

**STATE OF GEORGIA
COUNTY OF HALL**

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF HALL COUNTY, GEORGIA TO REACTIVATE THE HALL COUNTY PLANNING COMMISSION EFFECTIVE NOVEMBER 1, 2026; TO RESTORE COMPENSATION TO MEMBERS OF THE PLANNING COMMISSION; TO PROVIDE FOR COMPLIANCE WITH TRAINING, CERTIFICATION, AND OATH OF OFFICE REQUIREMENTS; TO ESTABLISH THE TERMS OF OFFICE OF MEMBERS OF THE PLANNING COMMISSION; AND FOR OTHER PURPOSES

WITNESSETH

WHEREAS, the Board of Commissioners of Hall County (the “Board”) is vested with authority under Georgia law and the Official Code of Hall County to create, appoint, regulate, and compensate advisory boards, commissions, and agencies of County government; and

WHEREAS, on October 7, 2025, the Board adopted a Resolution temporarily suspending the operations and functions of the Hall County Planning Commission (the “Planning Commission”) until further action by the Board and providing that, during such suspension, the Board would assume and perform the powers, duties, and responsibilities otherwise assigned to the Planning Commission; and

WHEREAS, on January 8, 2026, following an administrative hearing and consideration of the findings, conclusions of law, and recommendation of the appointed Hearing Officer, the Board adopted a Resolution removing three members of the Planning Commission from office for cause and declaring their positions vacant; and

WHEREAS, the January 8, 2026, Resolution further established certain conditions precedent to the reinstatement of the Planning Commission, including completion by all remaining and newly appointed members of required ethics and open meetings/open records training, the taking and filing of an oath of office by all members, and certification by the County Clerk or other designated County official that such requirements have been satisfied before the Planning Commission reconvenes; and

WHEREAS, on March 12, 2026, the Board adopted a Resolution suspending compensation payable to the two remaining members of the Planning Commission for the duration of the Planning Commission’s suspension while expressly providing that such members would continue to hold their positions and status as appointed Planning Commission members unless they voluntarily vacated office or were otherwise removed or replaced by further action of the Board; and

WHEREAS, following the January 8, 2026, Resolution, appointments have been made or are anticipated to be made to certain vacant positions on the Planning Commission, and the Board desires to provide for the orderly reactivation of the Planning Commission upon satisfaction by

each appointed member of the training, oath of office, and certification requirements established by the January 8, 2026, Resolution; and

WHEREAS, the Board has determined that it is appropriate and in the best interests of Hall County and its citizens to reactivate the Planning Commission effective November 1, 2026, subject to satisfaction of the conditions established by the January 8, 2026 Resolution; and

WHEREAS, the Board further desires to restore compensation to members of the Planning Commission prospectively beginning October 23, 2026, without payment of retroactive compensation or back pay for any period prior to October 23, 2026, during which such compensation was suspended; and

WHEREAS, Section 11.1 of the Hall County Unified Development Code, as amended by the Board on August 27, 2026, provides for five members of the Planning Commission, with each member of the Board appointing one Planning Commission member, and further provides that Planning Commission members shall serve two-year terms corresponding with either the first two years or the second two years of the term of office of the appointing County Commissioner, as established by the Board; and

WHEREAS, the Board desires by this Resolution to establish the term structure applicable to the five positions on the Planning Commission so that the terms of office associated with each position shall run consecutively with the first and second halves of the four-year term of office of the County Commissioner having appointment authority for such position;

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF HALL COUNTY, GEORGIA HEREBY RESOLVES AS FOLLOWS:

SECTION 1.

REACTIVATION OF THE HALL COUNTY PLANNING COMMISSION

Effective November 1, 2026, the temporary suspension of the operations and functions of the Hall County Planning Commission imposed by Resolution of the Board dated October 7, 2025, is hereby terminated, and the Hall County Planning Commission is hereby reactivated.

Upon satisfaction of the conditions set forth in Section 3 of this Resolution, the Planning Commission shall resume the exercise of all powers, duties, functions, and responsibilities assigned to it by the Hall County Unified Development Code and other applicable law.

Effective upon the Planning Commission's resumption of its powers and duties, the Board shall cease exercising the powers and duties of the Planning Commission that the Board temporarily assumed during the period of suspension.

SECTION 2.

RESTORATION OF COMPENSATION

Effective October 23, 2026, the suspension of compensation imposed by the Resolution of the Board dated March 12, 2026, is hereby terminated. Beginning October 23, 2026, each duly appointed and qualified member of the Planning Commission shall be entitled to receive the compensation applicable to service on the Planning Commission in accordance with the applicable resolutions, policies, and procedures of Hall County.

No member of the Planning Commission shall be entitled to retroactive compensation or back pay for any period prior to October 23, 2026, during which compensation was suspended pursuant to the March 12, 2026, Resolution. Nothing in this Resolution shall be construed to authorize or require the payment of compensation for any such period.

SECTION 3.

CONDITIONS PRECEDENT TO RESUMPTION OF PLANNING COMMISSION DUTIES

Consistent with the Resolution adopted by the Board on January 8, 2026, prior to the Planning Commission convening or exercising any of its powers, duties, functions, or responsibilities following its reactivation:

A. Training. Each remaining member and each newly appointed member of the Planning Commission shall complete the ethics training and open meetings/open records training required by the County and shall provide documentation of completion as required by the County.

B. Oath of Office. Each member of the Planning Commission, including each remaining and newly appointed member, shall take and file an oath of office as required by Georgia law before assuming or resuming the duties of office.

C. Certification of Compliance. The County Clerk, or such other County official as may be designated by the Board, shall certify in writing, with respect to each appointed member of the Planning Commission, that the training and oath of office requirements set forth in this Section have been satisfied prior to such member assuming or resuming the duties of office. The Planning Commission shall not convene following its reactivation unless a quorum of its appointed members has satisfied such requirements.

The foregoing requirements may be completed prior to November 1, 2026, so that the Planning Commission may resume its duties on or after that date without further action of the Board.

SECTION 4.

TERMS OF OFFICE OF PLANNING COMMISSION MEMBERS

Pursuant to Section 11.1 of the Hall County Unified Development Code, the Board hereby establishes that the two-year terms associated with each Planning Commission position shall coincide consecutively with the first and second halves of the four-year term of office of the County Commissioner having appointment authority for that position.

For purposes of administering such terms, the Planning Commission positions shall correspond to the terms of their respective appointing members of the Board as follows:

Planning Commission Position	Four-Year Term of Appointing Commissioner	First Two-Year Planning Commission Term	Second Two-Year Planning Commission Term
Chairman Appointee	January 1, 2025 – December 31, 2028	February 1, 2025 – January 31, 2027	February 1, 2027 – January 31, 2029
District 1 Appointee	January 1, 2027 – December 31, 2030	February 1, 2027 – January 31, 2029	February 1, 2029 – January 31, 2031
District 2 Appointee	January 1, 2025 – December 31, 2028	February 1, 2025 – January 31, 2027	February 1, 2027 – January 31, 2029
District 3 Appointee	January 1, 2027 – December 31, 2030	February 1, 2027 – January 31, 2029	February 1, 2029 – January 31, 2031
District 4 Appointee	January 1, 2025 – December 31, 2028	February 1, 2025 – January 31, 2027	February 1, 2027 – January 31, 2029

Thereafter, the two-year terms associated with each Planning Commission position shall continue consecutively in the same manner so that each term corresponds with either the first or second two years of the four-year term of office of the County Commissioner having appointment authority for that position.

Nothing in this Section shall shorten or otherwise alter the existing term of office associated with any Planning Commission position. The existing terms associated with all five Planning Commission positions shall expire on January 31, 2027. Any member presently

serving, or subsequently appointed to fill a vacancy in an existing term, shall serve for the remainder of such term unless such member sooner resigns, vacates office, is removed, or is otherwise replaced in accordance with applicable law.

Appointments for terms commencing February 1, 2027, and thereafter shall be made in accordance with Section 11.1 of the Hall County Unified Development Code and the term structure established by this Resolution.

SECTION 5.

APPOINTMENTS AND EXISTING TERMS

Any person appointed to a vacant position on the Planning Commission prior to February 1, 2027, including any appointment made to a position declared vacant by the January 8, 2026, Resolution or subsequently vacated by resignation, shall serve the remainder of the existing term associated with such position, which expires January 31, 2027, unless such member sooner resigns, vacates office, is removed, or is otherwise replaced in accordance with applicable law.

Nothing in this Resolution shall be construed as extending any appointment made to fill an existing term beyond January 31, 2027. Appointments for terms commencing February 1, 2027, shall be made in accordance with Section 11.1 of the Hall County Unified Development Code and the term structure established by Section 4 of this Resolution.

SECTION 6.

IMPLEMENTATION

The County Administrator, County Attorney, County Clerk, Director of Planning and Zoning, Financial Services Director, and any other appropriate County officer or employee are hereby authorized and directed to take all actions reasonably necessary or appropriate to implement this Resolution.

SECTION 7.

PRIOR RESOLUTIONS

The Resolutions of the Board dated October 7, 2025, January 8, 2026, and March 12, 2026, relating to the suspension, membership, operation, and compensation of the Hall County Planning Commission are hereby superseded or modified only to the extent expressly provided herein.

Except as expressly provided by this Resolution, all other provisions of such prior Resolutions that remain applicable shall remain in full force and effect.

SECTION 8.

SEVERABILITY

To the greatest extent allowed by law, each and every section, paragraph, sentence, clause, or phrase of this Resolution is severable from every other section, paragraph, sentence, clause, or phrase herein. In the event that any section, paragraph, sentence, clause, or phrase of this Resolution is, for any reason whatsoever, declared invalid, unconstitutional, or unenforceable by the valid judgment or decree of any court of competent jurisdiction, such judgment or decree shall not render invalid, unconstitutional, or unenforceable any of the remaining sections, paragraphs, sentences, clauses, or phrases herein, which as a result will remain in full force and effect.

SECTION 9.

INCORPORATION

The preamble to this Resolution shall be considered to be and is hereby incorporated by reference as if fully set out herein.

SECTION 10.

EFFECTIVE DATE

This Resolution shall become effective immediately upon its adoption; provided, however, that the restoration of compensation provided for herein shall become effective October 23, 2026, and the reactivation of the Hall County Planning Commission shall become effective November 1, 2026.

SO RESOLVED, this 27th day of August, 2026.

[SIGNATURES AND ATTESTATION ON FOLLOWING PAGE]

**HALL COUNTY BOARD OF
COMMISSIONERS**

Chairman, David Gibbs

ATTEST:

_____(SEAL)
Jennifer Rivera, County Clerk

APPROVED AS TO FORM:

Justin R. Lawhon, County Attorney