



**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, April 13, 2023 - 06:00 PM**

Call to Order

Chairman Higgins at 6:00 p.m.

Present:

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

Also present were County Administrator Zach Propes, Assistant County Administrators Katie Crumley and Casey Ramsey, Commission Clerk Jennifer Rivera, County Attorney William Linkous III, and Assistant County Attorney Justin Lawhon

Approve Agenda

Commissioner Cooper/Commissioner Stowe — approve with an amendment to add an item 28 relating to a resolution objecting to a proposed City of Buford annexation on Bennett Road — unanimous

Invocation

- 1 Chairman Richard Higgins

Pledge

- 2 Commissioner Gregg Poole

Public Comments

There were no comments from the public.

Proclamation/s

- 3 Approve the Proclamation recognizing Saturday, April 15, 2023 as Master Gardener Appreciation Day.

Commissioner Cooper presented Beverly Brinson, Mary Anne Giangola, Lata Patel, Beverly Gilbert, Karin Hicks, Mindy Wade, Diane Wallace, Shushanah Powell, Garrett Hibbs, Vic Flock, Carol Sowers, Don Linke and Lydia McInturf with the Proclamation.

Commissioner Powell/Commissioner Stowe — approve — unanimous

- 4 Approve the Proclamation recognizing Wisdom Project 2030.

Commissioner Stowe presented Kathy Amos, Bill Wittel, Gary Vogel, Susan Moss, Phyllis Solgere, Susan Lahey, Julie Ferguson, Marsha Lehr, Tracy Lees-Grant, Carol Hanlon, Sue Davis Westermoreland, Linda Stacy, Duane Hinshaw and Ron Stowewith the Proclamation.

Commissioner Poole/Commissioner Stowe — approve — unanimous

- 5 Approve the Proclamation recognizing April 2023 as Safe Digging Month.

Commissioner Poole presented Bill Nash, Lisa Westmoreland, Tracy Robar and Srikanth Yamala with the Proclamation.

Commissioner Powell/Commissioner Stowe — approve — unanimous

- 6 Approve the Proclamation recognizing April 2023 as National County Government Month.

Commissioner Powell read the Proclamation.

Commissioner Powell/Commissioner Stowe — approve — unanimous

Consent Agenda

Commissioner Powell/Commissioner Poole — approve — unanimous

- 7 Approve the April 10, 2023 Work Session Minutes.

- 8 Approve the March 23, 2023 Voting Meeting Minutes.

- 9 Approve the March 23, 2023 Executive Session Minutes.

- 10 Approve the March 23, 2023 Meeting Minutes.

- 11 Approve the amendment to the FY 2023 Intergovernmental Agreement with the Georgia Department of Corrections with regard to reducing the state inmate capacity at the Correctional Institution.

- 12 Approve Change Order #2 under RFP #40-015 Spatial Needs Planning Study for Hall County Buildings for Professional Design Services related to continued Hall County Government Center phased interior renovation conceptual design work for Facilities Management to Precision Planning, Inc. of Lawrenceville, GA, in an additional amount not to exceed \$47,860.00.

- 13 Approval and authorization for the Chairman and District Commissioners to execute a resolution objecting to the annexation by The City of Flowery Branch of tax parcel numbers 08100 001003A, 08100 001003B, 08100 001003C, and 08100 001003D owned by Shadow Stone Partners, LLC located on 5704 and 0 Jim Crow Road, and authorize the Board to execute any and all documents in relation to such objection, subject to review and approval by the County Attorney.
- 14 Approval and authorization for the Chairman to execute a resolution agreeing to participate in National Opioid Settlements involving Teva, Allergan, CVS, Walgreens, and Walmart; a Memorandum of Understanding setting forth the terms of the agreement; participation forms; and any and all additional documents necessary to effectuate the settlements, and ratification of all actions taken to date concerning the same, subject to review and approval by the County Attorney.
- 15 Approve the Employment Agreement for the Assistant Director of Public Works & Utilities.
- 16 Approval and authorization for the Chairman to execute a resolution to amend the Hall County Code of Ordinances Section 16.50.150 relating to subdivision regulations, subject to review and approval by County Attorney.
- 17 Approve Change Order #1 to Task Order #2022-034 under RFP/Q #42-002 Demand Services for Resurfacing, Paving, and Full Depth Reclamation of Various County Roads for the FY 2023 Resurfacing Program for Public Works & Utilities to Allied Paving Contractors, Inc. of Pendergrass, GA. The estimated cost is \$3,147,887.31.
- 18 Approve the acceptance of a \$175,002.00 Guaranty Performance/Maintenance Agreement for Streets, Stormwater Management Facilities, and Sidewalks in Reunion Phase 9 Subdivision. Commission District 1.
- 19 Approve the annual contract renewal for Medical Services for the Hall County Jail to Dr. Linwood Zoller, M.D. of Gainesville, GA. The estimated annual cost is \$171,611.53.

Other Business - Public Works and Utilities

Bill Nash, Director of Public Works and Utilities addressed the Board.

- 20 Approve the Intergovernmental Agreement with the Georgia Ports Authority to provide funding by the Georgia Ports Authority in the amount of \$4,800,000.00 for roadway construction near and around the entrance to the Northeast Georgia Inland Port.

Commissioner Stowe/Commissioner Powell — approve — Vote: 4 to 1

Commissioner Cooper —aye

Commissioner Powell — aye

Chairman Higgins — aye

Commissioner Poole — abstained

Commissioner Stowe — aye

Motion passed.

Other Business - Planning and Development

Srikanth Yamala, Director of Community Development and Infrastructure addressed the Board.

- 21 **Public Hearing: Section 17.180 | Text Amendment |** Proposed amendment to Section 17.180. A copy of the proposed amendment is available from the Hall County Planning office | All Commission Districts | **Hall County Planning, applicant.**

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

There were no comments from the public.

Commissioner Cooper/Commissioner Stowe — approve tabling item 21 until the May 25, 2023 Voting Meeting — unanimous

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

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

- 22 **4916 Cleveland Highway | Rezone |** from Office & Institutional (O-I) to Planned Commercial Development (PCD) on a 7.00 ± acre tract located on the east side of Cleveland Highway at its intersection with Gilstrap Circle | Zoned O-I; Tax Parcel 12029 000011B | **Proposed use: self-storage facility |** Commission District 3 | **John S. Hemphill, applicant.**

Mr. Lawhon introduced the item. Ms. Doveton discussed the item.

Commissioner Poole/Commissioner Stowe — approve withdrawal of item 22 — unanimous

- 23 **1670 Friendship Road, 5608 & 0 Thompsons Mill Road | Amend conditions |** of a Planed Commercial Development (PCD) on a 5.43± acre tract located on the north side of Thompsons Mill Road at its intersection with Chateau Point | Zoned PCD; Tax Parcels 15041 000056, 000013, & 000191 | **Proposed use: master sign plan |** Commission District 1 | **Highlands Residential, LLC, applicant.**

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

The following people addressed the Board:

Favor:

- Hunter Holliday, 3200 Windy Hill Parkway, Atlanta*

Commissioner Cooper/Commissioner Stowe — approve with the three (3) conditions listed below — Vote: 4 to 1

Commissioner Cooper — aye

Commissioner Powell — nay

Chairman Higgins — aye

Commissioner Poole — aye

Commissioner Stowe — aye

Motion passed.

Conditions:

- 1. Future signs requested for this property shall comply with underlying base Sign Code Requirements listed in Chapter 17.270-Sign Standards and supplemental sign standards of the Gateway Overlay Requirements as outlined in Section 17.420.060-Signs.*
- 2. Monument signs shall not be constructed on sanitary sewer, drainage or utility easements.*
- 3. All conditions of approval shall be recorded on any subsequent plats of this property.*

24 **1000 Treesort View | Amend conditions** | of a Planned Residential Development (PRD) on a 25.58± acre tract located on the north side of Price Road approximately 884 feet from its intersection with Thompson Bridge Road | Zoned PRD & PCD; Tax Parcel 10100 000158 | **Proposed use: master sign plan** | Commission District 2 | **Steve P. McKibbon, Jr., applicant.**

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

The following people addressed the Board:

Favor:

- *Jason Acree, 2803 Summer Stream Drive, Kennesaw*

Commissioner Powell/Commissioner Stowe — approve with the six (6) conditions listed below — unanimous

Conditions:

- 1. The Master Sign Package for the Treesort Apartment Complex shall be approved.*
- 2. All signs submitted as part of the Master Sign Package are approved. Their quantity, materials, dimensions, and placement shall be as represented on the renderings, summary table, and site plans filed on January 12, 2023.*
- 3. Monument signs shall not be constructed on sanitary sewer, drainage or utility easements.*
- 4. In the case of a conflict between the text of the summary table and the rendering of a sign, the rendering governs.*
- 5. Signs not explicitly requested as part of this Master Sign Package shall comply only with the underlying base Sign Code Requirements listed in Chapter 17.270 Sign Standards.*
- 6. All conditions of approval shall be recorded on any subsequent plats of this property.*

25 **2014 Edmonds Drive | Rezone |** from Agricultural-Residential-III (AR-III) to Residential-I (R-I) on a 2.62± acre tract located on the south side of Edmonds Drive at its terminus | Zoned AR-III; Tax Parcel 09124 000027C | **Proposed use: 3-lot subdivision | Commission District 3 | Uriel Rebollar Solorzano, applicant.**

Mr. Lawhon introduced items 25 and 26, which were heard together. Ms. Doveton discussed the items. Mr. Lawhon conducted the Public Hearing.

The following people addressed the Board regarding both items 25 and 26:

Favor:

- *Kimberly Reballar, 4015 Glen Ridge Road, Gainesville*
- *Uriel Reballar, 4015 Glen Ridge Road, Gainesville*

Commissioner Poole/Commissioner Powell — approve with the two (2) conditions listed below — unanimous

Conditions:

- 1. The property shall be subdivided into a maximum of three (3) building lots in accordance with the requirements of the Residential I (R-I, 17.60) zoning district as detailed in 17.240 (area and setback requirements).*
- 2. A subdivision plat shall be reviewed for compliance with all applicable standards found in the Official Code of Hall County as part of the Hall County Plat Review process.*

- 26 **2014 Edmonds Drive | Use Subject to County Commission Approval |** on a 2.62± acre tract located on the south side of Edmonds Drive at its terminus | Zoned AR-III; Tax Parcel 09124 000027C | **Proposed use: 3-lot subdivision |** Commission District 3 | **Uriel Reballar Solorzano, applicant.**

Items 25 and 26 were heard together. See item 25 for public hearing details.

Commissioner Poole/Commissioner Powell — approve with the two (2) conditions listed below — unanimous

Conditions:

- 1. The property shall be subdivided into a maximum of three (3) building lots in accordance with the requirements of the Residential I (R-I, 17.60) zoning district as detailed in 17.240 (area and setback requirements).*
- 2. A subdivision plat shall be reviewed for compliance with all applicable standards found in the Official Code of Hall County as part of the Hall County Plat Review process.*

- 27 **1563 Calvary Church Road | Use Subject to County Commission approval |** on a 12.76± acre tract located on the east side of Calvary Church Road approximately 253 feet from its intersection with Calvary Industrial Drive | Zoned I-II; Tax Parcel 15031 000097 | **Proposed use: inert landfill |** Commission District 4 | **Southern Utility Group, applicant.**

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

The following people addressed the Board:

Favor:

- Andrew Bell, 1563 Calvary Church Road, Gainesville
- Jay Wilhoite, 1044 Farmhouse Road, Gainesville

Commissioner Stowe/Commissioner Powell — approve the application for a dumpsite for recoverable materials in lieu of inert landfill based on the applicant's request with the thirteen (13) conditions listed below — unanimous

Conditions:

- 1. The development shall be generally consistent with the submitted site plan and narrative modified for compliance with Hall County regulations at time of development permit application.*
- 2. Any business operating at the subject property shall obtain a business license from Hall County.*
- 3. Proposed pond for hydro-excavating services shall be limited to only waste consisting of soil and water. No other materials shall be accepted for disposal on the property. These materials shall be considered recoverable and/or reusable as per the Georgia Environmental Protection Division (EPD) dated January 23, 2017.*
- 4. Owner shall provide written documentation from Georgia Environmental Protection Division (EPD) regarding pond design and use prior to acceptance of disposal of waste materials on the property.*
- 5. Hall County shall conduct monthly routine compliance inspections.*
- 6. The owner shall maintain logs and manifests of all materials accepted for disposal on the property. These records shall be made available for review upon request by Hall County.*
- 7. Any change in use shall be subject to Hall County Board of Commissioners approval.*
- 8. The access point to the pit area shall be closed and locked after hours.*
- 9. The applicant shall contract with a third party environmental testing consultant who shall prepare a monitoring, inspection, and testing plan to include: on-site and downstream water quality testing and testing of on-site waste materials. Both the consultant and the plan shall be subject to the approval of Hall County Engineering for verification that waste materials contain no prohibited waste and only consist of water and soil as the applicant's proposal outlines.*
- 10. The business license associated with this use shall go before the Board of Commissioners approval on an annual basis for renewal. As part of this renewal the owner shall provide the maintenance logs and manifests, as described in condition 6 and the inspection and testing results as described in condition 9.*
- 11. In the event of any violation of the conditions, the Director of Planning and Development shall bring such violations before the Hall County Board of Commissioners, in accordance with the provisions of [§5.10.490], hearing on revocation of business license, of the Official Code of Hall County.*
- 12. Erosion control measures and a double row of silt fence shall be installed and maintained.*
- 13. The county engineer identified at least five drainage study points along the southern property line (adjoining tax parcels include: 15031 000143, 15031 000049, 15031 000050C, 15031 000050). The developer shall ensure that post-development flow rates from those five individual drainage study points shall not exceed the pre-development flow rates.*

Other Business - County Attorney

- 28 Approval and authorization for the Chairman and District Commissioners to execute a resolution objecting to the annexation by The City of Buford of tax parcel numbers 08153 000017, 08153 000012, 008153 000016, 08153 000009, and 08153 000008 owned by CIV Friendship Business Park II, LLC located at 0, 4556, 4616, 4740, and 4764 Bennett Road, and authorize the Board to execute any and all documents in relation to such objection, subject to review and approval by the County Attorney.

Commissioner Cooper/Commissioner Stowe — approve — unanimous

County Administrator

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

- *The Voting Meeting scheduled for Thursday, April 27, 2023 has been canceled.*
- *A Board of Commissioners Meeting will be held on Tuesday, April 25, 2023 at 6:00 p.m.*
- *In addition to the month long celebration of National County Month, Mr. Propes recognized the Hall County 911 Division in observance of National Telecommunicators Week and the Hall County Animal Control Division in observance of National Animal Control Appreciation Week.*

Commission Time

Commissioner Jeff Stowe, District 4, acknowledged current members of Leadership Hall in attendance. These members addressed the Board:

- *Grant Lassetter of Turner, Wood and Smith Insurance*
- *Payne Wright of Carroll Daniel Construction*

Adjourn

Commissioner Powell/Commissioner Stowe — adjourn at 6:51 p.m. — unanimous