



**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, November 14, 2024 - 06:00 PM**

Call to Order

Chairman Higgins at 6:00 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, Commission Clerk Jennifer Rivera, Deputy Commission Clerk Ana Dominguez, County Attorney William Linkous III, and Assistant County Attorney Justin Lawhon

Approve Agenda

Commissioner Powell/Commissioner Poole — approve — unanimous

Invocation

- 1 Chairman Richard Higgins

Pledge

- 2 Commissioner Gregg Poole

Public Comments

There were no comments from the public.

Recognition

- 3 Recognition of Elections Staff for their work during the 2024 Election Cycle.

Commissioner Powell delivered remarks and thanked Elections staff, poll workers and other departments countywide for their work during the 2024 election cycle. Commissioner Powell also congratulated Paige Thompson for receiving her Certified Elections and Registration Administrator status. He also recognized Sheika Stringer and Kay Wimpsey who are both currently in the process of receiving the same certification. Board of Elections Chairman Jack Noa and Elections Director Lori Wurtz also provided remarks.

Proclamation/s

- 4 Approve the Proclamation recognizing November 1, 2024 as National Family Literacy Day.

Commissioner Stowe presented Penny Walker, Rachel Schwab, Susan Easterbrooks, Martha Trimbach, Amy Woodrick and Terry Hughes with the Proclamation.

Commissioner Stowe/Commissioner Powell — approve — unanimous

- 5 Approve the proclamation recognizing November 2024 as National Native American Heritage Month.

Commissioner Cooper presented Penny Walker, Rachel Schwab, Susan Easterbrooks, Martha Trimbach, Amy Woodrick and Terry Hughes with the Proclamation.

Commissioner Poole/Commissioner Stowe — approve — unanimous

Consent Agenda

Commissioner Stowe/Commissioner Poole — approve — unanimous

- 6 Approve the November 12, 2024 Work Session minutes.
- 7 Approve the November 6, 2024 Executive Session minutes.
- 8 Approve the October 24, 2024 Voting Meeting minutes.
- 9 Approve the October 24, 2024 Executive Session minutes.
- 10 Approve the October 24, 2024 Meeting minutes.
- 11 Approve the 2025 Board of Commissioners Meeting Schedule.
- 12 Approve the re-appointment of Commissioner Gregg Poole to the Chestatee-Chattahoochee Resource Conservation and Development Council (RC&D) to serve a term from January 1, 2025 to December 31, 2025. Commission Districts 1, 2, 3, and 4.
- 13 Approve the re-appointment of Bill Nash to the Chestatee-Chattahoochee Resource Conservation and Development Council (RC&D) to serve a term from January 1, 2025 to December 31, 2025. Commission Districts 1, 2, 3, and 4.

- 14 Approve the re-appointment of Commissioner Billy Powell to the Gainesville Hall Development Authority to serve a term from January 1, 2025 to December 31, 2025. Commission Districts 1, 2, 3, and 4.
- 15 Approve the re-appointment of Commissioner Jeff Stowe to the Parks & Leisure Services Board to serve a term from January 1, 2025 to December 31, 2025. Commission Districts 1, 2, 3, and 4.
- 16 Approve the re-appointment of Jessica Tullar to the Parks & Leisure Services Board to serve a term from January 1, 2025 to December 31, 2028. Commission District 2.
- 17 Approve the re-appointment of Emilie Cisco to the Parks & Leisure Services Board to serve a term from January 1, 2025 to December 31, 2028. Commission District 4.
- 18 Approve the renewal of the annual contract for RFQ/P #44-008 GPS/AVL Vehicle Tracking Systems for Fleet Maintenance to LB Technology, Inc. of Memphis, TN. The estimated annual cost is \$80,000.00.
- 19 Approve the FY 2025 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 \$36,791.00, 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.
- 20 Approval and authorization for the Chairman to execute an Extension of the Letter of Intent between Hall County and Glade Farm, LLC originally executed on January 15, 2010, and any and all additional documents necessary to effectuate the transaction, subject to review and approval by the County Attorney.
- 21 Approve the ratification of the 2025 Judicial Council American Rescue Plan Act Grant funding application for the Northeastern Judicial Circuit to address case backlogs in the amount of \$1,120,739.00, and if awarded, appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related application and award documents. No cash or in-kind match is required.
- 22 Approve the sole source purchase of two (2) Zoll X Series Monitor/Defibrillators and related accessories for Fire Rescue to Zoll Medical Corporation of Chelmsford, MA, in the amount of \$94,716.56.
- 23 Approve the sole source purchase of leachate treatment membranes, seals and labor for Public Works & Utilities to Rochem Americas, Inc. of Hermosa Beach, CA, in the amount of \$121,494.00.
- 24 Approve the award of RFQ/P #45-020 Pond Fork Basin Phase 1 Sewer Improvements for Public Works & Utilities to W.L. Griffin Company, LLC of Gillsville, GA, in the amount of \$9,876,126.97.
- 25 Approve the ratification of the application and award for the 2024 State Homeland Security Program grant for the Sheriff's Office EOD K9 Team to purchase supplies, veterinary care, and nutritional needs in the amount of \$3,000.00 and appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related award documents. No match is required.

- 26 Approve the ratification of the application and award for the 2024 State Homeland Security grant for the Sheriff's Office SWAT Team to purchase necessary equipment in the amount of \$28,815.00, and appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related award documents. No match is required.
- 27 Approve the ratification of the application of the Criminal Justice Coordinating Council's (CJCC) Accountability Court Funding FY 2025 Enhancement and Innovation Grant for Treatment Services to provide additional substance use, mental health and ancillary services to program participants in the amount of \$65,015.24, and if awarded, 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 \$9,752.28 is required.

Other Business - Appointments for Consideration

- 28 Appointment to the Parks & Leisure Services Board to serve a term from January 1, 2025 to December 31, 2028. Chairman's Appointment.

Chairman Higgins/Commissioner Stowe — approve appointment of Cody Rountree — unanimous

Other Business - Planning and Development

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

- 29 Public Hearing to adopt a minor update to the Hall County Comprehensive Plan.

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

There were no comments from the public.

Commissioner Powell/Commissioner Stowe — approve — unanimous

- 30 Public Hearing to adopt Hall County's Unified Development Code (UDC).

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

There were no comments from the public.

Commissioner Powell/Commissioner Stowe — approve — unanimous

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

- 31 **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. NOTE: Tabled at the October 10, 2024 Voting Meeting until the November 14, 2024 Voting Meeting.

Mr. Lawhon introduced the item.

Commissioner Stowe/Commissioner Powell — approve removing item 31 from the table — unanimous

Public Hearing was previously closed at the October 10, 2024 Voting Meeting.

Ms. Garmon discussed the item.

Commissioner Powell/Commissioner Stowe — deny — unanimous

- 32 **0 & 3454 Gillsville Highway | Rezone |** from Agricultural Residential IV (AR-IV) to Planned Residential Development (PRD) | on a combined 30.78± acre tract located on the south side of Gillsville Highway (GA-323), approximately 370 feet from its intersection with East Hall Road | Zoned AR-IV; Tax Parcels 15016 000158A & 000028C | **Proposed Use: 20-lot residential subdivision |** Commission District 3 | **Sabina Chowdhury, applicant** NOTE: Tabled at the September 10, 2024 Voting Meeting until the October 24, 2024 Voting Meeting. NOTE: Tabled at the October 24, 2024 Voting Meeting until the November 14, 2024 Voting Meeting.

Mr. Lawhon introduced the item.

Commissioner Poole/Commissioner Stowe — approve removing item 32 from the table — unanimous

Public Hearing was previously closed at the October 24, 2024 Voting Meeting.

Ms. Garmon discussed the item.

Commissioner Poole made a motion to remand application back to Planning Commission. Prior to Board consideration on the motion, Commissioner Poole withdrew his motion and made a new motion to deny. However, the motion was not considered due a lack of a second.

Commissioner Stowe/Commissioner Powell — approve with the twenty (20) conditions listed below —Vote: 4 to 1

Commissioner Cooper —aye

Commissioner Powell — aye

Chairman Higgins — aye

Commissioner Poole — nay

Commissioner Stowe — aye

Motion passed.

Conditions:

- 1. The property shall be developed in accordance with the site plan dated June 7, 2024, and as described in the project narrative dated May 15, 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 no more than 18 single-family lots.*
- 3. The minimum heated floor area (HFA) shall be 2,200 square feet for one-story homes and 2,500 square feet for two-story homes.*
- 4. Each lot within the development shall be served by individual on-site septic systems. Each lot must follow Environmental Health regulations.*
- 5. There shall be a mandatory Homeowners' Association (HOA).*
- 6. All designated open space within the development shall be commonly held, and not held by any individual homeowner(s).*
- 7. All interior roads shall be designed and constructed to Hall County standards. Coordination and approval from Hall County Engineering shall be required. The developer shall be responsible for all costs associated with improvements necessary for access to the development and the entrance from Gillsville Highway. The entrance shall be designed and constructed according to Georgia Department of Transportation (GDOT) standards and requirements.*
- 8. All stream buffers must be fully within Homeowners' Association common space and shall not encroach onto any individual residential building lot.*
- 9. No variances or development exceptions are granted as part of this request unless explicitly listed herein. The development shall be compliant with the Official Code of Hall County.*
- 10. 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."*
- 11. All conditions of zoning shall be made a part of any plats or development plans created for the subdivision.*
- 12. All residential lots must be a minimum of one and a half acres in size.*
- 13. All roofs must have a minimum pitch of 9:12.*
- 14. All front yards must be sodded prior to issuance of certificate of occupancy.*
- 15. All homes must be constructed on a crawlspace or basement.*
- 16. All home foundations which are visible from the street must be finished with brick or stone.*
- 17. Vinyl siding is prohibited.*
- 18. Sidewalks will be provided on both sides of the internal streets and must be 5 feet wide.*
- 19. The developer will provide decorative streetlights throughout the development, to be approved by the Director of Planning and Zoning.*
- 20. The entrance to the development will include a deceleration lane as well as a*

turning lane from Gillsville Highway. Road improvements will be at the developer's expense, and must be approved by GDOT.

- 33 **2002 Memorial Park Drive | Rezone |** from Residential (R-I) to Highway Business (H-B) on a 0.89± acre tract on the west side of Memorial Park Drive at its intersection with Browns Bridge Road | Zoned R-I; Tax Parcel 08014 005011 | **Proposed Use: Retail sales** | Commission District 4 | **Salomon Sancen, applicant**

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

Commissioner Stowe/Commissioner Powell — approve withdrawal of item 33 — Vote: 4 to 0

Commissioner Cooper —aye

Commissioner Powell — aye

Chairman Higgins — aye

Commissioner Poole — abstained

Commissioner Stowe — aye

Motion passed.

- 34 **4137 Short Road | Use Subject to County Commission Approval |** on a 4.02± acre tract located on the south side of Short Road approximately 160 feet from its intersection with Sardis Road | Zoned R-I; Tax Parcel 10080 000010 | **Proposed Use: 2-lot subdivision** | Commission District 2 | **Connie Allen, applicant**

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

Commissioner Powell/Commissioner Stowe — approve withdrawal of item 34 and refund of application fees — Vote: 4 to 0

Commissioner Cooper —aye

Commissioner Powell — aye

Chairman Higgins — aye

Commissioner Poole — abstained

Commissioner Stowe — aye

Motion passed.

- 35 **6147 Dahlonga Highway | Use Subject to County Commission Approval |** on a 19.34± acre tract located on the southwest side of Dahlonga Highway approximately 703 feet from its intersection with Kenimer Road | Zoned AR-IV; Tax Parcel 11003 000002A | **Proposed Use: Commercial kennel** | Commission District 3 | **Rachel Christensen Rich, applicant**

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

*Commissioner Powell/Commissioner Stowe — approve withdrawal of item 35 —
Vote: 4 to 0*

Commissioner Cooper —aye

Commissioner Powell — aye

Chairman Higgins — aye

Commissioner Poole — abstained

Commissioner Stowe — aye

Motion passed.

- 36 **1600 Athens Highway, Building C | Amend Conditions of Zoning |** on a 0.64± acre tract located on the south side of Athens Highway approximately 596 feet from its intersection with Athens Street | Zoned I-I (GCOD); Tax Parcel 15032 000050 | **Proposed Use: Automobile repair garage** | Commission District 3 | **Gerado Vargas, applicant**

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

There were no comments from the public.

Commissioner Poole/Commissioner Powell — approve with the ten (10) conditions listed below — unanimous

Conditions:

- 1. The property shall be developed in accordance with the updated site plan dated September 10, 2024, and as described in the updated project narrative dated September 10, 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 March 9, 2023, as amended, shall apply:*
 - a. The standards of the Gateway Corridors Overlay District (GCOD, 17.420) shall apply except as noted:*
 - i. No upgrades to the existing building shall be required.*
 - ii. Signage on the existing façade is allowed as long as the new signage does not exceed the square footage of the existing sign.*
 - iii. An opaque fence shall be required to parallel US-129 which needs to be completed.*
 - iv. No storage of materials shall be allowed outside of the fenced area.*
 - v. Gravel storage and parking is allowed for the area to the rear of the existing building.*
 - b. The development shall follow all Hall County Development Review processes and stormwater requirements.*
 - c. If the existing driveway is modified, a permit may be required by GDOT.*
 - d. The following uses are not allowed: drive-in theaters, hotels, motels, tourist courts, junk yards, service stations, family day care home, group*

day care home, adult establishments, astrologers, clairvoyants, fortune tellers, and related occupations to this list of occupations.

- 3. The new 1,800 square foot building shall be allowed to match the existing building in materials, color, and type of construction. Standing seam roof panels shall be allowed. Architectural plans shall be submitted for review and are subject to the approval of the Director of Planning and Zoning.*
- 4. All automotive repair of vehicles shall be conducted within the buildings. No outside storage of any equipment or materials other than those vehicles awaiting repair is allowed. Additionally, no storage of vehicles, boats, or recreational vehicles shall be allowed in the rear of the property.*
- 5. No more than seven (7) inoperable vehicles awaiting repair shall be stored onsite and said vehicles shall be stored at the rear of the property in the designated parking spaces as shown on the site plan. Vehicles awaiting repair shall be stored no longer than thirty (30) days.*
- 6. Landscaping shall be added at the northeast corner of the property, as well as in front of the existing building as depicted on the site plan and is subject to approval by the Director of Planning and Zoning.*
- 7. Opaque screening shall be added to the existing vinyl-coated fence where it parallels Athens Highway as well as the driveway on the east side of the property.*
- 8. Internal illumination shall be permitted for the proposed monument sign and wall sign. Sign plans shall be submitted for review and are subject to the approval of the Director of Planning and Zoning.*
- 9. 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, Fire Marshal, and Hall County Engineering.*
- 10. All conditions of zoning shall be made a part of any plats or construction plans created for the subdivision.*

37 **7051 Pony Lake Road | Rezone** | from Agricultural Residential IV (AR-IV) to Planned Residential Development (PRD) | on a 1.74± acre tract located on the west side of Pony Lake Road at its intersection with Old Whelchel Road | Zoned AR-IV; Tax Parcel 11101 000008 | **Proposed Use: Staff residence** | Commission District 3 | **Steve Roys, applicant**

Mr. Lawhon introduced items 37 and 38, which were heard together. Ms. Garmon discussed the items. Mr. Lawhon conducted the Public Hearing.

The following people addressed the Board regarding both items 37 and 38:

Favor:

- Steve Roys, 7021 Pony Lake Road, Dahlonga
- Alfred John, 2125 Southers Circle, Suwanee

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

Conditions:

1. The property shall be developed in accordance with the site plan dated August 2, 2024, and as described in the project narrative dated August 6, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. Any further development shall require an as-built survey of the entire property to be reviewed and approved through Hall County Plat Review.
3. 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 the Fire Marshal and Hall County Engineering.
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. All conditions of zoning shall be made a part of any plats or construction plans created for the property.
6. Tax Parcel 11101 000008 (7051 Pony Lake Road) and Tax Parcel 11101 000003A (7011 Pony Lake Road) shall be combined by plat.

38 **7011 & 7051 Pony Lake Road | Amend Conditions of Zoning |** on a 101.74± acre tract located on the west side of Pony Lake Road approximately 498 feet from its intersection with Old Whelchel Road | Zoned PRD & AR-IV; Tax Parcels 11101 000003A & 000008 | **Proposed Use: Staff residence |** Commission District 3 | **Steve Roys, applicant**

Items 37 and 38 were heard together. See item 37 for public hearing details.

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

Conditions:

- 1. The property shall be developed in accordance with the site plan dated August 2, 2024, and as described in the project narrative dated August 6, 2024, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.*
- 2. The camp uses may be expanded to include one full-time staff residence located at 7051 Pony Lake, tax parcel 11101 000008.*
- 3. Any further development shall require an as-built survey of the entire property to be reviewed and approved through Hall County Plat Review.*
- 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, as well as any other agencies or reviewing departments, including, but not limited to the Fire Marshal and Hall County Engineering.*
- 5. 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."*
- 6. All conditions of zoning shall be made a part of any plats or construction plans created for the property.*
- 7. Tax Parcel 11101 000008 (7051 Pony Lake Road) and Tax Parcel 11101 000003A (7011 Pony Lake Road) shall be combined by plat.*

County Administrator

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

- Hall County Offices will be closed on Thursday, November 28, 2024 and Friday, November 29, 2024 in observance of the Thanksgiving holiday.*
- Thanked the Board of Commissioners, Planning & Zoning Director Beth Garmon, Katie Greenway, Planning Staff and the Planning Commission for their hard work and leadership on the Comprehensive Plan and Unified Development Code updates.*

Commission Time

Commissioner Kathy Cooper, District 1, stated that she is thankful for the community and her family. Wished everyone a wonderful holiday and urged those in attendance to reach out to someone in need.

Commissioner Jeff Stowe, District 4, thanked those who have served our country to keep our freedoms and right to vote.

Adjourn

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