



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

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

**Thursday, January 27, 2022 - 06:00 PM**

**Call to Order**

*Chairman Higgins at 6:08 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 Marty Nix, Deputy Clerk Jennifer Rivera, County Attorney Van Stephens, and Deputy County Attorney William Linkous III*

**Approve Agenda**

*Commissioner Echols/Commissioner Stowe — approve agenda with an amendment to move item 28 prior to item 22 — unanimous*

**Invocation**

- 1 Chairman Richard Higgins

**Pledge**

- 2 Commissioner Billy Powell

**Public Comments**

*There were no comments from the public.*

**Consent Agenda**

*Commissioner Echols/Commissioner Stowe — approve — unanimous*

- 3 Approve the January 24, 2022 Work Session Minutes.
- 4 Approve the January 13, 2022 Voting Meeting Minutes.
- 5 Approve the January 13, 2022 Executive Session Minutes.

- 6 Approve the January 13, 2022 Meeting Minutes.
- 7 Approve the Employment Agreement for the Assistant Director of Parks & Leisure.
- 8 Approve the award of IFB #036-42 Athletic Fencing Installation for Tadmire Park for Parks and Leisure Services to Industrial Fence Company of Flowery Branch, GA, in the amount of \$67,783.00.
- 9 Approve the renewal of the Intergovernmental Agreement between Hall County and the City of Gainesville for maintenance of exits along I-985 that fall within the City limits.
- 10 Approval and authorization for the Chairman to execute a Resolution objecting to the City of Oakwood's Annexation of the three properties of Cajun-Dawg Land Holdings, LLC known as Hall County tax parcels 15044H000125, 15044H000095, and 15044 000028, subject to review and approval by the County Attorney.
- 11 Approve the Dominion Voting Systems, Inc. Hardware Warranty Agreement for the Elections Department in the amount of \$83,526.00.
- 12 Approve the ratification for the application addendum of the Judicial Council American Rescue Plan Act Grant funding application for the Northeastern Judicial Circuit to address case backlogs in the amount of \$691,447.00, 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.
- 13 Approve the 2022 Language Access Plan to address Hall County's responsibilities as a recipient of federal financial assistance from the Georgia Department of Community Affairs' programs and grants funded by the U.S. Department of Housing and Urban Development (HUD).
- 14 Approve the sole source purchase of an air handling unit for Management Information Systems (MIS) to Joe Powell and Associates of Alpharetta, GA, in the amount of \$128,195.00.
- 15 Approve the ratification of the Professional Planning Services Agreement for the Planning & Development Department to CPL of Suwanee, GA. The estimated cost is \$300,000.00.
- 16 Approve the Change Order #1 for the addition of a Comprehensive Plan Update to the Unified Development Code (UDC) Update Study for Planning and Development to TSW Team of Atlanta, GA, in the amount of \$335,000.00.
- 17 Approve the award of IFB #035-42 Resource Recovery Forklift for the Public Works and Utilities Resource Recovery Division to Thompson Lift Trucks of Forest Park, GA, in the amount of \$57,882.00.
- 18 Approve the award of Task Order 2022-024 for Construction Services for Butler Park Site Work for Public Works and Utilities to Simpson Trucking and Grading Inc. of Gainesville, GA in the amount of \$449,334.00.
- 19 Approve the Change Order #1 to include additional scope for the Solid Waste Master Plan Study for Public Works and Utilities to Burns & McDonnell Engineering Company, Inc. of Alpharetta, GA in the amount of \$105,100.00.

- 20 Approve the award of RFP #42-016 Hall County Courthouse Camera System to Busker Communications of Gainesville, GA, in the amount of \$968,717.08.
- 21 Approve the purchase of furniture, fixtures and equipment for the Sheriff's Office MANS Unit to The HON Company, LLC, of Muscatine, IA, via their distributor McGarity's Business Products of Gainesville, GA, in the amount of \$81,961.17.

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

*Mr. Stephens addressed the Board.*

- 28 Application of Reynolds-Hemmer Properties, LP for a Use Subject to County Commission approval on a 4.50± acre tract located on the east side of White Sulphur Road approximately 620 feet from its intersection with Cornelia Highway; a.k.a. 3639, 3651, & 3655 White Sulphur Road; Zoned AR-IV; Tax Parcel 15019 000002(pt.). Proposed Use: bring property into compliance. Commission District 3.

*\*Item 28 moved to this location during the adoption of the agenda.*

*Mr. Stephens introduced the item. Mr. Yamala discussed the item. Mr. Stephens conducted the Public Hearing.*

*The following people addressed the Board:*

*Favor:*

- *Lee Hemmer, 3945 Reynolds Road, Gainesville*

*Commissioner Echols/Commissioner Powell — approve with the four (4) conditions listed below — unanimous*

*Conditions:*

- 1. Prior to the issuance of any building permits, a recorded plat shall be required.*
- 2. 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."*
- 3. All conditions of zoning shall be made part of any plat created for the subdivision.*
- 4. The road front variance shall be 90' on tract two and 114' on tract three.*

- 22 Application of Tyler Crawford to rezone from Agricultural Residential-IV (AR-IV) to Planned Industrial Development (PID) on a 0.96± acre tract located on the west side of Henry Smith Road at its intersection with Edwards Road; a.k.a. 6541 Henry Smith Road; Zoned AR-IV; Tax Parcel 11023 000024(pt.). Proposed Use: fabrication business. Commission District 3.

*Mr. Stephens introduced the item. Mr. Yamala discussed the item. Mr. Stephens conducted the Public Hearing.*

*The following people addressed the Board:*

*Favor:*

- *Tyler Crawford, 6541 Henry Smith Road, Murrayville*
- *James Edwards, 6641 Edwards Road, Murrayville*
- *Doug Duffee, 4124 Cottonwood Drive, Braselton*
- *Selena Huston, 195 Clarks Bridge Road, Gainesville*
- *Peggy Mullis, 6530 Dahlonega Highway, Clermont*

*Opposition:*

- *David Herring, 6451 Arrowhead Road, Murrayville*
- *Richard Lathem, 6444 Payne Road, Murrayville*
- *Regina Burrell, 6395 Henry Smith Road, Murrayville*
- *Gary Copeland, 6685 Henry Smith Road, Murrayville*
- *Patti Copeland, 6685 Henry Smith Road, Murrayville*
- *Jacob Schulze, 6487 Arrowhead Road, Murrayville*

*Commissioner Echols/Commissioner Stowe — deny, vote 3-2*

*Vote: 3 to 2*

*Cooper - abstain*

*Powell - abstain*

*Higgins - aye*

*Echols - aye*

*Stowe - aye*

*Motion passed.*

- 23 Application of Ramar Land Corporation to amend previous conditions of a Planned Industrial Development (PID) on a 36.33± acre tract located on the north side of Athens Highway approximately 1,986 feet from its intersection with A L Mangum Road; a.k.a. 3307 & 3333 Athens Highway; Zoned PID; Tax Parcels 15014 000033 & 000033A. Proposed Use: amend conditions for a truck terminal, repair garage, and office space. Commission District 3.

*Mr. Stephens introduced the item. Mr. Yamala discussed the item. Mr. Stephens conducted the Public Hearing.*

*The following people addressed the Board:*

*Favor:*

- *Tyler Smith of Smith, Gilliam and Miles, 340 Jesse Jewell Parkway*
- *Stan Richards, 600 Gillam Road, Wilmington, Ohio*

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

*Conditions:*

- 1. The proposed development shall conform substantially with the proposed narrative, site plan and variances below. Building layout and orientation may shift, but the maximum thresholds and uses outlined in the project narrative and on the site plan shall apply.*
  - a. Allow exterior walls of the buildings to be pre-engineered metal building, EIFS, and stucco. Front and 50 feet along both sides of office shall be EIFS or stucco. Maintenance shop front shall be EIFS or stucco.*
  - b. Allow standing seam or architectural metal roof panels on all building structures except for gas canopy, with colors approved by the Planning Director.*
  - c. Roof-top HVAC units to be shall be installed with screening along front of building and side adjacent to elementary school.*
  - d. Allow a primary pylon sign, at main entrance into the property, with dimensions of what maximum sq. ft. the code will allow, based upon the projected maximum build-out of 230,000 SF.*
  - e. Allow the pylon sign to use of the "Halo" or back-lit type.*
  - f. Allow the use of LED exterior lighting, whether pole mounted or attached the building or structures.*
  - g. Allow a 30' front building setback from property line.*
  - h. Employee parking areas will meet Gateway Corridor Overlay landscape requirements.*
    - i. Allow more than 125 percent of the minimum allowable parking spaces.*
    - j. Applicant shall install a 12' high composite wall approximately 5-10 feet off western boundary to extend to the rear of the property until it reaches the creek.*
    - k. A 50' buffer shall be placed along the exterior boundaries, except for the side of property facing Athens Highway.*
- 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 the Planning Commission and Board of Commissioners.*
- 3. All access off Athens Highway shall be approved and permitted by GDOT.*
- 4. Any outdoor storage shall be screened 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 of 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 be made a part of any plat recorded for this property.*

- 24 Application of Forestar (USA) Real Estate Group Inc. to rezone from Residential-I (R-I) to Planned Residential Development (PRD) on a 347.23± acre tract located on the north side of Gillsville Highway approximately 56 feet from its intersection with Evergreen Holloway Drive; a.k.a. 2955 Gillsville Highway; Zoned R-I; Tax Parcel 15016 000030A. Proposed Use: 399 single-family detached & townhomes. Commission District 4.

*Mr. Stephens introduced the item.*

*Commissioner Stowe/Commissioner Powell — to table item to February 24, 2022 Voting Meeting — unanimous*

- 25 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. NOTE: Tabled at the January 13, 2022 Voting Meeting until the January 27, 2022 Voting Meeting.

*Commissioner Echols/Commissioner Stowe — approve removing item 25 from the table — unanimous*

*Mr. Yamala stated that the appellants requested to have the appeal withdrawn.*

*Commissioner Echols/Commissioner Stowe — approve withdrawing item 25 — unanimous*

- 26 Application of LCL Holding, LLC to rezone from Agricultural Residential-III (AR-III) to Light Industrial (I-I) on a 6.50± acre tract located on the east side of New Harvest Road approximately 227 feet from its intersection with Calvary Church Road; a.k.a. 1829 New Harvest Road; Zoned AR-III; Tax Parcel 15031 000148. Proposed Use: trucking company and repair shop. Commission District 4.

*Mr. Stephens introduced the item. Mr. Yamala discussed the item. Mr. Stephens conducted the Public Hearing.*

*The following people addressed the Board:*

*Favor:*

- Aaron Conner, 6039 Old Dahlonega Highway, Murrayville*

*Commissioner Stowe/Commissioner Powell — approve with the four (4) 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. Any outdoor storage shall be screened in accordance with §17.260.020 of the Official Code of Hall County.*
- 3. All mechanical services shall be conducted within a garage bay.*
- 4. All conditions of zoning shall be made part of any plat created for the property.*

- 27      Application of Dawn Mumpower to rezone from Residential-I (R-I) and Agricultural Residential-III (AR-III) to Highway Business (H-B) on a 1.67± acre tract located on the east side of Winder Highway approximately 483 feet from its intersection with Reed Farm Road; a.k.a. 3761 Winder Highway; Zoned R-I & AR-III; Tax Parcel 15037 000003. Proposed Use: commercial kitchen. Commission District 1.

*Mr. Stephens introduced the item. Mr. Yamala discussed the item. Mr. Stephens conducted the Public Hearing.*

*The following people addressed the Board:*

*Favor:*

- *Dawn Mumpower, 4307 Marble Arch Way, Flowery Branch*

*There were no comments from the public.*

*Commissioner Cooper/Commissioner Powell — approve with the four (4) 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. All future development shall be subject to all standards set forth by the Gateway Corridor Overlay District.*
- 3. A business license shall be obtained for any and all businesses which operate from the subject property.*
- 4. All conditions of zoning be made a part of any plat recorded for this property.*

~~28 Application of Reynolds-Hemmer Properties, LP for a Use Subject to County Commission approval on a 4.50± acre tract located on the east side of White Sulphur Road approximately 620 feet from its intersection with Cornelia Highway; a.k.a. 3639, 3651, & 3655 White Sulphur Road; Zoned AR-IV; Tax Parcel 15019 000002(pt.). Proposed Use: bring property into compliance. Commission District 3.~~

*Item moved prior to item number 22 during the adoption of the agenda.*

29 Application of Rabun Gap Holdings to rezone from Planned Commercial Farm District (PCFD) to Planned Residential Development (PRD) on a 20.67± acre tract located on the west side of Spout Springs Road approximately 100 feet from its intersection with Lancaster Crossing; a.k.a. 6804 Spout Springs Road; Zoned PCFD. Tax Parcel 15042 000018. Proposed Use: 95 unit single family residential development. Commission District 1.

*Mr. Stephens introduced the item. Mr. Yamala discussed the item. Mr. Stephens conducted the Public Hearing.*

*There were no comments from the public.*

*Commissioner Cooper/Commissioner Powell — deny — unanimous*



30 Application of Cook Communities to rezone from Agricultural Residential-III (AR-III) to Planned Residential Development (PRD) on a 34.03± acre tract located on the west side of Pine Valley Road at its intersection with White Sulphur Road; a.k.a. 1560, 1582, & 1586 Pine Valley Road; Zoned AR-III; Tax Parcels 09124 000039, 000039B, & 000203. Proposed Use: 200 unit townhome development. Commission District 4.

*Mr. Stephens introduced the item. Mr. Yamala discussed the item. Mr. Stephens conducted the Public Hearing.*

*The following people addressed the Board:*

*Favor:*

- *Jane Range, 1235 Riverside Drive, Gainesville*
- *Rose Cowan, 3760 Shades Valley Road, Gainesville*
- *Carla Garcia, Foothills Parkway, Gainesville*
- *Keith Cook, 3120 Frontage Road, Gainesville*

*Opposition:*

- *Marion Meeks, 1239 Lakestone Court, Gainesville*
- *Thomas Brown, 1244 Lakestone Court, Gainesville*
- *Connie Murphy, 1239 Lakestone Court, Gainesville*

*Commissioner Stowe/Commissioner Powell — approve with the five (5) conditions listed below — Vote 4-1*

*Vote: 4 to 1*

*Cooper - aye*

*Powell - aye*

*Higgins - aye*

*Echol - nay*

*Stowe - aye*

*Motion passed.*

*Conditions:*

1. *The development shall be developed in accordance with §17.180.060, Planned Residential Development. The following variances shall be apply:*
  - a. *The minimum lot size shall be 2,500 square feet.*
  - b. *The minimum lot width shall be 28'.*
  - c. *A minimum 50' planted buffer shall be established along the perimeter of the property boundaries, per PRD standards.*
  - d. *Allow a maximum garage door width of 60% of façade.*
  - e. *Allow a front setback of 22' from curve to garage.*
2. *The density of the development shall be no more than 148 units.*
3. *The applicant shall coordinate with Hall County Public Works and the Georgia Department of Transportation regarding any road improvements required as*

*part of traffic study or are determined as part of the development review process.*

- a. The development shall be limited to one access on Pine Valley Road at the northern most location as shown on the site plan.*
  - b. Left and right turn lanes shall be installed on Pine Valley Road to access the development. A left turn lane shall be installed for the driveway opposite from the development.*
  - c. Left and right turn lanes shall be installed on Pine Valley Road at White Sulphur Road.*
  - d. Left turn lane shall be installed on White Sulphur Road to access Pine Valley Road.*
  - e. Internal roadways of the development shall meet Hall County Standards.*
  - f. The developer shall coordinate and permit any White Sulphur Road improvements with the City of Gainesville.*
  - g. The developer shall bear all costs associated with any roadway and/or traffic related improvements.*
- 4. All conditions of zoning shall be made part of any plats created for the development.*
  - 5. The following language shall be placed upon the Final Plat of the development as defined by section 17.20.830 of the Hall County Code of Ordinances, and it will read, "Owners and users of this property are informed of agricultural and industrial uses nearby and should expect noise, smell, and other effects associated with such uses."*

### **County Administrator**

*Mr. Connell did not have any items to report.*

### **Commission Time**

*The Commissioners did not have any items to report.*

### **Adjourn**

*Commissioner Powell/Commissioner Echols — adjourn at 8:08 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.*