



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

**Gainesville Civic Center
830 Green St. NE, Gainesville, GA, 30501
Thursday, December 09, 2021 - 06:00 PM**

Call to Order

Vice-Chairman Stowe at 6:00 p.m.

Present:

Vice-Chairman Jeff Stowe and Commissioners Kathy Cooper, Billy Powell, and Shelly Echols

Also present were County Administrator Jock Connell, Assistant County Administrators Marty Nix and Zach Propes, Commission Clerk Lisa Ritchie, County Attorney Van Stephens, and Deputy County Attorney William Linkous III

Approve Agenda

Vice-Chairman Stowe stated that they have a request to hear item 37 before item 36.

Commissioner Echols/Commissioner Cooper — approve — 4 to 0

VOTE: 4 to 0

Chairman Higgins - absent

Commissioner Cooper - aye

Commissioner Powell - aye

Commissioner Echols - aye

Commissioner Stowe - aye

Motion passed.

Invocation

1 Commissioner Jeff Stowe

Pledge

2 Commissioner Jeff Stowe

Public Comments

There were no comments from the public.

Other Business - Appointments for Consideration

- 3 Approve the appointment of Ann Hood to the Board of Tax Assessors to serve a term from January 1, 2022 to December 31, 2025. Chairman's Appointment.

Commissioner Powell/Commissioner Cooper — approve — 3 to 1

VOTE: 3 to 1

Chairman Higgins - absent

Commissioner Cooper - aye

Commissioner Powell - aye

Commissioner Echols - nay

Commissioner Stowe - aye

Motion passed.

- 4 The Citizens Advisory Committee of the Gainesville-Hall Metropolitan Planning Organization (GHMPO) appointment to serve an unexpired term to June 30, 2024. Commission District 3.

Commissioner Echols/Commissioner Powell — Table to the January 13, 2021 Meeting — 4 to 0

VOTE: 4 to 0

Chairman Higgins - absent

Commissioner Cooper - aye

Commissioner Powell - aye

Commissioner Echols - aye

Commissioner Stowe - aye

Motion passed.

Consent Agenda

Commissioner Echols/Commissioner Powell — remove item 24 from Consent and approve — 4 to 0

VOTE: 4 to 0

Chairman Higgins - absent

Commissioner Cooper - aye

Commissioner Powell - aye

Commissioner Echols - aye

Commissioner Stowe - aye

Motion passed.

- 5 Approve the December 6, 2021 Work Session Minutes.
- 6 Approve the November 30, 2021 Special Called Meeting Minutes.
- 7 Approve the November 10, 2021 Special Called Meeting Minutes.
- 8 Approve the Intergovernmental Agreement with the City of Gainesville Concerning Trails and Associated Greenspace and Community Service Center Campus Improvements.
- 9 Approve the Intergovernmental Agreement with the City of Gainesville concerning Highlands to Islands Trail improvements in and around Roosevelt Square.
- 10 Approve the reappointment of Larry Poole to the Board of Health to serve a term from January 1, 2022 to December 31, 2025. Commission Districts 1, 2, 3, and 4.
- 11 Approve the reappointment of Lt. Lindon Franklin, Jr. to the Department of Family and Children Services (DFACS) to serve a term from January 1, 2022 to December 31, 2026. Commission Districts 1, 2, 3, and 4.
- 12 Approve the appointment of Tamara Etterling to the Department of Family and Children Services (DFACS) to serve a term from January 1, 2022 to December 31, 2026. Commission Districts 1, 2, 3, and 4.
- 13 Approve the reappointment of Commissioner Echols to the Chestatee Chattahoochee RC&D Council to serve a term from January 1, 2022 to December 31, 2022. Commission Districts 1, 2, 3, and 4.
- 14 Approve the reappointment of Srikanth Yamala to the Chestatee Chattahoochee RC&D Council to serve a term from January 1, 2022 to December 31, 2022. Commission Districts 1, 2, 3, and 4.
- 15 Approve the reappointment of Commissioner Powell to the Gainesville-Hall Development Authority to serve a term from January 1, 2022 to December 31, 2022. Commission Districts 1, 2, 3, and 4.

- 16 Approve the reappointment of Commissioner Stowe to the Parks & Leisure Services Board to serve a term from January 1, 2022 to December 31, 2022. Commission Districts 1, 2, 3, and 4.
- 17 Approve the reappointment of Berlinda Lipscombe to the Board of Tax Assessors to serve a term from January 1, 2022 to December 31, 2025. Commission District 4.
- 18 Approve the award of IFB #029-42 Athletic Fencing Installation for Parks and Leisure Services to Industrial Fence Company of Flowery Branch, GA, in the amount of \$264,430.00.
- 19 Approval and authorization for the Chairman to execute a resolution supporting reform to Georgia's annexation dispute resolution law, subject to review and approval by the County Attorney.
- 20 Approve the Hall County Grand Jury's increase and fixed compensation of court bailiffs in the Superior and State Courts, effective January 1, 2022.
- 21 Approve the ratification of the Judicial Council American Rescue Plan Act Grant funding application for the Northeastern Judicial Circuit to address case backlogs in the amount of \$1,131,611.00, 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.
- 22 Approve the award of Task Order #2022-020 Courthouse Renovation to Precision Planning, Inc. of Lawrenceville, GA. The estimated cost is \$181,620.00.
- 23 Approve the ratification of the application of the 2021 Community Development Block Grant Coronavirus (CDBG-CV) for the Hall County Grants Division on the behalf of the Georgia Mountain Food Bank (GMFB) to expand the facility and parking lot in the amount of \$2,213,697.00, and if awarded, authorize the Chairman to execute all related application and award documents. A cash match of \$737,900.00 will be required which will be satisfied by the Georgia Mountain Food Bank.
- 24 ~~Approve of the ratification of the Request for Reallocation Funds of the U.S. Department of the Treasury Emergency Rental Assistance program to provide direct financial assistance to eligible residents in the amount of \$6,581,934.30, and if awarded, appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related award documents. No match is required.~~
This item was moved during the approval of the Consent Agenda.
- 25 Approve the award of IFB #010-42 Firefighting Equipment for Hall County Fire Rescue to NAFECO, Decatur, AL, Georgia Fire & Rescue, Canton, GA, and Ten-8 Safety Supply, LLC, of Forsyth, GA. The estimated annual cost is \$114,000.00.
- 26 Approve the 2022 Intergovernmental Agreement (IGA) between Hall and Dawson Counties which facilitates sharing the cost of two positions 50/50.
- 27 Approve the Fiscal Year 2023 Local Resurfacing Program for 22.08 miles of resurfacing of various county roads for \$6,955,200.00. Commission Districts 1, 2, 3, and 4.

- 28 Approve the single source purchase of four (4) self-contained compactors for the Solid Waste Division from Baker's Waste Equipment, Inc. of Lenoir, SC in the amount of \$101,133.00.
- 29 Approve the award of Task Order #2021-00002 for the Sardis Road Connector Widening Project for Public Works and Utilities to SACAL Environmental of Macon, GA in the amount of \$876,441.80.
- 30 Approve the purchase of one (1) Kubota MS-5 Series Tractor for the Landfill Division to Mason Tractor Co. of Blue Ridge, GA in the amount of \$63,321.69.
- 31 Approve the acceptance of a \$58,276.00 Irrevocable Letter of Credit for sidewalks in Deer Creek Crossing Subdivision. Commission District 3.
- 24 Approve of the ratification of the Request for Reallocation Funds of the U.S. Department of the Treasury Emergency Rental Assistance program to provide direct financial assistance to eligible residents in the amount of \$6,581,934.30, and if awarded, appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related award documents. No match is required.

This item was removed from the Consent Agenda for further discussion.

Mr. Propes, addressed the Board and requested that the Board modify the total dollar amount to \$600,600,000.00. He said no match is required.

Commissioner Powell/Commissioner Echols — 4 to 0

VOTE: 4 to 0

Chairman Higgins - absent

Commissioner Cooper - aye

Commissioner Powell - aye

Commissioner Echols - aye

Commissioner Stowe - aye

Motion passed.

Other Business - County Attorney

Mr. Linkous addressed the Board.

- 32 Approve the resolution by the Board of Commissioners of Hall County, Georgia under the Home Rule provisions for counties as set forth in Article IX, Section II, Paragraph I of the Constitution of the State of Georgia of 1983 to amend an Act of the General Assembly creating the Board of Commissioners of Hall County, approved March 21, 1935 (Ga. L. 1935, p. 661), as amended, so as to delete in its entirety Section 13.1 of said Act relating to the enactment, following readings at no less than two consecutive regular meetings of the Board of Commissioners, of ordinances and resolutions with respect to persons and property situated within the County of Hall and outside the territorial limits of any municipality located within Hall County; to provide for an effective date and for other purposes.

Commissioner Powell/Commissioner Cooper — approve - 4 to 0

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

Mr. Stephens addressed the Board.

- 33 Application of Ashley Ruelas for a Use Subject to County Commission approval on a 0.59± acre tract located on the north side of Spring Road approximately 684 feet from its intersection with Brown Bridge Road; a.k.a. 2036 Spring Road; Zoned H-B; Tax Parcel 00122 002015. Proposed Use: continuation of a non-conforming use. Commission District 4.

Mr. Stephens introduced the item. Mrs. Garmon discussed the item. Mr. Stephens conducted the Public Hearing.

There were no comments from the public.

Commissioner Stowe/Commissioner Powell — approve with the two (2) conditions listed below — 4 to 0

Conditions:

- 1. Conformation of connection to water and sewer will be required before the issuance of a building permit.*
- 2. There shall be no changes to the footprint of the residence.*

VOTE: 4 to 0

Chairman Higgins - absent

Commissioner Cooper - aye

Commissioner Powell - aye

Commissioner Echols - aye

Commissioner Stowe - aye

Motion passed.

- 34 Application of Stanley R. Carter to rezone from Agricultural Residential-III (AR-III) to Light Industrial (I-I) on a 0.54± acre tract located on the east side of Mabry Road approximately 126 feet from its intersection with Mountain View Road; a.k.a. 3440 Mabry Road; Zoned AR-III; Tax Parcel 08024 003005. Proposed Use: automobile repair garage. Commission District 2.

Mr. Stephens introduced the item. Mrs. Garmon discussed the item. Mr. Stephens conducted the Public Hearing.

The following person addressed the Board:

Favor:

- *Wes Robinson, 200 EE Butler Parkway, Gainesville*

Commissioner Powell/Commissioner Cooper — approve with the four (4) conditions listed below — 4 to 0

Conditions:

- 1. The development shall conform substantially with the proposed narrative, modified as necessary for compliance with current development standards at time of site plan approval.*
- 2. All mechanical services shall be conducted within a garage bay.*
- 3. Storage of wrecked, junk, and/or inoperable vehicles shall be prohibited.*
- 4. The following uses that are permitted uses in Light Industrial (II) are specifically prohibited for this property, I. Junkyards, M. Planned Unit Developments, T. Subdivision, U. Family Day Care, V. Group Day Care Home, and X. Adult Establishment.*

VOTE: 4 to 0

Chairman Higgins - absent

Commissioner Cooper - aye

Commissioner Powell - aye

Commissioner Echols - aye

Commissioner Stowe - aye

Motion passed.

- 35 Application of Forestar (USA) Real Estate Group Inc. to rezone from Agricultural Residential-III (AR-III) and Residential-I (R-I) to Planned Residential Development (PRD) on a 96.44± acre tract located on the south side of Poplar Springs Road at its intersection with Poplar Springs Church Road; a.k.a. 3580 & 3526 Poplar Springs Road and 3601 Pierce Drive; Zoned AR-III & R-I; Tax Parcels 15036A000001, 000003 & 000011. Proposed Use: 192 lot single-family home development. Commission District 2.

Mr. Stephens introduced the item. Mrs. Garmon discussed the item. Mr. Stephens conducted the Public Hearing.

The following people addressed the Board:

Favor:

- *Ethan Underwood, 202 Tribble Gap Road, Cumming*

Opposition:

- *John Eades, 2840 South Harbor Drive (Mr. Eades provided the Commission Clerk with a letter for the record)*
- *Tim Sims, 2954 Bridge View Drive, Gainesville*
- *Donnie Hall, 4040 Sloan Mill Road*
- *David Quarter, 4148 Shubert Road*

Mr. Underwood spoke in rebuttal to the oppositional comments.

Commissioner Powell/Commissioner Cooper— approve with the twelve (12) conditions listed below — 3 To 1

Conditions:

1. *The development shall generally occur as depicted on the site plan and described in the project narrative, modified for compliance with Hall County regulations, including §17.180.060 Planned Residential Development (PRD) standards. Any deviations not expressly proffered as part of the submitted narrative or site plan are not approved.*
2. *Garage doors shall be positioned between 5 and 20 feet behind the front wall plane of the residence, extending no more than 45% of the width of the residence.*
3. *There shall be no more than 192 single-family units in the development.*
4. *All costs associated with any required right-of-way improvements shall be the Developer's responsibility.*
5. *Access to the development shall be approved by Hall County Traffic and/or the Georgia Department of Transportation, whichever applies*
6. *Any necessary access modifications must be approved and permitted by the Georgia Department of Transportation (GDOT). All costs associated with any required improvements shall be the developer's responsibility.*
7. *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."*
8. *All conditions of zoning shall be made part of any new plat created for the property.*
9. *The development shall adhere to the Hall County Erosion Control Ordinance Best Management Practices for Large Developments, which include the 3 BMPs from the County-approved list, even if the phase of development is less than 20 acres.*
10. *The development shall connect to a public sewer system.*
11. *Any yard runoff that would possibly flow into the creek, shall be sodded. If*

runoff flows to a different detention pond, it is not a requirement to have the yard sodded.

12. No back yards shall abut Poplar Springs Road.

Commissioner Powell stated that the Board of Commissioners is not allowed to use school system criteria in approval or disapproval of zoning items.

VOTE: 3 to 1

Chairman Higgins - absent

Commissioner Cooper - aye

Commissioner Powell - aye

Commissioner Echols - nay

Commissioner Stowe - aye

Motion passed.

~~36 Application of Fuqua Acquisitions, LLC to amend conditions of a Planned Commercial Development (PCD) on a 14.283± acre tract located on the north side of Price Road at its intersection with Walnut Grove Way; a.k.a. 3740 & 3782 Price Road; Zoned PRD; Tax Parcels 10100 000156(pt.) & 000154. Proposed Use: amend conditions of a planned commercial development. Commission District 2.~~

This item was moved to be heard after item 37.

37 Application of The Revive Land Group, LLC to rezone from Planned Commercial Development (PCD) to Planned Residential Development (PRD) on a 44.232± acre tract located on the north side of Price Road approximately 640 feet west of its intersection with Walnut Grove Way; a.k.a. 3740 Price Road; Tax Parcel 10100 000156(pt.) & 10100 000158(pt.). Proposed Use: 185 unit townhome development. Commission District 2.

Mr. Stephens introduced the items 37 and 36 to be heard together. Mrs. Garmon discussed the items. Mr. Stephens conducted the Public Hearing.

The following people addressed the Board regarding both items 37 and 36:

Favor:

- *Steve Gilliam, 301 Green Street*
- *Neville Allison, 3500 Lenox Road, Atlanta*
- *Jeff Fuqua, 15 Piedmont Center, Atlanta*

Opposition:

- *Sharon Roberts 3915 Thompson Bridge Road*

Commissioner Powell/Commissioner Cooper — approve with the ten (10) conditions listed below — 4 to 0

Conditions:

1. *The development shall generally occur as depicted on the site plan and described in the project narrative, modified for compliance with Hall County regulations, including §17.180.060 Planned Residential Development (PRD) standards. Any deviations not expressly proffered as part of the submitted narrative or site plan are not approved.*
2. *There shall be no more than 185 total townhome units in the development.*
3. *All costs associated with any required right-of-way improvements shall be the Developer's responsibility.*
4. *Access to the development shall be approved by Hall County Traffic and/or the Georgia Department of Transportation, whichever applies*
5. *Any necessary access modifications must be approved and permitted by the Georgia Department of Transportation (GDOT). All costs associated with any required improvements shall be the developer's responsibility.*
6. *No more than 20% of residences in the development shall be rental units at any one time.*
7. *Applicant shall submit a site plan and architectural renderings, including floorplans to the Planning Director for approval prior to the applicant for a building permit.*
8. *All conditions of zoning shall be made part of any new plat created for the property.*
9. *The development shall adhere to the Hall County Erosion Control Ordinance Best Management Practices for Large Developments, which include the 3 BMPs from the County-approved list, even if the phase of development is less than 20 acres.*
10. *Any yard runoff that would possibly flow into the creek, shall be sodded. If runoff flows to a different detention pond, it is not a requirement to have the yard sodded.*

VOTE: 4 to 0

Chairman Higgins - absent

Commissioner Cooper - aye

Commissioner Powell - aye

Commissioner Echols - aye

Commissioner Stowe - aye

Motion passed.

- 36 Application of Fuqua Acquisitions, LLC to amend conditions of a Planned Commercial Development (PCD) on a 14.283± acre tract located on the north side of Price Road at its intersection with Walnut Grove Way; a.k.a. 3740 & 3782 Price Road; Zoned PRD; Tax Parcels 10100 000156(pt.) & 000154. Proposed Use: amend conditions of a planned commercial development. Commission District 2.

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

Conditions:

1. *The development shall conform substantially with the proposed site plan and*

narrative, modified as necessary for compliance with current development standards at time of site plan approval. This includes architectural standards and sign standards as presented in the Master Sign Development Plan.

- 2. The proposed development standards, master sign development plan and narrative are approved. Any development standards that are not addressed in the applicants project narrative or Master Sign Development Plan shall be governed by the standards set forth by the Official Code of Hall County.*
- 3. The total building square footage for the proposed development shall be limited to a maximum of 85,000 square feet.*
- 4. Access to the development shall be approved by Hall County Traffic and/or the Georgia Department of Transportation, whichever applies.*
- 5. Any necessary access modifications must be approved and permitted by the Georgia Department of Transportation (GDOT). All costs associated with any required improvements shall be the developer's responsibility.*
- 6. Building height shall be limited to 3-stories/45 feet.*
- 7. No outdoor storage shall be allowed for any use, with the exception of the grocery store and associated display of seasonal items along the front entrance of the store.*
- 8. The following uses shall require a conditional use permit:*
 - a. Full service car wash. Car washes associated with a gas station shall be permitted.*
 - b. Self-storage facilities.*
- 9. The following uses shall not be permitted:*
 - a. Tire sales, automobile repair and maintenance businesses with the exception of auto parts and quick oil change services which shall be allowed by right.*
- 10. The applicant shall submit architectural renderings, including building materials and colors, to be approved by the Planning Director prior to any issuance of any building permits.*
- 11. All conditions of zoning shall be made part of any new plat created for the property.*
- 12. The development shall adhere to the Hall County Erosion Control Ordinance Best Management Practices for Large Developments, which include the 3 BMPs from the County-approved list, even if the phase of development is less than 20 acres.*
- 13. Hall County supports a traffic signal on Thompson Bridge Road provided the signal is permitted and approved by GDOT, and paid for by the developers.*

VOTE: 4 to 0

Chairman Higgins - absent

Commissioner Cooper - aye

Commissioner Powell - aye

Commissioner Echols - aye

Commissioner Stowe - aye

Motion passed.

County Administrator

Mr. Connell stated the following:

- *Hall County Offices will be closed on Friday, December 24, 2021, and Monday, December 27, 2021, in observance of the Christmas holidays.*
- *Hall County Offices will be closed on Monday, January 3, 2022, in observance of the New Year holiday.*

Commission Time

The Commission did not have any items to report.

Adjourn

Commissioner Powell/Commissioner Echols — adjourn at 7:14 p.m. — unanimous

Hall County Government welcomes people with disabilities and their trained service animals. For questions about accessibility or to request reasonable accommodations please contact Maria Tuck, Compliance Specialist at 770-531-6712 48 hours prior to the event or as soon as possible.