



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

Gainesville Civic Center
830 Green St. NE
Gainesville, GA 30501

Thursday, January 13, 2022 - 06:00 PM

Call to Order

Chairman Higgins at 6:00 p.m.

Present:

Chairman Richard Higgins, 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

Commissioner Stowe/Commissioner Echols — approve with an amendment to add two items to the agenda under Other Business County Attorney: 1. Adult Entertainment Moratorium as item 22A and 2. Certified Redistricting map as item 22B — unanimous

Invocation

- 1 Chairman Richard Higgins

Pledge

- 2 Commissioner Kathy Cooper

Public Comments

None

Presentation/s

Chief Bruce Carlisle of the Lavonia Police Department and Chief Bruce Hedley of the Lilburn Police Department addressed the Board on behalf of The Georgia Association of Chiefs of Police.

- 3 Hall County Sheriff's Office State Certification

Chief Carlisle and Chief Hedley presented the State Certification to Sheriff Couch and recognized Lieutenant Micael Rose, Certification Manager, with a Certificate of Appreciation.

Consent Agenda

Commissioner Powell/Commissioner Echols — Vote 4 to 0 to approve

Vote: 4 to 0

Commissioner Cooper —aye

Commissioner Powell — aye

Chairman Higgins — aye

Commissioner Echols — aye

Commissioner Stowe — recused

Motion passed.

- 4 Approve the January 10, 2022 Work Session Minutes.
- 5 Approve the December 9, 2021 Voting Meeting Minutes.
- 6 Approve the annual re-adoption of Robert's Rules of Order with an exception to allow for the Chairman to vote.
- 7 Approve the purchase of Furniture Fixtures and Equipment for the Hall County Government Center 4th Floor Renovation Project to Impact Office Interiors of Griffin, GA in the amount of \$344,739.23.
- 8 Approve the appointment of Commissioner Kathy Cooper to serve as the 2022 Board of Commissioners Vice-Chairman.
- 9 Approve the appointment of Van Stephens to serve as the County Attorney.
- 10 Approve the extension of the County's February 11, 1998 Sub-Lease of Sunrise Cove Marina to PS Marinas 3 for an additional six years as allowed by the terms of the Sub-Lease, and approve the transfer of the February 11, 1998 Sub-Lease from PS Marinas 3, a California Limited Partnership, to Sunrise Cove SMI Westrec, L.L.C., a Delaware Limited Liability Company. Chairman to sign all documents necessary to complete the transaction subject to the approval of the County Attorney.
- 11 Approve the purchase of one (1) precast bathroom building for Alberta Banks Park to CXT of Spokane, WA in the amount of \$162,302.70.
- 12 Approve the authorization of the Commission Clerk/Deputy Clerk to record final annexation notices in the County Minute Book.
- 13 Approval and authorization for the Chairman to execute an Intergovernmental Agreement with the Hall County Board of Education regarding the Sardis Gym and Bobcat Trail, as well as any and all documents necessary to effectuate the transaction, subject to review and approval by the County Attorney.

- 14 Approve the agreement with Stalwart Productions to utilize Hall County property located at 5711 Holiday Road, Buford GA to film a project entitled "Tales Of The Walking Dead".
- 15 Approve the award of IFB #034-42 Shelving and Pallet Racking System for the Fire Station 1 Warehouse for Fire Rescue to Crown Lift Trucks of Duluth, GA, in the amount of \$77,581.62.
- 16 Approve the award of IFB #032-42 Furnish & Install Standing Seam Roofs for Fire Stations 5, 14, & 15 for Fire Rescue to GMC Blue Service, Inc. of Norcross, GA in the amount of \$348,737.39.
- 17 Approve the renewal of the Third Party Administrator and Excess Workers Compensation for plan year 2022 with Arthur J Gallagher Risk Management Services Inc. of Atlanta, GA and Gallagher Bassett Services, Inc. of Rolling Meadows, IL. The estimated cost of this renewal is \$335,310.00.
- 18 Approve the request from the Chattahoochee Riverkeeper to utilize Hall County dumpsters and a waiver of Hall County Landfill tipping fees for an approximate 30 tons of trash to be collected (the estimated tipping fees are \$1,800.00) for several events scheduled in 2022. Commission Districts 1, 2, 3, and 4.
- 19 Approve the award of RFP #42-013 Progressive Design/Build Services for the Spout Springs Water Reclamation Facility Upgrade Project for Public Works and Utilities to Lanier Contracting Co. of Suwanee, GA, in the amount of \$337,185.00.
- 20 Approve the Real Property refund in the amount of \$1,543.51 for overpayment of Hall County taxes regarding property located at 5650 Point West Drive, Oakwood, GA 30566 to Patricia O'Leary.

Other Business - Appointments for Consideration

- 21 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. NOTE: Tabled at the December 9, 2021 Voting Meeting to the January 13, 2021 Voting Meeting.

Commissioner Echols/Commissioner Stowe — approve removing item 21 from the table — unanimous

Commissioner Echols/Commissioner Stowe — approve the appointment of Toni Buffington — unanimous

Other Business - County Attorney

Mr. Linkous addressed the Board.

- 22 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 Cooper/Commissioner Powell — approve — unanimous

- 22A Approve the Adult Entertainment Moratorium.

Mr. Linkous discussed the item.

Commissioner Echols/Commissioner Stowe — approve — unanimous

- 22B Approval and authorization for the Chairman to execute a resolution approving the newly certified map for the Commission Districts for the Hall County Board of Commissioners based upon the 2020 census date subject to review and approval by the Law Department.

Mr. Stephens addressed the Board.

Commissioner Stowe/Commissioner Powell — approve — unanimous

Other Business - Planning and Development

- 23 Amend the Official Code of Hall County, Georgia by amending Section 17.20.720 (Definitions — Minor subdivisions) so as to allow a total of no more than six conforming lots during a 12 month period in minor subdivisions; by amending Section 17.20.1210 (Definitions — Subdivision) so as to define a subdivision as a division of a parcel of land into seven or more lots; by deleting Subsection 17.50.010 (G) (Vacation Cottage District (V-C), Permitted Uses) and inserting in lieu thereof a new Subsection 17.50.010 (G), by deleting Subsection 17.60.010 (G) (Residential-I District (R-I), Permitted Uses) and inserting in lieu thereof a new Subsection 17.60.010 (G), by deleting Subsection 17.70.010 (G) (Residential-I-Low Density District (R-I-L), Permitted Uses) and inserting in lieu thereof a new Subsection 17.70.010 (G), by deleting Subsection 17.80.010 (G) (Residential-II District (R-II), Permitted Uses) and inserting in lieu thereof a new Subsection 17.80.010 (G), by adding a new Subsection 17.50.040 (K) (Vacation Cottage District (V-C), Uses permitted subject to approval of county commission), by adding a new Subsection 17.60.040 (H) (Residential-I District (R-I), Uses permitted subject to approval of county commission), by adding a new Subsection 17.70.040 (I) (Residential-I-Low Density District (R-I-L), Uses permitted subject to approval of county commission), and by adding a new Subsection 17.80.040 (L) (Residential-II District (R-II), Uses permitted subject to approval of county commission), all so as to change subdivisions, other than minor subdivisions, from a permitted use to a use subject to approval of county commission in the listed zoning districts; by deleting Subsection 17.110.040 (E) (Agricultural-Residential III District (A-R III), Uses permitted subject to approval of county commission) and by deleting Subsection 17.120.040 (E) (Agricultural-Residential IV District (A-R IV), Uses permitted subject to approval of county commission) so as to remove subdivisions as a use permitted subject to approval of county commission in the listed zoning districts; and by deleting Section 17.330.010 in its entirety and inserting in lieu thereof a new Section 17.330.010 which provides that uses not permitted by right or subject to approval of either the county commission or the planning commission in a given district are prohibited in that district.

Mr. Linkous conducted the Public Hearing.

There were no comments from the public.

Commissioner Powell/Commissioner Cooper — approve - unanimous

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

Mr. Stephens addressed the Board.

- 24 Appeal of the Planning Commission's approval of CTX Funding SPE, LLC for Use Subject to Planning Commission on a 10.08± acre tract located on the east side of Cornelia Highway approximately 746 feet from its intersection with Yonah Post Road; a.k.a. 5965 Cornelia Highway; Zoned I-I; Tax Parcel 09005 000009. Proposed Use: variance from Gateway Corridor Overlay District architectural standards. Commission District 3.

Mrs. Garmon addressed the Board. Commissioner Echols stated that the applicant has requested to have the item tabled.

Commissioner Echols/Commissioner Stowe — table to the January 27, 2022 Voting Meeting — unanimous

- 25 Application of Verizon Wireless c/o Lannie Greene, Pyramid Network Services for a Use Subject to County Commission approval on a 100.37± acre tract located on the south side of Holly Springs Road approximately 2,272 feet from its intersection with Bryant Quarter Road; a.k.a. 4410 Holly Springs Road; Zoned AR-IV; Tax Parcel 15002 000061. Proposed Use: telecommunication tower. Commission District 3.

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

The following people addressed the Board:

Favor:

- *Lannie Greene, 2421 Saint Martin Way, Monroe, GA*

Commissioner Echols/Commissioner Powell — approve with the five (5) conditions listed below — unanimous

Conditions:

- 1. The proposed tower shall be located as shown on the site plan and as described in the narrative that was submitted.*
- 2. The applicant shall notify the county of any construction, tower, or site modifications that would be different from what is submitted for consideration. Of particular interest to the county are changes in height, structure, tower lighting, and ground facilities that would have any impact on the sites ability to support other users or affect the surrounding neighborhood.*
- 3. The applicant shall provide tower and foundation design prior to the issuance of a building permit.*
- 4. The height of the tower and all appurtenances, including lightning rods, shall be limited to 265 feet as shown on the proposed construction drawings.*
- 5. All plans and plats created for this development shall reference the conditions of zoning approval.*

- 26 Application of Justin Hatcher to rezone from Agricultural Residential-III to Planned Residential Development (PRD) on a 2.41± acre tract located on the west side of Bark Camp Road at its intersection with Grant Road; a.k.a. 5988 Bark Camp Road; Zoned AR-III; Tax Parcel 11085 000026. Proposed Use: 3 lot subdivision. 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:

- Justin Hatcher, 808 Homer Edwards Road, o Dahlonega, GA*
- Susan Sittaway, 5993 Bark Camp Road, Murrayville, GA*

Opposition:

- Zachary Poole, 6019 Bark Camp Road, Murrayville, GA*
- Bruce Young, 6058 Bark Camp Road, Murrayville, GA*

Commissioner Powell/Commissioner Cooper with six (6) conditions — approve — 4 to 1

CONDITIONS:

- 1. The development shall be developed in accordance with §17.180.060, Planned Residential Development. No variance to those standards are approved.*
- 2. All lots shall have a minimum of 150 feet of road frontage for each lot along Bark Camp Road.*
- 3. If a lot is approved with reduced road frontage, in order to limit the number of driveways and due to possible sight distance issues, a common access driveway shall be required.*
- 4. The common access driveway shall meet Hall County standards. Common access driveways must be constructed prior to final plat approval and recording.*
- 5. Lot access shall be restricted through the common access driveway only, and additional driveways for all lots shall be prohibited.*
- 6. All conditions of zoning shall be made part of any plats created for the development.*

Vote: 4 to 1

Commissioner Cooper —aye

Commissioner Powell — aye

Chairman Higgins — aye

Commissioner Echols — nay

Commissioner Stowe — aye

Motion passed.

- 27 Application of 2156 Athens Hwy, LLC for a Use Subject to County Commission approval on a 11.16± acre tract located on the south side of Athens Highway approximately 410 feet from its intersection with Morgan Drive; a.k.a. 2156 Athens Highway; Zoned I-II; Tax Parcel 15032D000057B. Proposed Use: salvage and junkyard. Commission District 4.

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

The following people addressed the Board:

Favor:

- *Joey Cox, Buford Dam Road, Cumming, GA*

Commissioner Stowe/Commissioner Echols— approve with the seven (7) conditions listed below — unanimous

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. A 50 foot transitional buffer shall be planted or remain undisturbed along any boundary which abuts residential use. Planting standards shall meet those requirements in §17.260 of the Official Code of Hall County.*
- 3. The entire salvage yard shall be fenced with a minimum 8 foot height opaque fence constructed parallel to Athens Highway.*
- 4. All inventory shall be parked at least 300 feet from the centerline of Athens Highway. Customer and employee parking shall be allowed in the front of the property (within 300 feet of the centerline of Athens Highway).*
- 5. Plans for any further improvements or development of the property shall be submitted for review and appropriate permits obtained.*
- 6. All mechanical services shall be conducted within a garage bay.*
- 7. All conditions of zoning shall be made part of any plats created for the property.*

- 28 Application of Chris Patton/Patton Land Surveying, LLC to rezone from Agricultural Residential-IV (AR-IV) to Planned Industrial Development (PID) on a 84.48± acre tract located on the west side of Cornelia Highway approximately 1,525 feet from its intersection with Mud Creek Road; a.k.a. 5631 Cornelia Highway; Zoned AR-IV; Tax Parcel 09021 000020. Proposed Use: light manufacturing, warehousing, and distribution facility. Commission District 3.

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

The following people addressed the Board:

Favor:

- Chris Patton, 419 Bradford Street, Gainesville, GA

Commissioner Echols/Commissioner Stowe — approve with the seven (7) conditions listed below — unanimous

Conditions:

1. The development shall conform substantially with the proposed narrative. Building layout and orientation may shift, but the maximum thresholds and uses outlined in the project narrative and on the site plan, shall be required.
2. All future development shall be subject to all standards set forth by the Gateway Corridor Overlay District; no variances to these standards shall be approved unless approved by Planning Commission and Board of Commissioners, and as listed below:
 - a. Minimum Lot Area — 25,000 sq. ft.
 - b. Maximum Building — 490,000 sq. ft.
 - c. Maximum Building Height — 50 ft.
 - d. Minimum Lot Frontage — 100 ft.
 - e. Front Building Setback — 30 ft. from interior streets
 - f. Front Building Setback (GA 365) — 75 ft. from centerline or 30 ft. from property line, whichever is greater
 - g. Side Setback — 20 ft.
 - h. Rear Setback — 20 ft.
 - i. Exterior Buffer — 100 ft. planted buffer, not to include frontage along Cornelia Highway.
 - j. Maximum Impervious Area — 80%
 - k. Parking Ratio — Based upon user needs but not to exceed maximum impervious area
3. All access off Cornelia Highway shall be approved and permitted by GDOT.
4. Any outdoor storage shall be screened with an eight foot opaque fence, in accordance with §17.260.020 of the Official Code of Hall County.
5. All mechanical services shall be conducted within a garage bay.
6. Elevations depicting the proposed building shall be submitted to the Planning Department for approval by the director during the Development Review process. No building permit shall be issued for the development without the approval of said elevations.
7. All conditions of zoning shall be made a part of any plat recorded for this property.

County Administrator

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

- *Hall County offices will be closed on Monday, January 17, 2022, in observance of the Martin Luther King, Jr. Holiday.*
- *Beth Garmon will be leaving. He expressed his appreciation for her services to Hall County.*

Commission Time

The Commissioners did not have any items to report.

Adjourn

Commissioner Echols/Commissioner Powell — adjourn at 6:38 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.