use of machinery shall not be allowed within the tree protection area.

(d) Active protective tree fencing shall be installed along the outer edge of and completely surrounding the critical root zones of all specimen trees or stands of trees designated for preservation prior to land disturbance.

(e) Tree protection fencing shall be minimum four feet high and made of orange laminated plastic netting with wooden posts and rail fencing or other equivalent material as approved by the County.

(f) All protection zones shall include signage in English and Spanish that identifies the areas as tree protection and preservation zones and include the name and phone number of the developer or designated agent.

(g) All tree protection fencing shall be installed prior to any clearing, grubbing, or grading and shall be maintained in functioning condition throughout all phases of development and construction.

(h) Once tree protection areas are established and approved, any changes are subject to review and approval.

(i) Applicants shall notify any adjacent property owner a minimum of 14 days prior to construction dates (copy of notification to be provided to County for permit file) if visual assessment identifies boundary tree root plates are potentially within the proposed limits of disturbance. Any and all subsequent tree matters shall be a civil matter between the property owner and the applicant.

Tree replacement standards.

(b) Replacement trees shall be ecologically compatible with the intended growing site, contribute to the diversity of the forest, and add to the aesthetic quality of the County.

(1) The spacing of replacement trees shall be compatible with spatial site limitations with responsible consideration towards species sizes when mature. Typical spacing for overstory/street trees is 40 feet on center, with no overstory tree being planted less than 25 feet on center from any other tree.

(2) In the event that existing overhead power lines prohibit the planting of required overstory trees, an appropriate understory tree species may be selected and approved for required inches according to accepted silviculture standards and as approved by the impacted utility.

(c) Native species trees are to be prioritized. A list of Georgia native trees may be obtained from Georgia Forestry Commission. Use of a species not shown on these lists is subject to approval, according to accepted silvicultural standards.

(d) Planting of replacement trees within utility, storm drainage, or sanitary sewer easements is not acceptable, and no credit will be allowed toward the required inches per acre.

(e) Trees and plants selected for planting must meet the minimum requirements as provided in the "American Standard for Nursery Stock" (ANSI Standards latest edition).

(f) Each development site or individual lot shall contain trees of sufficient number, size, and type to achieve the minimum required tree density. Total replacement units shall be gathered by using as diverse a palette of species of trees as possible. However, a minimum of 60 percent of the total replacement units required for any parcel shall be achieved in the form of overstory trees. When fewer than ten (10) trees are shown to be planted on a project, one genus may be specified. When ten to 50 trees are shown, a minimum of three genus of trees are required. When more than 50 trees are shown, a minimum of five genus of trees are required.

(g) When ten or more trees are to be planted:

(1) No single genus shall represent more than 50 percent of the required inches per acre.

(2) Native vegetation shall be used to satisfy the replacement requirements of this chapter to the greatest practical extent.

Tree Plan

A tree plan shall be required for all applicable developments as part of the preliminary plat approval. The tree plan is comprised of three parts: the tree survey plan, the tree protection plan and the tree replacement plan.

(a) The Tree Survey Plan shall be in the form of a to-scale map or a site plan prepared and sealed by a licensed professional noting the location of all specimen trees or stands of trees plus all other trees which will be preserved and counted toward meeting site density requirements. It should also include the following information:

(1) All specimen trees and their critical root zones shall be labeled and must be shown on the survey and inventoried by size and species. This includes those specimen trees that are to be preserved as well as those proposed for removal.

(2) The critical root zone of boundary trees that are located on neighboring properties whose critical route zone extends on to applicant's property shall be shown.

(3) All other trees that are to be counted toward meeting density requirements shall be shown on the survey and inventoried by size and species. Only trees with a DBH measurement of two inches or greater are to be identified as eligible for density compliance. Existing trees less than two inches DBH will not be counted toward the required density.

(4) Trees that measure less than two inches DBH, and thus can't be counted toward the density requirements, do not have to be counted and shown individually on the plan.

(5) Sampling methods may be used to determine tree densities for forested areas over five acres. For the purpose of this section, a plot sample is defined as an area measuring 50 feet by 50 feet, for a minimum size of 2,500 square feet. Sampling areas shall be located within the limits of a tree protection area. The sample must be taken in a portion of the site that is representative of its cover-type. The tree protection plan must delineate all ground cover-types and provide a general description of the types of trees present within the tree protection area (i.e., hardwoods, pine/hardwood mix, etc.).

(6) Show all areas of proposed land disturbance along with tree protection zones, tree save areas, and buffers with existing trees on the plan.

(b) A Tree Protection Plan is a detailed plan designed to protect and preserve trees before, during and for a period of two years after construction. The Plan shall include the following:

(1) The type, location and size as measured at the diameter breast height of the tree(s) constituting those to be protected. Only trees designated on the Tree Protection Plan will be counted toward density requirements.

(2) Locations of all specimen trees and their critical root zones. Indicate specimen trees proposed for removal or for preservation. Removal of specimen trees is subject to approval. Any specimen tree proposed for removal is to be identified in terms of exact location, size, and species.

(3) Location of any Champion Trees, including exact location, size, species and Georgia Forestry Commission designation information.

(4) All tree protection zones, natural areas, landscaped areas, buffers, and areas of re-vegetation. Include detailed locations and specifications for active and/or passive tree protection measures. Methods of tree protection should be indicated for all tree protection zones, including tree fencing, erosion control, retaining walls, tunneling for utilities, aeration systems, transplanting, staking, signage, etc.

(5) Limits of clearing and land disturbance such as grading, trenching, etc., where these disturbances may affect tree protection zones.

(6) The locations of all existing and proposed utility lines or easements. Include the location for any boring sites for underground utilities.

(7) Individual lot utilities must be addressed on the plan to confirm preserved trees and their critical root zones, and proposed planted tree locations, will not impact the septic system, municipal water lines, well systems or gas lines. Appropriately sized areas for drainfields must be identified per lot if utilizing septic tanks

(8) Indication of staging areas for parking, material storage, concrete washout, and other areas where tree protection may be affected.

(9) A delineation of tree save areas in which trees have been inventoried for minimum site DBH calculation.

(10) Calculations showing compliance with the required minimum site DBH density using existing trees, replacement/recompense trees, and/or alternative compliance methods. Site density compliance shall be demonstrated on both the Tree Protection and the Tree Replacement plans. Existing trees or stands of trees used in determining the minimum site DBH density requirement shall be indicated on the drawings.

(11) Site area (roads, utility lines, detention ponds, etc.).

(12) The locations of existing and proposed structures, paving, driveways, land disturbance, cut and fill areas, detention areas, etc.

(13) Phase lines and/or limits of construction.

(14) Location and details for all permanent tree protection measures (tree wells, aeration systems, permeable paving, retaining walls, bollards, etc.).

(15) Additional information as required on a case-by-case basis or as requested.

(c) The Tree Replacement Plan includes the planting schedules along with proposed tree names (botanical and common), quantity, size, spacing and any special planting notes. Native trees are to be prioritized when choosing species.

(1) Trees selected for planting must be free from injury, pests, disease, nutritional disorders or root defects, and must be of good vigor to assure a reasonable expectation of survivability. Standards for transplanting shall be in keeping with those established in the International Society of Arboriculture publication Tree and Shrub Planting Manual or similar publication. Reference the American Association of Nurserymen publication American Standard for Nursery Stock (ANSI Z60, 1973) for plant material quality specifications. Reference the Manual of Woody Landscape Plants (Michael Dirr, 1983, Castle Books) or similar publication for information on tree species site requirements.

(2) The Tree Replacement Plan shall also reflect the following requirements:

a. Replanted trees shall be of the same or similar species as those removed when practical unless a change in species is appropriate to achieve the requirements of this section.
b. The use of flowering ornamental trees or plants classified as large shrubs may be included in the Tree Replacement Plan but shall not be used for the purpose of meeting the density calculations for the site unless approved.
c. All overstory trees shall be a minimum of eight feet tall and have a trunk of not less than two caliper inches. All understory trees shall be a minimum of six feet tall and have a trunk of not less than two caliper inches. In order to provide sufficient growing area for planted trees, the following minimum criteria shall be observed unless otherwise approved

    1. Overstory Trees - 200 square feet of pervious root zone.
    2. Understory Trees - 75 square feet of pervious root zone.
    3. Up to 30 percent of root zone may be impervious area.

d. All planting and staking details shall be provided on the plan.
e. All debris from trees cut or substantially damaged should be removed from the site in a timely fashion including the removal of any portion of the tree stump above the original natural grade or elevation of land unless otherwise approved for a specific reason such as, but not limited to, unusually large size or age.

Continuing maintenance.

(a) *Installation.* All landscaping shall be installed in a sound workmanlike manner. Plant materials, installation and maintenance shall meet the standards incorporated in ANSI Z60.1, American Standard for Nursery Stock, most current edition, ANSI A 300, Standard Practices for Tree, Shrub and other Woody Plant Maintenance, most current edition, and as indicated in the project Design Professional's drawings and specifications. All landscaping is subject to inspection and no certificate of completion or certificate of occupancy shall be issued unless the landscaping meets the requirements.

(b) *Maintenance.* The owner, occupant, tenant, and respective agent of each, if any, shall be jointly and severally responsible for the maintenance and protection of all required landscaping for a minimum period of 2 years after the issuance of a Certificate of Occupancy, in accordance with the following standards:

(1) Keep landscaping reasonably free of visible signs of insects and disease and appropriately irrigated to enable landscaping to exist in a healthy growing condition;

Definitions

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

American National Standards Institute, Inc (ANSI). A United States based non-profit organization that works to develop and promote standards in the United States and around the world.

Applicant. Any person seeking approval to take action under this article.

Boundary tree. A tree on adjacent property with a critical root zone that intrudes across the property line of the site under consideration.

Caliper inch. The trunk diameter of replacement trees measured in inches at six inches above the soil for those trees that are less than four and a half inches caliper. For trees greater than or equal to four and a half inches in diameter at six inches above soil, caliper is measured at 12 inches above the soil.

Clear-cutting. The indiscriminate cutting, plowing, or grubbing of trees without regard to type or size for the purpose of clearing the land.

Conservation area. A portion of a site left undisturbed and protected from development in perpetuity.

Co-owned tree. A tree growing on two or more different properties, as measured where the trunk of the tree meets the ground, excluding the root flare. The tree is jointly owned by all property owners.

Critical root zone (CRZ). The critical root zone, also referred to as the root save area, is the area surrounding a tree that is essential to the tree's health and survival. For a free-standing tree with no apparent root restrictions, the critical root zone or root save area shall consist of a circle having a radius of one foot for each one inch of diameter at breast height of the tree.

Dead tree. A tree characterized by skeletal remains with no live twigs and a lack of foliage or total browning of foliage during the growing season. During dormancy, dead trees are characterized by peeling or sloughing bark, lack of buds, and dry and brittle twigs.

Destroy. Any intentional or negligent act or lack of protection that is more likely than not to cause a tree to die within a period of five years, as determined by an Arborist, Forester, Landscape Architect or other

qualified professional. Such acts include, but are not limited to: performing grade changes (including lowering or filling the grade) that affect more than 20 percent of the critical root zone; trenching of roots; cutting, girdling or inflicting other severe mechanical injury to the trunk, roots or other vital sections of the tree; removing in excess of 20 percent of the live crown of the tree; inflicting damage upon the root system of a tree by the application of toxic substances, including solvents, oils, gasoline and diesel fuel; causing damage by the operation of heavy machinery; causing damage by the storage of materials; and/or deliberately or negligently burning or setting fire to a tree. In addition, topping, tipping, or any similar improper pruning practices will be deemed as destruction of a tree.

Diameter at breast height (DBH). The diameter of the main stem(s) of a tree measured at four and a half feet (54 inches) above the natural grade at the base of the tree, typically measured in inches. For a tree with three or more stems, the DBH shall be calculated as the diameter of the largest stem plus one-half of each additional stem. The diameter of the top of a stump less than four and a half feet tall shall be considered the "DBH" of an illegally destroyed tree for the purpose of calculating recompense.

Disease. Any fungal, bacterial, or viral infection that will result in the death of the tree, as determined by a licensed professional. Disease shall also mean any fungal, bacterial or viral infection that has progressed to the point where treatment will not prevent the death of the tree, as determined by a licensed professional.

Drip line. An imaginary line extending from the external boundary of a tree's canopy to the ground.

Dying tree. A tree that is diseased, injured, or in terminal decline due to the extent that death is more likely than not within two years.

Environmentally sensitive area. Area(s) of a property that includes important environmental features eligible for special protection under County, State, or Federal regulations based upon its ecological value, including without limitation wetlands, floodplains, perennial and intermittent streams, riparian buffers, stands of trees, historic trees, and other significant aspects of the natural environment on site.

Floodplain. Area(s) of land with natural or constructed contours of elevation at or below the base flood elevation shown on the flood hazard district maps adopted and those areas of land which are not so shown in the flood hazard district maps where inundation is likely to occur during a base flood as determined by engineering studies to determine the probable depth of such floodwaters.

Flush cutting. The removal of limbs by cutting immediately adjacent to the trunk, destroying the protective branch collar and exposing the trunk to decay organisms.

Forested site. Any site that meets the following conditions:

i) 80% or more canopy cover.
ii) a minimum of 1,000 DBH inches per acre. and/or
iii) 50 or more mature trees per acre.

Good condition (of a tree). A tree that has minor or no problems with its root, trunk, major branches, twigs, or foliage is in good condition. Minor pathological problems may be present but may not be severe. Overall color and shoot growth are typical for the species, and canopy foliage has not significantly declined.

Hardship. A unique or otherwise special existing condition that is not addressed by the ordinance.

Hazardous tree. A tree with uncorrectable defects severe enough to pose a present danger people or buildings under normal conditions within a two-year time period, as determined by a licensed professional, or a tree which is determined by a licensed professional to be in imminent likelihood of failure is considered to be hazardous.

Healthy tree. For the purposes of this article, all trees that have not been issued a dead, dying, or hazardous removal permit are considered to be healthy.

Historic tree. A tree that has been designated by the Board of Commissioners, upon application by a licensed professional or any other interested person, to be of notable historic value and interest because of its age, size, or historic association, in accordance with arboricultural specifications and standards of practice. Such designation may occur only by resolution of the Board of Commissioners, and the Planning and Development Director shall maintain a complete listing of the location of each historic tree.

Imminent likelihood of failure. A tree for which failure has started or is most likely to occur in the near future, even if there is no significant wind or increased load has an imminent likelihood of failure. This condition occurs infrequently and may require immediate action to protect people from harm. Examples of imminent likelihood of failure include without limitation: sudden change of pitch of the main stem; cracked or heaved soil opposite the tree's lean; visibly raised root plate; and cracks or breaks in the main stem or large leader.

Impact. Any legal or illegal action that damages a tree. Damage may result from, but is not limited to, grading, filling, soil compaction or other land disturbance within a tree's critical root zone; mechanical injury to any part of a tree; spiking; vandalism; improper or excessive pruning; and allowing toxic substances such as herbicides, gas, brine water, oil, liquid dye, or other substances deleterious to tree health to come in contact with soil within the critical root zone.

Injury. See impact.

Invasive Tree or Invasive Species. Invasive trees are non-native tree species that pose a threat to native ecosystems. A current list of invasive trees is maintained by and available from a licensed professional. The list of invasive trees periodically, based on the list of invasive species published by the Georgia Invasive Species Council, scholarly research, and consultation with professional arborists, ecologists, and foresters.

Land disturbance. For purposes of this article, land disturbance refers to any human-made change to improved or unimproved property that includes, but is not limited to, construction of buildings or other structures, soil compaction, filling, clearing and grubbing, grading, paving, installation of impervious cover, excavation or drilling, storage of equipment or materials, or any other construction activity.

Licensed Professional. For the purposes of this section, a professional holding a license as an Arborist, Forester, or Landscape Architect.

Mature tree. A mature tree is defined as a tree that has reached a significant portion of the maximum potential height for the species. This stage is typically marked by the cessation of height growth and reduced shoot elongation, while the diameter growth of stems, branches, and roots, continues, contributing to the tree's overall size and strength. Mature trees also develop the ability to reproduce, marked by the production of flowers, fruits, or nuts. The onset and duration of the mature stage varies by species. For example, oaks and other slower growing trees may reach maturity after 25 to 40 years and continue to produce acorns for centuries. In contrast, the timescale for faster growing species may reach maturity in a shorter timescale.

Midstory tree. A midstory tree normally attains a DBH of 10 to 25 inches, a height of 30 to 60 feet, and approximately 900 square feet of canopy at maturity.

New lot of record. A tract of land that has been newly subdivided and so recorded as a separate property of record.

Nuisance tree. A tree with uncorrectable defects severe enough to pose an imminent danger to people or buildings on public property under normal conditions, as determined by a licensed professional.

Overstory tree. An overstory tree normally attains a DBH in excess of 25 inches and a height in excess of 60 feet, and approximately 1,200 square feet of canopy at maturity.

Pine. Tree species that are a member of the genus Pinus; does not include other needled trees commonly known as cedar, fir, spruce, hemlock, or any other members of the family Pinaceae.

Planned development. Any non-residential or residential development.

Private property tree. For the purposes of this article, a tree shall be considered a private property tree if more than 50 percent of the trunk of the tree, excluding the root flare, is located on private property.

Pruning. The selective removal of plant parts. For the purposes of this article, proper pruning may not include the removal of more than 20% of the live crown of a tree within a two-year period, and cuts must be made in accordance with ANSI A300 series of standards for tree care management. At no time shall trimming, tipping, or flush cutting of trees be deemed a form of pruning.

Public linear infrastructure project. Construction or maintenance of infrastructure that is linear in form, including but not limited to public roadways, sidewalks, trails, and water, sewer, electrical, gas, phone, internet and other similar utility projects is referred to as linear infrastructure.

Public property tree. For the purposes of this article, a tree shall be considered a public property tree if at least 50 percent of the trunk of the tree, excluding the root flare, is located on public property.

Regulated tree (private property). Any tree other than a pine with a DBH of six inches or greater, or a pine with a DBH of 12 inches or greater.

Replacement tree(s). New trees planted to restore the lost public value of healthy trees that are removed or destroyed according to the requirements of this article are referred to as replacement trees. The size of replacement trees is expressed in caliper inches.

Residential Development. For the purposes of this section, development of a parcel of land into more than five (5) lots or individual residential structures.

Responsible party. Any person(s) or entities whose actions or failures to act violate this article, including without limitation any person who knowingly allows his or her agent or contractor to violate this article. Where a tree is destroyed or impacted in violation of this article, there may be more than one responsible party. A responsible party may include without limitation: the owner of the property on which a tree of concern is located; an agent of the owner; a tree removal company; a builder or developer; or a grading contractor or landscaper.

Saved tree. A saved tree for the purposes of this article is a tree that is to be protected and not destroyed during construction in the manner specified by this article.

Severe mechanical injury. A wound or combination of wounds, measured at their widest extent, that expose or destroy the cambium layer of 30 percent or more of the circumference of the tree.

Standard replacement. The replacement tree requirement is measured in caliper inches. The required replacement is equal to one caliper inch per DBH of each tree destroyed.

Stream buffer. The land and vegetation that is within 100 feet of a perennial or intermittent stream in which development is prohibited or restricted.

Streetscape. For the purposes of this article, streetscape refers to a zoning mandated street frontage treatment beginning at the back of curb that includes a sidewalk/walk area/clear zone and at least one

of the following: a street furniture/tree planting zone, amenity zone, or a supplemental area. Streetscapes typically also have requirements for trees or streetlights.

Structural root plate (SRP). The zone of rapid root taper that provides the tree stability against windthrow. The radius of the root plate is proportional to the stem diameter (DBH) of a tree, excluding the root flare. The table below provides the radius of the structural root plate as determined by the DBH of the tree for upright trees without restricted roots. Adjustments to the assumed SRP may be made by an licensed professional if justified by specific documented site conditions.

DBH (inches)	6-7”	8-10”	11-14”	15-18”	19-23”	24-31”	32-43”	44-51”	52-57”	58-61"
SRP distance (radius’)	5’	6’	7’	8’	9’	10’	11’	12’	13’	14’

DBH (inches)	62-64”	65-67”	65-67”	72-73”	72-73”	74-75”	76-77”	78-79”	80-81”	82-83”
SRP distance (radius’)	15’	16’	17’	18’	19’	20’	21’	22’	23’	24’

Tipping. The cutting of a lateral limb in such a manner as to leave a prominent stub extending beyond a branch node or the trunk.

Topping. The cutting of a leader trunk in such a manner as to leave a prominent stub extending beyond the node (crotch) of another leader trunk or major branch that may become a leader trunk.

Tree. A self-supporting woody, perennial plant that has a trunk diameter of two inches or more when measured at a point six inches above ground level and which normally attains an overall height of at least ten feet at maturity, usually with one main stem or trunk and many branches.

Tree density. The minimum tree coverage required to be growing on a site prior to the issuance of the certificate of occupancy or completion of permitted work is referred to as tree density. For residential developments, tree density is measured by the number of trees per acre on a site. For non-residential developments, tree density is measured by the total DBH inches of trees on a site. Tree density requirements may be met through trees preserved on site, newly planted trees, or a combination of the two, in accordance with the requirements of this section.

Tree Survey. A plan or drawing to scale that identifies the exact size, location, condition (healthy, dead, or declining), and species of protected trees and the disposition of each protected tree during development. The plan shall indicate whether each protected tree is to be preserved or removed. The plan shall indicate the location and types of treatments to be utilized to protect trees during development such as fencing, mulching, root pruning, and other measures.

Understory tree. An understory tree normally attains a DBH of less than ten inches and a height of less than 30 feet, and a canopy of approximately 400 square feet at maturity.

Utility Easement. An existing recorded public or private linear utility easement or a linear corridor containing shared utilities on private property. Utility corridor widths are defined by the width of the recorded easement.

Vacant lot. A property of record that has not had a structure on it in the past five years.

Wetland buffer. The land and vegetation that is within 100 feet of a wetland in which development is prohibited or restricted.

Article 2 ~~Glossary~~ Definitions

Chapter 2.1 Purpose of Article

The following is ~~a glossary of~~ all definitions specifically used in the text of the Development Regulations. Regarding the interpretation of figures, words and phrases as used in these regulations, refer to Article 1, Chapter 1.5.

Chapter 2.2 Defined Words and Phrases

***AASHTO**:* The American Association of State Highway and Transportation Officials.

Accessory Structure: A subordinate building or structure, whether detached from or attached to a principal building, which is customarily incidental and secondary to, and located on the same lot as, the principal use or building. An accessory structure shall not be used for dwelling purposes unless expressly permitted by the applicable zoning district. Accessory structures include, but are not limited to, garages, carports, storage buildings, sheds, gazebos, and similar structures.

***Addition (to an existing building)**:* Any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall other than a firewall. Any walled and roofed addition which is connected by a firewall or is separated by independent perimeter, load-bearing walls is new construction. Any expansion to an existing building that is not walled and roofed, such as an open porch or deck, is not considered an "addition" for flood damage prevention purposes.

Agency: Any state or any political subdivision thereof, including without limitation, any municipality, township or county, and any domestic entity or body exercising executive, legislative, judicial, regulatory, administrative functions of or pertaining to government, including, without limitation, any corporation or other entity owned or controlled by any of the foregoing, any court of competent jurisdiction, or commission or governmental or regulatory authority or instrumentality or authorized arbitral body.

***Applicant**:* A property owner or their authorized representative who has petitioned the County for approval of a preliminary plat or site plan, development permit, building permit, hardship variance, administrative appeal, or any other authorization for the use or development of their property under the requirements of these development regulations.

***Application**:* A petition for approval of a development permit, building permit, hardship variance, or appeal, or any other authorization for the use or development of a property under the requirements of these Development Regulations.

***Area of Shallow Flooding**:* A designated AO or AH zone on the flood insurance rate map (FIRM) with base flood depths from one to three feet, or where a clearly deemed 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**:* The land in the flood plain within a community subject to a one (1) percent or greater chance of flooding in any given year.

***As-Built Survey Drawings**:* Drawings specifying the dimensions, location, capacities, and operational capabilities of structures and facilities as they have been constructed.

***Base flood**:* The flood having a one (1) percent chance of being equaled or exceeded in any given year (100-year flood).

***Basement**:* One or more floors of a building that are completely or partly below ground level.

***Best Management Practices (BMP's)**:* A collection of structural ~~measures~~ practices and vegetative ~~practices~~ measures which, when properly designed, installed and maintained, will provide effective erosion and sedimentation control for all rainfall events up to and including a 25-year, 24-hour rainfall event.

***Block**:* A parcel or parcels of land bordered on all sides by highways or streets, other than alleys.

***Board of Natural Resources**:* The Board of Natural Resources of the State of Georgia.

***Breakaway Wall**:* A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or the supporting foundation system.

***Buffer Area**:* A landscaped or naturalized area used to separate and partially obstruct the view of a development from streets and adjacent or contiguous development.

Buildable Area: That portion of a lot or parcel within which a principal or accessory building or structure may be lawfully constructed in compliance with all applicable zoning district requirements, development regulations, and other local, state, or federal regulations. The buildable area shall exclude required setbacks, rights-of-way, easements that prohibit construction, floodways, wetlands protected by law, required buffers, and other areas restricted from development by these Development Regulations or applicable law.

***Building Code**:* The most recent technical codes approved for enforcement or otherwise adopted or adopted as amended by the County under the Georgia Uniform Codes Act, which regulate the construction of buildings and structures.

***Building**:* Anything attached to the ground having a roof supported by columns or by walls and intended for shelter, housing or enclosure of persons, animals or personal property. For purposes of these regulations, the term "building" includes "structure", as defined.

***Comprehensive Plan**:* The Comprehensive Plan for Morgan County and the Cities of Bostwick, Buckhead, and Rutledge, July 18, 2017, as adopted and amended from time to time.

***Condition of Zoning Approval**:* A requirement adopted by the County Commission at the time of approval of a rezoning or special use, placing greater or additional requirements or restrictions on the property than provided in these Development Regulations in order to reduce an adverse impact of the rezoning or special use and to further the protection of the public health, safety, or general welfare.

***Contiguous**:* An area not divided in its entirety by a street or street right-of-way, any right-of-way of a railroad or other public service corporation, or lands owned by others.

***Conventional subdivision**:* A subdivision in which all lots meet or exceed the minimum lot size, lot width, and all other dimensional requirements of the Zoning Ordinance.

***Cut**:* A portion of land surface or area from which earth has been removed or will be removed by excavation; the depth below original ground surface to excavated surface. Also known as "excavation."

***Cutting**:* The removal of any soil or other solid material from a natural ground surface.

Density: The number of dwelling units permitted per unit of land area, expressed as dwelling units per acre, calculated using the gross acreage of the development site unless otherwise specified.

Density, Net: The number of dwelling units permitted per unit of land area, expressed as dwelling units per acre, calculated by dividing the total number of dwelling units by the net acreage of the site. Net acreage shall exclude public and private street rights-of-way, floodways, jurisdictional wetlands, required buffers, required open space, and other areas restricted from development by these Development Regulations or applicable law.

***Developer**:* See "Applicant."

***Development Permit**:* The authorization is necessary to initiate and conduct a land-disturbing activity and to carry out the planned development of land and structures.

***Development**:* Any man-made change to improved or unimproved real estate, including but not limited to, buildings, or other structures, mining, dredging, filling, grading, paving, excavation, drilling operation or permanent storage of materials.

Development, Subdivision: The entire original parcel for which subdivision approval is requested, including all new parcels intended for development, community amenities, recreation facilities, streets, easements, right of ways and areas to be set aside as open space.

***Director**:* The Morgan County Director of Planning and Development or his/her designated representative.

DNR Department: The Georgia Department of Natural Resources.

***Drainage Structure**:* A device composed of a virtually non-erodible material such as concrete, steel, plastic or other such material that conveys water from one place to another by intercepting the flow and carrying it to a release point for storm-water management, drainage control or flood control purposes.

***Easement**:* A grant or one or more property rights by a property owner to, or for the use by, the public, a corporation or a person or entity.

***Elevated Building**:* A non-basement building built to have the lowest floor of the lowest elevated area elevated above the ground level by means of fill; solid foundation perimeter walls; pilings, columns, posts and piers, shear walls; or breakaway walls.

***EPD**:* The Environmental Protection Division of the Georgia Department of Natural Resources.

***EPD Director**:* The Director of the Environmental Protection Division of the Georgia Department of Natural Resources.

***Erosion**:* The process by which land surface is worn away by the action of wind, water, ice, or gravity.

***Erosion and Sedimentation Control Plan**:* A plan for the control of soil erosion and sedimentation resulting from a land-disturbing activity.

***Existing Construction**:* For the purposes of flood damage prevention requirements, any structure for which the start of construction commenced before September 9, 1997.

***Existing County Street or Road**:* A street, road or highway located in unincorporated Morgan County that existed prior to the submission of a final plat for a minor subdivision or existed prior to the submission of a preliminary plat for a major or private street subdivision. An "existing road" may be a street or road created through recordation of a final plat for a subdivision, a road under maintenance responsibility of the County, a legally created private street, or a U.S. or State numbered highway.

***Existing manufactured home park or subdivision**:* For the purposes of flood damage prevention requirements, 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 final site grading or the pouring of concrete pads) is completed before September 9, 1997.

***Expansion to an existing manufactured home park or subdivision**:* 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.

***Fill**:* A portion of land surface to which soil or other solid material has been added; the depth above the original ground.

***Filling**:* The placement of any soil or other solid material, either organic or inorganic, on a natural ground surface or excavation.

***Finished Grade**:* The final elevation and contour of the ground after cutting or filling and conforming to the proposed design.

Flood Hazard Boundary Map (FHBM): An official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the areas of special flood hazard have been defined.

Flood Insurance Rate Map (FIRM)*:* An official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard or the risk premium zones applicable to the community.

Flood Insurance Study*:* The official report provided by the Federal Emergency Management Agency evaluating flood hazards and containing flood profiles and water surface elevations of the base flood.

Flood or Flooding*:* A general and temporary condition of partial or complete inundation of normally dry land areas from the:

(a) Overflow of inland or tidal waters; or

(b) Unusual and rapid accumulation or runoff of surface waters from any source.

Flood Plain*:* Any land area susceptible to inundation by water.

Floodway*:* 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 one foot in upstream flood elevations.

Floor*:* The top surface of an enclosed area in a building, including basement, i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles or storage, or the floor area of an attic used exclusively for storage.

Grading*:* Altering the shape of ground surfaces to a predetermined condition; this includes stripping, cutting, filling, stockpiling and shaping, or any combination thereof, and shall include the land in its cut or filled condition.

Greenway*:* An area of land immediately adjacent to the banks of state waters in its natural state of vegetation, which facilitates the protection of water quality and aquatic habitat.

Ground Elevation*:* The original elevation of the ground surface prior to cutting or filling.

Highest Adjacent Grade*:* The highest natural elevation of the ground surface, prior to construction, next to the proposed foundation of a building.

Historic Structure. 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 requirements for individual listing on the National Register.

(b) Certified or preliminarily determined by the Secretary of the 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:

a. By an approved state program as determined by the Secretary of the Interior, or

b. Directly by the Secretary of the Interior in states without approved programs.

Impervious Surface: Any surface that substantially prevents or restricts the infiltration of stormwater into the underlying soil, including but not limited to buildings, rooftops, paved areas, driveways, parking areas, streets, sidewalks, patios, decks, and other similar surfaces, regardless of material, that are designed or constructed to be impermeable or semi-impermeable.

Improvements*:* Physical changes to the land which are necessary to create useable lots including (but not limited to) streets, sewer and water facilities, hydrants, sidewalks, survey monuments, changes to existing utilities and storm drainage systems.

Issuing Authority*:* The Morgan County Board of Commissioners, acting through its Director of Planning and Development as its designated representative, which has been certified by the Director of the Environmental Protection Division (EPD) of the Department of Natural Resources (DNR) as an issuing authority, pursuant to O.C.G.A. § 12-7-8. ~~the Erosion and Sedimentation Act of 1975, as amended, or EPD in those instances where an application for a permit is submitted directly to EPD.~~

Jurisdiction*:* That area over which the governing body has authority for planning, zoning and development permitting under the Constitution of the State of Georgia.

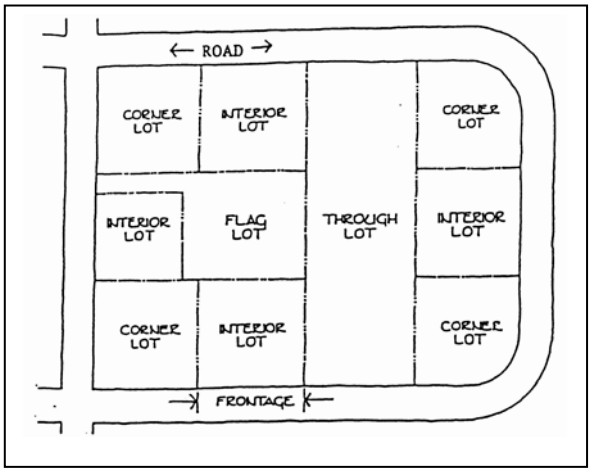
Lake*:* A body of water one acre or more in surface area, created either by a manmade or natural dam or other means of water impoundment.

Land-Disturbing Activity*:* Any activity that may result in soil erosion from water or wind and the movement of sediments into state waters or onto lands within the state, including, but not limited to, clearing, dredging, grading, excavating, transporting and filling of land but not including agricultural practices that are exempt under the Erosion and Sedimentation Control Section of the Land Development Activities Article of these Development Regulations.

Lot of Record: A lot which is part of a subdivision lawfully recorded in the office of the Clerk of Superior Court, or a lot described by metes and bounds, the description of which has been so lawfully recorded.

Lot*:* A parcel of land occupied or capable of being occupied by a use, building or group of buildings devoted to a common use with the customary accessories and open spaces belonging to the same, which is described in a deed or shown on a plat and lawfully recorded in the office of the Superior Court of Morgan County.

***Lot, Corner**:* A lot abutting two or more streets or roads at their intersection.



Lot, Double Frontage: Any lot, other than a corner lot, which has frontage on two streets.

Lot, Reverse Frontage: A double frontage lot on which access is restricted from at least one abutting street or road.

***Lot Frontage**:* See "Lot width."

***Lot Depth**:* The distance measured along a line extending from the lot's frontage, through the mid-point of the lot's width, to the mid-point of the lot line that is most opposite and parallel to the lot width line. For a lot that has more than one frontage, the depth shall be measured from the shortest frontage line. For a lot that has no rear property line, the depth shall be measured at a right angle (90 degrees) to the lot width. For a lot that has more than one rear property line, the depth shall be measured to the mid-point of the property line most nearly opposite and parallel to the lot width.

Lot Width: The linear distance between side lot lines measured at the front building line and at the right-of-way of any street.

***Lowest Floor**:* The lowest floor of the lowest enclosed area, including basement. An unfinished or flood resistant enclosure, used solely for parking of 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 these regulations.

***Manual for Erosion and Sediment Control in Georgia**:* A publication of the same name published by the Georgia Soil and Water Conservation Commission, and as amended or supplemented from time to time.

***Manufactured Home**:* A structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length or, when erected on site, is 320 or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained therein; except that such term shall include any structure which meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the secretary of housing and urban development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq.

***Mean Sea Level**:* The average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the flood plain. For purposes of these regulations, the term "mean sea level" is synonymous with ~~National Geodetic Vertical Datum (NGVD)~~ North American Vertical Datum of 1988 (NAVD 88).

***Mobile Home**:* A structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length or, when erected on site, is 320 or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained therein and manufactured prior to June 15, 1976.

***Model Home**:* A dwelling used initially for display purposes that typifies the type of units that will be constructed in the subdivision.

***National Geodetic Vertical Datum (NGVD)**:* As corrected in 1929, is a vertical control used as a reference for establishing varying elevations within the flood plain.

***Natural Ground Surface**:* The ground surface in its original state before any grading, excavation or filling.

***Nephelometric Turbidity Units (NTU)**:* Numerical units of measure based upon photometric analytical techniques for measuring the light scattered by finely divided particles of a substance in suspension. This technique is used to estimate the extent of turbidity in water in which colloidally dispersed particles are present.

***New Construction**:* Any structure for which the start of construction commenced after September 9, 1997, and includes any subsequent improvements to the structure.

***New Manufactured Home Park or Subdivision**:* For the purposes of flood damage prevention requirements, 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 on or after September 9, 1997.

Open Space: Land or water areas within a development that are intended to remain predominantly undeveloped and are designated for the protection of natural resources, scenic

qualities, agricultural use, passive recreation, or similar purposes consistent with these Development Regulations.

Open Space, Common: Open space owned, maintained, and managed by a homeowners' association, property owners' association, or similar legal entity for the shared use and benefit of the residents of a development, subject to recorded covenants or other legally binding instruments approved by the County.

Open Space, Dedicated: Open space that is conveyed in fee simple or by permanent easement to the County, another governmental entity, or a qualified land trust or conservation organization, for public use or conservation purposes, and accepted by the receiving entity.

Open Space, Protected: Open space that is permanently preserved through conservation easements, deed restrictions, covenants, or other legally enforceable instruments acceptable to the County, which prohibit future development except as expressly permitted by these Development Regulations.

One-Hundred-Year Flood Plain*:* A land area subject to a one (1) percent or greater statistical occurrence probability of flooding in and given year.

Original Parcel: A contiguous parcel of land, recorded in the Office of the Clerk of Superior Court of Morgan County, as it existed immediately prior to the approval of any portion of the parcel being divided as a subdivision.

Owner*:* A person or other legal entity having or controlling a majority fee simple interest in a property, or their authorized representative.

Pervious Surface: A surface that is designed, constructed, and maintained to allow stormwater to infiltrate into the underlying soil at a rate sufficient to reduce surface runoff, including but not limited to landscaped areas, natural ground cover, lawns, gardens, and pervious or porous pavement systems installed in accordance with accepted engineering standards. A surface shall be considered pervious only to the extent that it demonstrably allows infiltration under normal rainfall conditions and is not compacted, sealed, or otherwise rendered impermeable by design or use.

Pond*:* A body of standing water less than one acre in surface area, created either by a natural dam, or other means of water impoundment.

Project*:* The entire proposed development project regardless of the size of the area of land to be disturbed.

Public Improvement*:* The construction, enlargement, extension or other construction of a facility intended for dedication to the public, including but not limited to a street, curb and gutter, sidewalk, cross drain, catch basin, traffic control and street name sign, or other roadway appurtenance other than a driveway apron connection; domestic water supply system main, fire hydrant, valve or other appurtenance other than a supply line to a building; or sanitary sewerage

main or outfall, lift station, force main, manhole or other appurtenance other than a drain line from a building.

Rain Garden: A shallow, landscaped depression designed, constructed, and maintained to collect, temporarily store, and infiltrate stormwater runoff from impervious surfaces such as roofs, driveways, streets, or parking areas. A rain garden uses amended soils, native or adapted vegetation, and natural biological processes to reduce runoff volume, improve water quality, and promote groundwater recharge, and shall be designed in accordance with generally accepted engineering, hydrologic, and horticultural practices. A rain garden shall not be considered a detention or retention facility unless specifically designed and approved as such, and may be required to include overflow structures to safely convey excess runoff.

Recombination: The joining of parcels, or portions thereof, of adjoining properties, including the joining of existing parcels of record, provided that additional parcels are not thereby created, and that all resulting parcels are in compliance with the provisions of the zoning district in which it is located.

Recreational Vehicle. A vehicular type of unit primarily designed for recreation, camping, travel or seasonal use which has its own motive power or is mounted on or towed by another vehicle. The basic entities are: travel trailer, folding camping trailer, park trailer, truck camper, motor home and custom van conversions

Re-subdivision*:* A change in the map of a recorded subdivision plat if such change affects any street layout, area reserved for public use, or any lot line, and includes the further division of platted subdivision lots.

Right-of-Way*:* That area, distinguished from an easement, which is owned in fee-simple by Morgan County or other government, for the present or future use of roads, streets, and highways, together with its drainage facilities and other supporting uses and structures.

Retracement: A survey plat confirming or establishing the boundary lines and property corners from an existing recorded deed.

Roadway Drainage Structure*:* A device such as a bridge, culvert, or ditch, composed of a virtually non-erodible material such as concrete, steel, plastic or other such material that conveys water under a roadway by intercepting the flow on one side of a traveled way consisting of one or more defined lanes, with or without shoulder areas, and carrying water to a release point on the other side.

Screening*:* A method of visually shielding or obscuring one abutting or nearby building, structure, or use from another by fencing, walls, berms, densely planted vegetation, or some combination thereof.

Sediment*:* Solid material, both organic and inorganic, that is in suspension, is being transported or has been moved from its site of origin by air, water, ice or gravity as a product of erosion.

Sedimentation*:* The process by which eroded material is transported and deposited by the action of water, wind, ice, or gravity.

Soil and Water Conservation Commission*:* The Soil and Water Conservation Commission of the State of Georgia.

Soil and Water Conservation District Approved Plan*:* An erosion and sedimentation control plan approved in writing by the Soil and Water Conservation District.

Soil and Water Conservation District*:* The Piedmont Soil and Water Conservation District.

Stabilization*:* The process of establishing an enduring soil cover of vegetation an/or mulch or other ground cover and/or installing temporary or permanent structures for the purpose of reducing to a minimum the erosion process and the resultant transport of sediment by wind, water, ice or gravity.

Start of Construction*:* The initiation of new construction or a substantial improvement, as follows:

(a) For New Construction: 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 of construction means the first placement of permanent construction of a building, including a manufactured or mobile home, on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or the placement of a manufactured or mobile home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, nor does it include the installation of streets or walkways; the excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main building. (Note: accessory structures are not exempt).

(b) For a Substantial Improvement: The actual start of construction means the first alteration of any wall, ceiling, floor, or other structural parts of a building, whether or not that alteration affects the external dimensions of the building.

State Waters*:* Any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells and other bodies of surface or subsurface water, natural or artificial, lying within or forming a part of the boundaries of the State which are not entirely confined and retained completely upon the property of a single individual, partnership or corporation.

Street*:* A way for vehicular traffic, whether designated as an "avenue", "road", "boulevard", "highway", "expressway", "alley", or any other term.

Street Frontage*:* See “Lot width.”

Structural Erosion and Sedimentation Control Measures*:* Measures for the stabilization of erodible or sediment-producing areas by utilizing the mechanical properties of matter for the purpose of either changing the surface of the land or storing, regulating or disposing of runoff to prevent excessive sediment loss. Examples of structural erosion and sedimentation control practices are riprap, sediment basins, dikes, level spreaders, waterways or outlets, diversions,

grade stabilization structures, sediment traps and land grading. Such measures can be found in the publication *Manual for Erosion and Sediment Control in Georgia*.

***Structure**:* Anything built, constructed or erected, or established or composed of parts joined together in some definite manner, the use of which requires location on the ground or which is attached to something having permanent location on the ground.

***Subdivision site**:* The entire property for which subdivision approval is requested, including the lots intended for development of residences and community amenities (such as recreation facilities and stormwater detention facilities), streets and other rights-of-way or easements, and areas to be set aside as open space.

***Subdivision**:* ~~The division of land into two (2) or more parcels, tracts, lots, building sites or other divisions for sale, lease, or development.~~
All divisions of a tract or parcel of land into two or more lots, buildings, sites, or other divisions for the purpose, whether immediate or future, of sale, legacy, or building development; includes all division of land involving a new public road or a change in existing public roads or new drives, driveways, access ways, or changes that require access to the state right of way; includes resubdivision of land.

Subdivision, Estate: A division of an *original parcel* that creates any number of new parcels, with or without a new street, which requires extensive acreage to facilitate a range of rural and agricultural activities.

Subdivision, Conservation: A form of subdivision design which concentrates lots, houses, streets, utilities, and related development activities on the more suitable, and less environmentally sensitive, areas of the site, thereby preserving the steep slopes, wetlands, unsuitable soils, stream corridors and otherwise environmentally sensitive areas in a natural or undisturbed state. The net density of the development is equal to or less than that of traditional subdivision design, but the lot sizes are smaller in order to preserve the environmentally sensitive areas in dedicated, perpetual open space.

***Subdivision, Major*:** A division of an *original parcel* that creates any number of new parcels involving the construction of a new street, stormwater drainage facilities, or the construction or improvement of public utilities that complies with all requirements of the zoning district in which it is located.

Subdivision, Minor: A division of an *original parcel* that creates no more than five (5) parcels, including the remaining portion of the original parcel, fronts along an existing County street and does not require the extension or widening of the street; require the construction of stormwater drainage facilities; or the construction or improvement of public utilities. No further subdivision of the original parcel or resulting parcels from a minor subdivision will be permitted for three (3) year after the date of Minor Subdivision approval to prevent the circumvention of these

Development Regulations. Parcels created as the result of a Minor Subdivisions shall only be further subdivided as a Major Subdivision, involving the installation of a new street.

***Subdivision, Private Street*:** A major subdivision in which the parcels are served by a street held in private ownership and not dedicated to the County. A private street subdivision must meet all requirements of these development regulations that apply to a "Major Subdivision," except for dedication of the street rights-of-way or easements and drainage structures and easements.

***Substantial Damage**:* Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before damage occurred.

***Substantial Improvement**:* Any combination of repairs, reconstruction, alteration, or improvements to a building, taking place during the life of a building, in which the cumulative cost equals or exceeds 50 percent of the market value of the building prior to improvement. The market value of the building should be:

(a) The appraised value of the building prior to the start of the initial repair or improvement; or

(b) In the case of damage, the value of the building prior to the damage occurring. This term includes structures that have incurred "substantial damage," regardless of the actual amount of the actual repair work performed.

(c) 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 those improvements of a building required to comply with existing health, sanitary or safety code specifications which are solely necessary to assure safe living conditions, which have been pre-identified through enforcement of these Development Regulations and not solely triggered by an improvement or repair project.

***Substantially improved existing manufactured home park or subdivision**:* A manufactured home park or subdivision 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: A grant of relief from the strict application of the dimensional, spatial, or physical development requirements of these Development Regulations, when such relief is authorized by law and necessary to avoid undue hardship or correct an administrative error, without permitting a use that is otherwise prohibited in the zoning district.

Variance, Administrative: A minor variance granted by the Director or other authorized administrative official, as expressly provided by these Development Regulations, to address dimensional or measurement discrepancies resulting from survey error, topographic conditions, or similar technical factors, provided such variance does not authorize a prohibited use, increase

density beyond that permitted by the zoning district, or create a material adverse impact on adjoining properties.

***Variance, Hardship*:** A variance granted by the Morgan County Board of Commissioners upon a finding that, owing to special conditions unique to the property and not created by the applicant, the strict application of these Development Regulations would result in unnecessary hardship, provided that the variance is the minimum relief necessary, is not contrary to the public interest, and is consistent with the spirit and intent of these Development Regulations.

***Vegetative Erosion and Sedimentation Control Measures**:* Measures for the stabilization of erodible or sediment-producing areas by covering the soil with:

(a) Permanent seeding, sprigging, or planting, producing long-term vegetative cover; or

(b) Temporary seeding, producing short-term vegetative cover; or

(c) Sodding, covering areas with a turf of perennial sod-forming grass.

(d) Such practices can be found in the publication Manual for Erosion and Sediment Control in Georgia.

***Watercourse**:* Any natural or artificial watercourse, stream, river, creek, channel, ditch, canal, conduit, culvert, drain, waterway, gully, ravine, or wash in which water flows either continuously or intermittently and which has a definite channel, bed and banks, and including any area adjacent thereto subject to inundation by reason of overflow or floodwater.

***Wetlands**:* Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas.

Wetlands, protected: Those wetlands identified on the National Wetlands Inventory maps prepared by the U.S. Fish and Wildlife Service, or otherwise approved by the U.S. Army Corps of Engineers based on competent studies prepared by a registered and qualified professional engineer.

***Zoning Map**:* The map of Morgan County delineating the zoning districts described within the *Morgan County Zoning Ordinance* related to property lying within unincorporated areas.

***Zoning Ordinance**:* The Zoning Ordinance for Morgan County, Georgia, adopted by the Board of Commissioners of Morgan County, Georgia, and amended from time to time.

STAFF REPORT
MORGAN COUNTY PLANNING COMMISSION

PETITION FOR: TEXT AMENDMENT

Applicant: Morgan County Planning & Development
Applicant's Agent: N/A
Zoning Ordinance: Morgan County Zoning Ordinance Chapter 7.32

Summary

Event Facilities have been a contentious topic since the ordinance was adopted in 2011, with numerous changes made to the wording. Many modifications were made in response to complaints, and this request is no different.

Non-profit exemptions

In 2011, efforts were made to exempt groups that may have frequent gatherings associated with non-profits, especially churches. Small groups were also exempted due to difficulty of enforcement. The 2011 ordinance language stated:

Section 7.32.2 Exceptions

Church events or events hosted by non-profit organizations held in exchange for a donation are not included.

Permanent facilities serving only 50 people or less may be excluded from these regulations, except use restrictions, provided adequate parking is provided and conforms to all Federal, State and Local ordinances.

In 2017, complaints about the small groups prompted further changes. From the October 2017 staff report:

This text amendment was requested by the Morgan County Board of Commissioners in response to complaints regarding the Event Facilities ordinance language. In June of this year, two residents requested that the language in Section 7.32.2 allowing groups of 50 or less to operate without a conditional use permit be removed.

The original language for event facilities only used zoning designation to regulate where an event could be held. The regulations focused on what events could be held. The exemptions focused on who could hold events without a permit. The exemption language was included for non-profits and small groups. Morgan County has close to 100 churches, all of which hold homecomings, vacation bible schools, holiday celebrations, revivals, etc. We have several non-profits (bonified 501(c)3 organizations) that hold various fund-raising events and regular presentations and exhibits. Smaller groups present an issue for

Morgan County Planning & Development
150 E. Washington Street, Suite 200
Madison, Georgia 30650

enforcement. The general perception is that 50 people is a large group, but the reality is that many family patriarchs host that number every Sunday for family dinners. That number could entail a birthday party or a Super Bowl gathering. The number of cars associated with a 50 person gathering would typically be about 20, but could be much lower. It would be impossible to police every house in Morgan County to determine if every group of 50 or less was, or was not, a paying event.

When it was requested that the 50 or less language be removed, Staff had to consider how to address groups operating without a permit. It isn't plausible to require every gathering in the county to have a permit. Therefore, the most logical solution was to focus on locations already available for assemblies. These locations have been inspected for public use and have ADA accessibility, adequate restroom facilities and have met life safety requirements. The focus on exemptions moved from who to where. An exemption for residential gatherings had to remain, as well as an exemption for family gatherings at locations other than a residence, although Staff admits that these events can still be hard to police.

The new approved language clarified who was exempt:

Church facilities.

Government owned facilities.

Non-profit organization facilities, owned by the organization.

Residential and family gatherings

Restaurants and Hotels with banquet rooms.

Two properties have utilized the language allowing non-profits to operate, including one that prompted the concerns about small groups prior to applying for non-profit status. Both have resulted in numerous complaints. Both properties are approximately 10 acres, which meet the minimum acreage, but are configured where event spaces are too close to other residences and parking has often been on the right-of-way. One has had fireworks displays that are too close to adjacent properties. These concerns have resulted in further deliberation about non-profits and the ability to have unregulated events.

Non-profits located in the county that own property, such as Stephan Thomas Museum and Camp Twin Lakes, are grandfathered with regard to events. Other non-profits typically use large venues in Madison or outside the county and only hold events infrequently for fundraising. The county is working on a special event ordinance that will allow applicants, non-profit or otherwise, to request approval for a one-time occasion, provided they submit the necessary site plan and life safety information. With these considerations, Staff is requesting that the language related to non-profits be removed.

~~*Non-profit organization facilities, owned by the organization.*~~

Criteria for Consideration

From Chapter 14.2.3.1, Criteria for Considering a Text Amendment, in the Buckhead Zoning Ordinance:

1. The proposed amendment is consistent with the purpose and intent of this ordinance as stated in Article 1;
2. The proposed amendment supports or is compatible with the purpose and intent of the Comprehensive Plan;
3. The proposed amendment adequately addresses new or changing conditions to properly implement the Comprehensive Plan or the terms of this Zoning Ordinance;
4. The proposed amendment provides a benefit to the county as a whole;
5. The proposed amendment reasonably promotes the public health, safety, morality and general welfare.

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Madison, Georgia 30650

STAFF REPORT
MORGAN COUNTY PLANNING COMMISSION

PETITION FOR: TEXT AMENDMENT

Applicant: Morgan County Planning & Development
Applicant's Agent: N/A
Zoning Ordinance: Morgan County Zoning Ordinance Table 4.1

Summary

This text amendment request is for two changes to Table 4.1, which both reflect changing conditions seen in application requests received by the Planning & Development office.

Data Centers

The use "Data Management and Data Processing Facility" was originally part of the stand-alone use chart for the MXD1 Zoning District, also known as the Stanton Springs Business Park. The use was permitted. At that time, data processing facilities were often housed in vacant office buildings or smaller corporate facilities. When the use charts were combined in 2012, the use was expanded to commercial and industrial zoning districts as it was still considered benign and unobtrusive. After that, the line item in the use chart was forgotten.

Today, data management and processing facilities are more commonly known as data centers and are massive 100,000+ square foot buildings with high power, and potentially water, needs. Evaporative cooling equipment and generators used for back-up power can generate obtrusive noise and numerous complaints. Many jurisdictions are enacting moratoriums on data centers in an effort to establish regulations to address local concerns.

Morgan County approved a data center moratorium on July 7 to give staff time to research and write a data center ordinance. As part of that process, this text amendment requests the removal of the old use in the zoning ordinance that allows "Data Management and Data Processing Facility" as a permitted use in 4 zoning districts.

USE DESCRIPTION	AG	AR	R1	R2	R3	C1	C2	C3	TCO	MXD3	I1	I2	I3	LR1	LR2	LR3	LTCO	RC	See Sec.
Data Management or Processing Facility							P	P			P	P							

The removal of this use does not negate the data center application already submitted, which was received on June 30. The request is for a zoning map amendment combined with a Comprehensive Plan Amendment to comply with the use currently in the Zoning Ordinance. Staff is working with the applicant to determine if the application will proceed or be held until after the new ordinance is approved.

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Metal Siding

Metal siding was prohibited on residential structures in 2021 to combat the increasing occurrence of metal garage buildings used for residences and the use of cheap metal siding. The request for metal siding, particularly in relation to bardominiums, did not abate and complaints to Commissioners prompted renewed discussions.

In June of this year, language was presented for house form standards to apply for major subdivisions, or developments of more than 5 lots. In that language, metal siding was allowed by review, provided the architectural metal siding was 24 gauge or heavier. The wording was approved by the BOC and immediately the complaints started about why it was allowed in subdivisions but not generally across the county. This text amendment changes the existing language prohibiting metal siding to match what was approved in the house from standards.

Dwellings, including single-family attached and detached, and accessory, have the note (s) after each to specify:

(s) No attached or detached single family dwellings, accessory dwelling, or tenant dwelling shall have metal siding.

Staff proposes to modify the wording to:

(s) Architectural metal siding shall be reviewed for suitability and will be subject to design merit, provided the siding is 24 or heavier gauge.

Criteria for Consideration

From Chapter 14.2.3.1, Criteria for Considering a Text Amendment, in the Buckhead Zoning Ordinance:

1. The proposed amendment is consistent with the purpose and intent of this ordinance as stated in Article 1;
2. The proposed amendment supports or is compatible with the purpose and intent of the Comprehensive Plan;
3. The proposed amendment adequately addresses new or changing conditions to properly implement the Comprehensive Plan or the terms of this Zoning Ordinance;
4. The proposed amendment provides a benefit to the county as a whole;
5. The proposed amendment reasonably promotes the public health, safety, morality and general welfare.

Morgan County Planning & Development
150 E. Washington Street, Suite 200
Madison, Georgia 30650

MORGAN COUNTY AGENDA REQUEST

Department: Administration

Presenter(s): Adam Mestres

Meeting Date: mm/dd/yyyy 8/18/2026

Type of Request: New Business

Wording for the Agenda:

Hospital Authority Board Applications

Background/History/Details:

Sara Burbach resigned from the Hospital Authority Board effective June 30, 2026. The unexpired vacancy was advertised in the Morgan County Citizen and on the Morgan County website. The deadline to submit applications was August 7, 2026.

The unexpired term will end on June 30, 2028.

Two applications were received:

Mitchell Copelan
Paul Davis

What action are you seeking from the Board of Commissioners?

Review the applications and appoint an individual to fill the unexpired term ending June 30, 2028.

If this item requires funding, please describe:

Has this request been considered within the past two years? No

If so, when?

Is Audio-Visual Equipment Required for this Request?* No

Backup Provided with Request? Yes

* ***All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.***

Approved by Finance: Not Applicable

Approved by Purchasing: Not Applicable

Manager's Approval: No

Staff Notes:

Morgan County Advisory Board Application

Morgan County Hospital Authority

Applicant Information:

Mitchell Copelan

Full Name

[redacted] Madison, GA 30650

Address

Mailing Address (If different)

[redacted] [redacted]

Telephone-Home Telephone-Work

I reside in Commission District# 2

Board interested in serving on:

Hospital Authority

Background Information:

Occupation/Employer

SVP, Senior Lender at the Bank of Madison

Education:

Morgan County High School / UGA Bachelor of Science Agribusiness

Do you have any experience in the field you are applying? If so explain.

My professional and community service experiences have developed my ability to evaluate complex financial matters, make sound decisions, and provide strategic leadership - skills that I believe are essential for effective board goverance

Contribution/Intentions:

What do you feel will be your biggest contribution if appointed to this board/position?

Financial stewardship, leadership, community roots, strategic thinking and public service. And an understanding of economoc development and the financial challenges facing rural communities

Other Comments or Information:

This board meets the last Thursday of each month at 5:30 P.M. in the Education Room, at 1740 Lions Club Road, Madison, GA. In addition, there are Special Called Meetings on an as needed basis.

Policy:

I understand the obligations and commitments required by this board/position. If appointed by the Morgan County Board of Commissioners, I agree to serve and faithfully execute the obligations and commitments of said board/position for the duration of the term of appointment. In all respects, I will uphold the ordinances and policies of Morgan County and all municipalities in a professional and courteous manner and fully divulge any and all potential conflicts of interest.

Signature

7/30/2026

Date

Mitchell Copelan is a lifelong resident of Morgan County whose career in banking and finance, combined with a longstanding record of community leadership, has prepared him to help guide the strategic and fiscal direction of the hospital board. A graduate of Morgan County High School, Mitchell earned a Bachelor of Science in Agribusiness from the University of Georgia before returning home to build his career and invest in the community that shaped him.

Mitchell serves as Senior Vice President and Senior Lender at Bank of Madison, where he oversees the bank's lending function. He has held this position since August 2024. Prior to assuming this role, he served as a Commercial Loan Officer at Bank of Madison's Lake Oconee Loan Production Office, which he helped establish in 2019. Throughout his career, he has developed extensive expertise in commercial and consumer lending, financial analysis, credit and risk management, economic development, and fiscal oversight. These experiences have equipped him with the financial acumen, strategic perspective, and sound judgment essential for effective hospital board governance.

Mitchell's commitment to Morgan County extends well beyond his profession. He is an active member of Madison Presbyterian Church and is the Founder and President of the Morgan County Quarterback Club. He also serves as Co-Chairman of the Morgan County Ducks Unlimited Chapter, is a member of the Morgan County Primary School Governance Team, and serves on the Board of Directors of the Morgan County High School College and Career Academy. He is especially passionate about financial literacy education and enjoys helping young people develop the knowledge and skills needed to make sound financial decisions. His dedication to strengthening educational opportunities and investing in future generations reflects the same commitment to community well-being that is central to hospital governance.

Mitchell and his wife, Daniela, are raising their three daughters in Morgan County, where they remain deeply invested in the community's long-term health and vitality. His combination of financial expertise, executive leadership, risk management experience, and demonstrated commitment to public service positions him to provide thoughtful oversight, strategic guidance, and responsible stewardship as a member of the hospital board.

Morgan County Advisory Board Application

Morgan County Hospital Authority

Applicant Information:

Paul Davis

Full Name

[redacted]

Address

Madison, GA 30650

Mailing Address (If different)

[redacted]

Telephone-Home *Telephone-Work*

I reside in Commission District#_____1_____

Board interested in serving on:

Hospital Authority

Background Information:

Occupation/Employer

Retired Healthcare Executive

Education:

United States Naval Academy; University of Richmond, M.B.A.; Medical College of Virginia, Healthcare Management

Do you have any experience in the field you are applying? If so explain.

Executive experience in hospital and health administration in the private, public, and nonprofit sectors.

Contribution/Intentions:

What do you feel will be your biggest contribution if appointed to this board/position?

Searching for opportunities to expand new services for revenue, building physician relationships and other healthcare providers.

Other Comments or Information:

My career in health care administration, including serving on the Boards of Directors of health insurance companies and physician group practice organizations, would help guide the Medical Center's continued growth.

This board meets the last Thursday of each month at 5:30 P.M. in the Education Room, at 1740 Lions Club Road, Madison, GA. In addition, there are Special Called Meetings on an as needed basis.

Policy:

I understand the obligations and commitments required by this board/position. If appointed by the Morgan County Board of Commissioners, I agree to serve and faithfully execute the obligations and commitments of said board/position for the duration of the term of appointment. In all respects, I will uphold the ordinances and policies of Morgan County and all municipalities in a professional and courteous manner and fully divulge any and all potential conflicts of interest.

Paul Davis July 31, 2026

Signature Date

PAUL DAVIS

[redacted]
Madison, GA 30650

Cell: [redacted]

August 4, 2026

Kim Cox
County Clerk
Morgan County Board of Commissioners
150 East Washington Street / P.O. Box 168
Madison, Georgia 30650

Dear Ms. Cox:

I am writing to apply for appointment to the Morgan County Hospital Authority Board, and I have enclosed my completed application.

I chose a career in healthcare administration to serve my community and improve the health and lives of others. That commitment has included board service with Multi Group Healthcare, a large HMO in Boston, where I served as Treasurer; Harvard Community Health Plan, the 8th largest insurance plan in the United States; the University Internal Medicine Foundation at the Medical College of Virginia — the first nonprofit faculty practice plan in the country — where I served as Secretary-Treasurer; the Joint Policy Board for several multi-state physician group practices, where I served as Regional Vice President; and Safe Passages, a regional domestic violence organization. I see this appointment as an opportunity to bring that governance and financial experience to Morgan County and help position the Medical Center for continued growth and excellence.

My work has included turning around near-bankrupt medical groups, negotiating payor and management contracts, building physician and hospital governance structures, and leading organizations through significant growth in revenue and operating performance. I believe this combination of hands-on healthcare operations and financial leadership would be of direct value to the Hospital Authority Board as it works to expand services, strengthen physician relationships, and grow revenue for the Medical Center.

Thank you for your consideration. I would welcome the opportunity to discuss my qualifications further and am happy to provide any additional information the Board of Commissioners may need.

Sincerely,

Paul Davis

MORGAN MEDICAL CENTER

August 11, 2026

Adam Mestres, MPA, CPM, County Manager
Morgan County Board of Commissioners
150 East Washington Street
Madison, GA 30650

RE: Hospital Authority Vacancy and Recommendation for Appointment

Dear Adam Mestres,

This letter acknowledges the resignation of Sarah Burbach from the Morgan County GA Hospital Authority, effective June 30, 2026, and the resulting vacancy for the remainder of her unexpired term. On behalf of the Authority, we extend our sincere appreciation to Mrs. Burbach for her many years of dedicated services and contributions to Morgan Medical Center and our community.

In accordance with Article III, Section 2 of the Morgan County Hospital Authority Bylaws, the Authority, and having previously provided notice of vacancy, the Authority respectfully recommends Mitchell Copelan of Madison GA, for appointment to fill the vacancy and serve the remainder of the unexpired term.

The Authority believes Mr. Copelan possesses the qualifications, experience, and commitment to community service necessary to effectively serve the citizens of Morgan County and support the continued mission of Morgan Medical Center.

We respectfully submit this recommendation for your consideration and for the appropriate action necessary to complete the appointment process.

Should you require any additional information, please do not hesitate to contact me.

Sincerely,

Ralph A. Castillo, CPA
Chief Executive Officer

Attachments: Mitch Copeland Bio | Sarah Burbach Resignation Letter

Sarah Burbach

Ralph Castillo, CEO
Morgan Medical Center
1740 Lions Club Road
Madison, GA 30650

June 22, 2026

Dear Mr. Castillo:

After much thought and reflection, I am writing to submit my resignation from the Morgan Medical Center Hospital Authority, effective June 30, 2026.

Serving on this Board for more than twenty years has been one of the greatest honors of my professional and personal life. Throughout these years, I have had the privilege of working alongside dedicated Morgan County leaders, physicians, staff members, and fellow board members who share a deep commitment to providing exceptional healthcare and service to our community.

I am profoundly grateful for the opportunities I have been given to contribute to the hospital's mission and growth. Watching the organization evolve (especially in the quality of care), overcome financial challenges, embrace innovation, and expand its impact across the county and beyond has been both inspiring and rewarding. I have been especially proud to witness the unwavering dedication of those who serve our patients and their families each day.

While stepping away from Board service is not an easy decision, I do so with confidence in the hospital's future and in the capable leadership guiding it forward. Morgan Medical is well-positioned to continue its tradition of excellence and to meet the healthcare needs of our community for many years to come. You have brought us such a long way!

Thank you for your leadership, friendship, and partnership throughout my years of service. It has been a privilege to work with you and so many others who care deeply about our hospital and community. You know that I will always remain a strong supporter of our hospital and its mission, and I hope you call on me for fundraising or any other needs that may arise. I will continue to be the MMC's best cheerleader!

With sincere gratitude and best wishes,

Sarah Burbach

Sarah Burbach

MORGAN COUNTY AGENDA REQUEST

Department: Administration

Presenter(s): Mark Williams

Meeting Date: mm/dd/yyyy 8/18/2026

Type of Request: New Business

Wording for the Agenda:

Purchasing Policy Updates

Background/History/Details:

Revisions to the purchasing policy are needed due to new procedures related to financial software and changes to state law. The policy was last updated in August 2023.

What action are you seeking from the Board of Commissioners?

Approval of the updated purchasing policy.

If this item requires funding, please describe:

Has this request been considered within the past two years? No

If so, when?

Is Audio-Visual Equipment Required for this Request?* No

Backup Provided with Request? Yes

All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.

Approved by Finance Not Applicable

Approved by Purchasing Not Applicable

Manager's Approval No

Staff Notes:

MORGAN COUNTY PURCHASING POLICY

Objective

Morgan County's purchasing policies and procedures have been established to ensure that tax dollars are spent in the most economical way. The County uses competitive means for the purchase of all products and services when possible and if required. The County believes in open, fair competition. The purchasing levels in this policy are subject to periodic review and may be changed with County Commission approval based on inflation and other factors.

Definitions

Bid Bond – a bond that guarantees the bidder will honor the terms of the bid. If the bidder defaults, the bonding company will pay the County the difference between the defaulting low bid and the next highest bid.

Capital Purchases – purchases to acquire, restore or upgrade assets such as property, buildings, or equipment.

Competitive Sealed Bid Process – term used to encompass bidding, request for proposals, or request for qualifications when trying to get the best price or contractor for a project. All bids are received in a sealed package. All sealed bids received by the stated submission deadline are opened at a specified time.

Contract Labor – labor performed by an individual or business who performs work on a project-by-project basis for a set fee.

House Account – A credit account established by a vendor for which all purchases made by any department are charged. The vendor sends a monthly billing statement to the Finance Department for payment.

Local Vendor – a vendor whose business address is within Morgan County, within a 15-mile radius of the Administration Building, or whose primary owner resides in Morgan County.

Payment Bond – a bond obtained by a contractor to guarantee that its subcontractors and material suppliers on a project will be paid.

Performance Bond – a bond to guarantee satisfactory completion of a project by a contractor. A performance bond protects the County against possible losses in case a contractor fails to perform or is unable to complete a project as established in the contract.

Professional Services – Those services within the scope of the practice of architecture, engineering, professional land surveying, industrial hygiene, legal counsel, financial advisers, accountants/auditors, business consultants, recruiters, lobbyists, and banks.

Public Works Construction Projects– the building, altering, repairing, improving, or demolishing of any public structure or building or other public improvements of any kind to any public real property. Such term does not include the routine operation, repair, or maintenance of existing structures, buildings, or real property, or any energy savings performance contract or any improvements or installations performed as part of an energy

savings performance contract. (Per O.C.G.A. 36-91-2)

Purchase Order – A document which authorizes the delivery of specified merchandise or the rendering of services at an authorized cost.

Request for Proposals (RFP) – An invitation for suppliers, companies, or individuals, through a competitive process, to submit a proposal on a specific commodity or service.

Request for Qualifications (RFQ) – An invitation for suppliers, companies, or individuals to identify and delineate their qualifications for a specific project.

Purchasing Agent

The County Manager is designated as the Chief Purchasing Officer. The County Manager shall designate a Purchasing Director. The Purchasing Director shall manage the operations of the Procurement Department. One or more Purchasing Officers may be appointed. The Finance Director shall also have the same approval authority as the Purchasing Director. The Purchasing Director shall ensure that purchases are made within the thresholds listed below.

Purchase of Items for Personal Use

The purchase of equipment, material, or supplies for personal use is strictly prohibited. The use of County credit accounts, purchase orders or reimbursable cash for personal use is prohibited and unlawful. All instances of unlawful activity will be reported to the proper authorities.

Ethics

Morgan County officers, employees and public body members may not have an interest in a contract with the County, unless the interest is disclosed, and that person ~~is recused~~ recuses themselves from, and does not participate ~~from participating~~ in the decision process. Further, Morgan County officers, employees, or public body members with an interest in a contract may not attempt to influence any County employee or decision maker who has influence or decision-making power over the contract.

Spending Thresholds

Department Heads are authorized to make non-centralized purchases that do not exceed ~~$1,500.~~$4,999.99. No purchase order is required, but the Department Head should make a diligent effort to obtain the lowest price for items or services purchased. Receipts/Invoices must be submitted and approved by the Department Head.

~~Purchases between $1,500.01 and $5,000.00 do not require a purchase order but must be pre-approved by a Purchasing Officer or the Purchasing Director unless the purchase is from an existing State or Local contract. The Purchasing Director may choose to require additional quotes for such purchases.~~

Purchases between $5,000.01 and $10,000.00 require 3 verbal or written quotes and must be approved by the Purchasing Director. Verbal quotes must be documented to include vendor name, contact person, date/time of quote, and cost. If 3 quotes cannot be obtained, valid justification must be

provided. A purchase order must be issued prior to the purchase being made.

Purchases between $10,000.01 and $25,000.00 require 3 written quotes and must be approved by the Purchasing Director, and County Manager. If 3 quotes cannot be obtained, valid justification must be provided. A purchase order must be issued prior to the purchase being made.

Purchases between $25,000.01 and $100,000 require 3 written quotes and must be approved by the Purchasing Director, County Manager, and Board of Commissioners. If 3 quotes are not obtained, valid justification must be provided. A purchase order must be issued prior to the purchase being made.

Purchases above $100,000 require a competitive sealed bid process. ~~The Department Head/Elected Official, Purchasing Director and County Manager will review bids and make a recommendation to the Board of Commissioners.~~ The Purchasing Director and Department Head will establish a committee to review and evaluate bids. If the item was not itemized in the approved budget, or if the amount is greater than the approved budget, the Board of Commissioners must approve the purchase. The Board of Commissioners reserves the right to meet with prospective vendors in an open meeting to assist in the award of the purchase.

Purchases may not be split up between multiple invoices to avoid a higher approval requirement.

Purchasing under a State, National Contract, or purchasing Co-op is authorized in lieu of obtaining quotes/competitive bidding when it is to the advantage of the County. The same spending approval levels and purchase order requirements ~~thresholds~~ stated above apply to such purchases.

Capital purchases shall not require approval of the Board of Commissioners, if the purchase was itemized in the capital budget approved by the Board of Commissioners and does not exceed the approved budgeted amount. Capital purchases must comply with all other quote/bid, spending approval level and purchase order requirements. ~~requirements of this policy~~.

Purchases for the following items shall not require approval of the Board of Commissioners provided adequate funding is available in the approved budget:

- Utilities
- Employee payroll
- Employee benefits and tax payments
- Insurance premiums for coverage not related to employee benefits
- Professional services and contract labor associated with an approved project
- Purchases that will be reimbursed by external sources (grants, donations, etc…)
- Payments for renewal of services

For any purchase requiring verbal or written quotes, each quote must be for the same product, or a comparable product made by another company. The purchase shall be made from the offeror whose proposal is determined to be the most advantageous to the County. Preference will be given to local vendors whose bid is within 5% of the lowest bid unless prohibited by State Law.

Budget Allocation

All purchases must be included within the requesting Department's general fund budget, capital budget,

TSPLOST budget, or SPLOST budget. If funds for any purchase are not available, a request for a budget amendment must be made by the requesting Department Head/Elected Official to the Finance Director. Budget amendments must be approved by the Board of Commissioners if the amendment exceeds the legal level of control prior to the purchase being made.

Centralized Purchases and Price Agreements

Whenever it is in the best interest of Morgan County, centralized purchasing will be utilized for common items used by multiple departments. When purchasing items approved for centralized purchasing, Department Heads and Elected Officials will submit their requests to the Purchasing Officer~~.~~ The Purchasing Officer will place the order and notify Department Heads when items have been received. Department Heads will receive a copy of the invoice for their records.

The Purchasing Director may establish user accounts for department heads, elected officials and/or their designee for on-line vendors, such as Amazon and Staples Advantage, to purchase items utilizing a common contract. Such purchases should be made using a p-card. Approval paths for such online vendors may be established, and approval thresholds may vary by site.

The Purchasing Director may seek bids to obtain a contract for goods or services used by one or more departments on a regular and continuing basis. The Purchasing Director shall conduct the competitive bid process for such identified purchases. If a contract is awarded, departments would make purchases throughout the contract term without obtaining additional quotes.

Purchase Orders

Purchase orders are required for all purchases above $5,000.00. ~~A Purchase Order Request Form accompanied by 3 quotes must be submitted to a Purchasing Officer for approval~~. A requisition request must be entered into the financial software. All quotes should be uploaded as an attached document to the requisition. Purchase orders must be obtained prior to placing an order for goods or services. Purchase orders are not required for:

- Utilities
- Employee payroll
- Employee benefits and tax payments
- Payments made pursuant to Board of Commissioners approved contracts and intergovernmental agreements
- Payments for renewal of services approved in the budget
- Annual appropriations to external agencies approved in the budget
- Professional services or contract labor retained on an ad hoc basis
- Insurance premiums for coverage not related to employee benefits
- Land acquisition pursuant to contract approved by the Board of Commissioners
- Lease payments pursuant to lease agreement approved by the Board of Commissioners
- Debt service

Receipt and Payment for Purchases

It shall be the responsibility of the receiving department to ensure that shipped goods are received as ordered and in good condition. Invoices and receipts should be reviewed to verify correct pricing and tax

exemptions. Invoices received directly by the receiving department shall up uploaded, coded and approved in the financial system. Invoices received by accounts payable will be uploaded to the financial system and assigned to the Department for coding and approval. Invoices must be submitted and approved in the financial system by 12 noon on Wednesday for payment on Thursday. ~~and approved Request for Purchases, if applicable, should be remitted to Accounts Payable within 5 days of receipt. Invoices/Check Requests must be submitted by 5 p.m. Monday for payment on Thursday.~~ If there are any issues with goods received and/or discrepancies with an invoice, the Department Head/Elected Official will contact the vendor to have corrected and notify Accounts Payable of the issue. Department heads/Elected officials must follow up with vendors until the issue is corrected and notify Accounts Payable when payment can be submitted.

Invoice/House Accounts

The preferred payment method is for vendors to submit invoices. Department heads/Elected Officials should contact the Finance Department for any assistance needed to establish a new account with vendors. Invoices should be stamped "Approved", signed by the Department Head/Elected Official and appropriate account code notated.

P-Card

P-Cards may be used for purchases when there is no house account, or the vendor will not invoice. P-Cards may be used to pay for lodging for approved travel, provided there are no charges for room upgrades, room service, amenities, sales tax, and/or hotel motel tax. P-Cards may only be used by the card holder. Card holders are responsible to ensure that sales tax is not charged. The card holder shall attach a P-Card Expense Log and receipts with the monthly statement. P-Cards may be suspended or revoked for improper use.

Check Requests

A Check Request Form should be submitted for non-travel related reimbursements and purchases without an invoice. Reimbursements for travel-related expenses should be submitted via the Travel Request. Receipts or other documentation must be submitted with the Check Request.

Competitive Bids

Purchases of more than $100,000 require a competitive sealed bid process; however the County Manager or Purchasing Director reserve the right to call for competitive bids without regard to amount. As used herein, "bidding" shall include requests for bids, requests for proposals (RFP) and requests for qualifications (RFQ). All competitive bids shall be advertised on the County website. Bids shall be advertised on the Georgia Procurement Registry and in the local organ as required by law. All bids will be advertised for at least one week or as required by law.

Public works constructions projects estimated to exceed ~~$100,000~~ 250,000 (O.C.G.A. 36-91-22(a)) require a sealed bid process. The project must be advertised in the legal organ of the county a minimum of two times or on the County's website in accordance with O.C.G.A. 36-91-20. If advertised in the legal organ it shall be advertised a minimum of two times, the first advertisement occurring at least four

weeks prior to the opening of the sealed bids. The second advertisement shall follow no earlier than two weeks from the first advertisement. Bid requests solely advertised on the Internet shall be posted continuously for at least four weeks prior to opening of sealed bids. The request shall also be posted on the Georgia Procurement Registry.

Public road construction projects estimated to exceed ~~200,000~~ $250,000 must be awarded via sealed bid. The project must be advertised for at least two weeks in the legal organ of the County per O.C.G.A. 32-4-65. The first advertisement shall be two weeks prior to the bid opening and the second to follow one week after the first. Projects will also be posted on the County's web page and the Georgia Procurement Registry. Emergency maintenance requiring immediate repairs to a public road do not require a sealed bid per O.C.G.A. 32-4-63. For public road construction projects under $250,000 the County may negotiate a contract instead of using a competitive bid process but must obtain at least two estimates (O.C.G.A. 32-4-63).

If necessary, pre-bid meetings will be conducted with potential vendors. No bid will be accepted if it is received after the advertised deadline. Sealed bids shall be opened publicly at the prescribed date, time and place in accordance with O.C.G.A. 36-91-21

The County reserves the right to reject any bid that does not meet all conditions, requirements, and specifications. If no qualified bid is received, the County can reject all bids and rebid the project. ~~Preference will be given to local vendors whose bid is within 5% of the lowest bid.~~

The Purchasing Director ~~and~~ or the County Manager will recommend the vendor to be selected to the Board of Commissioners. The Board of Commissioners will select the vendor by majority vote. The Board of Commissioners shall authorize the Chairman to sign any necessary contracts to proceed with the purchase. If the low bidder is not selected, justification must be submitted.

Bonds and Insurance

In accordance with O.C.G.A. 36-91-50 and 36-91-51, construction projects valued over $100,000 shall require a bid bond to guarantee the bid will be maintained in full force and effect for 60 days. The bid bond should be at least 5% of the bid price. At the County Manager's discretion, the bid bond requirement may be satisfied by receipt of a certified bank check or an irrevocable letter of credit.

A performance bond is required for all public works construction contracts with an estimated value greater than $100,000 per O.C.G.A. 36-91-70. A performance bond is required for any public roads contract exceeding $5,000 per O.C.G.A. 32-4-69. The County may require performance bonds for other capital projects. Performance bonds shall be for the amount equal to one hundred percent of the price specified in the contract, or any other higher amount determined by the County to be in the best interest of the County.

A payment bond shall be required for all public works construction contracts awarded in excess of $100,000 per O.C.G.A. 36-91-90 and for public roads contracts in excess of $5,000 per O.C.G.A. 32-4-69. The payment bond shall be in an amount equal to one hundred percent of the price specified in the contract, or any other higher amount determined by the County to be in the best interest of the County.

All contractors are required to provide certificates of insurance with the County named as additional insured for all capital projects. The minimum coverage limits are $1,000,000 general liability, $150,000

automobile liability and current statutory limits for Workers' Compensation.

Sole Source Purchases

Sole source purchases allow for procuring goods or services from a single source without soliciting bids from multiple sources. Sole source purchases may be accomplished when the vendor of goods or provider of services is:

- Another unit of government, educational institution, or a division of county government
- A professional service
- The only source of an item that has been determined to be specifically suited to the needs of the county. Justification that there is only one source available to meet the specifications is required

Emergency Purchases

In the event of a natural disaster or other situation that severely hampers a department's operations or in which the preservation of life, health, safety, or property may be at risk, the County Manager and Purchasing Director shall have the authority to make purchases that exceed the normal thresholds. The County Manager will consult with the Chairman of the Board for emergency purchases exceeding $50,000.

Capital Assets

Purchases of capital assets valued over $10,000 and having a useful life greater than one year or infrastructure projects valued over $50,000 must be recorded on asset inventory. When capital assets are sold, they must be removed from the asset inventory.

Surplus/Disposal of County Owned Property

Personal Property/Equipment that is no longer ~~necessary~~ utilized, is in unusable condition, or has been replaced ~~that~~ and has a salvage value of more than ~~$100~~ $1,000 shall be presented to the Board of Commissioners to be declared surplus property. The County Manager or Procurement Director can approve property with salvage value up to $1,000 as surplus. Once declared surplus property, the Purchasing Officer shall attempt to sell via live or online auction or sell scrap metal. Items that don't sell shall be destroyed and disposed of properly. The County Manager is also authorized to approve the sale of items to other units of government or educational institutions for a negotiated price. Items that have a salvage value of less than $100 shall be destroyed and disposed of properly. Sale of real property shall be in compliance with applicable State Law.

ATTACHMENTS

Samples of forms referenced in the policy are attached. All are also available in electronic format.

1. Procurement Reference Chart
2. ~~Purchase Order Request Form~~

3. P-Card Expense Log
4. Check Request

Morgan County Procurement Quick Reference Chart

The Chart below outlines the general polices and requirements for purchases. Refer the the policy for limited exceptions to the requirements.

Cost	Quote/Bid Requirements	Approvals Needed
$0 - $4,999.00	Single Quote	Department Head
$5,000 to $10,000.00	3 verbal or written quotes Purchase Order Required	Department Head, Purchasing Director
$10,000.01 to $25,000.00	3 written quotes Purchase Order Required	Department Head, Purchasing Director, County Manager
$25,000.01 to $100,000.00	3 written quotes Purchase Order Required	Department Head, Purchasing Director, County Manager, Board of Commissioners
Greater than $100,000.00	Competitive Sealed Bids	Board of Commissioners

Purchasing under a State, National Contract, or purchasing Co-op is authorized in lieu of obtaining quotes/competitive bidding when it is to the advantage of the County. The same spending approval levels and purchase order requirements stated above apply to such purchases.

For any purchase requiring verbal or written quotes, each quote must be for the same product, or a comparable product made by another company. The purchase shall be made from the offeror whose proposal is determined to be the most advantageous to the County. Preference will be given to local vendors whose bid is within 5% of the lowest bid unless prohibited by State Law.

CREDIT EXPENSE LOG

Card Holder ____________________
Department ____________________
Month ____________________
Account Visa

Receipt #	DATE	VENDOR	DESCRIPTION/JUSTIFICATION	DEPT/EQUIPMENT	AMOUNT	ACCOUNT CODE
				TOTAL	$0.00	

____
Account Holder
I certify the above statements are true and funds were expended in performance of official duties

____
Supervisor
I certify the above funds were expended in accordance with County Policy.

MORGAN COUNTY, GEORGIA

REQUEST FOR CHECK

DATE: _____

PAYABLE TO: _____

ADDRESS: _____

CITY, STATE, ZIP _____

_____

ACCOUNT #	DESCRIPTION	AMOUNT
Enter Appropriate Acct #		

The above expenditure is necessary for the operation of the County and a purchase order has not been issued for same.

TOTAL **$0.00**

_____

Department Head/Elected Official

This request for voucher has been reviewed by the Finance Department for conformance to purchasing rules.

The amounts stated on this REQUEST FOR VOUCHER have been verified as being available from unencumbered County Funds.

_____ _____

Initials **Date**

MORGAN COUNTY AGENDA REQUEST

Department: Planning & Zoning

Presenter(s): Chuck Jarrell

Meeting Date: mm/dd/yyyy 9/1/2026

Type of Request: New Business

Wording for the Agenda:

Alcoholic beverage license for Irfan Lakhani with Spynx Properties LLC operating as the Country Store BP.

Background/History/Details:

Irfan Lakhani is the owner of the Country Store BP and was a former operator of the store. He is once again taking the operation of the store over.

Mr. Lakhani has met all of the requirements to acquire an alcoholic beverage license, subject to the Board approval.

What action are you seeking from the Board of Commissioners?

An approval of the alcoholic beverage license for Irfan Lakhani with Spynx Properties LLC operating as the Country Store BP.

If this item requires funding, please describe:

Has this request been considered within the past two years? No

If so, when?

Is Audio-Visual Equipment Required for this Request?* No

Backup Provided with Request? Yes

All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.

Approved by Finance Not Applicable

Approved by Purchasing Not Applicable

Manager's Approval No

Staff Notes:

MORGAN COUNTY PLANNING AND DEVELOPMENT
150 East Washington Street, Suite 200
P.O. Box 1357
Madison, Georgia 30650
(706)342-4373 Office · (706)343-6455 Fax

Sworn Statement of Eligibility for the Sale of Alcoholic Beverages

I, J. Ian Lakhani being a person of good moral character, do hereby make application for a license to engage in the package sale of malt beverages and wine in Morgan County, Georgia, at:

Establishment Name: Sandy Creek Truck LLC

Address: [redacted] Sandy Creek Rd

City: Madison State: GA Zip Code: 30650

Phone Number: [redacted]

Licensee Qualifications and Acknowledgements

Section 6-52. - I am over the age of 25 and have been a resident of the State of Georgia for a minimum of one (1) year.

Section 6-54. – I am not an official or employee of the county, nor a member of the Board of Commissioners.

Section 6-55. - I have not been convicted nor pled nolo contendre within the previous ten (10) years of the date of this application to a felony or a misdemeanor involving moral turpitude. Furthermore, I have not been convicted under federal, state or local law for a criminal offense involving alcoholic beverages, gambling or tax law violations.

Section 6-56. - I have not been denied a license to sell alcoholic beverages within one (1) year of the date of this application.

Section 6-57. – I am the owner(s) or authorized agent of the parent corporation of the premises for which the license is requested or the holder of any lease thereon.

Section 6-58. – I attest that I, or the corporation, have adequate financial participation in the proposed business to direct and mange its affairs.

Section 6-198. – I understand that I am responsible for the management and operation of the business for which the license is granted and shall be responsible for all violations by the licensee's agents and employees.

Section 6-300 - I understand that any violation of federal, state, or any of the regulations adopted by Morgan County pertaining to the sale of malt beverages and wine, shall subject my license to immediate revocation or suspension.

Section 6-210 - I have in possession a copy of the Morgan County Alcoholic Beverage Ordinance and I have read and understand the regulations.

Section 6-324 – I understand that I must post a cash bond or a performance bond with the Morgan County Board of Commissioners in the amount of $500.00 for retail establishments and $2,500.00 for wholesale establishments.

Over

Section 6-325 – I understand that the annual license fee is $500.00 and must be paid prior to issuance of a license. The license is only valid for the year in which it is issued and shall expire on December 31 of the year that it is granted.

Section 6-328 – I understand that the annual license fee stated in this section must be paid prior to issuance of a license. The license is only valid for the year in which it is issued and shall expire on December 31 of the year that it is granted.

Section 6-354 – I understand that I must post a cash bond or a performance bond with the Morgan County Board of Commissioners in the amount of $1000.00 for a pouring license.

Section 6-358 – I understand that the annual license fee is $1000.00 and must be paid prior to issuance of a license. The license is only valid for the year in which it is issued and shall expire on December 31 of the year that it is granted.

Section 6-391 – I understand that the annual license fee is $100.00 per location and must be paid prior to issuance of a alcoholic catering license. The license is only valid for the year in which it is issued and shall expire on December 31 of the year that it is granted.

Section 6-142. – I understand that any misstatement, false statement, or concealment of fact in this application shall be grounds for the denial of the application for license issuance or revocation of the license issued, and shall make the applicant liable to prosecution for perjury under the laws of the state.

I have read and I distinctly understand the Alcoholic Beverage regulations and the qualifications and acknowledgements above and agree to abide by these regulations. I certify to the best of my knowledge that all items of the application and sworn statement are true and correct.

Signed: _____

Sworn to and subscribed before me
This 28 day of July 20 26

_____
(Signature) Notary Public
11/07/2026

SHANNON R SHIPP
My Commission Expires
NOTARY PUBLIC
November 17, 2029
MORGAN COUNTY, GEORGIA

(A) If ownership is vested in more than one person, additional owners Sign Below:

_____

_____

Please Note:

Please return all required documents **in person** to the Morgan County Planning & Development Office no later than **the second Tuesday of the month**. The applications will be reviewed at the Commissioner's work session in that month and will be voted on at their regular meeting for the following month. **No application will be placed on the current work session that is received after the second Tuesday. Applications received after the second Tuesday will be placed on the following month's work session and will not be voted on until the regular meeting in two months.** You will be notified of the decision. If your application is approved, you may bring your performance bond and required fee to the Planning & Development office and pick up your license. If your application is rejected, you will be notified of the cause of rejection.

THIS SPACE IS FOR COMMISSIONERS USE ONLY

_____ APPROVED

_____ DISAPPROVED

DATE: _____

_____
Clerk, Morgan County Commissioners

(Form Revised 10-20-10)

MORGAN COUNTY AGENDA REQUEST

Department: Administration

Presenter(s): Chief Deputy Welch

Meeting Date: mm/dd/yyyy 9/1/2026

Type of Request: New Business

Wording for the Agenda:

Renewal of Trinity Services Group Contract for Jail Food Services

Background/History/Details:

The Morgan County Jail is required to provide nutritionally balanced, wholesome, and palatable food to inmates. The meals shall meet all nutritional standards imposed by the Bureau of Prisons, prepared and served in accordance with health and safety codes, and any standard required by federal, state or local laws and regulation. The current contract renewal with Trinity Services Group expires August 31, 2026. Trinity Services Group, Inc. has submitted a renewal with a cost increase of 3.3% which is lower than the 3. 5% Consumer Price Index.

What action are you seeking from the Board of Commissioners?

Motion to approve the contract renewal with Trinity Services Group, Inc.

If this item requires funding, please describe:

Has this request been considered within the past two years? No

If so, when?

Is Audio-Visual Equipment Required for this Request?* No

Backup Provided with Request? Yes

All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.

Approved by Finance: Not Applicable

Approved by Purchasing: Not Applicable

Manager's Approval: No

Staff Notes:

TRINITY SERVICES GROUP, INC.

Confirmation Copy August 25, 2026

Morgan County, Georgia
Attn: Blake McCormack, Chairman, Board of Commissioners
150 E. Washington Street
Madison, GA 30650

RE: Agreement Renewal and Price Adjustment Notice

Dear Chairman McCormack:

It has been an honor and privilege to provide food services at the Morgan County Detention Center. Pursuant to our September 1, 2020, Agreement, the parties may, by mutual agreement, extend the Agreement for an additional one (1) year term commencing September 1, 2026. Trinity respectfully requests to exercise this renewal option, effective upon your execution of this letter as of the date signed. As provided in the Agreement, the renewal includes a meal price increase equal to the change in the Consumer Price Index (CPI), Food Away from Home (FAFH), measured sixty (60) days prior to the Agreement anniversary date, which, if executed, shall apply beginning September 1, 2026. Please find enclosed a copy of the relevant CPI tables from the U.S. Bureau of Labor Statistics. Utilizing the data available sixty (60) days before the anniversary date, the FAFH index increased three and five-tenths percent (3.5%) over twelve (12) months. However, Trinity seeks only an increase of three and three-tenths percent (3.3%) as reflected in **Schedule 1**.

Please acknowledge receipt of this Agreement Renewal and Price Adjustment Notice as stated herein by countersigning the enclosed confirmation copy of this letter and returning it to our office.

Trinity sincerely appreciates the opportunity to serve you and your team at the Morgan County Detention Center. Thank you for your continued business. We always strive to exceed our clients' expectations; please contact me if you ever have any questions or concerns regarding this adjustment or the food services we provide.

Very truly yours,

Juanita Smith
District Manager – Trinity Southeast
Trinity Services Group, Inc.
Juanita.smith@trinityservicesgroup.com

Approved:

_____
Chairman McCormack

Date: _____

TRINITY SERVICES GROUP, INC.

SCHEDULE 1

Morgan County Detention Center
Inmate Population Meal Price Scale
Eff. September 1, 2026

POPULATION		PRICE PER MEAL
21	30	$7.019
31	40	$5.042
41	50	$4.028
51	60	$3.409
61	70	$2.997
71	80	$2.698
81	90	$2.476
91	100	$2.299
101	110	$2.175
111	120	$2.073
121	130	$1.989
131	140	$1.916
141	150	$1.854
151	160	$1.801
161	170	$1.754
171	180	$1.714
181	190	$1.676
191	And over	$1.641