



**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, October 13, 2022 - 06:00 PM**

Call to Order

Chairman Higgins at 6:05 p.m.

Present:

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

Also present were Deputy Commission Clerk Abril Olivas, County Attorney Van Stephens, and Deputy County Attorney William Linkous III

Approve Agenda

Commissioner Powell/Commissioner Cooper — approve with an amendment to add item 2a to the agenda following item 2 — Vote: 4 to 1

Commissioner Cooper —aye

Commissioner Powell — aye

Chairman Higgins — aye

Commissioner Echols — nay

Commissioner Stowe — aye

Motion passed.

Invocation

1 Chairman Richard Higgins

Pledge

2 Commissioner Shelly Echols

Personnel Matter

2a County Administrator Employment

Commissioner Powell/Commissioner Cooper - appoint Zach Propes as County Administrator effective January 12, 2023 provided that Zach Propes and the County agree upon the terms of an employment contract on or before January 12, 2023 and authorize the Chairman to work with the Director of Human Resources to develop a contract with Zach Propes. This motion includes the provision that in order to provide a smooth transition, Jock Connell shall continue serving as County Administrator in an advisory capacity from January 12, 2023 until his retirement on March 31, 2023 - unanimous

Public Comments

There were no comments from the public.

Proclamation/s

Commissioner Stowe/Commissioner Powell — approve — unanimous

- 3 Approve the Proclamation recognizing Donald Petering's retirement after 33 years of service to Hall County, Georgia.

Commissioner Cooper presented Mr. Petering with a Proclamation.

- 4 Approve the Proclamation recognizing Jeffrey Todd Bowers' retirement after 38 years of service to Hall County, Georgia.

Commissioner Powell presented Mr. Bowers with a Proclamation.

- 5 Approve the Proclamation recognizing Jonathan Baker's retirement after 21 years of service to Hall County, Georgia.

Chairman Higgins presented Mr. Baker with a Proclamation.

- 6 Approve the Proclamation recognizing Milton Dwight Emmett's retirement after 24 years of service to Hall County, Georgia.

Commissioner Echols presented Mr. Emmett with a Proclamation.

- 7 Approve the Proclamation recognizing Darren Charles Reynolds' retirement after 20 years of service to Hall County, Georgia.

Commissioner Stowe presented Mr. Reynolds with a Proclamation.

Consent Agenda

Commissioner Stowe/Commissioner Powell — approve — unanimous

- 8 Approve the October 10, 2022 Work Session Minutes.

- 9 Approve the October 4-5, 2022 Board Retreat Minutes.

- 10 Approve the September 22, 2022 Voting Minutes.

- 11 Approve the September 22, 2022 Executive Session Minutes.
- 12 Approve the September 22, 2022 Meeting Minutes.
- 13 Approve the purchase of one (1) Asphalt Pro-Patcher for Road Maintenance to Doggett Freightliner of Austin, TX, in the amount of \$207,252.70.
- 14 Approve the award of Proposal #Q-0096639 Hall County Courthouse Annex Turnkey Project York Chillers Replacement for Building Maintenance to Daikin Applied Americas Inc. of Plymouth, MN, in the amount of \$390,250.00.
- 15 Approve the award of Proposal #Q-0096640 Hall County Courthouse Turnkey Project Daikin Chillers and AHUs Replacement for Building Maintenance to Daikin Applied Americas Inc. of Plymouth, MN, in the amount of \$1,425,750.00.
- 16 Authorization for the Chairman to execute a resolution which ratifies and affirms the actions of the Human Resources Director in cancelling the County's uninsured/underinsured motorist coverage with Safety National Casualty Corporation, and authorization for the Chairman to execute such additional documents which are necessary to effectuate the cancellation of the policy subject to review and approval by County Attorney.
- 17 Approval and authorization for the Chairman to execute a Settlement Agreement and Release concerning Oasis Consulting Services, LLC and Oasis Construction Services, Inc. whereby Oasis will pay Hall County the sum of \$952,393.65, subject to review and approval by County Attorney.
- 18 Approve the purchase of thirteen (13) APX6000 & APX8000 portable radios and one (1) APX8500 mobile radio for Emergency Management to Motorola Solutions, Inc. of Schaumburg, IL, in the amount of \$79,742.46.
- 19 Approve the single source purchase of an AT&T Viper 7 911 Phone System Upgrade for Central Communications/911 to BellSouth Telecommunications, LLC d/b/a AT&T Georgia of Atlanta, GA, in the amount of \$432,000.00.
- 20 Approve the purchase of eight (8) portable radios and accessories for Fire Rescue to Motorola Solutions, Inc. of Schaumburg, IL, in the amount of \$51,488.68.
- 21 Approve the award of IFB #029-43 Generators for Fire Rescue Warehouse and Fire Station #7 to Power & Energy Services, Inc. of Lithia Springs, GA, in the amount of \$147,625.52.
- 22 Approve the application of the FY2024 Georgia Department of Transportation (GDOT) Section 5303 Program Metropolitan Planning Grant for the Gainesville-Hall MPO to aid in regional transportation and transit planning in the amount of \$106,683.00, and if awarded, appoint the Grants Manager as the Program Designee, and authorize the Chairman to execute all related application and award documents. A 10% cash match of \$13,357.88 is required, and will be provided by Hall County.
- 23 Approve the award of RFQ/P #43-014 Demand Services for Minor Resurfacing, Paving and Sealcoating for Public Works and Utilities to Georgia Paving of Duluth, GA and Allied Paving of Pendergrass, GA. The estimated annual cost is \$3,000,000.00.

- 24 Approve the award of Task Order #2023-008 Design Services for Capacity Upgrade to Spout Springs Water Reclamation Facility for Public Works and Utilities to Civil Engineering Consultants, Inc. of Marietta, GA, in the amount of \$506,385.00.
- 25 Approve the Release of a \$150,000.00 Guaranty Performance/Maintenance Agreement for Sewer System in Ponderosa Farms. Commission District 1.
- 26 Approve the ratification of Emergency Road Repairs to repair the culvert at Claude Parks Road for Public Works and Utilities to ER Snell Contractor Inc. of Snellville, GA, in the amount of \$799,173.00.
- 27 Approve the award of IFB #028-43 Baler for Resource Recovery to Sierra International Machinery, LLC of Bakersfield, CA, in the amount of \$995,130.00.
- 28 Approve the ratification of the application for the 2023 Georgia Highway Enforcement of Aggressive Traffic (HEAT) Grant for the Sheriff's Office to provide 100% funding for enforcement hours, new vehicles, equipment, operating and training expenses in the amount of \$324,999.00, and appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related award documents. No match is required.
- 29 Approve the ratification of the application of the Accountability Court Funding FY 2023 Enhancement and Innovation Grant for Treatment Services to provide additional substance use, mental health and ancillary services to incarcerated participants in the amount of \$51,502.00, 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 \$7,023.00 is required.

Other Business - Appointments for Consideration

- 30 Appointment to the Parks and Leisure Services Board to serve a term from January 1, 2023 to December 31, 2026. Commission District 3.
Commissioner Echols/Commissioner Stowe — approve the appointment of Justin Smith - unanimous

Other Business - Tax Assessors

Steve Watson, Chief Appraiser, addressed the Board.

- 31 Approve the resolution setting compensation for the Board of Tax Assessors.
Commissioner Powell/Commissioner Cooper — approve — unanimous

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

Ellis Still, Assistant Director of Planning and Development, addressed the Board.

- 32 Application of Dhaval Patel to rezone from Vacation-Cottage (V-C) to Planned Commercial Development (PCD) on a 1.13± acre tract located on the west side of McEver Road at its intersection with Pemmican Run; a. k. a. 1050 McEver Road; Zoned V-C; Tax Parcel 08005 000044 (pt.). Proposed use: auto rentals and outdoor storage. Commission District 2.

Mr. Linkous introduced items 32 and 33, which were heard together. Mr. Still discussed the items. Mr. Linkous conducted the Public Hearing.

The following people addressed the Board regarding both items 32 and 33:

Favor:

- *Ed Myers, 752 Chattahoochee Place, Gainesville*
- *Angela Zubar, 2475 Pemmican Run, Gainesville*
- *Mike Smith, 2640 Pemmican Run, Gainesville*
- *Joshua Royder, 12 Sixth Street, Gainesville*

Commissioner Powell/Commissioner Stowe — approve — unanimous

- 33 Application of Dhaval Patel to amend conditions of a Planned Commercial Development (PCD) on a 2.68± acre tract located on the west side of McEver Road at its intersection with Pemmican Run; a. k. a. 1050 McEver Road; Zoned PCD & V-C; Tax Parcel 08005 000044. Proposed use: auto rentals and outdoor storage. Commission District 2.

Items 32 and 33 were heard together. See item 32 for public hearing details.

Commissioner Powell/Commissioner Stowe — approve with four (4) conditions — unanimous

Conditions:

1. *No tractor trailer parking shall be allowed on site.*
2. *There shall be a total of eight (8) Budget Rental trucks a maximum of ten (10) Avis Rental cars.*
3. *Shall install a 20 foot buffer of fast growing trees to be approved by the county staff along Pemmican Run to the Georgia Power easement to the rear of the property, also on the right hand lot line from the 40 foot setback line to the beginning of the Georgia Power Easement and install a privacy fence (minimum of eight feet tall) on the left lot line from the center line of the Georgia Power easement to the northernmost.*
4. *Additional landscape improvements shall be made along McEver Road with landscape plan subject to approval by Planning and Development Director.*

- 34 Application of Rochester and Associates, LLC to rezone from Agricultural Residential-III (AR-III), Residential-I (R-I), and Vacation Cottage (V-C) to Planned Residential Development (PRD) on a 60.39± acre tract located on the north side of Price Road approximately 628 feet from its intersection with Summit Chase; a. k. a. 3824, 3830, 3842, 0, & 0 Price Road; Zoned AR-III, R-I, & V-C; Tax Parcels 10100 000006-000007, 000103, 000108, & 000159. Proposed use: 202-unit residential subdivision. Commission District 2.

Mr. Linkous introduced the item. Mr. Still discussed the item. Mr. Linkous conducted the Public Hearing.

The following people addressed the Board:

Favor:

- Brian Rochester, 425 Oak Street, Gainesville*
- William Kendrix, 3921 Valleybrook Court, Gainesville*

Commissioner Powell/Commissioner Cooper — approve with fourteen (14) conditions — unanimous

Conditions:

1. The development shall generally occur as depicted on the site plan and described in the project narrative, modified for compliance with zoning conditions and Hall County regulations.

2. The proposed residential development shall conform to §17.180.060 Planned Residential Development (PRD) standards, with the exception of the following:

- a. Lot area calculations, to meet the minimum requirements for townhouses, shall be set at 2000 SF per unit.*
- b. Existing, undisturbed buffers, that meet the screening requirements, shall satisfy the overall 50' requirement without additional planting*
- c. A secondary, emergency entrance shall be allowed to connect to a non-public road located on adjacent property. Construction of the secondary entrance shall be required prior to issuance of the 151st Certificate of Occupancy.*
- d. Open space shall be calculated as any site areas not utilized for right-of-ways, lots or stormwater management facilities and shall be no less than 30% of the gross parcel size.*

3. The proposed residential development shall conform to §16.60, with the exception of the requirement for cul-de-sacs at dead end streets. Street terminations of less than 150' from the closest intersection shall be allowed, as described in the International Fire Code, Section 503.2.5.

4. The maximum density for the development shall not exceed 3.5 units per acre.

5. The following standards shall apply to the development:

- a. Setbacks:*
 - i. Front: 25 Feet from center line of road*
 - ii. Side: 5 feet*
 - iii. Rear: 20 feet*
- b. All site plans shall indicate that the distance from the rear of the sidewalk to the garage meets or exceeds 22 feet.*
- c. Open Space: minimum of 30%.*
- d. The Open Space and lot configuration shall not be redesigned to meet §17.430.110.E and §17.430.110.F, including the requirement that "F. The open space shall be directly accessible to the largest practicable number of lots within the subdivision. Non-adjointing lots shall be provided with safe, convenient access to the open space." The*

redesigned lot layout shall be approved by the Planning Director prior to submission of the application for a Preliminary Plat/ LDP application.

- e. Buffers: A minimum 50 foot planted buffer shall be established along the perimeter of all property boundaries adjacent to residential and/or non-residential zoning districts to ensure that the planned residential development is appropriately screened. The planted buffers shall conform to the requirements as described in section 17.260.020 titled Vegetation Buffers and Vision Clearance. Undisturbed areas of the buffer will not require additional planting.*
- f. Architectural standards: All facades of all residences, shall be finished with brick, stone, stucco, wood siding, wood shakes, or fiber cement type siding. The front facades shall incorporate changes in building material, texture, and/or color. Vinyl siding on all residential and non-residential buildings shall be prohibited.*

6. A homeowners association is required to maintain the common ownership elements of the development.

7. The proposed Stormwater BMP (pond) shall be on a separate "utility" lot that is not a part of the open space.

8. The lots shall be designed so that all state waters and required buffers (50') do not encroach on individual lots. Required impervious setbacks may encroach on individual lots.

9. 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."

10. All conditions of zoning shall be made part of any plats created for the property.

11. Up to ten (10) model homes shall be built of varying product type.

12. The existing family home to the rear of the property shall be limited to a single family home or a clubhouse for the proposed developments only.

13. All private streets shall comply with Hall County standards.

14. No more than one hundred fifty (150) occupancy permits shall be granted without a second entrance to the development or other life safety improvements to the development that meet state requirements.

35 Application of Rochester and Associates, LLC to rezone from Agricultural Residential-III (AR-III) and Agricultural Residential-IV (AR-IV) to Planned Industrial Development (PID) on a 24.66± acre tract located on the west side of Athens Highway at its intersection with Barrett Road; a. k. a. 2562, 2564, 2592, & 2596 Athens Highway; Zoned AR-III & AR-IV; Tax Parcels 15023A000035 (pt.), 000035A - 000035B, & 000036. Proposed use: vehicle salvage. Commission District 3.

Mr. Linkous introduced the item. Mr. Still discussed the item. Mr. Linkous conducted the Public Hearing.

The following people addressed the Board:

Favor:

- Brian Rochester, 425 Oak Street, Gainesville*

Commissioner Echols/Commissioner Powell — approve with ten (10) conditions — unanimous

Conditions:

1. The conditions of the March 2, 2012 approval shall continue to apply to the expanded PID:

- a. The development is approved according to the specific layout shown in the submitted plans, and the terms outlined in the narrative submitted.*
- b. The hours of operation are limited from 8:00 a.m. until 6:00 p.m. Monday through Saturday.*
- c. No residential structures or uses are permitted in the PID zoned portion of this property. PID zoning is only approved for the areas specifically identified on the site plan submitted and the area maps provided by the county.*
- d. No additional structures shall be added to the property after September 6, 2022.*
- e. Vinyl siding and chain link fencing are prohibited.*
- f. Final roadway design and placement are subject to approval by the Hall County Engineering Department and/or the Georgia Department of Transportation.*
- g. Any access improvements required by either the Georgia Department of Transportation and/or the Hall County Engineering Department for this project shall be the financial responsibility of the applicant/developer.*
- h. A roadway with public road way status shall be constructed with all appropriate standards. No sidewalks are required. This road shall provide road frontage to all existing land locked residential properties along it and shall provide adequate turn around at the terminus. Final roadway design is subject to review and approval by Hall County staff.*
- i. The roadway shall be approved and constructed prior to any Certificate of Occupancy being issued for the business facility.*
- j. A 50 foot buffer shall be established around the entire property with cars that are now in the existing 50 foot buffer to be removed and a registered Georgia Land surveyor or engineer shall permanently stake the 50 foot buffer to assure that no cars are placed in the future and the buffer shall be re-established to current Hall County standards for a non-disturbed buffer. The*

50' buffer may be reduced to a 25' buffer by installing a privacy fence along the buffer line.

- k. Two of the existing poultry houses shall be removed.*
- l. The property owner shall be required to combine all lots to not more than two (2) lots, any existing lots of record shall remain and new lots created shall meet Hall County standards.*
- m. Plats shall be recorded for all lots developed off the public access.*
- n. Vehicles may only be stored in the designated area of the site as shown on the submitted site plan. No vehicles may be stacked at any time on site, except when being loaded onto a transport carrier.*
- o. Both the sales of parts and the dismantling of vehicles are permitted during normal business hours.*
- p. Any vehicle repairs/modifications shall be conducted in a fully enclosed structure.*
- q. Any outdoor lighting on the premises shall be of a non-spill type.*
- r. The vehicle parking areas around buildings shall be paved with either asphalt or concrete.*
- s. All conditions of zoning shall be made a part of any plat created for the property.*

2. The existing signage for the business shall be removed from the right-of-way of Athens Highway and the applicant shall work with the Hall County Planning Department to permit replacement signage in accordance with §17.420.060, Signs.

3. The applicant shall submit a full set of civil plan for review through the Development Review process to ensure the property is in compliance with all applicable standards of the Official Code of Hall County and the listed conditions of zoning. Permit must be applied for no later than December 31st, 2022.

4. No cars shall be parked within 300 feet of GA 129 right of way.

5. The property owner shall plant an evergreen landscape buffer along the Gateway Corridor Limits. The buffer shall be in accordance with the Hall County Buffer Ordinance and approved by the Planning Director prior to installation. The buffer must be installed prior to issuance of a Land Disturbance Permit for the work on the site.

6. A 100 foot buffer shall be established along the northern property line adjoining parcels 15023 C000011 and 15023 000009. The buffer shall be enhanced with evergreen plantings as directed by the PLanning Director. This buffer may be reduced to a 75 foot buffer by installing a privacy fence along the buffer line. Existing driveways within the buffer shall be grandfathered.

7. Failure to abide by conditions of zoning may result in a board hearing to revoke the business license.

8. The existing signage for the business shall be removed from the right-of-way of Athens Highway and the applicant shall work with the Hall County Planning Department to permit replacement signage in accordance with County code.

9. The applicant shall submit a full civil plan for review through the development review process to ensure property is in compliance with all applicable standards

of the Official Code of Hall County.

10. No cars shall be parked within 300 feet of the GA 129 right-of-way.

County Administrator

There were no comments made.

Commission Time

Commissioner Jeff Stowe, District 4, announced on behalf of Eagle Scout Ashton Dziengue that he has worked with a muralist to add four more individuals to be depicted on the mural installation project at Butler Park; Dr. Ulysses Byas, Mrs. Clara Poole, Mrs. Mary Trawick, and Mr. L.C. Baylor. Commissioner Stowe made a motion to allow the project to move forward with the entire mural.

Commissioner Stowe/Commissioner Powell — approve mural changes — unanimous

Adjourn

Commissioner Powell/Commissioner Cooper — adjourn at 7:09 p.m. — unanimous