



**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, July 11, 2024 - 06:00 PM**

Call to Order

Vice Chairman Poole at 6:07 p.m.

Present:

Vice-Chairman Gregg Poole and Commissioners Kathy Cooper, Billy Powell 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, Special Assistant County Attorney Van Stephens, and Assistant County Attorney Justin Lawhon

Approve Agenda

Commissioner Stowe/Commissioner Powell — approve — Vote: 4 to 0

Commissioner Cooper —aye

Commissioner Powell — aye

Chairman Higgins — absent

Commissioner Poole — aye

Commissioner Stowe — aye

Motion passed.

Invocation

1 Commissioner Gregg Poole

Pledge

2 Commissioner Jeff Stowe

Public Comments

The following people addressed the Board:

- Bill Oberholtzer, 3709 Whiting Road, Gainesville

Proclamation/s

- 3 Approve the Proclamation recognizing James 'Jim' Budd's retirement after 21 years of service to Hall County, GA.

Commissioner Powell presented James 'Jim' Budd with the Proclamation.

Commissioner Stowe/Commissioner Cooper — approve — Vote: 4 to 0

Commissioner Cooper —aye

Commissioner Powell — aye

Chairman Higgins — absent

Commissioner Poole — aye

Commissioner Stowe — aye

Motion passed.

Recognition

- 4 Association of County Commissioners of Georgia (ACCG) recognition of Senator Shelly Echols (District 49) and Representative Lee Hawkins (District 27).

Dante Handel and Martha Revelo of the Association of County Commissioners of Georgia (ACCG) addressed the Board and thanked Senator Echols and Representative Hawkins for their work on Transportation SPLOST legislation. Both Senator Echols and Representative Hawkins gave remarks.

Consent Agenda

Commissioner Stowe/Commissioner Powell — approve — Vote: 4 to 0

Commissioner Cooper —aye

Commissioner Powell — aye

Chairman Higgins — absent

Commissioner Poole — aye

Commissioner Stowe — aye

Motion passed.

- 5 Approve the July 8, 2024 Work Session minutes.

- 6 Approve the June 27, 2024 Voting Meeting minutes.
- 7 Approve the June 27, 2024 Executive Session minutes.
- 8 Approve the June 27, 2024 Meeting minutes.
- 9 Approve the June 27, 2024 Transportation SPLOST (TSPLOST) Special Called Meeting minutes.
- 10 Approve amendments to the 2024 Meeting Schedule:
 - (a) Cancellation of the Thursday, September 12, 2024 Voting Meeting and schedule a Meeting on Tuesday, September 10, 2024 at 6:00 p.m.
 - (b) Cancellation of the Thursday, September 26, 2024 Voting Meeting and schedule a Meeting on Tuesday, September 24, 2024 at 6:00 p.m.
 - (c) Cancellation of the Monday, November 11, 2024 Work Session and schedule a Meeting on Tuesday, November 12, 2024 at 3:00 p.m.
- 11 Approve the renewal of the annual contract for RFQ/P# 43-011 Demand Services On-Call Contract for Abatement of Nuisance Properties and Demolition of County Owned Properties for Code Enforcement to Eagle Demolition & Environmental, Inc. of Carrollton, GA, Southern Demolition and Environmental, LLC of Atlanta, GA, SACAL Environmental & Management Company of Macon, GA and EnviroMasters, Inc. of Carrollton, GA. The estimated annual cost to exceed \$50,000.00.
- 12 Approve the Employment Agreement for the Assistant Director of Financial Services.
- 13 Approve the renewal of the annual contract for GIS Software Licensing for Planning & Zoning to Environmental Systems Research Institute, Inc. (ESRI) of Redlands, CA. The estimated annual cost is \$55,482.12.
- 14 Approve the award of Task Order #2025-006 under RFP/Q #42-002 Demand Services for Resurfacing, Paving, and Full Depth Reclamation of various County roads for the FY 2025 resurfacing program to Allied Paving Contractors, Inc. of Pendergrass, GA. The estimated cost is \$14,751,334.81.
- 15 Approve Change Order #1 under RFQ/P #43-004 Sewer System Operation Services for Public Works & Utilities to ClearWater Solutions, LLC of Auburn, AL, in the amount of \$118,791.00.
- 16 Consider the acceptance of \$820,761.00 Guaranty Performance/Maintenance Agreement for Streets, Stormwater Management Facilities and Sidewalks in Magnolia Station Phase 4 Subdivision. Commission District 3.
- 17 Approve the ratification of the application for the Georgia Opioid Crisis Abatement Trust for Treatment Services to provide funding for medication-assisted treatment services, staff salaries, training, and other recovery services for Accountability Court participants in the amount of \$888,204.00, 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 - County Attorney

Mr. Stephens addressed the Board.

- 18 Approve the ratification of the Intergovernmental Agreement among Hall County and all Cities and Towns located within Hall County in substantial conformance to the fully executed Intergovernmental Agreement concerning the levy and rate of a Transportation Special Purpose Local Option Sales and Use Tax (TSPLOST) within the Special District of Hall County; authorization for the Chairman or Vice Chairman to take any and all actions necessary to effectuate the Intergovernmental Agreement, subject to review and approval by the County Attorney.

Mr. Stephens discussed the item.

Commissioner Powell/Commissioner Stowe — approve — Vote: 4 to 0

Commissioner Cooper —aye

Commissioner Powell — aye

Chairman Higgins — absent

Commissioner Poole — aye

Commissioner Stowe — aye

Motion passed.

- 19 Approval and authorization for the Chairman or Vice-Chairman to execute a resolution of the Board of Commissioners of Hall County calling for an election on the question whether or not to impose a Transportation Special Purpose Local Option Sales and Use Tax (TSPLOST), subject to Hall County Voters' approval of a referendum on November 5, 2024, and authorization for the Chairman or Vice-Chairman to execute any additional documents necessary to effectuate the resolution, subject to review and approval by the County Attorney.

Mr. Stephens discussed the item.

Commissioner Powell/Commissioner Stowe — approve — Vote: 4 to 0

Commissioner Cooper —aye

Commissioner Powell — aye

Chairman Higgins — absent

Commissioner Poole — aye

Commissioner Stowe — aye

Motion passed.

Commissioner Powell stated for those in attendance that items 21 and 22 had requested to be tabled until the August 8, 2024 Voting Meeting.

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

Beth Garmon, Director of Planning and Zoning, addressed the Board.

Commissioner Cooper exited the meeting.

- 20 **5079 Old Winder Highway | Rezone |** from Residential I (R-I) to Planned Residential Development (PRD) | on a 20.02± acre tract located on the east side of Old Winder Highway, approximately 1,496 feet from its intersection with Daylily Drive | Zoned R-I; Tax Parcel 15038 000059 | **Proposed Use: 105-unit townhome development |** Commission District 1 | **Steven P. Gilliam, applicant** Note: Tabled at the June 27, 2024 Voting Meeting until the July 11, 2024 Voting Meeting.

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

Commissioner Powell/Commissioner Stowe — approve removing item 20 from the table — Vote: 3 to 0

Commissioner Cooper — recused

Commissioner Powell — aye

Chairman Higgins — absent

Commissioner Poole — aye

Commissioner Stowe — aye

Motion passed.

Mr. Lawhon conducted the Public Hearing.

The following people addressed the Board:

Favor:

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

Opposition:

- *Jill Cooper, 5125 Old Winder Highway, Braselton*
- *Kim Newell, 5150 Old Winder Highway, Braselton*
- *Herschel Reaves, 5065 Old Winder Highway, Braselton*

Commissioner /Commissioner — approve with the twenty-one (21) conditions listed below — Vote: 3 to 0

Commissioner Cooper — recused

Commissioner Powell — aye

Chairman Higgins — absent

Commissioner Poole — aye

Commissioner Stowe — aye

Motion passed.

Conditions:

- 1. The property shall be developed in accordance with the site plan dated July 10, 2024, and as described in the project narrative submitted on July 10, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.*
- 2. The development shall be limited to 82 townhome units.*
- 3. The minimum heated floor area (HFA) of each residential unit shall be 1,800 square feet.*
- 4. Building elevations shall be composed of a mixture of cement siding, stone, and/or brick façade, with a minimum of brick or stone accents on the front of the homes. The balance of the home may be the same material or of fiber-cement material. Vinyl siding is prohibited. Final review and approval of building elevations is subject to the Assistant Director of Planning and Development, or their designee.*
- 5. All units shall be designed with a two-car garage. Garage doors shall constitute no more than 70 percent of the width of the individual townhouse unit.*
- 6. All residential driveways shall measure no less than 22 feet from the edge of right of way.*
- 7. Garage door width shall not exceed 70% of the width of the front façade of the residence.*
- 8. The development shall feature internal sidewalks no less than five (5) feet in width constructed on both sides of all internal streets.*
- 9. The development shall be served by public sewer, with the obtainment of all required easements and other construction costs such as a lift station and force main to be the responsibility of the developer.*
- 10. The development shall be limited to a maximum of two (2) model homes prior to approval and recording of the final plat. Model home permits may be issued prior to Final Plat recording provided that hard surface (crusher run) access is provided and fire protection (functioning hydrant) is located within 500 feet of any structure under construction. No certificate of occupancy permits shall be issued prior to Final Plat recording.*
- 11. There shall be a mandatory Homeowners' Association (HOA).*
- 12. All designated open space within the development shall be commonly held, and not held by any individual homeowner(s).*
- 13. All roadways within the development shall be designed and constructed to Hall County standards and dedicated to the county for public use. Thereafter, Hall County will maintain the roads.*
- 14. The developer shall be responsible for obtaining all of the necessary permits as well as all costs associated with the improvements recommended by the traffic impact study, such as but not limited to the construction of a left and right turn lane on state route 211 (aka Old Winder Highway).*
- 15. All stream buffers must be fully within the Homeowners' Association (HOA) common space and shall not be included on any individual residential building lot.*
- 16. There shall be 43 guest parking spaces provided as shown on the site plan dated July 10, 2024.*
- 17. The cluster mailbox unit shall have no less than 5 parking spaces.*
- 18. No variances or development exceptions are granted as part of this request*

that are not explicitly granted by board approval. The development shall be compliant with the Official Code of Hall County.

19. 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."
20. All conditions of zoning shall be made a part of any plats or construction plans created for the property.
21. Buildings shall have no more than 6 units per building. Each building shall be staggered back 4-5 feet from the front setback of adjacent buildings.

Commissioner Cooper re-entered the meeting.

- 21 **5608 Azelia Drive | Rezone |** from Agricultural Residential III (AR-III) and Vacation Cottage (V-C) to Vacation Cottage (V-C) | on a 40.11± acre tract located on the north side of Azelia Drive, at its intersection with Williamson Drive | Zoned AR-III & V-C; Tax Parcel 11156 000025 | **Proposed Use: 14-lot residential subdivision |** Commission District 2 | **Rochester | DCCM, applicant**

Mr. Lawhon introduced items 21 and 22, which were heard together. Ms. Garmon discussed the items.

Commissioner Powell/Commissioner Stowe — approve tabling item 21 until the August 8, 2024 Voting Meeting — Vote: 4 to 0

Commissioner Cooper —aye

Commissioner Powell — aye

Chairman Higgins — absent

Commissioner Poole — aye

Commissioner Stowe — aye

Motion passed.

- 22 **5608 Azelia Drive | Use Subject to County Commission Approval |** on a 40.11± acre tract located on the north side of Azelia Drive, at its intersection with Williamson Drive | Zoned AR-III & V-C; Tax Parcel 11156 000025 | **Proposed Use: 14-lot residential subdivision |** Commission District 2 | **Rochester | DCCM, applicant**

Commissioner Powell/Commissioner Stowe — approve tabling item 21 until the August 8, 2024 Voting Meeting — Vote: 4 to 0

Commissioner Cooper —aye

Commissioner Powell — aye

Chairman Higgins — absent

Commissioner Poole — aye

Commissioner Stowe — aye

Motion passed.

- 23 **5279 Union Church Road | Use Subject to County Commission Approval**
| on a 2.66± acre tract located on the east side of Union Church Road,
approximately 254 feet from its intersection with Laurel Terrace | Zoned R-I;
Tax Parcel 15043A000008 | **Proposed Use: 2-lot residential subdivision**
| Commission District 1 | **Andy Carter, applicant**

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

The following people addressed the Board:

Favor:

- Andy Carter, 4430 JM Turk Road, Flowery Branch*

Commissioner Cooper/Commissioner Powell — approve with the five (5) conditions listed below — Vote: 4 to 0

Commissioner Cooper —aye

Commissioner Powell — aye

Chairman Higgins — absent

Commissioner Poole — aye

Commissioner Stowe — aye

Motion passed.

Conditions:

- 1. The property shall be developed in accordance with the site plan dated April 1, 2024 and as described in the project narrative submitted on April 5, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.*
- 2. The property shall be subdivided into a maximum of two (2) residential building lots in accordance with the requirements of the Residential-I (R-1, 17.60) zoning district as detailed in 17.240 (area and setback requirements).*
- 3. 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."*
- 4. No variances or development exceptions are granted as part of this request that are not explicitly granted by Board approval. The development shall be compliant with the Official code of Hall County.*
- 5. All conditions of zoning shall be made part of any plats created for the property.*

6263 & 6267 Grant Ford Road | Use Subject to County Commission Approval | on a combined 23.44± acre tract located on the east side of Grant Ford Road approximately 1,123 feet from its intersection with Dove Court | Zoned R-I; Tax Parcels 10002 000010 & 000005 | **Proposed Use: 9-lot residential subdivision** | Commission District 2 | **Rochester** | **DCCM, applicant**

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

The following people addressed the Board:

Favor:

- *Bradley Dunkel, 425 Oak Street, Gainesville*

Commissioner Powell/Commissioner Stowe — approve with the six (6) conditions listed below — Vote: 4 to 0

Commissioner Cooper —aye

Commissioner Powell — aye

Chairman Higgins — absent

Commissioner Poole — aye

Commissioner Stowe — aye

Motion passed.

Conditions:

- 1. The property shall be developed in accordance with the site plan dated April 2, 2024, and as described in the project narrative submitted on April 8, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.*
- 2. The subject property shall be subdivided into a maximum of nine (9) single-family residential 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.*
- 3. There shall be a mandatory homeowners' association (HOA).*
- 4. All designated open space within the development shall be commonly held, and not held by individual homeowner(s).*
- 5. No variances or development exceptions are granted as part of this request that are not explicitly granted by Board approval. The development shall be compliant with the Official code of Hall County, as well as any other agencies or reviewing departments, including, but not limited to Environmental Health, the Fire Marshal, and Hall County Engineering.*
- 6. All conditions of zoning shall appear on any plats created for the subdivision.*

1560, 1582 & 1586 Pine Valley Road | Amend Conditions | of a Planned Residential Development (PRD) on a combined 34.03± acre tract located on the west side of Pine Valley Road, at its intersection with White Sulphur Road | Zoned PRD; Tax Parcels 09124 000039 (pt.), 000039B & 000203 | **Proposed Use: 148-unit townhouse development |** Commission District 3 | **Shadow Stone Partners, LLC, applicant**

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

The following people addressed the Board:

Favor:

- *Erin Moore, 3120 Frontage Road, Gainesville*

Opposition:

- *Marion Meeks, 1239 Lakeshore Court, Gainesville*
- *Connie Murphy, 1239 Lakeshore Court, Gainesville*

Commissioner Stowe/Commissioner Poole — approve with the four (4) conditions listed below — Vote: 4 to 0

Commissioner Cooper — aye

Commissioner Powell — aye

Chairman Higgins — absent

Commissioner Poole — aye

Commissioner Stowe — aye

Motion passed.

Conditions:

1. *The property shall be developed in accordance with the site plan dated March 5, 2024, and as described in the projective narrative dated April 5, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.*
2. *The previously approved conditions dated January 27, 2022, as amended shall apply:*
 - a. *The development shall be developed in accordance with 17.180.060, Planned Residential Development. The following variances shall apply:*
 - i. *The minimum lot size shall be 2,500 square feet.*
 - ii. *The minimum lot width shall be 28'.*
 - iii. *Allow a maximum garage door width of 60% of façade.*
 - iv. *Allow a front setback of 22' from curb to garage.*
 - b. *The density of the development shall be no more than 148 units.*
 - c. *The applicant shall coordinate with Hall County Public Works and the Georgia Department of Transportation regarding any road improvements required as part of the traffic study or are determined as part of the Development Review process.*

- i. *The development shall be limited to one access on Pine Valley Road at the northern most location as shown on the site plan.*
- ii. *Left and right turn lanes shall be installed on Pine Valley Road to access the development. A left turn lane shall be installed for the driveway opposite from the development.*
- iii. *Left and right turn lanes shall be installed on Pine Valley Road at White Sulfur Road.*
- iv. *Left turn lane shall be installed on White Sulfur Road to access Pine Valley Road.*
- v. *Internal roadways of the development shall meet Hall County Standards.*
- vi. *The developer shall coordinate and permit any White Sulfur Road improvements with the City of Gainesville.*
- vii. *The developer shall bear all costs associated with any roadway and/or traffic related improvements.*
- d. *All conditions of zoning shall be made part of any plats created for the development.*
- e. *The following language shall be placed upon the Final Plat of the development as defined by section 17.20.830 of the Hall County Code of Ordinances, and it will read, "Owners and users of this property are informed of agricultural and industrial uses nearby and should expect noise, smell, and other associated with such uses."*
3. *The 50 foot planted buffer shall be reduced to 25 feet in width only along the boundary which adjoins the western right-of-way of Pine Valley Road between White Sulphur Road and tax parcel 09124 000040.*
4. *No other variances or development exceptions are granted as part of this request that are not explicitly granted by Board approval. The development shall be compliant with the Official code of Hall County.*

County Administrator

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

- *Fitch has updated Hall County's credit rating to AAA, which is the highest rating possible and a great accomplishment. Thanked the Board for their leadership.*
- *Thanked everyone who has participated in the development of the 2024 Transportation SPLOST program to date. Thanked the Board for their leadership, the elected officials and staff of Hall County's cities and towns. Education regarding the program will begin immediately about this additional 1% sales tax means if approved by voters in November. If approved, this six year program will generate \$390 million in dedicated transportation funding that will be used to fund critical and transformational road improvement projects such as Spout Springs Road widening/improvements Phase II, McEver Road widening/improvements Phase I, Browns Bridge Road widening/improvements, White Sulphur Road and Crescent Road widening/improvements, SR 365 improvements, Ridge Road improvements and various other road improvements.*

Commission Time

Commissioner Jeff Stowe, District 4, asked for prayers and a speedy recovery for Chairman Richard Higgins.

Vice-Chairman Gregg Poole, District 3, stated the Transportation SPLOST will help traffic on Crescent Road.

Adjourn

Commissioner Stowe/Commissioner Powell — adjourn at 7:13 p.m. — Vote: 4 to 0

Commissioner Cooper —aye

Commissioner Powell — aye

Chairman Higgins — absent

Commissioner Poole — aye

Commissioner Stowe — aye

Motion passed.