



**HALL COUNTY BOARD OF COMMISSIONERS  
VOTING MEETING MINUTES**

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

**Streamed Live on Hall County Government's Website - [www.hallcounty.org](http://www.hallcounty.org)  
Thursday, September 14, 2023 - 06:00 PM**

**Call to Order**

*Chairman Higgins at 6:10 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, Special Assistant County Attorney Van Stephens*

**Approve Agenda**

*Commissioner Cooper/Commissioner Stowe — approve — unanimous*

**Invocation**

- 1 Chairman Richard Higgins

**Pledge**

- 2 Commissioner Kathy Cooper

**Public Comments**

*The following people addressed the Board:*

- *Vickie Kanady, 5315 H. Thomas Road, Gainesville*

**Proclamation/s**

- 3 Approve the proclamation recognizing Ralph Joel "Joe" Carter's retirement after 35 years of service to Hall County, GA.

*Commissioner Powell/Commissioner Stowe — approve — unanimous*

## **Consent Agenda**

*Commissioner Stowe/Commissioner Poole — approve — unanimous*

- 4 Approve the September 11, 2023 Work Session minutes.
- 5 Approve the August 24, 2023 Voting Meeting minutes.
- 6 Approve the August 24, 2023 Executive Session minutes.
- 7 Approve the August 24, 2023 Meeting minutes.
- 8 Approve the FY 2024 award of the Criminal Justice Coordinating Council's (CJCC) Residential Substance Abuse Treatment (RSAT) Program Grant for the Correctional Institute's treatment program in the amount of \$37,333.00, and appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related application and award documents. An in-kind match of 25% will be required.
- 9 Approve the award of RFQ/P #44-008 GPS/AVL Vehicle Tracking Systems for Fleet Maintenance to LBTechnology, Inc. of Memphis, TN. The estimated annual cost is \$64,200.00.
- 10 Approve the purchase of two (2) Ford Bronco Sport vehicles for Building Maintenance to Akins Ford Dodge Chrysler Jeep of Winder, GA, in the amount of \$71,700.00.
- 11 Approval and authorization for the Chairman to execute a Settlement Agreement with Habersham Partners, LLC to acquire a portion of Sardis Road Connector Project Parcel 143, being Hall County Tax Parcel Number 10104 000017C, in the amount of \$890,000.00; and authorization to execute any and all additional documents necessary to effectuate the transaction, subject to review and approval by the County Attorney.
- 12 Approve the award of IFB #053-43 General Contractor for Hire to Renovate Fire Stations #9 and #10 for Fire Rescue to Scroggs & Grizzel Contracting, Inc. of Clermont, GA, in the amount of \$524,448.00.
- 13 Approve the sole source purchase for ambulance stretcher preventive maintenance for Fire Rescue to Stryker Medical of Chicago, IL. The estimated annual cost is \$55,132.40.
- 14 Approve the purchase of a Strategic Planning and Standard of Cover Study for Fire Rescue to Emergency Services Consulting International (ESCI) of Chantilly, VA, in the amount of \$90,000.00.
- 15 Approve the application of the FY 2025 Georgia Department of Transportation Section 5303 Program Metropolitan Planning Grant for the Gainesville-Hall MPO to aid in regional transportation planning in the amount of \$136,372.50, and if awarded, appoint the Grants Manager as the Program Designee, and authorize the Chairman to execute all related application and award documents. A 10% State match of \$13,637.25 will be provided by Georgia Department of Transportation (GDOT). A 10% cash match of \$13,637.25 is required and will be provided by Hall County.

- 16 Approve the purchase of one (1) Kubota Compact Excavator for Public Works & Utilities from James Short Tractor & Equipment of Alto, GA, in the amount of \$79,099.92.
- 17 Approve the sole source purchase for a repair and certified rebuild of a 2017 Caterpillar Landfill Compactor for Public Works & Utilities to Yancey Bros. of Cumming, GA, in the amount of \$649,801.50.
- 18 Approve Change Order #3 under RFQ/P #40-009 Right-of-Way Acquisition Services for four (4) parcels on the Sardis Road Connector for Public Works to Croy Engineering, Inc. of Marietta, GA, in the amount of \$134,100.00. Commission District 2.
- 19 Approve the award of RFQ/P #43-021 Construction Manager at Risk and Guaranteed Maximum Price for Hall County Health Department Campus Renovations for Public Works & Utilities to Hogan Construction Group, LLC of Peachtree Corners, GA. The estimated cost not to exceed is \$4,527,604.00.
- 20 Approve the sole source purchase for plumbing control upgrades at the Hall County Jail for the Sheriff's Office to Intelligent Conservation System, Inc. of Oviedo, FL, in the amount of \$287,992.00.

**Other Business - Public Works and Utilities**

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

- 21 Public Hearing to abandon Pass Drive and Biscayne Boulevard, which includes all of Pass Drive from Patterson Road to Lanier Parkway, a.k.a I-985 (390 +/- feet), as well as all of Biscayne Boulevard from Patterson Road to Lanier Parkway a.k.a. I-985 (400 +/- feet) 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 2.

*Mr. Lawhon introduced the item. Mr. Nash discussed the item. Mr. Lawhon conducted the Public Hearing.*

*There were no comments from the public.*

*Commissioner Powell/Commissioner Poole — approve — unanimous*

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

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

- 22 **6178 Lake Lanier Heights Road | Appeal a Planning Commission Decision for a Variance** | from 17.240.010 to reduce the left side yard setback from 10 feet to 3 feet | on a 0.24± acre tract located on the north side of Lake Lanier Heights Road, approximately 126 feet from its intersection with Lake Lanier Heights Road | Zoned V-C; Tax Parcel 07353 001025 | **Proposed Use: residential addition and bring the existing residence into compliance** | Commission District 2 | **Nave Edelstein, applicant; Holly Neyman/Jane Range, appellant.**

*Mr. Lawhon introduced items 22 and 23, which were heard together. Ms. Doveton discussed the items.*

*Commissioner Powell/Commissioner Poole — approve withdrawal of item 22 — unanimous*

- 23 **6178 Lake Lanier Heights Road | Appeal a Planning Commission Decision for a Variance |** from 17.240.010 to reduce the right side yard setback from 10 feet to 4 feet | on a 0.24± acre tract located on the north side of Lake Lanier Heights Road, approximately 126 feet from its intersection with Lake Lanier Heights Road | Zoned V-C; Tax Parcel 07353 001025 | **Proposed Use: residential addition and bring the existing residence into compliance |** Commission District 2 | **Nave Edelstein, applicant; Holly Neyman/Jane Range, appellant.**

*Items 22 and 23 were heard together.*

*Commissioner Powell/Commissioner Stowe — approve withdrawal of item 23 — unanimous*

- 24 **5010 McKinzey Lane | Use Subject to County Commission Approval |** on a 3.05± acre tract located on the east side of McKinzey Lane at its intersection with Stephens Road | Zoned V-C, Tax Parcel 08089 001019 | **Proposed Use: 3-lot subdivision |** Commission District 2 | **Garry L. & Gale W. English, applicants.**

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

The following people addressed the Board:

Favor:

- Garry English, 5010 McKinzey Lane, Flowery Branch

Commissioner Powell/Commissioner Poole — approve with the five (5) conditions listed below — unanimous

Conditions:

1. The property shall be subdivided into a maximum of 3 building lots in accordance with the requirements of the Vacation Cottage (V-C,17.50) zoning district as detailed in 17.240, area and setback requirements. No variances are approved as part of this application.
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.
3. All conditions of zoning shall be made part of any plats created for the property.
4. The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property: "Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."
5. The developer shall dedicate ten (10) feet of right of way along McKinzey Lane in order to bring the road up to county standards for a ditched section.

25

**5351 Lanier Islands Parkway | Use Subject to County Commission Approval |** on a 17.14± acre tract located on the north side of Lanier Islands Parkway approximately 568 feet from its intersection with Carter Road | Zoned AR-III; Tax Parcel 08169 003011 (pt.) | **Proposed use: agri-entertainment |** Commission District 1 | **Keith D. & Chad Bell, applicant.**

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

The following people addressed the Board:

Favor:

- Keith Bell, 3604 Carter Road, Buford

Commissioner Cooper/Commissioner Powell — approve with the seven (7) conditions listed below — unanimous

Conditions:

1. The agri-entertainment business shall operate as described in the narrative dated May 15, 2023 and depicted on the site plan dated January 31, 2022.
2. A variance is granted for the building setback requirement for agri-entertainment structures, reducing the setback from 300 feet to 240 feet.
3. A variance is granted to the parking area setback, reducing the setback from 200 feet to 160 feet.
4. With the exception of permitting gravel parking, the non-residential development shall be subject to the standards of the Gateway Corridors Overlay District (GCOD,17.420). No other variances are granted from these standards.
5. Plans for any further improvements or development of the property shall be submitted for review and appropriate permits obtained.
6. Per, 2.60.060. — effective period of approved applications, all applications approved by the board, whether a request for variance from the terms of Title 17, a request for conditional use, a request for the enlargement, change or continuance of a nonconforming use or a request to appeal a decision by an administrative official in the enforcement of Title 17, shall be effective for a period of six months. If no action is taken by the applicant to implement the purpose of the application by obtaining the proper permit and/or license and proceeding with the building, occupancy or establishment of business within six months from the date of approval by the board, said approval shall become null and void.
7. The business license associated with this use shall go before the Hall County Planning Commission and the Board of Commissioners for renewal after a period of three years.

- 26 **7896 Calvary Cross Road | Rezone** | from Planned Commercial Farm District (PCFD) to Planned Residential Development (PRD) on a 53.98± acre tract located on north side of Calvary Cross Road at its intersection with Lula Road | Zoned PCFD; Tax Parcel 12104 000005 | **Proposed use: 12-lot subdivision** | Commission District 3 | **Candler Real Estate, applicant.**

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

The following people addressed the Board:

Favor:

- Lee Hemmer, 3945 Reynolds Road, Gainesville

- Kelly Boyd, 7896 Calvary Cross Road, Lula

*Opposition:*

- Corsin Teasley, 5328 Innisbrook Lane, Gainesville

*Commissioner Poole/Commissioner Powell — approve with the twelve (12) conditions listed below — unanimous*

*Conditions:*

- 1. Development is approved for lots as generally shown on the concept plan and described in the project narrative modified as necessary for compliance with development standards enforced at the time of site plan approval. Minor changes can be approved by the Planning Director provided there are no reductions in buffers, no changes in the structural design and materials, and the changes do not create the need for a variance from the Hall County development standards.*
- 2. Standard Hall County Development Review and permitting processes shall be followed. Approval of this request does not supersede development standards or processes in effect when the plans are submitted for review. Such standards include, but are not limited to, stormwater management and emergency access requirements.*
- 3. This development is approved for a maximum of 11 lots with a minimum lot size of 2 acres.*
- 4. The parcel identified on the site plan as Tract 2, located at the intersection of Skitts Mountain Road and Lula Road / SR 52, and consisting of 0.49 acres is not approved as a separate building lot.*
- 5. The development shall meet the requirements of the Planned Residential Development (PRD,17.180.060) zoning district, except as noted below.*
- 6. All conditions of zoning shall be made a part of any plats or construction plans created for the subdivision.*
- 7. Developer shall provide a 50 ft. setback that includes the existing natural features and vegetation along the exterior boundaries. The exception to this standard shall be those lot lines that serve as the boundary between the subject property and parcel 12104 000005A, along which the developer shall install a 25 ft. planted buffer once construction begins on adjacent lots.*
- 8. At time of permit application, at least 30% of open space shall be shown on all site plans submitted for review. Site plan shall also show that a minimum of two (2) trees per lot exists or shall be planted per 17.180.060.*
- 9. All driveways shall meet site distance requirements, as well as all other Hall County Traffic and Georgia Department of Transportation requirements.*
- 10. Developer shall not be required to install sidewalks throughout the development.*
- 11. The subdivision of any tract into seven or more lots within a 12-month period from the date of recording of the plat may require a stormwater management report should the proposed development meet thresholds for impervious surfaces and/or disturbed acreage.*
- 12. The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded on the property: "Owners, occupants, and users of property shown on this plat are hereby informed of the impacts associated with normal farming practices which may take place on adjacent and nearby property including, but not*

*limited to, noise, odors, dust, the operation of machinery of any kind, the storage and disposal of manure, and the application of fertilizers, herbicides, and pesticides. Therefore, owners, occupants, and users of the property shown on this plat should be prepared to expect the effects of such practices."*

## **County Administrator**

*Mr. Propes stated the following:*

- *The Government Finance Officers Association of the United States and Canada (GFOA) has awarded the Hall County Government the Certificate of Achievement for Excellence in Financial Reporting for its comprehensive annual financial report for FY 2022. Thanked Financial Services staff, department directors, Hall County employees and the Board of Commissioners for their commitment to excellence.*

## **Commission Time**

*Commissioner Billy Powell, District 2, acknowledged current members of Leadership Hall. These members addressed the Board:*

- *Teigha Snowden, United Way*
- *Valentina Velasquez, Lanier Islands*
- *Brian Barfield, AT&T*
- *Kevin Holbrook, City of Gainesville Police Department*

*Commissioner Jeff Stowe, District 4, announced the Butler Gym Ribbon Cutting would be held on Saturday, September 16, 2023 at 10 am.*

## **Adjourn**

*Commissioner Powell/Commissioner Poole — adjourn at 6:31p.m. — unanimous*