



HALL COUNTY BOARD OF COMMISSIONERS VOTING MEETING MINUTES

**Hall County Government Center 2nd Floor
2875 Browns Bridge Road
Gainesville, GA 30504**

**Streamed Live on Hall County Government's Website - www.hallcounty.org
Thursday, January 12, 2023 - 06:00 PM**

Call to Order

Chairman Higgins at 6:00 p.m.

Present:

Chairman Richard Higgins, Vice-Chairman Kathy Cooper and Commissioners Billy Powell, Gregg Poole, and Jeff Stowe

Also present were County Administrator Jock Connell, Assistant County Administrator Zach Propes, Katie Crumley and Casey Ramsey, Commission Clerk Jennifer Rivera, County Attorney Van Stephens, and Deputy County Attorney William Linkous III

Approve Agenda

Commissioner Powell/Commissioner Cooper — approve — unanimous

Invocation

- 1 Chairman Richard Higgins

Pledge

- 2 Commissioner Kathy Cooper

Public Comments

There were no comments from the public.

Proclamation/s

- 3 Approve the proclamation recognizing Christopher Scott Ware's retirement after 30 years of service to Hall County, Georgia.

Commissioner Stowe/Commissioner Powell — approve — unanimous

- 4 Approve the proclamation recognizing Malana Parson's retirement after 30 years of service to Hall County, Georgia.

Commissioner Powell/Commissioner Stowe — approve — unanimous

Consent Agenda

Commissioner Powell/Commissioner Cooper — Vote 4 to 1 to approve — Commissioner Stowe recused himself.

Commissioner Cooper — aye

Commissioner Powell — aye

Chairman Higgins — aye

Commissioner Poole — aye

Commissioner Stowe — recused

- 5 Approve the January 9, 2023 Work Session Minutes.
- 6 Approve the December 8, 2022 Voting Meeting Minutes.
- 7 Approve the December 8, 2022 Executive Session Minutes.
- 8 Approve the December 8, 2022 Meeting Minutes.
- 9 Approve the annual re-adoption of Robert's Rules of Order with an exception to allow for the Chairman to vote.
- 10 Approve the annual re-adoption of Hall County's Code of Ethics.
- 11 Approve the award of RFQ/P #43-017 Magazine Printing, Graphic Design and Related Services for Administration to Forum Communications, Inc. of Gainesville, GA. The estimated cost is not to exceed \$50,000.00.
- 12 Approve the purchase of furniture, fixtures, and equipment for the Pre-Trial Accountability Services Facility Renovation Project to Impact Office Interiors of Griffin, GA, in the amount of \$71,878.30.
- 13 Approve the appointment of Commissioner Billy Powell to serve as the 2023 Board of Commissioners Vice-Chairman.
- 14 Appointment to the Hall-Gainesville Land Bank to serve a term from January 31, 2023 to January 30, 2027. Commission Districts 1, 2, 3, & 4.
- 15 Appointment to the Planning Commission to serve a term from February 1, 2023 to January 31, 2025. Chairman's Appointment.
- 16 Appointment to the Planning Commission to serve an unexpired term to January 31, 2023 and a new term from February 1, 2023 to January 31, 2025. Commission District 1.
- 17 Appointment to the Planning Commission to serve a term from February 1, 2023 to January 31, 2025. Commission District 2.
- 18 Appointment to the Planning Commission to serve a term from February 1, 2023 to January 31, 2025. Commission District 3.

- 19 Appointment to the Planning Commission to serve a term from February 1, 2023 to January 31, 2025. Commission District 4.
- 20 Approve the annual contract for RFQ/P #43-013 County Facilities Grounds Keeping and Lawn Maintenance Services for Building Maintenance to BrightView Landscape Services, Inc. of Lawrenceville, GA. The annual cost is \$146,196.00.
- 21 Approve the purchase of five (5) Sno-Way 32 Contractor Series Snow Plows with Attachments to Interstate Truck Equipment, Inc. of College Park, GA, in the amount of \$54,208.05.
- 22 Approve the First Amendment to the Sublease Agreement with Sunrise Cove SMI Westrec, LLC so as to extend the Sunrise Cove Marina lease until July 31, 2036; and approve the Consent of Lessor so as to allow Sunrise Cove SMI Westrec, LLC to sublease a small portion of the Marina to its subsidiary for tax purposes, subject to the express approval of both items by the Army Corps of Engineers, and subject to the review and approval of the County Attorney; and allow the Chairman to execute all documents necessary to complete both transactions.
- 23 Approve the award of RFQ/P #43-018 Professional General Contracting Services for the Georgia Mountain Food Bank Capital Improvements Project to Scroggs & Grizzel Contracting, Inc. of Clermont, GA, in the amount of \$3,632,415.00.
- 24 Approve the contract for RFQ/P #43-015 EMS Billing and Collection Services for Fire Rescue to Digitech Computer, LLC, of Chappaqua, NY.
- 25 Approve the sole source purchase of one (1) underwater remotely operated vehicle (ROV) for Fire Rescue to RJE Oceanbotics, LLC, of Irvine, CA, in the amount of \$101,870.00.
- 26 Approve the Task Order 2023-016 for asphalt repair paving services at Fire Stations 10, 11, 12, and 13 for Fire Rescue to Allied Paving Contractors, Inc. of Pendergrass, GA, in the amount of \$227,148.75.
- 27 Approve the renewal of the Third Party Administrator and Excess Workers Compensation for plan year 2023 with Arthur J. Gallagher Risk Management Services Inc. of Atlanta, GA and Gallagher Bassett Services, Inc. of Rolling Meadows, IL. The estimated cost of this renewal is \$363,347.00; authorization for the Chairman to execute all related documents, subject to review and approval by the County Attorney.
- 28 Approve the Employment Agreement for the Assistant Chief Appraiser.
- 29 Approve the Employment Agreement for the County Administrator.
- 30 Approval and authorization for the Chairman to execute a Notice of Intent for Phase II Municipal Separate Storm Sewer Systems (MS4), subject to the review and approval by County Attorney.
- 31 Approval and authorization for the Chairman to execute a resolution to ratify closed negotiated settlements and affirm all actions taken relating to the Friendship Road Sewer Project, and authorize the execution of any and all additional documents necessary to effectuate the ratification and affirmation, subject to approval by the County Attorney. Commission District 1.

- 32 Approve the release of \$354,230.00 Irrevocable Letter of Credit for Streets and Stormwater Management Facilities in the Shores at Lynnclyff Subdivision. Commission District 2.
- 33 Approve the application of the U.S. Bureau of Justice Assistance's State Criminal Alien Assistance Program (SCAAP) for the Sheriff's Office to reimburse housing of alien prisoners and personnel in the amount of \$126,711.00, and if awarded, appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related application and award documents. No match is required.

Other Business - Public Works and Utilities

Srikanth Yamala, Director of Public Works and Utilities addressed the Board.

- 34 Public Hearing to abandon a section of public road between the cul-de-sac at the end of Kubota Way and the intersection of Kubota Way and Gateway Centre Parkway; and authorize the Chairman to execute any and all documents necessary to convey the property, subject to review and approval by the County Attorney. Commission District 3.

Mr. Linkous introduced the item. Mr. Yamala discussed the item. Mr. Linkous conducted the Public Hearing.

There were no comments from the public.

Commissioner Poole/Commissioner Stowe — approve — unanimous

- 35 Public Hearing to abandon +/- 573' of public road on Old Cornelia Highway formerly known as Old Sulphur Spring Road and authorize the Chairman to execute any and all documents necessary to convey the property, subject to review and approval by the County Attorney. Commission District 3.

Mr. Linkous introduced the item. Mr. Yamala discussed the item. Mr. Linkous conducted the Public Hearing.

There were no comments from the public.

Commissioner Poole/Commissioner Powell — approve — unanimous

Other Business - Planning and Development

Randi Doveton, Director of Planning and Development, addressed the Board.

- 36 **Section 17.20.300 | Text Amendment, Official Code of Hall County, GA | Amend the Definition of Community Residence | 17.20.300, ("pregnant or parenting youth who are displaced and /or in State custody.") by amending the definition of a Community Residence. The intent of the proposed change is to expand the type of care facility allowed as a Community Residence. | All Districts | **Crystal F. Toombs, applicant.****

Mr. Linkous introduced the item. Ms. Doveton discussed the item. Mr. Linkous conducted the Public Hearing.

There were no comments from the public.

Commissioner Poole/Commissioner Stowe — approve — unanimous

Public Hearing to amend Hall County's Zoning Map as follows:

- 37 **4336 Cornelia Highway | Variance** | for a sign variance on sign design and dimensions with an Amendment to Planned Commercial Development conditions on a 14.09± acre tract located on the south side of Cornelia Highway approximately 1,497 feet from its intersection with Lula Road | Zoned PCD; Tax Parcel 09085 000008 | **Proposed use: new monument sign** | Commission District 3 | **Sophie Le Tily (Big Mouth Signs), applicant.**

Mr. Linkous introduced the item. Ms. Doveton discussed the item. Mr. Linkous conducted the Public Hearing.

The following people addressed the Board:

Favor:

- *Andy Darnell, Duluth*

Commissioner Poole/Commissioner Stowe — approve with the three (3) conditions listed below — unanimous

Conditions:

- 1. The proposed sign shall be approved as presented in the sign rendering submitted with this application and dated August 19, 2022. The sign shall not exceed 13 feet in height, nor shall it exceed 11.25 feet in width.*
- 2. Internal illumination is permitted but there shall be no electronic message board permitted as a component of the sign.*
- 3. There shall be approval from GDOT for the sign's location prior to issuance of the Building Permit.*

- 38 **0, 490, 496, 508 & 536 Crescent Drive | Amend Conditions/Revise site plan** | of a Planned Residential Development (PRD) on a 32.67± acre tract located on the east side of Crescent Drive approximately 253 feet from its intersection with White Sulphur Road| Zoned PRD; Tax Parcels 15033D000010F, -000014, -000015, -000010C, -000010B, -000009, & -000008 | **Proposed Use: revise the site plan of the previously approved 143-unit townhome development** | Commission District 3 | **Williams Brothers Development LLC, applicant.**

Mr. Linkous introduced the item. Ms. Doveton discussed the item. Mr. Linkous conducted the Public Hearing.

The following people addressed the Board:

Favor:

- *Steve Gilliam, 340 Jesse Jewell Parkway, Suite 300, Gainesville*

Commissioner Poole/Commissioner Stowe — approve — unanimous

- 39 **4139 Cagle Road | Use subject to County Commission Approval** | on a 7.43± acre tract located on the north side of Cagle Road approximately 1,637 feet from its intersection with Eli Jackson Road | Zoned AR-III & V-C; Tax Parcel 09099 000008 | **Proposed use: 2-lot subdivision** | Commission District 3 | **Robert & Valerie DeLeon, applicant.**

Mr. Linkous introduced the item. Ms. Doveton discussed the item. Mr. Linkous conducted the Public Hearing.

The following people addressed the Board:

Favor:

- *Robert DeLeon, 4139 Cagle Road, Lula*

Commissioner Poole/Commissioner Stowe— approve with the three (3) conditions listed below — unanimous

Conditions:

- 1. The development shall conform with the proposed narrative and site plan.*
- 2. Standard Hall County plat approval process shall be followed.*
- 3. The Board of Commissioners action letter shall be placed on the plat.*

- 40 **3519 White Sulphur Road | Use subject to County Commission Approval** | on a 5.45± acre tract located on the east side of White Sulphur Road at its intersection with Cornelia Highway | Zoned I-II; Tax Parcel 15020A000030 | **Proposed use: trailer storage** | Commission District 3 | **Reynolds-Hemmer Properties, LP, applicant.**

Mr. Linkous introduced the item. Ms. Doveton discussed the item. Mr. Linkous conducted the Public Hearing.

The following people addressed the Board:

Favor:

- Lee Hemmer, 3945 Reynolds Road, Gainesville

Commissioner Poole/Commissioner Powell — approve with the nine (9) conditions listed below — unanimous

Conditions:

1. The project shall substantially conform to the submitted site plan and narrative with the following variances and conditions.
2. The use shall be limited to overflow truck and trailer storage for a single lease tenant, any use as a commercial parking lot or in a model facility shall be prohibited. No material or containers shall be allowed storage on the premises if not stored in an enclosed trailer or on a flatbed trailer. This shall be approved as a temporary storage facility allowing no trucks or trailers to be stored on the site for more than 30 days. Conditional use shall be valid for 24 months from site approval by the applicable Hall County Building Inspections to assure that all conditions of zoning have been met. The owner shall not be allowed to operate the facility until all conditions of Board of Commissioners approval have been met.
3. The only approved signage shall be directional and traffic signs.
4. All lighting shall be non-spill type only, LED lighting is approved.
5. The applicant shall follow the standard Hall County Development Review process regarding pavement installation and stormwater management requirements.
6. All fencing within the Gateway Corridor 300 foot setback as well as fencing along the entirety of White Sulphur Road and Gateway Center Park Place shall be 8 feet in height, PVC opaque type, with a 10 foot planted landscape buffer. Fencing color and buffer requirements shall be approved by the Director of Planning and Development prior to the Land Disturbance Permitting process. All other fencing shall be 8 foot tall black vinyl coated chain-link fence.
7. The parking lot shall be gravel.
8. The conditional use and variances approved shall only be for Reynolds-Hemmer Properties, LP. The conditional use approved and variances shall not be transferable to any other entities. Any future use other than stated above shall be brought before the Hall County Planning Commission and Board of Commissioners for approval.
9. All conditions of zoning shall be made a part of the final plat for recording.

41 **4053 Cleveland Highway | Rezone** | from Agriculture-Residential-III (AR-III) to Suburban-Shopping (SS) on a 6.34± acre tract located on the west side of Cleveland Highway at its intersection with Jim Hood Road | Zoned AR-III; Tax Parcel 12025 000036 | **Proposed use: grocery store, convenience store with gas & restaurant** | Commission District 3 | **Reginald Crayton, P.E., applicant.**

Mr. Linkous introduced the item. Ms. Doveton discussed the item. Mr. Linkous conducted the Public Hearing.

The following people addressed the Board:

Favor:

- *Raj Umani, 4053 Cleveland Highway, Gainesville*

Opposition:

- *Kary Roberts, 310 Sunset Valley, Cleveland (speaking on behalf of Ella Allen, 3242 Jim Hood Road, Gainesville)*

Commissioner Poole/Commissioner Powell —approve tabling item 41 until the February 23, 2023 Voting Meeting — unanimous

- 42 **5871 McEver Road | Rezone** | from Agricultural-Residential-III (AR-III) to Highway-Business (H-B) on a 9.06± acre tract located on the east side of McEver Road at its intersection with Silverthorn Drive | Zoned AR-III; Tax Parcel 08119 000233 | **Proposed use: RV & boat storage** | Commission District 2 | **Anchor Inn RV & Boat Storage, applicant.**

Mr. Linkous introduced the items 42 and 43 to be heard together. Ms. Doveton discussed the items. Mr. Linkous conducted the Public Hearing.

The following people addressed the Board regarding both items 42 and 43:

Favor:

- *Rodney Hellemn, 6098 Jim Crow Road, Flowery Branch*

Opposition:

- *Richard Finamore, 6214 Yorktown Court, Flowery Branch*
- *Gary McCrowskie, 6218 Yorktown Court, Flowery Branch*

Commissioner Powell/Commissioner Stowe — approve tabling item 42 until the February 23, 2023 Voting Meeting — unanimous

- 43 **5871 McEver Road | Use Subject to County Commission Approval** | on a 9.06± acre tract located on the east side of McEver Road at its intersection with Silverthorn Drive | Zoned AR-III; Tax Parcel 08119 000233 | **Proposed use: RV & boat storage** | Commission District 2 | **Anchor Inn RV & Boat Storage, applicant.**

Items 42 and 43 were heard together. See item 42 for public hearing details.

Commissioner Powell/Commissioner Stowe — approve tabling item 43 until the February 23, 2023 Voting Meeting — unanimous

- 44 **6541 Henry Smith Road | Appeal a Planning Commission Decision** | for a Use Subject to Planning Commission approval on a 5.65± acre tract located on the west side of Henry Smith Road at its intersection with Edwards Road | Zoned AR-IV; Tax Parcel 11023 000024 | **Proposed use: rural business** | Commission District 3 | **Gary Copeland, applicant.**

Mr. Linkous introduced the item. Ms. Doveton discussed the item. Mr. Linkous conducted the Public Hearing.

The following people addressed the Board:

Favor:

- *Gary Copeland, 6685 Henry Smith Road, Murrayville*
- *Patti Copeland, 6685 Henry Smith Road, Murrayville*
- *Richard Lathem, 6444 Payne Road, Murrayville*
- *Jim Wilhote, 3625 Highland Circle, Gainesville*
- *David Franklin, 6680 Henry Smith Road, Murrayville*
- *Tasha Franklin, 6680 Henry Smith Road, Murrayville*
- *Regina Burrell, 6395 Henry Smith Road, Murrayville*

Opposition:

- *Tyler Crawford, 6541 Henry Smith Road, Murrayville*
- *Jimmy Edwards, 6641 Edwards Road, Murrayville*
- *Sherry Edwards, 6641 Edwards Road, Murrayville*
- *Jimmy Mutter, 6647 Edwards Road, Murrayville*

Commissioner Poole/Commissioner Powell — approve tabling item 44 until the February 23, 2023 Voting Meeting — unanimous

Commissioner Poole/Commissioner Stowe — amend District 3 approvals (items 37, 39 and 40) to include the Planning Commissions conditions — unanimous

County Administrator

Mr. Connell addressed the Board. He stated the following:

- *Hall County Offices will be closed on Monday, January 16, 2023 in observance of the Martin Luther King Jr. holiday.*

Commission Time

Commissioner Kathy Cooper, District 1, welcomed Commissioner Gregg Poole to the Board.

Commissioner Billy Powell, District 2, welcomed Commissioner Gregg Poole to the Board.

Commissioner Gregg Poole, District 3, thanked Hall County staff for their support during his onboarding. Stated Hall County is in good hands.

Commissioner Jeff Stowe, District 4, welcomed Commissioner Gregg Poole to the Board.

Chairman Richard Higgins, welcomed Commissioner Gregg Poole to the Board. Stated going forward, Zach Propes is the County Administrator. He thanked Jock Connell for his service to the Board and Hall County .

Adjourn

*Commissioner Stowe/Commissioner Powell — adjourn at 7:58 p.m. —
unanimous*