



**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, October 10, 2024 - 06:00 PM**

Call to Order

Chairman Higgins at 6:07 p.m.

Present:

Chairman Richard Higgins, 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, and Assistant County Attorney Justin Lawhon

Approve Agenda

Commissioner Stowe/Commissioner Poole — 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 October 2024 as Cybersecurity Awareness Month.

Commissioner Poole presented MIS Director Daniel Sexton, Kevin York, Benjamin Arevalo, Adam Welker, Allen Vosburgh, Jonathan Allan, Eric Britt, Eric Carney and Jared Thomas with the Proclamation.

Commissioner Stowe/Commissioner Powell — approve — unanimous

Consent Agenda

Commissioner Powell/Commissioner Poole — approve — unanimous

- 4 Approve the October 7, 2024 Work Session minutes.
- 5 Approve the September 24, 2024 Voting Meeting minutes.
- 6 Approve the September 24, 2024 Executive Session Minutes.
- 7 Approve the September 24, 2024 Meeting minutes.
- 8 Approval and authorization for the Chairman to execute a lease amendment between Hall County and the United States Department of Agriculture for lease of the facility located at 734 E. Crescent Drive in Gainesville, and authorization for the Chairman to execute any and all documents necessary to effectuate the lease, subject to review and approval by the County Attorney.
- 9 Approve the award of Task Order #2025-019 Replace Rooftop Air Conditioning Units at North Hall Community Center for Parks & Leisure Services to J.R. Hobbs Co - Atlanta of Lawrenceville, GA, in the amount of \$157,936.25.
- 10 Approve the resolution declaring 0.401 +/- acres of County right of way on Chestnut Mountain Circle to be unserviceable, and approving the transfer of said Right of Way to Lanier Christian Academy, subject to certain requirements, and authorizing the Chairman to execute any and all documents necessary to effectuate the transfer, subject to the review and approval of the County Attorney.
- 11 Approval of the standing order from the Superior Courts of Hall County to set the salary of any full-time Juvenile Court Judge at 85 percent of the base salary received by a Superior Court Judge in the circuit and to adjust Juvenile Court Judges' salaries on the same date of any adjustment made to Superior Court Judges' salaries unless an alternate date is set by separate order at that time by the Chief Superior Court Judge.
- 12 Approve the continuation award and any supplemental funding of the FY 2025 Victims of Crime Act (VOCA) Grant for the District Attorney's Office to provide direct support to crime victims in the amount of \$87,310.00, 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.
- 13 Approve the purchase of a new 2024 Ford F-550 for Public Works & Utilities to Wade Ford, Inc., of Smyrna, GA, in the amount of \$73,963.00.

- 14 Approve the resurfacing list for the Georgia Department of Transportation (GDOT) FY 2025 Local Maintenance Improvement Grant (LMIG) application for 7.5 miles of road resurfacing on fourteen (14) various County Roads, in the amount of \$3,616,612.00.
- 15 Approve the award of IFB #026-45 Spout Springs Water Reclamation Facility Expansion to 1.6 Million Gallons Per Day for Public Works & Utilities to Lakeshore Engineering, LLC of Atlanta, GA, in the amount of \$20,972,000.00.
- 16 Approve the FY 2025 School Security Program annual agreement between Hall County and the Hall County Board of Education.
- 17 Approve the continuation award and any supplemental funding of the FY 2025 Victims of Crime Act (VOCA) Grant for the Solicitor's Office to provide direct support to crime victims in the amount of \$125,741.00, 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.
- 18 Approve the 2023 personal property refund in the amount of \$128,552.92 for overpayment of taxes regarding property located at 2125 Candler Road, Gainesville, GA to Cottrell Properties, LP.

Other Business - Public Works and Utilities

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

- 19 Approve the award of RFQ/P #45-015 Roll-Off Solid Waste Hauling Services for Public Works & Utilities to North GA Excavating Group, LLC of Lula, GA. The estimated annual cost is \$750,000.00.

Commissioner Stowe/Commissioner Poole — approve — unanimous

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

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

- 20 **5820 McEver Road | Amend Conditions of Zoning |** on a 3.57± acre tract located on the west side of McEver Road at its intersection with Lights Ferry Road | Zoned H-B, Tax Parcel 08119 000003 | **Proposed Use: Gas station and convenience store | Commission District 2 | Nabeel Group of Companies, Inc, applicant** NOTE: Tabled at the September 10, 2024 Voting Meeting until the October 10, 2024 Voting Meeting.

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

Commissioner Powell/Commissioner Stowe — approve removing item 20 from the table — unanimous

Mr. Lawhon conducted the Public Hearing.

The following people addressed the Board:

Favor:

- Chuck Ross, 10 Lumpkin Street, Lawrenceville

Opposition:

- Win Fletcher, 5913 Thornhill Place, Flowery Branch
- Shelly Andrews, 5913 Thornhill Place, Flowery Branch
- Jay Kelley, 6023 Terrace Lake Point, Flowery Branch
- Tim Gail, 5918 Terrace Lake Point, Flowery Branch

Commissioner Powell/Commissioner Poole — approve tabling item 20 until the November 14, 2024 Voting Meeting — unanimous

- 21 **2466 Old Fork Road | Rezone** | from Agricultural Residential III (AR-III) and Vacation Cottage (V-C) to Vacation Cottage (V-C) on a 4.80± acre tract located on the south side of Old Fork Road, at its intersection with Brand Drive | Zoned AR-III & V-C; Tax Parcel 10085 000061 | **Proposed Use: 5-lot single-family development** | Commission District 2 | **Rashmiranjan Jyotiprakash, applicant**

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

The following people addressed the Board regarding both items 21 and 22:

Opposition:

- Scott Jacobs, 2488 Old Fork Road, Gainesville

Commissioner Powell/Commissioner Poole — approve with the thirteen (13) conditions listed below — unanimous

Conditions:

1. The property shall be developed in accordance with the site plan dated August 5, 2024, and as described in the project narrative, 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 5 single-family lots in accordance with the requirements of the Vacation Cottage (V-C, 17.50) zoning district as detailed in Area and Setback Requirements (17.240).
3. Driveway access to the proposed lots shall be approved by the Hall County Engineering Department and all traffic engineering standards shall be met. The developer shall be responsible for all associated costs.
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. 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 be made part of any plats created for the property.*
- 7. If improvements within the right-of-way are required, the developer shall be responsible for all associated costs and repair of any damage caused by the developer of existing utilities within the right-of-way.*
- 8. Homes shall be restricted to site built only.*
- 9. Vinyl siding shall be prohibited.*
- 10. All Family Daycare Homes and Community Residences shall be prohibited.*
- 11. The developer shall coordinate with the City of Gainesville to install a new water line subject to their standards that will include a fire hydrant and access for other property owners in the area to relocate their meters closer to their properties. Existing property owners shall be notified prior to any proposed utility line work.*
- 12. The developer shall obtain a land disturbance permit (LDP) for the proposed work which shall include a hydrology study for all five (5) lots.*
- 13. The minimum house size shall be a minimum of 2,500 heated floor area.*

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2466 Old Fork Road | Use Subject to County Commission Approval | on a 4.80± acre tract located on the south side of Old Fork Road, at its intersection with Brand Drive | Zoned AR-III & V-C; Tax Parcel 10085 000061| **Proposed Use: 5-lot single-family development |** Commission District 2 | **Rashmiranjan Jyotiprakash, applicant**

Items 21 and 22 were heard together. See item 21 for public hearing details.

Commissioner Powell/Commissioner Stowe — approve with the thirteen (13) conditions listed below — unanimous

Conditions:

- 1. The property shall be developed in accordance with the site plan dated August 5, 2024, and as described in the project narrative, 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 5 single-family lots in accordance with the requirements of the Vacation Cottage (V-C, 17.50) zoning district as detailed in Area and Setback Requirements (17.240).*
- 3. Driveway access to the proposed lots shall be approved by the Hall County Engineering Department and all traffic engineering standards shall be met. The developer shall be responsible for all associated costs.*
- 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. 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 be made part of any plats created for the property.*
- 7. If improvements within the right-of-way are required, the developer shall be responsible for all associated costs and repair of any damage caused by the developer of existing utilities within the right-of-way.*
- 8. Homes shall be restricted to site built only.*
- 9. Vinyl siding shall be prohibited.*
- 10. All Family Daycare Homes and Community Residences shall be prohibited.*
- 11. The developer shall coordinate with the City of Gainesville to install a new water line subject to their standards that will include a fire hydrant and access for other property owners in the area to relocate their meters closer to their properties. Existing property owners shall be notified prior to any proposed utility line work.*
- 12. The developer shall obtain a land disturbance permit (LDP) for the proposed work which shall include a hydrology study for all five (5) lots.*
- 13. The minimum house size shall be a minimum of 2,500 heated floor area.*

Commissioner Cooper exited the meeting.

0, 4611, 4627 Guth Road & 0, 4561, 4613 J M Turk Road & 4590, 4601, 4610 Stanley Road | Rezone | from Agricultural Residential-III (AR-III) to Planned Residential Development (PRD) | on a 114.147± acre tract located on the east side of J M Turk Road at its intersection with Guth Road | Zoned AR-III; Tax Parcels 15043 000027, 000201, 000128 & 15044 000035, 15044 000127, 15043 000109 & 15044 000035B, 000043, 000100 | **Proposed Use: 256-unit residential development** | Commission District 1 | **Steven P. Gilliam, applicant**

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

The following people addressed the Board:

Favor:

- *Tyler Smith, 265 Thompson Place, Gainesville*
- *Jill Casper Stanley, 4561 J M Turk Road, Flowery Branch*
- *Randy Jones, 4561 J M Turk Road, Flowery Branch*

Opposition:

- *Bill Doucher, 4789 J M Turk Road, Flowery Branch*
- *Penni Ganyard, 2175 Silver Circle, Gainesville*
- *Mark Dunn, 4781 J M Turk Road, Flowery Branch*
- *Tommy Channell, 4737 J M Turk Road, Flowery Branch*
- *Albert Guth, 4589 Guth Road, Flowery Branch*
- *Mark Faul, 4567 Stanley Road, Flowery Branch*
- *Mike Morton, 6057 Daffodil Drive, Flowery Branch*
- *Dale Casto, 4801 J M Turk Road, Flowery Branch*

Commissioner Powell/Commissioner — approve with the fourteen (14) conditions listed below — Vote: 3 to 1

Commissioner Cooper — recused

Commissioner Powell — aye

Chairman Higgins — aye

Commissioner Poole — nay

Commissioner Stowe — aye

Motion passed.

Conditions:

1. *Development is approved as generally depicted on the site plan dated August 20, 2024, and as detailed in the project narrative dated August 20, 2024 and in the comparison chart received October 10, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.*
2. *The minimum heated floor area (HFA) shall be 1,800 square feet for single-family detached homes and 1,300 square feet for townhomes.*

3. *A 50-foot transitional buffer (planted or undisturbed) shall be maintained along all external property lines.*
4. *All single-family homes and townhomes shall provide two car garages and driveways to accommodate two cars for parking. Garage door width shall not exceed 55% of the width of the front façade of the single-family residences and a maximum garage door width of 55% of the front façade of the townhomes.*
5. *Residential driveways shall measure no less than 22 feet in length from the right-of-way to the front of the garage door. All other parking must meet the standards listed in 17.250 of the Official Code of Hall County.*
6. *The amenity area shall include a swimming pool, a dog park, and four (4) mail kiosks with adjacent parking as depicted on the proposed site plan dated August 20, 2024, and shall be completed before 50% of the final buildout of the development.*
7. *The Declaration of Covenants, Conditions, and Restrictions for the subdivision and the documents establishing the homeowner's association shall be submitted for review. These documents shall include a provision that would assure maintenance of the amenity package through adequate assessment of the subdivision property and would provide for establishing a lien against any property failing to pay said assessment. These documents shall be recorded simultaneously with the final plat and/or prior to the sale of any lots within the subdivision.*
8. *All designated open space within the development shall be commonly held and maintained and shall not be the responsibility of any individual homeowner(s). This common open space ownership shall be included in the deeds created for each lot.*
9. *Access to the development shall be approved by the Hall County Engineering Department. Access to the property from Guth Road shall be limited to emergency vehicles only. The developer shall implement all recommendations of the traffic study, subject to final review and approval by both Hall County Engineering. The developer shall be responsible for any costs associated with these improvements.*
10. *The development shall be limited to a maximum of four (4) 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. *The proposed lift station shall be located on its own lot.*
12. *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.*
13. *The following statement regarding the potential impacts of agricultural operation 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."

14. *All conditions of zoning shall be made a part of any plats or construction plans created for the subdivision.*

Commissioner Cooper re-entered the meeting.

County Administrator

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

- *Early Voting will be held October 15, 2024 thru November 1, 2024. For questions about early voting or access to your ballot proof, visit the Elections page on the Hall County website. Early Voting locations are:*
 - *North Hall Community Center*
 - *East Hall Community Center*
 - *Mulberry Creek Community Center*
 - *Spout Springs Library*
 - *Murrayville Library*
 - *Chicopee Woods Ag Center*
 - *Gainesville Civic Center*
- *Announced there will be TSPLOST Public Information Sessions at the following locations:*
 - *Mule Camp Market - Friday, October 11, 2024 thru Sunday, October 13, 2024*
 - *Downtown Gainesville Library - Monday, October 14, 2024 from 3:30 to 8:00 pm*
 - *Presentation at the Clermont Chattahoochee Center - Tuesday, October 15, 2024 at 6:30 pm*

Commission Time

Commissioner Gregg Poole, District 3, stated for those in attendance to go vote.

Commissioner Jeff Stowe, District 4, acknowledged current members of Leadership Hall. The following members addressed the Board:

- *Jason Burruss (Teston & Burruss)*
- *Justin Burruss (Rushton)*

Adjourn

Commissioner Powell/Commissioner Poole — adjourn at 7:51 p.m. — unanimous