



**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, July 14, 2022 - 06:00 PM**

Call to Order

Chairman Higgins at 6:02 p.m.

Present:

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

Also present were County Administrator Jock Connell, Assistant County Administrator Zach Propes, Commission Clerk Jennifer Rivera, Deputy Commission Clerk Abril Olivas, County Attorney Van Stephens, and Deputy County Attorney Bill Linkous

Approve Agenda

Commissioner Echols/Commissioner Powell — approve with an amendment to move items 35 and 36 to follow Consent Agenda - unanimous

Invocation

1 Chairman Richard Higgins

Pledge

2 Commissioner Kathy Cooper

Public Comments

There were no comments from the public.

Consent Agenda

Commissioner Stowe/Commissioner Powell — approve — unanimous

3 Approve the July 11, 2022 Work Session Minutes.

4 Approve the June 22, 2022 Meeting Minutes.

- 5 Approve the June 22, 2022 Executive Session Minutes.
- 6 Approve the June 22, 2022 Meeting Minutes.
- 7 Approve the resolution to authorize submission and execution of a Certificate of Distribution of the Local Option Sales Tax (LOST) and authorize the Chairman to sign all documents necessary to effectuate the resolution, subject to the review and approval by County Attorney.
- 8 Approve the renewal of annual contract for IFB #017-42 Plumbing Repair Services for Building Maintenance to Bill Worley Plumbing, Inc. of Gainesville, GA. The estimated annual cost is \$182,000.00.
- 9 Approval and authorization for the Chairman to execute a resolution to amend the Code of Ordinances of Hall County, Georgia relating to Solid Waste at the Sanitary Landfill, subject to review and approval by County Attorney.
- 10 Approval and authorization for the Chairman to execute a Right-of-Way Deed which identifies that portion of Hall County Tax Parcel number 10083 000049, Parcel 38, presently owned by Hall County, which shall be conveyed and dedicated to the Sardis Road Connector Project, and authorization for the Chairman to execute any and all additional documents necessary to effectuate the transaction with regard to such parcel, subject to review and approval by the County Attorney.
- 11 Approve the updated application of the Georgia Public Library Service Construction Grant for the Hall County Library to construct the East Hall Library in the amount of \$2,000,000.00, and if awarded, appoint the Grants Manager as the Program Designee, and authorize the Chairman to execute all related application and award documents. A cash match of \$3,000,000.00 will be required.
- 12 Approve the FY 2023 Gainesville-Hall County Economic Development Council Service Contract between Hall County and the Greater Hall Chamber of Commerce in the amount of \$165,000.00.
- 13 Approve the Employment Agreement for the Communications and Strategic Engagement Manager.
- 14 Approve the acceptance of a \$297,169.00 Irrevocable Letter of Credit for streets and stormwater management facilities in Magnolia Station Phase II Subdivision. Commission District 3.
- 15 Approve the replacement and installation of ten (10) commander computers and one (1) Informer/Gatekeeper Server for the Hall County Jail to Stanley Convergent Security Solutions, Inc. of Fishers, IN, in the amount of \$379,680.00.
- 16 Approve the FY 2023 School Resource Officer annual agreement between Hall County and the Hall County Board of Education.
- 17 Approve the denial of a Real Property refund in the amount of \$101.89 for overpayment of taxes regarding property located at 5531 Mallard Walk, Gainesville, GA to Gerald & Rochelle Shawl.

- 35 Application of Norris Development to rezone from Vacation Cottage (V-C) to Agricultural Residential-III (AR-III) on a 7.9± acre tract located on the south side of Shirley Road approximately 653 feet from its intersection with Destitute Way; a.k.a. 4726 Shirley Road; Zoned V-C; Tax Parcel 10128 000049. Proposed use: event venue. Commission District 3.

Commissioner Echols/Commissioner Stowe — approve withdrawing item 35 — unanimous

- 36 Application of Norris Development for a Use Subject to County Commission approval on a 7.9± acre tract located on the south side of Shirley Road approximately 653 feet from its intersection with Destitute Way; a.k.a. 4726 Shirley Road; Zoned V-C; Tax Parcel 10128 000049. Proposed use: event venue. Commission District 3.

Commissioner Echols/Commissioner Stowe — approve withdrawing item 36 — unanimous

Other Business - County Attorney

Mr. Stephens addressed the Board.

- 18 Approval and authorization for the Chairman to execute a resolution authorizing the exercise of the power of eminent domain with regard to the Sardis Road Connector Project, Parcel 22, Hall County Tax Parcel Number 10072 003084, 2745 Fran Mar Drive, presently owned by M & R Income Properties, LLC, for public road purposes, and authorization for the Chairman to execute any and all additional documents necessary to effectuate the exercise of the power of eminent domain with regard to such parcel, subject to review and approval by County Attorney.

Commissioner Powell/Commissioner Cooper — approve — unanimous

- 19 Approval and authorization for the Chairman to execute a resolution authorizing the exercise of the power of eminent domain with regard to the Sardis Road Connector Project, Parcel 31, Hall County tax parcel number 10072 003075, 2781 Fran Mar Drive, presently owned by Noah Ltd 2, LLC, for public road purposes, and authorization for the Chairman to execute any and all additional documents necessary to effectuate the exercise of the power of eminent domain with regard to such parcel, subject to review and approval by the County Attorney.

Commissioner Powell/Commissioner Stowe — approve — unanimous

- 20 Approval and authorization for the Chairman to execute a resolution authorizing the exercise of the power of eminent domain with regard to the Sardis Road Connector Project, Parcel 72, Hall County tax parcel number 10097 000118, 3893 NW Ledan Road, presently owned by Bowen and Bowen Homebuilders, LLC, for public road purposes, and authorization for the Chairman to execute any and all additional documents necessary to effectuate the exercise of the power of eminent domain with regard to such parcel, subject to review and approval by the County Attorney.

Commissioner Powell/Commissioner Stowe — approve — unanimous

- 21 Approval and authorization for the Chairman to execute a resolution authorizing the exercise of the power of eminent domain with regard to the Sardis Road Connector Project, Parcel 73, Hall County tax parcel number 10097 000119, 3879 NW Ledan Road, presently owned by Bowen and Bowen Homebuilders, LLC, for public road purposes, and authorization for the Chairman to execute any and all additional documents necessary to effectuate the exercise of the power of eminent domain with regard to such parcel, subject to review and approval by the County Attorney.

Commissioner Powell/Commissioner Stowe — approve — unanimous

- 22 Approval and authorization for the Chairman to execute a resolution authorizing the exercise of the power of eminent domain with regard to the Sardis Road Connector Project, Parcel 74, Hall County tax parcel number 10097 000120, 3869 NW Ledan Road, presently owned by Bowen and Bowen Homebuilders, LLC, for public road purposes, and authorization for the Chairman to execute any and all additional documents necessary to effectuate the exercise of the power of eminent domain with regard to such parcel, subject to review and approval by the County Attorney.

Commissioner Powell/Commissioner Cooper — approve — unanimous

- 23 Approval and authorization for the Chairman to execute a resolution authorizing the exercise of the power of eminent domain with regard to the Sardis Road Connector Project, Parcel 75, Hall County tax parcel number 10097 000121, 3857 NW Ledan Road, presently owned by Bowen and Bowen Homebuilders, LLC, for public road purposes, and authorization for the Chairman to execute any and all additional documents necessary to effectuate the exercise of the power of eminent domain with regard to such parcel, subject to review and approval by the County Attorney.

Commissioner Powell/Commissioner Cooper — approve — unanimous

- 24 Approval and authorization for the Chairman to execute a resolution authorizing the exercise of the power of eminent domain with regard to the Sardis Road Connector Project, Parcel 89, Hall County tax parcel number 10097 000205, 3803 NW Windsor Trail, presently owned by Bowen and Bowen Homebuilders, LLC, for public road purposes, and authorization for the Chairman to execute any and all additional documents necessary to effectuate the exercise of the power of eminent domain with regard to such parcel, subject to review and approval by the County Attorney.

Commissioner Powell/Commissioner Stowe — approve — unanimous

- 25 Approval and authorization for the Chairman to execute a resolution authorizing the exercise of the power of eminent domain with regard to the Sardis Road Connector Project, Parcel 90, Hall County tax parcel number 10097 000002, 3845 NW Ledan Road, presently owned by Windsor Forest Homeowners Association, Inc., for public road purposes, and authorization for the Chairman to execute any and all additional documents necessary to effectuate the exercise of the power of eminent domain with regard to such parcel, subject to review and approval by the County Attorney.

Commissioner Powell/Commissioner Stowe — approve — unanimous

- 26 Approval and authorization for the Chairman to execute a resolution authorizing the exercise of the power of eminent domain with regard to the Sardis Road Connector Project, Parcel 91, Hall County tax parcel number 10097 000206, 3805 NW Ledan Road, presently owned by Bowen and Bowen Homebuilders, LLC, for public road purposes, and authorization for the Chairman to execute any and all additional documents necessary to effectuate the exercise of the power of eminent domain with regard to such parcel, subject to review and approval by the County Attorney.

Commissioner Powell/Commissioner Stowe — approve — unanimous

- 27 Approval and authorization for the Chairman to execute a resolution authorizing the exercise of the power of eminent domain with regard to the Sardis Road Connector Project, Parcel 92, Hall County tax parcel number 10097 000207, 3791 NW Ledan Road, presently owned by Bowen and Bowen Homebuilders, LLC, for public road purposes, and authorization for the Chairman to execute any and all additional documents necessary to effectuate the exercise of the power of eminent domain with regard to such parcel, subject to review and approval by the County Attorney.

Commissioner Powell/Commissioner Stowe — approve — unanimous

- 28 Approval and authorization for the Chairman to execute a resolution authorizing the exercise of the power of eminent domain with regard to the Sardis Road Connector Project, Parcel 104, Hall County tax parcel number 10098 000076, 3744 Ledan Road, presently owned by Brian F. Young and Lisa R. Young, for public road purposes, and authorization for the Chairman to execute any and all additional documents necessary to effectuate the exercise of the power of eminent domain with regard to such parcel, subject to review and approval by the County Attorney.

Commissioner Powell/Commissioner Stowe — approve — unanimous

- 29 Approval and authorization for the Chairman to execute a resolution authorizing the exercise of the power of eminent domain with regard to the Sardis Road Connector Project, Parcel 144, Hall County tax parcel number 10104 000012, 3618 Mount Vernon Road, presently owned by Corinth Baptist Church, Inc., for public road purposes, and authorization for the Chairman to execute any and all additional documents necessary to effectuate the exercise of the power of eminent domain with regard to such parcel, subject to review and approval by the County Attorney.

Commissioner Powell/Commissioner Cooper — approve — unanimous

- 30 Approval and authorization for the Chairman to execute a resolution authorizing the exercise of the power of eminent domain with regard to the Sardis Road Connector Project, Parcel 162, Hall County tax parcel number 10084 006001, 2745 Sardis Road, presently owned by Nurbanu S. Hamid, for public road purposes, and authorization for the Chairman to execute any and all additional documents necessary to effectuate the exercise of the power of eminent domain with regard to such parcel, subject to review and approval by the County Attorney.

Commissioner Powell/Commissioner Cooper — approve — unanimous

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

Randi Doveton, Director of Planning and Development, addressed the Board.

- 31 Application of United Logistics to rezone from Agricultural Residential-IV (AR-IV) to Planned Industrial Development (PID) on a 19.65± acre tract located on the east side of Winder Highway approximately 1,995 feet from its intersection with Howington Road; a.k.a. 5205 Winder Highway; Zoned AR-IV; Tax Parcel 15028 000014C. Proposed Use: light industrial uses. Commission District 1. NOTE: Tabled at the May 11, 2022 Meeting until the June 9, 2022 Voting Meeting. NOTE: Tabled at the June 9, 2022 Voting Meeting until the July 14, 2022 Voting Meeting.

Commissioner Cooper/Commissioner Echols — approve removing item 31 from the table — unanimous

Mr. Linkous introduced the item. Ms. Doveton discussed the item. Mr. Linkous conducted the Public Hearing.

The following people addressed the Board:

Favor:

- Darrell Rochester, 425 Oak Street, Gainesville*
- Tyler Mixon, 4049 Ashford Way, Gainesville*

Commissioner Cooper/Commissioner Powell — approve with the twelve (12) conditions listed below — unanimous

Conditions:

1. Any outdoor lighting shall be non-spill and shall be oriented away from shared property lines.

2. The following land uses shall be prohibited upon the property: adult establishments, junk yards, asphalt emulsion (water based) plants, and astrologers, clairvoyants, fortune tellers, palmists, phrenologists, or other related occupations.

3. Access to Winder Highway/SR 53 shall be subject to review and approval by Georgia Department of Transportation.

4. *A 50-foot undisturbed transitional zoning buffer shall be required against all property lines, except where abutting Parcel 15038 000056.*
5. *A privacy fence shall be added along the lot line noted by N70°30'00"E 925.00' for a minimum 700 ft along the line.*
6. *The entrance shall be gated with security*
7. *Truck maintenance shall only be conducted between 7 am to 7 pm.*
8. *Only the truck parking shall be gravel.*
9. *The building shall be up to 30,000 square feet.*
10. *Metal accents shall be permitted on the building in substantial conformance with submitted renderings.*
11. *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."*
12. *All running overnight refrigeration trucks shall adhere to the Hall County Noise Ordinance, subject to review and approval by Planning and Development Director.*

32 Application of James and Linda Draffin for a Use Subject to County Commission approval on a 6.7± acre tract located on the south side of Chestatee Road approximately 232 feet from its intersection with North Harbour Court; a.k.a. 3479 Chestatee Road; Zoned R-I; Tax Parcel 10048 000013. Proposed use: 2-lot minor subdivision. Commission District 2.

Mr. Linkous introduced the item. Ms. Doveton discussed the item. Mr. Linkous conducted the Public Hearing.

The following people addressed the Board:

Favor:

- James Draffin, 3479 Chestatee Road, Gainesville*

Commissioner Powell/Commissioner Stowe — with the eight (8) conditions listed below — unanimous

Conditions:

1. The applicant shall submit a plat to Hall County Planning and Development to be reviewed as a Minor Subdivision.

2. Further subdivision of these lots will result in the necessity of a stormwater management plan, if the total number of lots reaches more than six.

3. Show the flood zone on the plat.

4. Show the required Engineering Notes on the plat for Minor Subdivisions.

5. The proposed driveway will need to meet Hall County Driveway Regulations and be approved by Hall County Public Works.

6. All proposed lots must meet the Hall County Board of Health Lot Size Resolution and Environmental Health requirements for plat approval.

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. In accordance with Section 17.380.130.E.8 of the Hall County Ordinances: The approval of any application for a use subject to approval of the county commission shall be effective for a period of no longer than 12 months from the date of approval unless action is taken by the applicant to implement the use proposed in the application by obtaining the proper permit and development plat approval.

33 Application of Dean and Heather Snyder to rezone from Agricultural Residential-IV (AR-IV) to Highway Business (H-B) on a 7.54± acre tract located on the east side of S Black Road at its intersection with Cleveland Highway; a.k.a. 5501 S Black Road; Zoned AR-IV; Tax Parcel 12042 000002. Proposed Use: boat and R-V storage. Commission District 3.

Mr. Linkous introduced items 33 and 34, which were heard together. Ms. Doveton discussed the items. Mr. Linkous conducted the Public Hearing.

The following people addressed the Board regarding both items 33 and 34:

Favor:

- *Dean and Heather Synder, 5628 Allington Court, Clermont*
- *Christy Young, 5618 Stonehaven Court, Clermont*

Opposition:

- *William Beard, 5643 S. Black Road, Clermont*
- *Kimberly McFarland, 5555 Cleveland Highway, Clermont*
- *Ronnie Grovecow, 5547 S. Black Road, Clermont*
- *Tom Vizzini, 5555 Cleveland Highway, Clermont*
- *John Tinker, 5567 Green Circle, Clermont*

Commissioner Echols/Commissioner Stowe — deny — Vote 4 to 1

Commissioner Cooper —aye

Commissioner Powell — nay

Chairman Higgins — aye

Commissioner Echols — aye

Commissioner Stowe — aye

Motion passed.

- 34 Application of Dean and Heather Snyder for a Use Subject to County Commission approval on a 7.54± acre tract located on the east side of S Black Road at its intersection with Cleveland Highway; a.k.a. 5501 S Black Road; Zoned AR-IV; Tax Parcel 12042 000002. Proposed Use: boat and R-V storage. Commission District 3.

Items 33 and 34 were heard together. See item 33 for public hearing details.

Commissioner Echols/Commissioner Stowe — deny — Vote 4 to 1

Commissioner Cooper —aye

Commissioner Powell — nay

Chairman Higgins — aye

Commissioner Echols — aye

Commissioner Stowe — aye

Motion passed.

35 ~~Application of Norris Development to rezone from Vacation Cottage (V-C) to Agricultural Residential-III (AR-III) on a 7.9± acre tract located on the south side of Shirley Road approximately 653 feet from its intersection with Destitute Way; a.k.a. 4726 Shirley Road; Zoned V-C; Tax Parcel 10128 000049. Proposed use: event venue. Commission District 3.~~

This item was moved and heard after item 17.

36 ~~Application of Norris Development for a Use Subject to County Commission approval on a 7.9± acre tract located on the south side of Shirley Road approximately 653 feet from its intersection with Destitute Way; a.k.a. 4726 Shirley Road; Zoned V-C; Tax Parcel 10128 000049. Proposed use: event venue. Commission District 3.~~

This item was moved and heard after item 17.

37 Application of Cameron Reeves to rezone from Agriculture Residential-III (AR-III) to Highway Business (H-B) on a 2.07± acre tract located on the north side of Holiday Road approximately 547 feet from its intersection with Lanier Islands Parkway; a.k.a. 5747 Holiday Road; Zoned AR-III; Tax Parcel 07329 001006. Proposed use: parking lot. Commission District 2.

Mr. Linkous introduced the item. Ms. Doveton discussed the item. Mr. Linkous conducted the Public Hearing.

The following people addressed the Board:

Favor:

- *Cameron Reeves, 5750 Holiday Road, Buford*

Opposition:

- *Abiel Alberto, 5730 Holiday Road, Buford*
- *Bethany Alberto, 5730 Holiday Road, Buford*

Commissioner Powell/Commissioner Cooper — approve tabling item 37 until the July 28, 2022 Voting Meeting — unanimous

38 Public Hearing to consider variance for Glen Motes from Hall County common access driveway requirements on a 46.86± acre tract located on the west side of Old Dahlonega Highway approximately 47 feet from its intersection with Old Whelchel Road; a.k.a. 6526 Old Dahlonega Highway; Zoned AR-IV; Tax Parcel 11078 000004. Proposed use: five (5) lot subdivision. Commission District 3.

Mr. Linkous introduced the item. Ms. Doveton discussed the item. Mr. Linkous conducted the Public Hearing.

There were no comments from the public.

Commissioner Echols/Commissioner Powell — add the one (1) condition listed below to the previous Use Subject to County Commission approval from the February 24, 2022 Voting Meeting — unanimous

Condition:

1. The following statement shall be made a part of any plat or deed for each lot recorded on the property: "Purchaser understands that to the extent that the property is accessed through the current common access driveway, the current common access driveway is not maintained by Hall County, does not meet Hall County's common driveway standards, and may not be accessible to emergency vehicles."

County Administrator

Mr. Connell did not have any items to report.

Commission Time

Commissioner Shelly Echols, District 3, wished Conner Evans with The Times good luck in his future career endeavors.

Chairman Richard Higgins stated that he had received several favorable comments regarding Randi Doveton from developers and people within the community.

Adjourn

Commissioner Powell/Commissioner Stowe — adjourn at 7:24 p.m. — unanimous