



HALL COUNTY BOARD OF COMMISSIONERS VOTING MEETING AGENDA

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

Call to Order

Approve Agenda

Invocation

- 1 Chairman Richard Higgins

Pledge

- 2 Commissioner Jeff Stowe

Public Comments - Agenda Items Only (2 minutes per speaker/20 minutes maximum)

Proclamation/s

- 3 Approve the Proclamation recognizing Donald Evans Parrish's retirement after 25 years of service to Hall County, Georgia.
- 4 Approve the Proclamation recognizing Paul Donald Payne's retirement after 27 years of service to Hall County, Georgia.

Consent Agenda

- 5 Approve the October 24, 2022 Work Session Minutes.
- 6 Approve the October 13, 2022 Voting Meeting Minutes.
- 7 Approve the October 13, 2022 Executive Session Minutes.
- 8 Approve the October 13, 2022 Meeting Minutes.
- 9 Approve the purchase of online credit card payment processing services for Parks and Leisure to CSG Forte Payments, Inc. of Allen, TX. The estimated annual cost is \$1,197.00.
- 10 Approve the purchase of lighting fixture upgrades at Laurel Park and Chicopee Woods Agricultural Center for Parks and Leisure Services to Georgia Power Company of Atlanta, GA, in the amount of \$92,000.00.

- 11 Approve the installation and purchase of roof repair, restoration and safety guardrail at the Hall County Government Center for Building Maintenance to National Building Contractors, Inc. of Conyers, GA, in the amount of \$967,050.00.
- 12 Approval and Authorization for the Chairman and District Commissioners to execute a Resolution objecting to the annexation by The City of Buford of Tax Parcel Number 07299 003002 owned by Clayton Ortiz located at 5659 Holiday Road, and authorization for the Chairman to execute any and all documents in relation to such objection, subject to review and approval by the County Attorney.
- 13 Approve the ratification of the 2023 Judicial Council American Rescue Plan Act Grant funding application for the Northeastern Judicial Circuit to address case backlogs 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. No match is required.
- 14 Approve the renewal for health and welfare benefit plans inclusive of medical, dental, vision, life, disability, and the Hall County Government Family Health Center. The estimated annual cost is \$23,491,114.00.
- 15 Approve the Demand Services On-Call Contract for Abatement of Nuisance Properties and Demolition of County Owned Properties for Code Enforcement to Eagle Demolition & Environmental, Inc. of Carrollton, GA, Southern Demolition, LLC of Atlanta, GA, SCAL Global Solutions of Macon, GA, and EnviroMasters, Inc. of Carrollton, GA. The estimated annual cost is \$200,000.00.
- 16 Approve Change Order #2 for right-of-way services for the Sardis Road Connector Project to Croy Engineering Inc. of Marietta, GA, in the amount of \$139,450.00.
- 17 Approve the Release of a \$96,525.00 Guaranty Performance/Maintenance Agreement and acceptance of streets in Lancaster Subdivision Phase 1 into Hall County maintenance. Commission District 1.
- 18 Approve the purchase of asphalt paving at the Gun Range for the Sheriff's Office to Simpson Trucking & Grading, Inc. of Gainesville, GA, in the amount of \$105,315.00.
- 19 Approve the purchase of six (6) new 2022 vehicles for the Sheriff's Office to Brannen Motor Company of Unadilla, GA, in the amount of \$234,400.00.
- 20 Approve the purchase of EagleView Geospatial Aerial Imagery for the Tax Assessor's Office to EagleView Technologies, Inc. of Rochester, NY. The estimated total cost is \$627,163.32 over six (6) years.

Other Business - Planning and Development

- 21 Public Hearing for a new Malt Beverage Package License for Amigo Grocery, located at 1815 Atlanta Highway, Gainesville, GA 30504. Ownership is Syed Investment Group, Inc. License holder is Syed Ali and Registered Agent is Tauhid Khan. Commission District 4.

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

22 Application of Rafael Lopez Nunez for a Use Subject to County Commission approval on a 5.58± acre tract located on the north side of Poplar Springs Road approximately 953 feet from its intersection with Poplar Springs Church Road; a. k. a. 3523 Poplar Springs Road; Zoned AR-III & R-I; Tax Parcel 15036 000005. Proposed use: 2-lot subdivision. Commission District 3.

County Administrator

Commission Time

Adjourn

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.



AGENDA ITEM

Invocation

REPORT TO: **Work Session (10/24/22)**

REPORT TO: **Voting Meeting (10/27/22)**

ITEM NO: 694/2021

SUBJECT: Chairman Richard Higgins

Meetings:

Work Session Date: 10/24/22

Voting Meeting Date: 10/27/22

Executive Summary:

Presenter: N

Recommendation:

N/A

Purpose of Request: **History:**

Facts and Issues: **Options:**

Funding Requested \$ 0.00

Are funds within current budget? No

Source of Funds

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.? No

Has it been reviewed by the County Attorney? Yes

Is there a deadline for this item?

Approvals:

Approve	Clerk
GK	JR

Attachments:



AGENDA ITEM

Pledge

REPORT TO: **Work Session (10/24/22)**

REPORT TO: **Voting Meeting (10/27/22)**

ITEM NO: 729/2021

SUBJECT: Commissioner Jeff Stowe

Meetings:

Work Session Date: 10/24/22

Voting Meeting Date: 10/27/22

Executive Summary:

Presenter: N

Recommendation:

N/A

Purpose of Request: **History:**

Facts and Issues: **Options:**

Funding Requested \$ 0.00

Are funds within current budget? No

Source of Funds

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.? No

Has it been reviewed by the County Attorney? Yes

Is there a deadline for this item?

Approvals:

Approve	Clerk
GK	JR

Attachments:



AGENDA ITEM

Proclamation/s

REPORT TO: **Work Session (10/24/22)**

REPORT TO: **Voting Meeting (10/27/22)**

ITEM NO: 580/2022

SUBJECT: Approve the Proclamation recognizing Donald Evans Parrish's retirement after 25 years of service to Hall County, Georgia.

Meetings:

Work Session Date: 10/24/22

Voting Meeting Date: 10/27/22

Executive Summary:

Presenter: CE

Recommendation:

Approve

Purpose of Request:

Approve the Proclamation recognizing Donald Evans Parrish's retirement after 25 years of service to Hall County, Georgia.

History:

Facts and Issues:

Options:

Funding Requested

\$ 0.00

Are funds within current budget?

No

Source of Funds

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

No

Has it been reviewed by the County Attorney?

Yes

Is there a deadline for this item?

Approvals:

Approve	Public Information	Attorney	Administration
AO	KC	WLI	LJ
Clerk			
AO			

Attachments:

Proclamation



WHEREAS, Donald Evans Parrish began his public service career with Hall County on June 10, 1996; and

WHEREAS, Donald has served as a Jailer and Deputy Sheriff; and

WHEREAS, during his career, he received the 2010 Meritorious Service Award; and

WHEREAS, Donald's supervisor stated "Deputy Parrish did an amazing job facilitating the ADVANCE Program to the students of Hall County. He enjoyed working with the incredible principals and staff at his assigned schools and worked diligently to make an impact in our children's lives."; and

WHEREAS, after 25 years of service to Hall County and Hall County citizens, Donald plans to spend his retirement enjoying quality time with his wife and sons; and

WHEREAS, the Hall County Board of Commissioners deeply appreciates the services rendered to the citizens of Hall County by Donald Parrish; and

NOW THEREFORE, BE IT RESOLVED that the Hall County Board of Commissioners does hereby pay tribute to Donald Evans Parrish and recognizes him for his many accomplishments, contributions, and 25 years of dedicated service to the Hall County Sheriff's Office and the citizens of Hall County and extends to him their most sincere wishes for continued success in his future endeavors.

Adopted this 27th day of October, 2022.

RICHARD HIGGINS
CHAIRMAN

KATHY COOPER
DISTRICT 1

BILLY POWELL
DISTRICT 2

SHELLY ECHOLS
DISTRICT 3

JEFFREY STOWE
DISTRICT 4

JENNIFER RIVERA
COMMISSION CLERK



AGENDA ITEM

Proclamation/s

REPORT TO: **Work Session (10/24/22)**

REPORT TO: **Voting Meeting (10/27/22)**

ITEM NO: 581/2022

SUBJECT: Approve the Proclamation recognizing Paul Donald Payne's retirement after 27 years of service to Hall County, Georgia.

Meetings:

Work Session Date: 10/24/22

Voting Meeting Date: 10/27/22

Executive Summary:

Presenter: CS

Recommendation:

Approve

Purpose of Request:

Approve the Proclamation recognizing Paul Donald Payne's retirement after 27 years of service to Hall County, Georgia.

History:

Facts and Issues:

Options:

Funding Requested \$ 0.00

Are funds within current budget? No

Source of Funds

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.? No

Has it been reviewed by the County Attorney? Yes

Is there a deadline for this item?

Approvals:

Approve	Public Information	Attorney	Administration
AO	KC	WLI	LJ
Clerk			
AO			

Attachments:

Proclamation



WHEREAS, Paul Donald Payne began his public service career with Hall County on January 10, 1995; and

WHEREAS, Paul has served in many capacities; Jailer, Deputy Sheriff, Investigator, Sergeant; and

WHEREAS, throughout his career, Paul had many high profile cases in the MANS Unit and later helped mentor new employees during his time as a Supervisor in the Jail Division; and

WHEREAS, during his employment, Paul was a recipient of the 2010 and 2018 Police Service Commendation; and

WHEREAS, Paul retired on April 4, 2022 and plans to spend more time at home with his family and friends; and

WHEREAS, the Hall County Board of Commissioners deeply appreciates the services rendered to the citizens of Hall County by Paul; and

NOW THEREFORE, BE IT RESOLVED that the Hall County Board of Commissioners does hereby pay tribute to **Paul Donald Payne and recognizes him for his many accomplishments, contributions, and 27 years of dedicated service to the Hall County Sheriff's Office and the citizens of Hall County and extends to him their most sincere wishes for continued success in his future endeavors**

Adopted this 27th day of October, 2022.

RICHARD HIGGINS
CHAIRMAN

KATHY COOPER
DISTRICT 1

BILLY POWELL
DISTRICT 2

SHELLY ECHOLS
DISTRICT 3

JEFFREY STOWE
DISTRICT 4

JENNIFER RIVERA
COMMISSION CLERK



AGENDA ITEM

Consent Agenda

REPORT TO: **Work Session (10/24/22)**

REPORT TO: **Voting Meeting (10/27/22)**

ITEM NO: 583/2022

SUBJECT: Approve the October 24, 2022 Work Session Minutes.

Meetings:

Work Session Date: 10/24/22

Voting Meeting Date: 10/27/22

Executive Summary:

Presenter: CA

Recommendation:

Approve

Purpose of Request:

Approve the October 24, 2022 Work Session Minutes.

History:

Facts and Issues:

Options:

Funding Requested

\$ 0.00

Are funds within current budget?

No

Source of Funds

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

No

Has it been reviewed by the County Attorney?

Yes

Is there a deadline for this item?

2022-10-27

Approvals:

Approve	Attorney	Administration	Clerk
AO	WLI	AO	AO

Attachments:



HALL COUNTY BOARD OF COMMISSIONERS WORK SESSION SUMMARY 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
Monday, October 24, 2022 - 03:00 PM**

Call to Order

Chairman Higgins at 3:00 p.m.

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

Community Services and Parks

Brett Holloway, Assistant Director of Community Services and Parks, addressed the Board.

- 1 Approve the purchase of online credit card payment processing services for Parks and Leisure to CSG Forte Payments, Inc. of Allen, TX. The estimated annual cost is \$1,197.00.

Consent

- 2 Approve the purchase of lighting fixture upgrades at Laurel Park and Chicopee Woods Agricultural Center for Parks and Leisure Services to Georgia Power Company of Atlanta, GA, in the amount of \$92,000.00.

Consent

Corrections and Maintenance

Walt Davis, Director of Corrections and Maintenance, addressed the Board.

- 3 Approve the installation and purchase of roof repair, restoration and safety guardrail at the Hall County Government Center for Building Maintenance to National Building Contractors, Inc. of Conyers, GA, in the amount of \$967,050.00.

Consent

County Attorney

Mr. Stephens addressed the Board.

4 Approval and Authorization for the Chairman and District Commissioners to execute a Resolution objecting to the annexation by The City of Buford of Tax Parcel Number 07299 003002 owned by Clayton Ortiz located at 5659 Holiday Road, and authorization for the Chairman to execute any and all documents in relation to such objection, subject to review and approval by the County Attorney.

Consent

Court Administration

Jason Stephenson, Court Administrator, addressed the Board.

5 Approve the ratification of the 2023 Judicial Council American Rescue Plan Act Grant funding application for the Northeastern Judicial Circuit to address case backlogs 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. No match is required.

Consent

Human Resources

Judy Turk, Assistant Director of Human Resources, addressed the Board.

6 Approve the renewal for health and welfare benefit plans inclusive of medical, dental, vision, life, disability, and the Hall County Government Family Health Center. The estimated annual cost is \$23,491,114.00.

Consent

Planning and Development

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

7 Approve the Demand Services On-Call Contract for Abatement of Nuisance Properties and Demolition of County Owned Properties for Code Enforcement to Eagle Demolition & Environmental, Inc. of Carrollton, GA, Southern Demolition, LLC of Atlanta, GA, SCAL Global Solutions of Macon, GA, and EnviroMasters, Inc. of Carrollton, GA. The estimated annual cost is \$200,000.00.

Consent

8 Public Hearing for a new Malt Beverage Package License for Amigo Grocery, located at 1815 Atlanta Highway, Gainesville, GA 30504. Ownership is Syed Investment Group, Inc. License holder is Syed Ali and Registered Agent is Tauhid Khan. Commission District 4.

9 Application of Rafael Lopez Nunez for a Use Subject to County Commission approval on a 5.58± acre tract located on the north side of Poplar Springs Road approximately 953 feet from its intersection with Poplar Springs Church Road; a. k. a. 3523 Poplar Springs Road; Zoned AR-III & R-I; Tax Parcel 15036 000005. Proposed use: 2-lot subdivision. Commission District 3.

Public Works and Utilities

Srikanth Yamala, Director of Public Works and Utilities, addressed the Board.

10 Approve Change Order #2 for right-of-way services for the Sardis Road Connector Project to Croy Engineering Inc. of Marietta, GA, in the amount of \$139,450.00.

Consent

11 Approve the Collection of a \$95,002.00 Guaranty Performance/Maintenance Agreement for Streets, Stormwater Management Facilities, and Sidewalks in Stephens Point Subdivision Phase 2. Commission District 2.

Removed from agenda by acclamation.

12 Approve the Release of a \$96,525.00 Guaranty Performance/Maintenance Agreement and acceptance of streets in Lancaster Subdivision Phase 1 into Hall County maintenance. Commission District 1.

Consent

Sheriff's Office

Lieutenant Stephen Wilbanks, Sheriff's Office, addressed the Board.

13 Approve the purchase of asphalt paving at the Gun Range for the Sheriff's Office to Simpson Trucking & Grading, Inc. of Gainesville, GA, in the amount of \$105,315.00.

Consent

Sergeant John Morgan, Sheriff's Office, addressed the Board.

14 Approve the purchase of six (6) new 2022 vehicles for the Sheriff's Office to Brannen Motor Company of Unadilla, GA, in the amount of \$234,400.00.

Consent

Tax Assessors

Steve Watson, Chief Appraiser, addressed the Board.

15 Approve the purchase of EagleView Geospatial Aerial Imagery for the Tax Assessor's Office to EagleView Technologies, Inc. of Rochester, NY. The estimated total cost is \$627,163.32 over six (6) years.

Consent

County Administrator

Mr. Connell did not have any items to report.

Public Comments

There were no comments from the public.

Commission Time

The Commissioners did not have any items to report.

Adjourn

Chairman Higgins adjourned the meeting at 3:17 p.m.



AGENDA ITEM

Consent Agenda

REPORT TO: **Work Session (10/24/22)**

REPORT TO: **Voting Meeting (10/27/22)**

ITEM NO: 584/2022

SUBJECT: Approve the October 13, 2022 Voting Meeting Minutes.

Meetings:

Work Session Date: 10/24/22

Voting Meeting Date: 10/27/22

Executive Summary:

Presenter: CA

Recommendation:

Approve

Purpose of Request:

Approve the October 13, 2022 Voting Meeting Minutes.

History:

Facts and Issues:

Options:

Funding Requested

\$ 0.00

Are funds within current budget?

No

Source of Funds

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

No

Has it been reviewed by the County Attorney?

Yes

Is there a deadline for this item?

2022-10-27

Approvals:

Approve	Attorney	Administration	Clerk
AO	WLI	AO	AO

Attachments:



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 $1.13\pm$ 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 $2.68\pm$ 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 $60.39\pm$ 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-adjoining 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.

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



AGENDA ITEM

Consent Agenda

REPORT TO: **Work Session (10/24/22)**

REPORT TO: **Voting Meeting (10/27/22)**

ITEM NO: 585/2022

SUBJECT: Approve the October 13, 2022 Executive Session Minutes.

Meetings:

Work Session Date: 10/24/22

Voting Meeting Date: 10/27/22

Executive Summary:

Presenter: CA

Recommendation:

Approval

Purpose of Request:

Approve the October 13, 2022 Executive Session Minutes.

History:

Facts and Issues:

Options:

Funding Requested

\$ 0.00

Are funds within current budget?

No

Source of Funds

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

No

Has it been reviewed by the County Attorney?

Yes

Is there a deadline for this item?

2022-10-27

Approvals:

Approve	Attorney	Administration	Clerk
AO	WLI	AO	AO

Attachments:



AGENDA ITEM

Consent Agenda

REPORT TO: **Work Session (10/24/22)**

REPORT TO: **Voting Meeting (10/27/22)**

ITEM NO: 586/2022

SUBJECT: Approve the October 13, 2022 Meeting Minutes.

Meetings:

Work Session Date: 10/24/22

Voting Meeting Date: 10/27/22

Executive Summary:

Presenter: CA

Recommendation:

Approve

Purpose of Request:

Approve the October 13, 2022 Meeting Minutes.

History:

Facts and Issues:

Options:

Funding Requested

\$ 0.00

Are funds within current budget?

No

Source of Funds

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

No

Has it been reviewed by the County Attorney?

Yes

Is there a deadline for this item?

2022-10-27

Approvals:

Approve	Attorney	Administration	Clerk
AO	WLI	AO	AO

Attachments:

October 13, 2022 Meeting Minutes



HALL COUNTY BOARD OF COMMISSIONERS 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 - 05:30 PM**

Call to Order

Chairman Higgins at 5:30 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

Commissioner Cooper/Commissioner Stowe - to go into Executive Session at 5:30 p.m. - unanimous

Executive Session

- 1 Discussion regarding land acquisition, land disposition, personnel matters, potential litigation and/or litigation. Executive Session is not open to the public. Executive Session is a lawfully closed meeting [§ 50-14-1 (a)(2)].

Commissioner Cooper/Commissioner Echols — to adjourn the Executive Session at 5:58 p.m. - unanimous

Adjourn

Commissioner Cooper/Commissioner Echols - adjourn the Meeting at 5:59 p.m. — unanimous



AGENDA ITEM

Consent Agenda

REPORT TO: **Work Session (10/24/22)**

REPORT TO: **Voting Meeting (10/27/22)**

ITEM NO: 559/2022

SUBJECT: Approve the purchase of online credit card payment processing services for Parks and Leisure to CSG Forte Payments, Inc. of Allen, TX. The estimated annual cost is \$1,197.00.

Meetings:

Work Session Date: 10/24/22

Voting Meeting Date: 10/27/22

Executive Summary:

Presenter: BH

Recommendation:

Approve the purchase of Online Credit Card Payment Processing Services for Parks and Leisure to CSG Forte Payments, Inc., a Delaware corporation, in the estimated annual cost of \$1,197.00.

Purpose of Request:

To establish a new gateway provider so that the Parks Dept can accept online credit card, debit card, and electronic check (ACH) payments.

History:

Facts and Issues:

csg Forte is the sole source that integrates with CivicPay within CivicRec, our website provider.

Options:

Funding Requested

\$ 1,197.00

Are funds within current budget?

Yes

Source of Funds

Parks and Leisure

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

Yes

Has it been reviewed by the County Attorney?

Yes

Is there a deadline for this item?

2022-10-27

Approvals:

Buyer	Submit	Approve	Purchasing
-------	--------	---------	------------

Buyer	Submit	Approve	Purchasing
AP	BH	BH	AP
Budget	Finance	Attorney	Administration
EW	WG	VS	AO
Clerk			AO

Attachments:

Financial Supplement
 CivicPlus Sole Source Letter
 Service Level Agreement



HALL COUNTY BOARD OF COMMISSIONERS FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 559/2022

Funds Requested: \$ 1,197.00

Request Budgeted: Yes

Proposed Source of Funding:

Parks and Leisure

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2023	002 - PARKS & LEISURE	1117 - PARKS & LEISURE -SVS DIS	4708 - OPERATING SERVICES	\$1,197.00

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: BH

Phone: 678-997-5823

Hall County Georgia
Andy Penick
Purchasing Manager
apenick@hallcounty.org

October 4, 2022

Dear Mr. Penick,

This letter serves to notify you that CivicPlus, LLC is the sole provider of the CivicRec, Recreation Management System (CivicRec) and associated services and functionality included. CivicRec enables municipal website administrators to manage critical aspects of their recreation management and activities.

CivicRec differs from other recreation management software in that it has been optimized for use for government entities. Not only have many of the applications been developed specifically for use by municipal governments, but CivicRec is also hosted at a network operations center dedicated to the protection of the information of government staff and end-users.

Included in the standard CivicRec development package are modules that are unique to CivicPlus' CivicRec, such as map-based booking, league team pages, exportable calendars for Google and Outlook and social sign on. Applications like these may be available at a much higher cost from other vendors however, CivicPlus is the sole provider of these applications as a part of an all-inclusive, standardized recreation management system, CivicRec.

The CivicPlus Pay Forte gateway integration is a sole source product integration implemented, sold, and distributed exclusively by CivicPlus. No other gateway offered by CivicPlus for CivicRec has both ACH and convenience fee structure functionality currently available.

This gateway must be purchased from and implemented directly by CivicPlus. There are no agents or dealers authorized to represent this gateway/functionality for integrated CivicPlus products.

Additionally, competition is precluded by the existence of an agreement with the manufacturer, who has given us rights to market this gateway for use with CivicPlus products. There are no other like gateways available for purchase that would serve the same purpose or function and there is only one price for the above name(s) item(s) or product(s) because of exclusive distribution or marketing rights.

No other organization offers our unique product and service package, coupling our RMS with some of the most useful web applications available to municipal governments.

Regards,



Amy Vikander • CivicPlus
Senior Vice President of Customer Success
Main 888-228-2233
Fax 785-587-8951
www.CivicPlus.com

PAYMENT PROCESSING AGREEMENT

(Limited Acceptance)

This Payment Processing Agreement (“Agreement”), including all applicable appendices and addendums hereto, is entered into as of the date last signed below (the “Effective Date”) by and between **CSG Forte Payments, Inc.**, a Delaware corporation (“FORTE” or “Party”), and **Hall County, GA** (“AGENCY” or “Party” or “Merchant”). FORTE and its affiliates provide payment processing and related services including but not limited to Automated Clearing House (“ACH”), credit and debit card processing, account verification and customer identification (collectively and individually, as applicable, the “Services”) to AGENCY who provides services to, or otherwise has a business relationship with, individuals and other entities (“Constituents”).

1. GENERAL

The Agreement shall consist of these terms and conditions, each of the Appendices attached hereto if applicable, and all modifications and amendments thereto. Under the terms of the Agreement, AGENCY will be furnished with the products and services described in the Agreement and attached Appendices, which are selected by Agency and approved by FORTE. For any terms herein that are specifically applicable to any particular product or service offered by FORTE, only the terms and conditions that apply to the specific Service(s) requested by Agency at any given time shall apply.

2. USAGE

2.1 Subject to the terms and conditions of this Agreement, FORTE hereby grants to AGENCY a non-exclusive and non-transferable license to access and use FORTE's products and services contracted for and AGENCY hereby accepts such license and agrees to utilize and access the Services in accordance with the practices and procedures established by FORTE. AGENCY may use the Services (a) for its own internal business purposes and operations, and/or (b) as a service provided to its Constituents, unless otherwise notified by FORTE. No license or right to use, reproduce, translate, rearrange, modify, enhance, display, sell, lease, sublicense or otherwise distribute, transfer or dispose of any of FORTE's Proprietary Property, as defined in Section 3 below, in whole or in part, is granted except as expressly provided by this Agreement. Neither AGENCY nor any of its affiliates shall reverse engineer, decompile or disassemble the Proprietary Property. Additionally, nothing in this Agreement shall be construed to provide AGENCY with a license of any third-party proprietary information or property.

2.2 AGENCY shall ensure that its Users comply with all applicable requirements of this Agreement. AGENCY is responsible for protecting the confidentiality of any and all passwords and credentials provided to AGENCY by FORTE for the purpose of utilizing the Services or other forms of access to AGENCY's accounts with FORTE. AGENCY is responsible for the security of its systems, locations and equipment used in processing transactions under this Agreement and for developing security procedures and training its employees on the procedures. AGENCY expressly assumes responsibility for the acts or omissions of all Users on its account(s) with FORTE, and for User access to FORTE's systems either directly or through software.

3. OWNERSHIP

All computer programs, trademarks, service marks, patents, copyrights, trade secrets, know- how, and other proprietary rights in or related to FORTE's products and services (the “Proprietary Property”), are and will remain the sole and exclusive property of FORTE, whether or not specifically recognized or perfected under applicable law. FORTE shall own all rights, title and interest, including all intellectual property rights, in and to any improvements to the existing FORTE products or services and/or any new programs, upgrades, modifications or enhancements developed by FORTE in connection with rendering any services to AGENCY (or any of its affiliates), even when refinements and improvements result from AGENCY's request. To the extent, if any, that ownership in such refinements and improvements does not automatically vest in FORTE by virtue of this Agreement or otherwise, AGENCY hereby expressly transfers and assigns (and, if applicable, shall cause its affiliates to transfer and assign) to FORTE all rights, title, and interest which AGENCY or any of its affiliates may have in and to such refinements and improvements. All reference to any of FORTE's service marks,

trademarks, patents or copyrights, or those of FORTE's partners or vendors, shall be made in compliance with the requirements, including periodic updates thereto, as provided at <http://www.forte.net/trademark>.

4. CONFIDENTIALITY

The Parties acknowledge that, by virtue of this Agreement, each has been and will continue to be entrusted with certain Confidential Information (as defined in [Appendix A](#)) pertaining to the other's business, including but not limited to proprietary information developed by, acquired by, or licensed to each Party. Each Party agrees that, except to the extent and in the manner necessary to perform its duties hereunder, it will not disclose to others or use for its own benefit any Confidential Information of the other Party and it will hold all Proprietary Property as defined herein confidential in perpetuity.

Additionally, in the course of providing and receiving the Services, each Party acknowledges that it may receive or have access to information which can be used to identify an individual consumer (including, without limitation, names, signatures, addresses, telephone numbers, e-mail addresses, payment history, and other unique identifiers) ("Personal Information"). As such, each Party shall: (i) keep all Personal Information in strict confidence, with the degree of care necessary to avoid unauthorized access, use or disclosure; (ii) use Personal Information solely and exclusively for the purposes provided in this Agreement; (iii) implement administrative, physical and technical safeguards to protect Personal Information that are at least as rigorous as accepted industry practices; (iv) as applicable, have in place a program that complies with applicable legal requirements regarding Personal Information.

The foregoing paragraph notwithstanding, the Parties acknowledge and agree disclosure obligations hereunder shall be subject to Confidential Information that is disclosed under force of law, governmental regulation, court order, or the Georgia Open Records Act. Additionally, except with respect to Personal Information, this Section 4 will not apply to Confidential Information that (i) was already available to the public at the time of disclosure, (ii) becomes generally known to the public after disclosure to the other Party, through no fault of the other Party, or (iii) is required to be disclosed by a banking partner, an Acquirer or an applicable Payment Association.

5. TERM AND TERMINATION

5.1 Term. This Agreement shall have an initial term of one (1) calendar year (the "Initial Term Period"), and thereafter may, by mutual consent in writing by signed Amendments, be extended up to four (4) additional one (1) year term renewals. Either party may terminate the Agreement by written notice of termination to the other Party not less than thirty (30) days prior to expiration of any term. The Initial Term Period, plus all four (4) one (1) year Renewals by Amendment are not terminated, then the entire term of the Agreement will be five (5) calendar years from date of execution.

5.2 Reserved.

5.3 Termination. In the event of a material breach of this Agreement by one Party and failure to cure within thirty (30) days of receipt of written notice of the breach, the other Party may terminate immediately by providing written notice of termination. Additionally, FORTE may immediately terminate this Agreement without prior notice in the event that (i) there is a material adverse change to AGENCY or its financial condition; or (ii) AGENCY experiences excessive chargebacks; or (iii) AGENCY experiences an actual or suspected data security breach; or (iv) AGENCY violates any applicable Law, Rule or Regulation; or (v) if FORTE is instructed to terminate by Financial Institution, Acquirer or Payment Association.

6. TRANSACTION PROCESSING

6.1 Accepting Transactions. FORTE shall process credit card, debit card and ACH Transactions on the AGENCY's behalf on a 24-hour basis. Transactions which are received before the daily designated cut-off time will be originated for settlement through the corresponding Payment Network. Transactions which are received after the designated cut-off time will be included in the next business day's settlement processing.

6.1.1 Sale Transactions. If a Transaction is sent to FORTE as a sale of goods or services, it will automatically be captured for settlement in time for the next designated cut-off time.

6.1.2 Auth/Capture Transactions. If a Transaction is sent to FORTE for authorization only or for

delayed processing, then it will be the responsibility of AGENCY to submit a corresponding “capture” Transaction within 48 hours of the authorization in order to complete the Transaction process for settlement. Transactions which are not captured within 48 hours of Authorization are untimely and may be rejected by FORTE.

6.2 Transaction Format. FORTE is responsible only for processing Transactions which are received and approved by FORTE in the proper format, as established by FORTE.

6.2.1 **Card Not Present Transactions.** For card-based transactions in which the card is not present, AGENCY must obtain and include as part of the authorization request the 3 or 4 digit Validation Code and cardholder’s billing address information.

6.3 AGENCY Account. In order to provide transaction processing services, FORTE may need to establish one or more service accounts on AGENCY’s behalf or require AGENCY to establish a service account with a third party provider sub-contracting with FORTE.

6.4 Limited-Acceptance Agency. If appropriately indicated on AGENCY’s application attached hereto, AGENCY may be a Limited-Acceptance Agency, which means that AGENCY has elected to accept only certain Visa and MasterCard card types (i.e., consumer credit, consumer debit, and commercial cards) and must display appropriate signage to indicate the same. FORTE and its associated credit card acquirer have no obligation other than those expressly provided under the Payment Association Operating Regulations and applicable law as they may relate to limited acceptance. AGENCY, and not FORTE or Acquirer, will be solely responsible for the implementation of its decision for limited acceptance, including but not limited to policing the card type(s) accepted at the point of sale.

6.5 Bona Fide Sales. AGENCY shall only complete sales transactions produced as the direct result of bona fide sales made by AGENCY to cardholders, and is expressly prohibited from processing, factoring, laundering, offering, and/or presenting sales transactions which are produced as a result of sales made by any person or entity other than AGENCY, or for purposes related to financing terrorist activities.

6.6 Setting Limits on Transaction Amount. AGENCY may set a minimum transaction amount to accept a card that provides access to a credit account, under the following conditions: i) the minimum transaction amount does not differentiate between card issuers; ii) the minimum transaction amount does not differentiate between MasterCard, Visa, or any other acceptance brand; and iii) the minimum transaction amount does not exceed ten dollars (or any higher amount established by the Federal Reserve). AGENCY may set a maximum transaction amount to accept a card that provides access to a credit account, under the following conditions: AGENCY is a i) department, agency or instrumentality of the U.S. government; ii) corporation owned or controlled by the U.S. government; or iii) agency whose primary business is reflected by one of the following MCCs: 8220, 8244, 8249 –Schools, Trade or Vocational; and the maximum transaction amount does not differentiate between MasterCard, Visa, or any other acceptance brand.

6.7 Modifying Transactions. AGENCY shall regularly and promptly review all Transactions and shall immediately notify FORTE upon discovery of any and all discrepancies between the records of AGENCY compared with those provided by FORTE or AGENCY’s bank, or with respect to any Transaction that AGENCY believes was made erroneously or without proper authorization. At AGENCY’s request, FORTE will make commercially reasonable efforts to reverse, modify, void or delete a Transaction after it has been submitted for settlement. All requests must be made in writing (electronic mail will be deemed as “in writing” for these purposes), signed or sent by an individual pre-authorized by AGENCY to make such requests, and delivered to FORTE. AGENCY agrees that FORTE will not be held responsible for any losses, directly or indirectly, incurred by AGENCY or other third parties as a result of FORTE’s failure to accomplish the request before the Transaction has been processed through the applicable Payment Network.

6.8 Delay or Rejection of Transactions. FORTE may delay or reject any Transaction without prior notification to AGENCY which is improperly formatted, is untimely, is missing information, which may cause it to downgrade or if FORTE has reason to believe such Transaction is fraudulent or improperly authorized or for any reason permitted or required under the Rules or Regulations. FORTE shall have no liability to AGENCY by reason of the rejection of any such Transaction.

6.9 Returned Items. FORTE shall make available to AGENCY details related to the receipt of any Transaction that is returned unpaid or Transaction which is charged back and shall credit or charge such returned

item to AGENCY's Settlement Account.

6.10 Chargebacks. AGENCY acknowledges and agrees that it is bound by the Rules and Regulations of the Payment Associations with respect to any Chargeback. AGENCY understands that obtaining an authorization for any sale shall not constitute a guarantee of payment, and such sales can be returned or charged back to AGENCY like any other item hereunder. In the event a Transaction is charged back, for any reason, the amount of such Transaction will be deducted from AGENCY's designated Settlement Account or any payment due to AGENCY.

6.11 Excessive Chargebacks. Using limits established by Associations as a standard for review, FORTE reserves the right to suspend and/or terminate AGENCY's access to the Services should AGENCY's chargeback ratio exceed allowable limits in any given period. FORTE will make reasonable efforts to provide AGENCY with notice and a time to cure its excessive chargebacks prior to suspending or terminating AGENCY's access to the Services. AGENCY acknowledges and expressly authorizes FORTE, in compliance with Payment Association Rules and Regulations, to provide to the Payment Associations and applicable regulatory bodies, AGENCY's name and contact information as well as transaction details should AGENCY's chargeback ratio exceed the allowable limits in any given period.

6.12 Resubmitting Transactions. AGENCY shall not re-submit any Transaction unless it is returned as (i) Insufficient funds (R01); or (ii) Uncollected funds (R09); or unless a new authorization is obtained from Constituent.

6.13 Settlement. Settlement of AGENCY's funds for Transactions, less any Chargebacks or Returns, to AGENCY's designated Settlement Account will occur within 72 hours of origination excluding weekends and US federal banking holidays. Settlement of Transactions will occur via electronic funds transfer over the ACH Network. Upon receipt of Agency's sales data for card transactions through FORTE's Services, Acquirer will process AGENCY's sales data to facilitate the funds transfer between the various Payment Associations and AGENCY. After Acquirer receives credit for such sales data, Acquirer will fund AGENCY, either directly to the AGENCY-Owned Designated Account or through FORTE to an account designated by FORTE ("FORTE Designated Account"), at Acquirer's sole option, for such card transactions. AGENCY agrees that the deposit of funds to the FORTE Designated Account shall discharge Acquirer of its settlement obligation to AGENCY, and that any dispute regarding the receipt or amount of settlement shall be between FORTE and AGENCY. Acquirer will debit the FORTE Designated Account for funds owed to Acquirer as a result of the Services provided hereunder, unless an Agency-owned account is otherwise designated by AGENCY. Further, if a cardholder disputes a Transaction, if a Transaction is charged back for any reason, or if FORTE or Acquirer reasonably believe a Transaction is unauthorized or otherwise unacceptable, the amount of such Transaction may be charged back and debited from AGENCY if settled to an Agency-owned account or debited from the FORTE Designated Account if settled to that account.

6.14 Provisional and Final Payment. AGENCY, AGENCY's third party senders (if applicable), and/or AGENCY's agent(s) understand and agree that Entries may be transmitted through the ACH Network, that payment of an Entry by the RDFI to the Receiver is provisional until receipt by the RDFI of final settlement for such Entry, and that if such settlement is not received, then the RDFI will be entitled to a refund from the Receiver of the amount credited and AGENCY will not be deemed to have paid the Receiver the amount of the Entry. The rights and obligations of AGENCY concerning the Entry are governed by and construed in accordance with the laws of the state in which the processing ODFI is located, unless AGENCY and FORTE have agreed that the laws of another jurisdiction govern their rights and obligations.

6.15 Reporting. FORTE will make daily origination and deposit reports available to AGENCY on a 24/7 basis through the Internet-based FORTE platform.

7. TRANSACTION AUTHORIZATION

7.1 Constituent Authorization. AGENCY shall obtain authorization from Constituent prior to requesting a Transaction to or from Constituent's account.

7.2 Retention. AGENCY shall retain proof of Constituent's authorization for a period of not less than two (2) years for standard Transactions and for a period of five (5) years for health- related Transactions from the authorization date or revocation of authorization date and shall provide such proof of authorization to FORTE upon request within five (5) business days of the request.

7.3 **Revoked Authorization.** AGENCY shall cease initiating Transactions to or from a Constituent's account immediately upon receipt of any actual or constructive notice of that Constituent's termination or revocation of authorization. AGENCY may re-initiate Transactions to or from a Constituent's account only upon receiving new authorization from the Constituent.

8. AGENCY PROHIBITIONS

AGENCY must not i) require a cardholder to complete a postcard or similar device that includes the cardholder's account number, card expiration date, signature, or any other card account data in plain view when mailed, ii) add any tax to Transactions, unless applicable law expressly requires that AGENCY impose a tax (any tax amount, if allowed, must be included in the Transaction amount and not collected separately), iii) request or use an account number for any purpose other than as payment for its goods or services, iv) disburse funds in the form of travelers checks if the sole purpose is to allow the cardholder to make a cash purchase of goods or services from AGENCY, v) disburse funds in the form of cash unless AGENCY is dispensing funds in the form of travelers checks, TravelMoney cards, or foreign currency (in such case, the Transaction amount is limited to the value of the travelers checks, TravelMoney cards, or foreign currency, plus any commission or fee charged by AGENCY), or AGENCY is participating in a cash back service, vi) submit any Transaction receipt for a Transaction that was previously charged back to the Acquirer and subsequently returned to AGENCY, irrespective of cardholder approval, vii) accept a Visa consumer credit card or commercial Visa product issued by a U.S. issuer to collect or refinance an existing debt that has been deemed uncollectable by AGENCY, or ix) submit a Transaction that represents collection of a dishonored check. AGENCY further agrees that, under no circumstance, will AGENCY store cardholder data in violation of the Laws or the operating regulations of any Payment Association including but not limited to the storage of track-2 data. Neither AGENCY nor its agent shall retain or store magnetic-stripe data subsequent to the authorization of a sales Transaction.

9. AUTHORIZATION

9.1 **ACH Authorization.** AGENCY authorizes FORTE to electronically debit and credit AGENCY's designated bank account(s) for any amounts owed to or by AGENCY in accordance with the terms of this Agreement.

9.2 **Third Party Service Provider.** If AGENCY uses the Services through or in conjunction with a third party service provider that is not a party to this Agreement, AGENCY authorizes FORTE to provide **CivicPlus** ("Partner") with its FORTE merchant account information and credentials. If applicable, AGENCY authorizes Partner to originate Transactions and receive the corresponding results on its behalf.

10. CONSTITUENT DISPUTES

All disputes between AGENCY and its Constituent (s) relating to any Transaction processed under this Agreement will be settled by and between AGENCY and Constituent. AGENCY agrees that FORTE bears no responsibility or involvement in any such dispute.

11. COMPLIANCE WITH LAWS, RULES AND REGULATIONS

In performing its duties under this Agreement, each Party agrees to comply with all applicable Rules, Regulations and Laws, including but not limited to all confidentiality and security requirements of the USA Patriot Act (or similar law, rule or regulation), all Rules of any applicable Payment Associations, all requirements under the Payment Card Industry Data Security Standard (or similar applicable data security law, rule or regulation) including but not limited to the VISA Cardholder Information Security Program, the MasterCard Site Data Protection Program, and any other program or requirement that may be published and/or mandated by the Associations. Each Party agrees to cooperate and provide information reasonably requested by the other to facilitate its compliance with any applicable Law, Rule or Regulation. Additionally, should a Payment Association or regulatory body impose a fee or fine on AGENCY for any violation of the Rules or Laws by AGENCY, such fee or fine may be charged to FORTE as a pass-through to AGENCY. If any such fee or fine is charged to FORTE, AGENCY shall reimburse FORTE for any such fees or fines.

12. PRICING AND PAYMENT

12.1 FORTE will provide the Services in accordance with the fees listed on the Pricing Fee Schedule, attached hereto as Schedule 1 and incorporated herein by reference or any amendments thereto. Pricing which utilizes an Absorbed Fee Model will be billed to the AGENCY monthly in arrears and will automatically be debited from AGENCY's designated account via ACH Debit. Pricing which utilizes a Service Fee Model will result in a processing fee being charged to the Constituent in the form of a non-refundable service fee which is either (i) added to; or (ii) charged as a separate transaction to the Constituent at the time of payment.

12.2 Pricing which utilizes a flat service fee model are calculated based on historical or estimated transactional amount activity by AGENCY. In the event that experiential transaction activity varies significantly from the historical or estimated amounts, FORTE shall have the right to adjust the service fee in accordance to the experiential transaction activity.

12.3 FORTE's pricing is subject to the underlying fees established by the Payment Associations and its service providers. As such, in the event FORTE experiences an increase in cost for any processing services utilized by AGENCY during any term of this Agreement, FORTE will pass through the increases with no additional markup to AGENCY. FORTE will provide AGENCY a minimum of thirty (30) days' notice of any change or adjustment in fees.

13. LIMITS OF LIABILITY

13.1 Neither Party shall be liable to the other Party or to any third party for any special, consequential, incidental or punitive damages of any kind or nature incurred in relation to this Agreement. The amount of damages recoverable by either Party from the other will not exceed that Party's actual, direct damages and will be limited to the amount of the average monthly fees and charges paid by AGENCY for the Service for the immediate three (3) month period prior to the event giving rise to the applicable claim. Neither Party will be liable for failure to perform any of its obligations under this Agreement if such performance would result in it being in breach of any Law, Rule or requirement of any governmental authority. The provisions of this section will survive the termination of this Agreement.

13.2 FORTE shall not be held responsible for errors, acts or failures to act of others, including, and among other entities, banks, other processors, communications carriers or clearing houses through which Transactions may be originated or through which FORTE may receive or transmit information, and no such entity shall be deemed an agent of FORTE.

14. REPRESENTATIONS AND WARRANTIES.

14.1 **FORTE's Representations and Warranties.** FORTE makes no representations or warranties concerning its services except as may be specifically authorized, in writing, or set out herein.

14.1.1 FORTE hereby warrants that its software solutions and services will perform in accordance with their published specifications in all material respects.

14.1.2 FORTE further warrants that in performing its obligations hereunder, it shall exercise due care and reasonable efforts to ensure that information originated by AGENCY is transmitted accurately.

14.2 **AGENCY's Representations and Warranties.** AGENCY represents and warrants to FORTE that:

14.2.1 If applicable, with respect to all Transactions originated by FORTE on behalf of AGENCY that (i) each Transaction in all respects has been properly authorized by Receiver; (ii) each Transaction is for an amount agreed to by the Receiver and; (iii) AGENCY shall provide proof of authorization in compliance with applicable Rules for any Transaction to FORTE upon request within five (5) Business Banking Days.

14.2.2 AGENCY agrees to adhere to the warranties within the applicable Rules for each Transaction FORTE processes on AGENCY's behalf.

14.3 **Mutual Representations and Warranties.** Each Party represents and warrants to the other that:

14.3.1 The execution of this Agreement does not violate any applicable international, federal, state, or local law, Payment Network rule or contract to which such Party is subject.

14.3.2 There are no actions, suits or proceedings existing or pending against or affecting it before any

judicial or regulatory authority which would have a material adverse effect on its ability to perform its obligations hereunder.

14.3.3 When executed and delivered, this Agreement will constitute a legal, valid, and binding obligation, enforceable in accordance with its terms.

15. FORTE SERVICE POLICY.

FORTE makes no representations or warranties concerning its services except as may be specifically authorized, in writing, or set out herein. AGENCY acknowledges and understands that FORTE does not warrant that the Services will be uninterrupted or error free and that FORTE may occasionally experience delays or outages due to disruptions that are not within FORTE's control. Any such interruption shall not be considered a breach of the Agreement by FORTE. FORTE shall use its best efforts to remedy any such interruption in service as quickly as possible.

16. FORCE MAJEURE

Neither Party shall be liable for, or be considered in breach of or default under the Agreement on account of any delay or failure to perform its obligations hereunder as a result of any causes or conditions that are beyond such Party's reasonable control and that such Party is unable to overcome through the exercise of commercially reasonable diligence. If any force majeure event occurs, the affected Party shall give prompt written notice to the other Party and shall use all commercially reasonable efforts to minimize the impact of the event.

17. ASSIGNMENT

The rights granted under this Agreement shall not be assigned by either Party without the prior written consent of the other Party, which shall not be unreasonably withheld.

18. CHOICE OF LAW

This Agreement shall be governed by and construed in accordance with the internal laws of the State of Georgia.

19. AMENDMENT

Except as otherwise provided for herein, the terms and conditions of this Agreement shall not be modified or amended except in writing, signed by the parties hereto and specifically referring to this Agreement.

20. PUBLICITY

Neither Party shall use the other Party's name, logo or service marks in conjunction with a press release or advertisement without first obtaining written approval.

21. NOTICE

Any notice required to be given by either Party hereunder, shall be in writing and delivered personally to the other designated Party, or sent by any commercially reasonable means of receipted delivery, addressed, to that Party at the address most recently provided in writing. Either Party may change the address to which notice is to be sent by written notice to the other under any provision of this paragraph.

Notices to FORTE:

CSG Forte Payments, Inc.
500 W. Bethany Drive
Suite #200
Allen, TX 75013
Attn: VP/Associate General Counsel

Notices to AGENCY:

Hall County
Jock Connell

County Administrator
2875 Browns Bridge Road
Gainesville, GA 30504
PO Box 1435
Gainesville, GA 30503

with a copy to:

Van Stephens, County Attorney
2875 Browns Bridge Road
Gainesville, GA 30504
PO Box 1435
Gainesville, GA 30503

22. HEADINGS

The headings contained in this Agreement are for convenience of reference only and shall not affect the meaning of any provision of this Agreement.

23. SEVERABILITY

Should any term, clause or provision herein be found invalid or unenforceable by a court of competent jurisdiction, such invalidity shall not affect the validity or operation of any other term, clause or provision and such invalid term, clause or provision shall be construed to most closely reflect the original intent of the parties.

24. ENTIRE AGREEMENT; WAIVER; COUNTERPARTS

This Agreement constitute the entire understanding of the Parties, and revoke and supersede all prior agreements between the Parties and are intended as a final expression of their agreement. Either Party's waiver of any breach of any provision of this Agreement shall not be deemed a waiver of any subsequent breach of same or other provision. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original and all of which together shall constitute one instrument.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto by their respective organizations, have executed this Agreement as of the date set forth below.

ATTESTMENT:

Hall County, Georgia

By: _____ (SEAL)
Jennifer Rivera, County Clerk

By: _____
Richard Higgins, Chairman
Board of Commissioners

Sworn to and subscribed before me this
____ day of _____, 2022

Notary Comm. Exp.

APPROVED AS TO FORM:

Van Stephens, County Attorney
Or designee

SERVICE PROVIDER'S SIGNATURE SECTION

CSG FORTE PAYMENTS, INC.:

By: _____

Name: _____

Title: _____

Date: _____

Sworn to and subscribed before me this

_____ dayDay of _____, 2022

Notary Public

My commission expires: _____

SEAL OR STAMP PLACEMENT

APPENDIX A

DEFINITIONS

ACH Network – Automated Clearing House Network is a batch processing, store-and-forward system that accumulates and distributes ACH transactions that are received from ODFI (defined below) and are forwarded to the specified RDFI (defined below) according to the specific schedules established by the participants.

Acquirer – A sponsoring financial institution or payment processor that enters into an agreement which enables merchants/government agencies or their Agent(s) to submit Transactions to a payment network.

Affiliate – A business entity effectively controlling or controlled by another or associated with others under common ownership or control.

Agent Any director, officer, employee, representative, affiliate, third-party vendor or any other person acting on behalf of the Merchant/Agency with the actual, implied or apparent authority of Merchant/Agency.

Business Banking Day – Monday through Friday excluding banking holidays.

Chargeback – A Transaction that is rejected by the owner of the account debited or charged because a dispute exists between the Originator of the Transaction (typically a Merchant/Agency) and the account owner.

Confidential Information - Confidential Information may include information regarding all of the computer software and technologies, systems, structures, architectures, processes, formulae, compositions, improvements, devices, know-how, inventions, discoveries, concepts, ideas, designs, methods, and information and databases developed, acquired, owned, produced or practiced at any time by a Party or any affiliate thereof, including software programs and documentation licensed by third parties to the disclosing Party, any business or financial

information directly or indirectly related to the disclosing Party's company(s) or investments or its internal administrative, billing and accounting systems, customer and vendor lists and information, employee personnel information and policies and procedures, information regarding the disclosing Party's products and services that is not generally available to the public.

Credit Entry (or "Entry") – An ACH/EFT Transaction that is intended to deposit funds into a Receiver's (defined below) account which has been withdrawn from Merchant's/Agency's Settlement Account (defined below).

Debit Entry (or "Entry") – An ACH/EFT Transaction that is intended to withdraw funds from a Receiver's account for deposit into Merchant's/Agency's Settlement Account (defined below).

Laws – All international, national, regional and local regulations or laws which are applicable to the services provided herein.

NACHA – National Automated Clearing House Association responsible for establishing, revising and enforcing the Operating Rules for the US ACH Network.

ODFI – Originating Depository Financial Institution is the financial institution that receives ACH Transactions from Merchant/Agency through FORTE and then forwards these Transactions (defined below) to the ACH Network.

Originator – A Merchant/Agency who has contracted with FORTE to initiate ACH entries, on their behalf, to the ACH Network.

Payment Association – Any entity governing a payment network, including but not limited to VISA, M/C, Discover, NACHA, CPA.

PCI-DSS – System security measures established by the various credit card companies,

known as the Payment Card Industry Data Security Standards.

RDFI – Receiving Depository Financial Institution is the financial institution that receives the ACH Transactions from the ODFI through the ACH Network and posts these Transactions to the accounts of Receivers (defined below).

Receiver – An entity or individual consumer that has an established account with a card issuer or financial institution upon which a Transaction is or may be acted upon.

Reserve – A specific amount of money that is held in your Merchant/Agency account to be used by FORTE to offset amounts owed to FORTE for Services provided, such as returned items, chargebacks, fees/fines, billing or other Merchant/Agency obligations to FORTE that FORTE is unable to collect from Merchant/Agency.

Returned Entries – Any Transaction that is not able to be completed successfully and is returned/rejected back to the Originator.

Rules – The operational rules, policies and procedures established by each applicable Payment Association to govern all transactions

and parties that participate in the associated payment network.

Settlement Account – An account established and maintained by Merchant/Agency with a financial institution through which the following may occur: (a) deposit of funds for Debit Entries, (b) the extractions of funds for Credit Entries, reserve funds or fee obligations unless otherwise agreed to by the parties.

Settlement Entry – A Debit or Credit Entry to Merchant's/Agency's Settlement Account which corresponds to the net amount owed Merchant/Agency by FORTE at the end of each Business Banking Day.

Transactions – Any transfer of data or information to FORTE in a format pre-approved by FORTE, including but not limited to payment, verification and authentication items.

Users - All individuals who access a FORTE website or utilize any portion of the FORTE Services on behalf of Merchant/Agency directly or through software that accesses the FORTE systems through Merchant's/Agency's systems, by using Merchant's/Agency's access credentials or any other access reasonably presumed to be on behalf of Merchant/Agency.

APPENDIX B

ACCOUNT VERIFICATION AND AUTHENTICATION SERVICES

1. Representation by Agency. Each request for data through the verification and authentication services shall constitute a representation, warranty and certification by Agency that the data (i) shall be used and disclosed only in accordance with the terms of the Agreement, and in accordance with any applicable Rules or Laws; and (ii) shall be used solely for the intended use as stated by Agency on the application and that use is in compliance with the permissible uses under the Fair Credit Reporting Act (“FCRA”) as provided in the FCRA Requirements Addendum located at <http://www.forte.net/fair-credit-reporting-act>; (iii) Agency will follow proper procedures for adverse action notification to its Constituents, as provided by the FCRA Requirements Addendum; and (iv) Agency acknowledges it has implemented security measures to prohibit the unauthorized access to the information provided.

2. Use of Services.

2.1 AGENCY SHALL USE THE VERIFICATION SERVICES ONLY IN CONNECTION WITH PAYMENTS PRESENTED TO AGENCY BY ITS CONSTITUENTS IN EXCHANGE FOR GOODS OR SERVICES. AGENCY SHALL NOT RESELL THE VERIFICATION DATA OR SERVICES TO ANY THIRD PARTIES.

2.2 Agency understands and agrees that it cannot decline services to a consumer or customer after receiving an approval result from FORTE on a verification inquiry unless Agency is declining based on other grounds and/or information. Further, if Agency does decline services to a FORTE approved consumer or customer based on alternate information, Agency shall not provide FORTE’s contact information as recourse for the consumer to pursue a dispute of the result under FCRA Adverse Action requirements.

2.3 Agency shall provide to FORTE, as part of a verification inquiry, the accurate amount for each transaction Agency wants to verify.

3. Retention of Data. Agency acknowledges and agrees that it shall not retain, store, compile or aggregate the results of verification or authentication inquiries received from FORTE except as required by applicable law or to perform its obligations under this Agreement.

APPENDIX C **ACCOUNT UPDATER SERVICES**

- 1. Description of Services.** Participating Visa/MasterCard Issuers submit their account changes to the Account Updater Database. On a monthly basis, FORTE will compare all of AGENCY's recurring tokenized transactions against the Account Updater Database. FORTE will then update the tokenized card information on file with updated account information.

- 2. Agency Requirements for Account Updater Participation.**
 - a. AGENCY must be properly established and registered in the United States.
 - b. AGENCY must not have been disqualified from participating in the Visa, MasterCard or Discover programs.
 - c. AGENCY must be in compliance with all Card Association Operating Regulations.
 - d. AGENCY must submit inquiries only for those accounts with which it has an ongoing customer relationship and customer's authority to submit such payments.
 - e. AGENCY may not request authorization on accounts that have returned "Contact Cardholder" or "Closed."
 - f. AGENCY must not submit inquiries on behalf of any other entity.
 - g. AGENCY assumes all risk associated with the use of the Account Updater Service.
FORTE shall have no liability whatsoever to AGENCY for any liability associated with the Account Updater Service, including but not limited to the accuracy or completeness of the information provided via the Account Updater Service.

SCHEDULE 1

PRICING FEE SCHEDULE (Hall County, Georgia)

1. Service (Convenience) Fee Pricing Option:

- a) **MasterCard, Visa, Discover and American Express cards**
2.85% of the payment amount with a minimum fee of \$2.00 based upon volume
- b) **Visa Debit Tax Program only**
\$3.95 Per Transaction

- c) **Electronic check – online WEB payments (includes Forte Verification for known accounts)**

eCheck Transaction Tiers	Fees	Frequency
\$0.00 to \$50,000.00	\$2.00 w/Verification	Per Transaction
\$50,000.01 to \$75,000.00	\$3.00 w/Verification	Per Transaction
\$75,000.01 to \$100,000.00	\$6.00 w/Verification	Per Transaction
\$100,000.01 to \$150,000.00	\$10.00 w/Verification	Per Transaction
\$150,000.01 + \$250,000.00	\$15.00 w/Verification	Per Transaction

2. Absorbed Pricing Option:

Emerging Market and Public-Sector Rate Structure

Processing Costs:	Fees	Frequency
Option 1. Visa, MasterCard, Discover	*Pass Thru pricing + \$0.20+.40bpts	Per Transaction
Option 2. Visa, MasterCard, Discover	2.85%	Per Transaction
Account Updater (Optional)	\$0.35	Per Transaction
Account Updated (Optional)	\$25.00	Per Month
Forte Protect (End-2-End Encryption)	\$0.10	Per Transaction
Forte Protect (Key Injection Fee)	\$2.25	One Time Per Device
Chargeback Fee	\$25.00	Per Chargeback
Batch Fee	\$0.00	No Charge - Waived
ACH Fee-debits/credits	\$0.50 with Forte Verify	Per Transaction
ACH Return Fee	\$2.00	Per Return
Monthly Billing (single bill for multiple merchant accounts)	\$50.00	Per Month per Merchant
Monthly Fee	\$5.00	Each Month per merchant

		account
--	--	---------

* Pass Thru pricing includes the direct interchange dues, assessments and all other fees that are charged directly from the associations. Interchange “pass through pricing” allows the actual cost of the credit card processing (*interchange fees & assessments) to be passed directly through to AGENCY.

Forte's fees include: Total volume processed multiplied by bpts
Total # of transactions processed by per item fee

3. Gateway Only Pricing Option:

Fee Description	Fee	Frequency
Forte Gateway Fee	\$0.15	Per Transaction
Monthly Gateway Fee	\$19.95	Per Merchant ID

4. Equipment and Service Pricing:

Standard Product	Description	Fees and Cost of Equipment
VeriFone V400c Terminal (Standalone)		\$399.00 per terminal plus shipping
VeriFone V400c Terminal (Hybrid with cables)		\$450.00 per terminal plus shipping
MagTek eDynamo		\$155.00 per device plus shipping
MagTek eDynamo and Countertop Docking Station Bundle (recommended)		\$190.00 per device (with docking station) plus shipping



AGENDA ITEM

Consent Agenda

REPORT TO: **Work Session (10/24/22)**

REPORT TO: **Voting Meeting (10/27/22)**

ITEM NO: 549/2022

SUBJECT: Approve the purchase of lighting fixture upgrades at Laurel Park and Chicopee Woods Agricultural Center for Parks and Leisure Services to Georgia Power Company of Atlanta, GA, in the amount of \$92,000.00.

Meetings:

Work Session Date: 10/24/22

Voting Meeting Date: 10/27/22

Executive Summary:

Presenter: BH

Recommendation:

Approve the purchase of lights at Laurel Park in the amount of \$59,000.00 and at the Ag Center for for \$33,000.00 for a total of \$92,000.00

Purpose of Request:

Planned upgrade of lights and light fixtures from yellow/amber to new daylight/clear LED lights that are brighter and longer lasting.

History:

Project 028-1843

Facts and Issues:

Georgia Power is the sole source provider, and it will replace all the wood poles with bronze aluminum poles and bronze arms that will hold bronze fixtures to house the LED lights.

Options:

Funding Requested

\$ 92,000.00

Are funds within current budget?

Yes

Source of Funds

SPLOST VIII / Capital Projects

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

Yes

Has it been reviewed by the County Attorney?

Yes

Is there a deadline for this item?

2022-10-10

Approvals:

Buyer	Submit	Approve	Purchasing
AP	BH	BH	AP
Budget	Finance	Attorney	Administration
EW	WG	WLI	LJ
Clerk			
AO			

Attachments:

Financial Supplement
 Georgia Power Sole Source Letter
 Contract - Chicopee Woods
 Contract - Laurel Park



HALL COUNTY BOARD OF COMMISSIONERS FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 549/2022

Funds Requested: \$ 92,000.00

Request Budgeted: Yes

Proposed Source of Funding:

SPLOST VIII / Capital Projects

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2023	028 - SPLOST VIII	1843 - SP-VIII VARIOUS PARK RENOVATIONS	4488 - REMODEL/RENOVATIONS	\$59,000.00
2023	005 - CAPITAL PROJECTS	517 - PARKS/LEISURE	4488 - REMODEL/RENOVATIONS	\$33,000.00

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: BH

Phone: x1067

426 Spring St
Gainesville, GA 30501



September 14, 2022

Hall County Government
Cindy Langman
Gainesville, GA

Per your request:

Georgia Power Company is the sole provider to the lighting fixtures being replaced at Laurel Park and Chicopee Woods.

Thank you for the opportunity for Georgia Power Company to provide site lighting.

Sincerely,

Ben Jones
404-764-9823 (cell)

Lighting Services Agreement



Existing Customer Yes No If Yes (and if possible), does customer want the Service added to an existing account? Yes No If Yes, which Account Number? 06465-59006

Selected Components

Action	Qty	Wattage	Type	Description
INS	29	70	LED	Area
INS	17	120	LED	Flood (pole-mounted)

Service Cost (\$)	Regulated Cost (\$)*	Monthly Cost (\$)*	Term (Months)	1
\$1,115.34	\$136.78	\$1,252.12		

* The actual Regulated Cost will be calculated using the tariffs approved by Georgia Public Service Commission at the time of billing. The estimate is based on Summer Rates in effect at the time of this proposal. Excludes applicable sales tax.

Project Notes:

Customer agrees to this Lighting Services Agreement with Georgia Power Company under the attached terms and conditions and authorizes all actions noted on this agreement.

Customer also agrees to allow removal of existing lights. Yes N/A

Type	Customer	Tariff	Content	Pre-Payment (\$)
NESC	Gov	EOL	NLC	\$33,000.00

Customer recognizes that the individual signing this Agreement on its behalf has authority to do so.

Customer Authorization	Georgia Power Authorization
Signature:	Signature: 
Print Name:	Print Name: Benjamin Jones
Print Title:	Print Title: Account Exec
Date:	Date: 10-12-22

Lighting Services Agreement



Customer Legal Name HALL CO BD OF COMM DBA _____
 Service Address 3100 LAUREL PARK RD GAINESVILLE GA 30506 County Hall County
 Mailing Address 4175 NOPONE RD GAINESVILLE GA 30506
 Email utilities@hallcounty.org Tel # 770-535-8280 Alt Tel # _____
 Tax ID# _____ Business Description Government

Existing Customer Yes No If Yes (and if possible), does customer want the Service added to an existing account? Yes No If Yes, which Account Number? _____

Selected Components				
Action	Qty	Wattage	Type	Description
INS	12	50	LED	Area
INS	24	90	LED	Area
INS	7	120	LED	Flood (pole-mounted)

Service Cost (\$)	Regulated Cost (\$)*	Monthly Cost (\$)*	Term (Months)	1
\$761.20	\$120.30	\$881.50		

* The actual Regulated Cost will be calculated using the tariffs approved by Georgia Public Service Commission at the time of billing. The estimate is based on Summer Rates in effect at the time of this proposal. Excludes applicable sales tax.

Project Notes:

Customer agrees to this Lighting Services Agreement with Georgia Power Company under the attached terms and conditions and authorizes all actions noted on this agreement.

Customer also agrees to allow removal of existing lights. Yes N/A

Type	Customer	Tariff	Content	Pre-Payment (\$)
NESC	Gov	EOL	NLC	\$59,000.00

Customer recognizes that the individual signing this Agreement on its behalf has authority to do so.

Customer Authorization		Georgia Power Authorization
Signature:		Signature:
Print Name:		Print Name: Benjamin Jones
Print Title:		Print Title: Account Exec
Date:		Date: 10-12-22



AGENDA ITEM

Consent Agenda

REPORT TO: **Work Session (10/24/22)**

REPORT TO: **Voting Meeting (10/27/22)**

ITEM NO: 536/2022

SUBJECT: Approve the installation and purchase of roof repair, restoration and safety guardrail at the Hall County Government Center for Building Maintenance to National Building Contractors, Inc. of Conyers, GA, in the amount of \$967,050.00.

Meetings:

Work Session Date: 10/24/22

Voting Meeting Date: 10/27/22

Executive Summary:

Presenter: WD

Recommendation:

Approve the purchase of roof repair, restoration and installation of safety guardrail at the Hall County Government Center to National Building Contractors, Inc. of Conyers, Georgia for \$967,050,

Purpose of Request:

Prep: Replace wet insulation using 2 plies of Tremco Power Ply Endure 100 smooth set in Power Ply Endure Bio Adhesive. Match existing insulation thickness like kind and quality. Remove loose gravel. Power vac. Prime the existing gravel surface built-up roof with Royal Adhesive Millennium Universal Primer. insulation: Install barrier board minimum 'A" thick in Tremco LR Adhesive applied as a nominal 3/4-in. diameter bead with a maximum on-center spacing of 12-in. Run the insulation board to the perimeter and use longer screws for the perimeter edge flashing so it engages into the existing nailing. Membrane: Install Tremco's 80 mil TPO FB in low rise Tremco LR Adhesive, applied as a nominal 3/4-in. diameter bead with a maximum on-center spacing of 12-in., applied parallel to the slope of the roof. Install TPO coated metal at perimeter and flash all penetrations per Tremco standard flashing details. Provide a Twenty (20) Year Tremco QA Warranty

History:

Repair roof leaks and restore and install guardrail.

Facts and Issues:

Contractor: NATIONAL BUILDING CONTRACTORS, INC. is part of the GSA U.S. General Services Administration under Facilities Maintenance, Management and Repair. GSA Contract #: GS-07F-0543T (expires Aug 14, 2027) Address: 2151 OLD COVINGTON HWY CONYERS, GA 30012-4952
 Phone: (770) 860-1780 E-Mail: brittany@nbcworldwide.com Web Address: <http://www.nbcweatherproofing.com> SAM UEI: KBWEAMANL2Z3

Options:**Funding Requested**

\$ 967,050.00

Are funds within current budget?

Yes

Source of Funds

SPLOST VIII

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

Yes

Has it been reviewed by the County Attorney?

Yes

Is there a deadline for this item?

2022-12-08

Approvals:

Buyer	Submit	Purchasing	Budget
AP	WD	AP	EW
Finance	Attorney	Administration	Clerk
WG	WLI	LJ	AO

Attachments:

Financial Supplement
 NBC WEATHERPROOFING SPECIALISTS



HALL COUNTY BOARD OF COMMISSIONERS FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 536/2022

Funds Requested: \$ 967,050.00

Request Budgeted: Yes

Proposed Source of Funding:

SPLOST VIII

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2023	028 - SPLOST VIII	1800 - SP-VIII HCGC CAMPUS IMPROVEMENTS	5002 - BUILDING/CONSTRUCTION	\$57,050.00
2023	028 - SPLOST VIII	1862 - SP-VIII HCGC ROOF REPLACE	5002 - BUILDING/CONSTRUCTION	\$910,000.00

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: KI

Phone:

678-617-4517



Woman Owned Business

GSA Contract # GS -07F-0543T

PROPOSAL

PROPOSAL SUBMITTED TO
Hall County Government Building

PHONE

DATE
July 6, 2022

STREET
2875 Browns Bridge Road

JOB NAME
Roof Restoration Project

CITY, STATE, AND ZIP CODE
Gainesville Georgia 30504

JOB LOCATION
Main Roof Area

Attention: **Mr. Brett Jockell** DATE OF PLANS **N/A**

FAX NUMBER

We hereby propose to furnish labor, equipment, and materials necessary to perform roof restoration per WTI's scope of work.

Prep:

Replace wet insulation using 2 plies of Tremco Power Ply Endure 100 smooth set in Power Ply Endure Bio Adhesive.

Match existing insulation thickness like kind and quality.

Remove loose gravel.

Power vac.

Prime the existing gravel surface built-up roof with Royal Adhesive Millennium Universal Primer.

Insulation:

Install barrier board minimum ½" thick in Tremco LR Adhesive applied as a nominal 3/4-in. diameter bead with a maximum on-center spacing of 12-in.

Run the insulation board to the perimeter and use longer screws for the perimeter edge flashing so it engages into the existing nailer.

Membrane:

Install Tremco's 80 mil TPO FB in low rise Tremco LR Adhesive, applied as a nominal 3/4-in. diameter bead with a maximum on-center spacing of 12-in., applied parallel to the slope of the roof.

Install TPO coated metal at perimeter and flash all penetrations per Tremco standard flashing details.

Provide a Twenty (20) Year Tremco QA Warranty

Price.....\$840,000.00

Add Alternate.....Fall Protection.....\$ 78,500.00

Notes: Owner will provide reasonable access to facilitate building.

We hereby propose to furnish material and labor - complete in accordance with above specifications, for the sum of:

See Above

Dollars

Payment to be made as follows: Progress Payments – Net 10 Days

National Building Contractors, Inc.
2151 Old Covington Hwy.
Conyers GA 30012
770 860 1780 • Fax 770 860 1763

All material is guaranteed to be as specified. All work to be completed in a substantial workmanlike manner according to specifications submitted per standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance.

Authorized **Donna Glick**
Signature _____

Note: This proposal may be withdrawn by us if not accepted within 30 days.

Acceptance of Proposal - The above prices, specifications, and attached terms and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature _____



TERMS AND CONDITIONS

1. Nature of Work. National Building Contractors, Inc. ("Contractor") shall furnish the labor and material necessary to perform the work described herein or in the referenced contract documents. Contractor does not provide engineering, consulting, or architectural services. It is the Owner's responsibility to retain a licensed architect or engineer to determine proper design and code compliance. Contractor assumes no responsibility for structural integrity, compliance with building codes, or design. If plans, specifications or other design documents have been furnished to Contractor, Customer warrants that they are sufficient and conform to all applicable laws and building codes. Contractor is not responsible for any loss, damage or expense due to defects in plans or specifications or building code violations unless damage results from a deviation by Contractor from the contract documents. Customer warrants all structures to be in sound condition capable of withstanding normal activities of construction equipment and operations.

2. Asbestos and Toxic Material. This proposal and contract is based upon the work to be performed by Contractor not involving asbestos-containing or toxic materials and that such materials will not be encountered or disturbed during the course of performing the roofing work. Contractor is not responsible for expenses, claims or damages arising out of the presence, disturbance or removal of asbestos-containing or toxic material. In the event that such materials are encountered, Contractor shall be entitled to reasonable compensation for all additional expenses incurred as a result of the presence of asbestos-containing or toxic materials at the work site.

3. Payment. To be made per contract conditions.

4. Non-Payment. All sums not paid in full when due shall earn interest at the rate of 1 1/2% *per month* until paid. If Customer does not make payment, Contractor shall be entitled to recover from Customer all costs of collection incurred by Contractor, including attorney's fees and litigation expenses. Collection matters may be processed through litigation or arbitration at the discretion of the Contractor.

5. Insurance. Contractor shall carry worker's compensation, automobile liability, commercial general liability and such other insurance as required by law. Contractor will furnish a Certificate of Insurance evidencing the types and amounts of its coverage, upon request. Customer shall purchase and maintain builder's risk and property insurance upon the full value of the entire Project, including the labor, material, vandalism and theft on the premises to protect against loss or damage to material and equipment and partially completed work until the job is completed and accepted and Contractor's equipment is removed from the premises.

6. Additional Insured. If Customer requires and Contractors agrees to name Customer or others as an additional insured on Contractor's liability insurance policy Customer and Contractor agree that the naming of Customer or other parties as an additional insured is intended to apply to claims made against the additional insured to the extent the claim is due to the negligence of Contractor and is not intended to make the Contractor's insurer liable for claims that are due to the fault of the additional insured.

7. Changes in the Work and Extra Work. Customer shall be entitled to order changes in the work and the total contract price adjusted accordingly. Contractor shall not be required to perform any changed or additional work without a written request.

8. Availability of Site. Contractor shall be provided with direct access to the work site for the passage of trucks, equipment and materials for staging operations.

9. Site Conditions. Contractor shall not be responsible for additional costs required due to the existence of subsurface or latent conditions that are not disclosed in writing to the contractor.

10. Right to Stop Work. The failure of Customer to make proper payment to Contractor when due shall in addition to all other rights, constitute a material breach of contract and shall entitle Contractor, at its discretion, to suspend all work and shipments, including furnishing warranty, until full payment is made or terminate this contract. The contract sum to be paid Contractor shall be increased by the amount of Contractor's reasonable costs of shutdown, delay and start up.

11. Working Hours. This proposal is based upon the performance of all work during Contractor's regular working hours. Extra charges will be made for overtime and all work performed other than during Contractor's regular working hours, if required by Customer.

12. Warranty. Contractor will warrant contractor's work in accordance with its standard warranty, which is incorporated by reference. A copy of Contractor's standard warranty is attached or, if not, will be furnished upon request. Contractor SHALL NOT BE LIABLE FOR SPECIAL PUNITIVE, INCIDENTAL, CONSEQUENTIAL DAMAGES, OR LOST PROFITS. The acceptance of this proposal by the Customer signifies his agreement that this warranty shall be and is the exclusive remedy against Contractor pertaining to the work.

13. Damages or Delays. Contractor shall not be liable for damages based upon delay or liquidated damages or penalties resulting from any delay in completion of the Project caused by circumstances beyond its reasonable control.

14. Fumes and Emissions. Customer acknowledges that odors and emissions from some construction products may be released and noise will be generated as part of the operations to be performed by Contractor. Customer shall be responsible for interior air quality, including controlling mechanical equipment. HVAC units, intake vents, wall vents, windows, doors and other openings to prevent fumes and odors from entering the building. Some people are more sensitive to these emissions than others. Customer shall hold Contractor harmless from claims from third parties relating to fumes and odors that are emitted during the normal course of the work.

15. Arbitration. If a dispute shall arise between Contractor and Customer with respect to any matters or questions arising out of or relating to this Agreement or the breach thereof such dispute, other than collection matters, shall be decided by arbitration administered by in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association. This agreement to arbitrate shall be specifically enforceable under the prevailing arbitration law. The award rendered by the arbitrators shall be final, and judgment may be entered upon it in any court having jurisdiction thereof. Any legal claim against Contractor, including a claim alleging any breach of this contract or negligence by Contractor must be initiated no later than two (2) years after Contractor has completed the work.

16. Mold. Contractor and Owner are committed to acting promptly so that water leaks are not a source of potential interior mold growth. Owner will make periodic inspections for signs of water intrusion and act promptly; including notice to Contractor if Owner believes there are water leaks, to correct the condition. Upon receiving notice, Contractor will make repairs promptly. Contractor is not responsible for indoor air quality. Owner shall hold harmless and indemnify Contractor from any claims involving mold or indoor air quality. Contractor will be paid for all non-warranty items repaired; owner will be notified before any non-warranty repairs are performed.

HALL COUNTY GOVERNMENT OFFICE
FALL PROTECTION LAYOUT PLAN
2875 Browns Bridge Road
Gainesville, GA 30504
OVERVIEW



We are pleased to submit the following estimate for the (Guardrail) fall protection system as a result of our combined efforts on (6-13-22). This system does not penetrate the roofing membrane and provides fall protection with counterbalances to meet OSHA standards 1926.501 (b)(1); 1936.502(b); 1910.28(b)(1); 1910.29(b). CAL/OSHA: 3210; 3212; 162; 3209

The list of components utilized for this safety system are provided in this quote. See Roof Recommendations listed below.

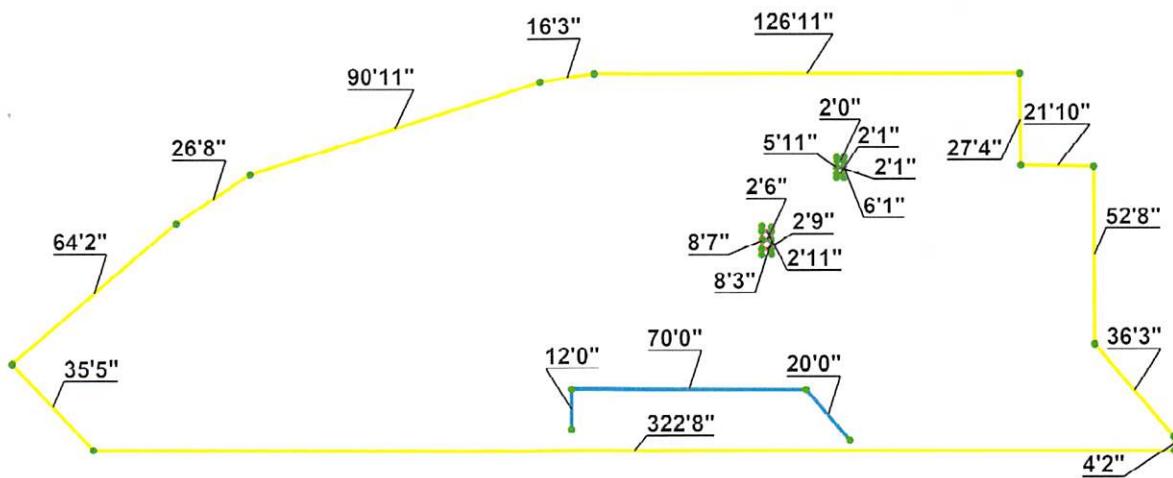
Safety Rec 1 - FG Dynaround RG Guardrail 105LF

Safety Rec 2 - FG Dynarail Ladders (2) + wall mount kits, splice kits, 24" walk-thru kits and 24" safety gates. This proposal includes material, labor, freight estimate and lift rental to safely load material on the roof.

Engineering is required for the proper attachment of the ladders listed and is included in this quote.



MEASUREMENTS



Eave	Hip	Wall
Rake	Valley	Pitch Change
Ridge	Step	Unlabeled

SQUARES

Actual Squares: 302.53 Sq.
 Total Squares (Inc. Waste at 10 %): 332.78 Sq.

PITCH MEASUREMENTS

Pitch 0/12: 302.53 Sq.

LINE MEASUREMENTS

Eaves:	43 Ft.
Rakes:	0 Ft.
Ridges:	0 Ft.
Hips:	0 Ft.
Valleys:	0 Ft.
Step:	0 Ft.
Wall:	102 Ft.
Pitch Change:	0 Ft.

CATEGORY MEASUREMENTS

Ice & Water Shield:	0 Ft.
Ridge Vent:	0 Ft.
Rake Edge:	0 Ft.
Eave Edge:	0 Ft.
Step Flashing:	0 Ft.
Apron Flashing:	0 Ft.
Gutters:	0 Ft.
Gutter Toppers:	0 Ft.
Down Spouts:	0 Ft.

AREAS

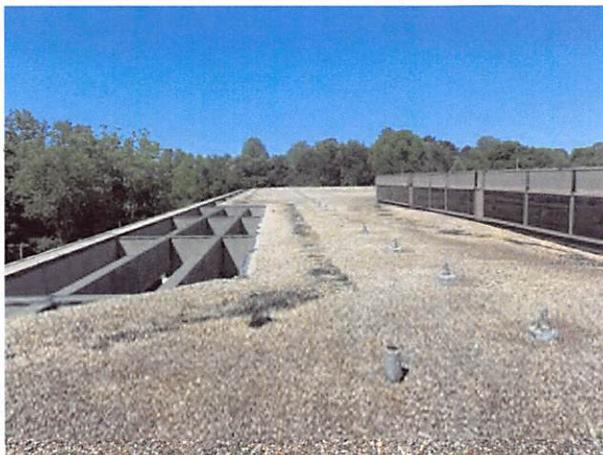


ASSESSMENT



1  Safety
Recommendati
on

Notes: This recommendation reflects a DynaRound (RG) Railing System based on photo images provided. This section consists of (105)LF of (RG) railing with (1) 90 deg corner, (1) non-90 deg corner and (2) returns.



2  Safety
Recommendati
on

Notes: This recommendation reflects (2) Dynarail ladders based on photo images provided. This area requires (2) (12)FT tall ladders with walk thru kits, wall mounts and safety gates.





AGENDA ITEM

Consent Agenda

REPORT TO: **Work Session (10/24/22)**

REPORT TO: **Voting Meeting (10/27/22)**

ITEM NO: 571/2022

SUBJECT: Approval and Authorization for the Chairman and District Commissioners to execute a Resolution objecting to the annexation by The City of Buford of Tax Parcel Number 07299 003002 owned by Clayton Ortiz located at 5659 Holiday Road, and authorization for the Chairman to execute any and all documents in relation to such objection, subject to review and approval by the County Attorney.

Meetings:

Work Session Date: 10/24/22

Voting Meeting Date: 10/27/22

Executive Summary:

Presenter: VSCA

Recommendation:

Purpose of Request:

To approve a Resolution objecting to the proposed annexation and rezoning by the City of Buford, Georgia, of the property located at 5659 Holiday Road, Hall County, Georgia (Hall County Tax Parcel 07299 003002), and authorization for the Chairman to sign all documents necessary to effectuate the objection, subject to the review and approval by the County Attorney.

Facts and Issues:

The property located at 5659 Holiday Road (Hall County Tax Parcel 07299 003002) is 1.21 acres, is zoned AR-III (Agricultural-Residential III), and is sought to be annexed and rezoned by City of Buford to C-2 (General Business).

Funding Requested

\$ 0.00

Are funds within current budget?

No

Source of Funds

History:

On or about October 4, 2022, the County received an initiation of Annexation pursuant to the 100% Application Method from the City of Buford as to the property, which included rezoning of the parcel to C-2 (General Business).

Options:

Approve or deny the Resolution objecting to the annexation and rezoning of the parcel.

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

Yes

Has it been reviewed by the County Attorney?

Yes

Is there a deadline for this item?

2022-10-27

Approvals:

Submit	Budget	Finance	Attorney
JL	EW	WG	VS
Administration		Clerk	
AO		AO	

Attachments:

Resolution - Objection to Annex - Parcel 07299 003002

STATE OF GEORGIA

COUNTY OF HALL

**RESOLUTION OBJECTING TO THE CITY OF BUFORD'S
ANNEXATION OF THE PROPERTY OF CLAYTON ORTIZ KNOWN AS
HALL COUNTY TAX PARCEL 07299 003002**

WHEREAS, Hall County has received a notice of filing with the City of Buford of a petition for annexation of the property of Clayton Ortiz located at 5659 Holiday Road, Buford, Georgia 30518 and bearing Hall County Tax Parcel Number 07299 003002; and

WHEREAS, the annexation petition seeks to rezone the subject property from Hall County's designation of Agricultural-Residential III to the City of Buford's designation of C-2 General Business District; and

WHEREAS, the City of Buford has notified the County that the City intends to take action on the annexation and rezoning request on December 5, 2022; and

WHEREAS, the proposed use of the subject property, commercial space for a building contractor's office with possible storage of vehicles and equipment associated with the builder's business, represents a substantially more intense or significantly different use of the property than allowed by Hall County's existing residential zoning of the property; and

WHEREAS, the area has developed with residential properties adjacent to the subject property, and the area is substantially residential in character; and

WHEREAS, the Hall County Board of Commissioners has carefully reviewed the annexation and rezoning request, and the Board has determined that annexation and rezoning to a commercial classification is not in the best interest of the residents of Hall County; and

WHEREAS, the Georgia Code provides a procedure for resolving annexation disputes; and

WHEREAS, the Board of Commissioners wishes to avail itself of the remedies provided by the annexation dispute resolution process by objecting to this annexation and rezoning request;

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF HALL COUNTY DOES HEREBY OBJECT to the City of Buford's annexation and rezoning of Hall County Tax Parcel Number 07299 003002 as requested by the owner Clayton Ortiz and applicant Veritas Homes. This objection is based upon a material increase in burden on Hall County directly related to the proposed change in zoning and land use.

Based upon the information presented in the application for annexation provided by the City of Buford, Hall County specifically objects to the proposed change in zoning and land use that would result from the annexation as follows:

The application for annexation describes a rezoning from Hall County's AR-III District to the City of Buford's C-2 District for use of the subject property as a building contractor's office for Veritas Homes with possible storage of vehicles and equipment associated with the business. This use of the subject property as commercial space would be in contrast to the surrounding uses permitted by Hall County's AR-III zoning of the property. This change in both zoning and land use as proposed in the application for annexation would create a material increase in burden upon Hall County directly related to the proposed change in zoning and land use. Hall County attaches the application for annexation and supporting documents served upon Hall County. *See* Exhibit A.

The proposed change in zoning and land use as described in the application for annexation would result in a substantial change in the intensity of the allowable use of the property. An aerial photograph of the area immediately surrounding the proposed annexation shows that there are no commercial buildings adjacent to the subject property. *See* Exhibit B. The proposed use of the property, a 1.21 acre lot, as commercial space for a building contractor's office together with the possible storage of vehicles, equipment, and materials associated with the business would disrupt the neighboring homeowners' quiet enjoyment of their property. Neighbors could be forced to look at a multitude of vehicles, e.g. numerous pickup trucks, flatbed trucks, commercial vans, excavating equipment, etc., or building materials that would collect permanently or temporarily on the property in connection with the homebuilding company's business. Further, there would be significantly increased traffic into and out of the property from various employees, subcontractors, and customers, which would disturb the peace and quiet of the

neighbors and substantially increase road traffic on Holiday Road. The proposed change in zoning and land use of the subject property from AR-III to general commercial business use by the City of Buford would be significantly different from the single-family residential uses currently permitted by Hall County on the property. *See Chapter 17.110 of the Official Code of Hall County, Exhibit C.* Moreover, upon the property's annexation and rezoning, there would be nothing to prevent the property owner from converting the property or selling it for development into a seemingly limitless variety of commercial businesses (including retail, dining, and entertainment establishments) whose existence and operation would be wholly inconsistent with the residential character of the surrounding properties. *See Art XIII, Sec. 1308 of the City of Buford Zoning Ordinance, Exhibit D.*

The proposed change in zoning and land use would also differ from the existing uses suggested for the subject property by Hall County's 2017-2037 Comprehensive Land Use Plan. As shown on the attached Hall County Future Development Map, the Land Use Plan designates the subject property for Lake Area Residential uses. *See Exhibit E.* The attached description of Lake Area Residential uses seeks to preserve established residential neighborhoods. The description of Lake Area Residential uses notes that future development will continue to be detached, single-family homes at low densities. The proposed change in zoning and land use for the subject property also differs significantly from the uses permitted in the AR-III zoning ordinance regulations, which provide for low-density residential uses or agricultural uses.

Finally, the proposed annexation of the subject property would result in the undesirable creation of an unincorporated island in a neighboring property located at 5629 Holiday Road, bearing Hall County Tax Parcel Number 07299 003003, as the neighboring property would be abutted on all sides by properties that are located in the City of Buford.

For the foregoing reasons, the members of the Board of Commissioners have executed this objection to the annexation petition of Clayton Ortiz and Veritas Homes regarding Hall County Tax Parcel Number 07299 003002 this the 27th day of October, 2022.

[SIGNATURES ON FOLLOWING PAGE]

HALL COUNTY BOARD OF COMMISSIONERS

By: _____
Richard Higgins, Chairman

By: _____
Kathy Cooper, Commissioner, District 1

By: _____
Billy Powell, Commissioner, District 2

By: _____
Shelly Echols, Commissioner, District 3

By: _____
Jeff Stowe, Commissioner, District 4

ATTEST:

By: _____
Jennifer Rivera, Commission Clerk

(SEAL)

APPROVED AS TO FORM:

By: _____
Van Stephens, County Attorney

Exhibit A.

CHANDLER, BRITT & JAY, LLC

ATTORNEYS AT LAW

Richard B. Chandler Jr., P.C.
Walt M. Britt, P.C.
Gregory D. Jay, P.C.
Amy L. Allen

Sender's email: gjay@cbjblawfirm.com

4350 South Lee Street, Buford, Georgia 30518
P.O. Box 1749, Buford, Georgia 30515
Phone 770.271.2991
Fax 770.271.9641

October 3, 2022

Via Statutory Overnight Delivery

Hall County Board of Commissioners
P.O. Drawer 1435
Gainesville, Georgia 30503

Hall County Board of Education
711 Green Street
Gainesville, Georgia 30501

Re: Initiation of Annexation pursuant to the 100% Application Method to the
City of Buford, Georgia

To the Honorable Commissioners and Members:

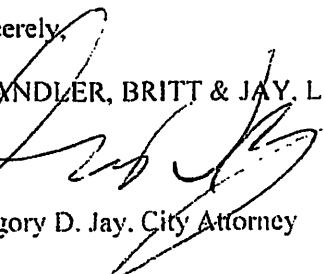
Notice is hereby given, pursuant to O.C.G.A. § 36-36-6, that the City of Buford has accepted two petitions for annexation pursuant to O.C.G.A. § 36-36-20, et seq. (Article II or 100% Application Method). Enclosed are copies of the written Applications for Annexation which include surveys and/or maps showing the boundaries of the proposed annexed areas and legal descriptions of the property to be annexed. The proposed re-zoning and land use for each parcel upon Annexation under the City of Buford Zoning Ordinance, is set forth on the attached Exhibit "A".

In accordance with O.C.G.A. § 36-36-112, the County governing authority, by majority vote, may object to the annexation. Notice of an objection must be served upon the City Commission of the City of Buford, by certified mail or statutory overnight delivery, not later than the end of the 30th day following receipt of this notice.

The Buford City Commission plans to conduct a public hearing and take action on said annexation and rezoning at its meeting scheduled on Monday, December 5, 2022 at 7:00 p.m., at the Buford City Arena, 2795 Sawnee Avenue, Buford, Georgia 30518.

Sincerely,

CHANDLER, BRITT & JAY, LLC


Gregory D. Jay, City Attorney

Enclosures

cc: Randi Doveton, Director Planning and Development
Kim Wolfe, Buford Planning Director

EXHIBIT "A"

APPLICATIONS FOR ANNEXATION TO THE CITY OF BUFORD, GEORGIA

<u>Hall Co Tax Parcel No.</u>	<u>Property Address</u>	<u>Owner</u>	<u>Proposed Rezoning</u>
1. 08169 003001	133 Holiday Rd	Ana Campsozano	AR-III to RA-200
2. 07299 003002	5659 Holiday Rd	Clayton Ortiz	AR-III to C-2

CITY OF BUFORD
Planning & Zoning Department
2300 Buford Highway
Buford, GA 30518
(770) 945-6761

APPLICATION FOR ANNEXATION

Tax Map Number: 08-00169-03-001 Date: 09/20/2022.

Present Zoning: AR3 Requested Zoning: R4-100

Address of subject property: 133 Holiday Rd. Buford, GA, 30518

Owner of property: Ana M. Campozano

Telephone number: (231) 360-4216 cell: _____ email: anacampozano19@gmail.com

Housing Units: 1 Other Buildings: 1.

A. Submit copy of recorded survey.

B. Subject property Description – A legal description (deed) and plat.

C. Petition Requesting Annexation – Owners must complete Petition Requesting Annexation.
(Exhibit A)

D. Authorization By Property Owner – Owners must complete certifying property ownership
(Exhibit B)

Fees – annexation with same/similar zoning - \$350; annexation with rezoning - \$800.00.

Authorization to inspect premises – I hereby authorize the Buford City Commission, the Planning Commission and their staff to inspect the premises which is the subject of this annexation application.

*Ana M. Campozano
Signature - Owner

Signature- Owner

For office use only:

Annexation # 640

Application received: 9-21-22

Date Annexation will become effective and official: _____

Fee received: \$ 350.00

Exhibit A

PETITION REQUESTING ANNEXATION

CITY OF BUFORD, GEORGIA

DATE 09/20/2022.

TO THE CITY COMMISSION OF THE CITY OF BUFORD, GEORGIA

1. The undersigned, as owner of all real property of the territory described herein, respectfully requests that the City Commission annex this territory to the City of Buford, Georgia, and extend the City boundaries to include the same.
2. The territory to be annexed is unincorporated and contiguous [as defined and described in O.C.G.A. 36-36-20(a)] to the existing corporate limits of Buford, Georgia and the description of such territory area is as follows:

Address/Location of Property:

133 Holiday Rd, Buford, GA, 30518-1647.

Tax Map Number: 08-00169-03-001

See description attached.

3. It is requested that this territory to be annexed shall be zoned:

G Winnett - R-258
Buford City

For the following reasons:

My son wants to continue education at
City of Buford school system.

WHEREFORE, the Petitioners pray that the City Commission of the City of Buford, Georgia, pursuant to the provisions of the Acts of the General Assembly of the State of Georgia, Georgia, Laws, 1946, do by proper ordinance annex said property to the City Limits of the City of Buford, Georgia.

Respectfully submitted,

Ana M. Compoz

Signature of Owner(s)

Exhibit B

AUTHORIZATION BY PROPERTY OWNER

Application for Annexation

I swear that I am the owner of the property which is the subject matter of the attached application as shown in the records of Hall, County, Georgia. I authorize the person named below to act as applicant in the pursuit of an annexation request of this property.

Name of Applicant: Ana M. Campozano

Address: 133 Holiday Rd.
Buford, GA 30518-1647.

Telephone number: _____ cell: (231) 360-4206

Email address: ana.campozano121@gmail.com

Ana M. Campozano
Signature of Owner

Signature of Owner

PARCEL ID: 08169-003001

Return Recorded Document to:
Nogales & Associates, LLC
1805 Herrington Rd, Bldg 3, Ste D
Lawrenceville, GA 30043

eFiled and eRecorded
DATE: 08/29/2022
TIME: 12:18 PM
DEED BOOK: 9188
PAGE: 118 - 119
FILING FEES: \$25.00
TRANSFER TAX: \$320.00
PARTICIPANT ID: 7427077091
PT81: 069-2022-007704
RECORDED BY: JP
CLERK: Charles Baker, C.S.C
Hall County, GA

W A R R A N T Y D E E D

STATE OF GEORGIA
COUNTY OF Gwinnett

File #: 22-7333S

This Indenture made this 26th day of August, 2022 between

CANDACE A MORGAN ,

as party or parties of the first part, hereinafter called Grantor, and

ANA M. CAMPOZANO ,

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

W I T N E S S E T H that: Grantor, for and in consideration of the sum of **TEN AND 00/100'S (\$10.00)** Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

SEE EXHIBIT "A" LEGAL DESCRIPTION ATTACHED.

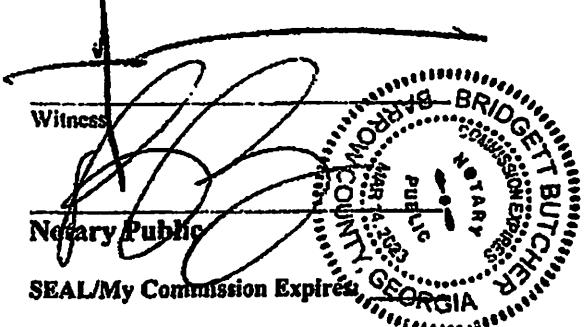
This Deed is given subject to all easements and restrictions of record, if any.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in **FEES SIMPLE**.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of:




CANDACE A MORGAN (Seal)

**EXHIBIT A
LEGAL DESCRIPTION**

File No.: 22-7333S

Tract I: All that tract or parcel of land lying and being in Land Lot 169 in the Eighth Land District of Hall County, Georgia, and more fully described as follows: Beginning at an iron pin at the center of the Greens Crossing Road at corner of land already owned by John H. Haney; thence North 29 degrees 22 minutes West 322.5 feet to an iron pin on the South side of the 200 feet right of way of Southern Railroad, which iron pin is located 429 feet East of the line between Land Lot 169 in the Eighth District and Land Lot No. 329 in the Seventh District as measured along the South side of said Railroad Right of way, thence North 67 degrees 08 minutes East 50.1 feet along the South side of said right of way to an iron pin; thence South 29 degrees 22 minutes East 360.9 feet to the center line of the Greens Crossing Road; thence North 77 degrees 37 minutes West 67 feet to the beginning corner. **Tract II:** All that tract or parcel of land lying and being in County of Hall, State of Georgia, Seventh Land District, and a part of Lot 169, bounded as follows: Beginning at a point on the Southern Railway, running along said Southern Railway right of way twenty-six (26) rods to an iron pin corner and line with Harrison Pugh Property; thence in an Easterly direction along the Pugh Property, nineteen (19) rods and 9 feet to the Greens Crossing Road; thence in a Southwesterly direction along the Greens Crossing Road, nineteen (19) rods and eight feet to an iron pin corner; thence in a Southwesterly direction 11 rods and 5 feet to an iron pin corner and line with John S. Haney; thence in a Westerly direction along the lands of Leonard Whidby 11 rods and 14 feet to the Southern Railway and point of beginning. Said tract of land contains two acres, more or less, and a four room dwelling.

Subject to all easements, rights of way, and restrictive covenants of record (hereinafter referred to as the "Exceptions").

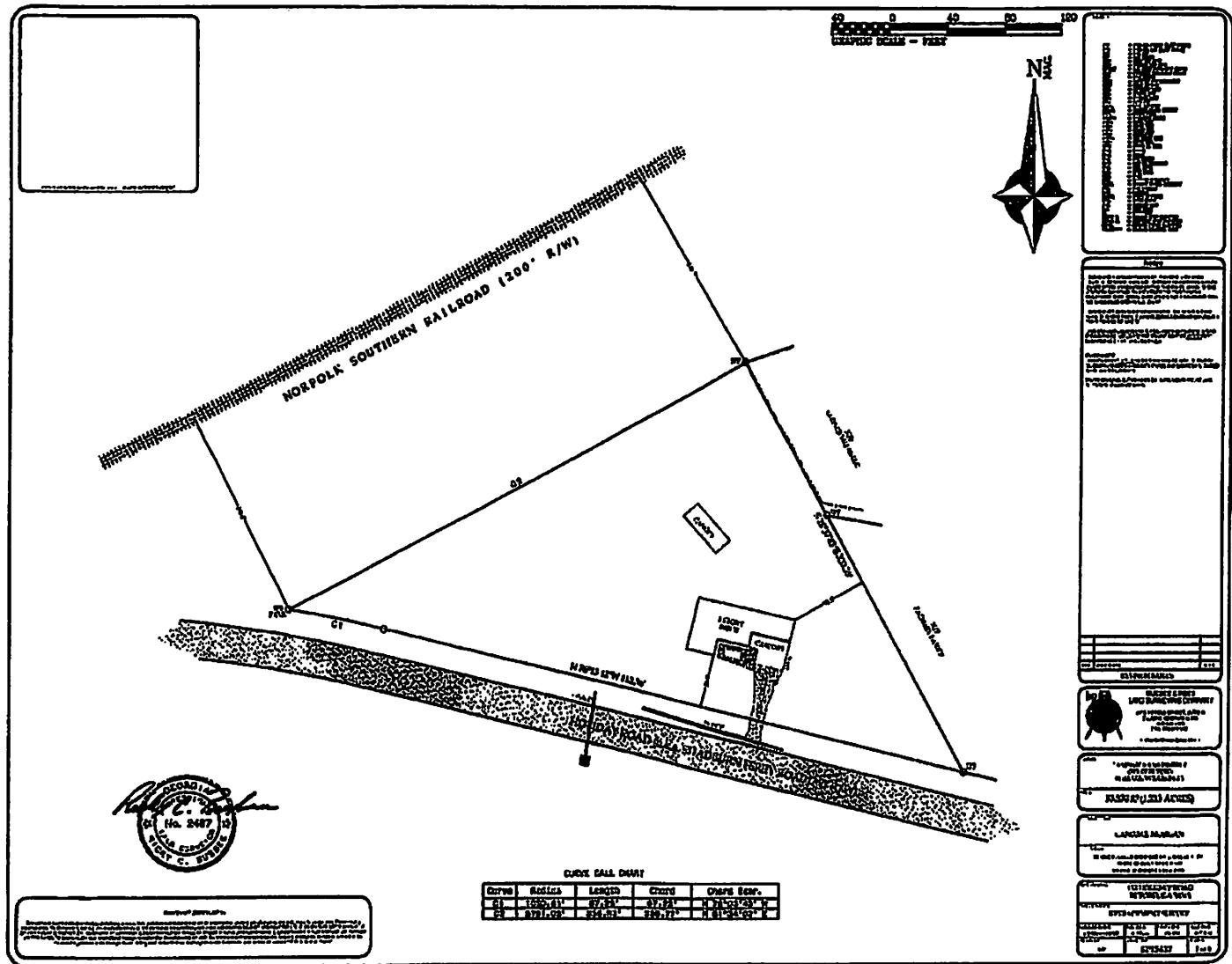
ADDRESS: 133 Holiday Road, Buford, GA 30518

Parcel: 08169-003001

"Exhibit E"

CM

AC



CITY OF BUFORD
Planning & Zoning Department
2300 Buford Highway
Buford, GA 30518
(770) 945-6761

APPLICATION FOR ANNEXATION

Tax Map Number: 07 299 003002 Date: 9/15/22

Present Zoning: BB AR-III Requested Zoning: C2

Address of subject property: 5659 HOLIDAY RD. BUFORD, GA 30518

Owner of property: CLAYTON ORTIZ - Veritas Homes will be owner

Telephone number: 678 8780714 cell: 678 300 6001 email: _____

Housing Units: 1 Other Buildings: _____

A. Submit copy of recorded survey.

B. Subject property Description - A legal description (deed) and plat.

C. Petition Requesting Annexation - Owners must complete Petition Requesting Annexation.
(Exhibit A)

D. Authorization By Property Owner - Owners must complete certifying property ownership
(Exhibit B)

Fees - annexation with same/similar zoning - \$350; annexation with rezoning - \$800.00.

Authorization to inspect premises - I hereby authorize the Buford City Commission, the Planning Commission and their staff to inspect the premises which is the subject of this annexation application.

Signature - Owner

Signature - Owner

For office use only:

Annexation # 1041

Application received: 9-28-22

Date Annexation will become effective and official: _____

Fee received: \$ 800.00

Exhibit A

PETITION REQUESTING ANNEXATION

CITY OF BUFORD, GEORGIA

DATE 9/15/22

TO THE CITY COMMISSION OF THE CITY OF BUFORD, GEORGIA

1. The undersigned, as owner of all real property of the territory described herein, respectfully requests that the City Commission annex this territory to the City of Buford, Georgia, and extend the City boundaries to include the same.
2. The territory to be annexed is unincorporated and contiguous [as defined and described in O.C.G.A. 36-36-20(a)] to the existing corporate limits of Buford, Georgia and the description of such territory area is as follows:

Address/Location of Property:

5659 HOLIDAY RD. BUFORD, GA 30518

Tax Map Number: 07299 003002

See description attached.

3. It is requested that this territory to be annexed shall be zoned: C2

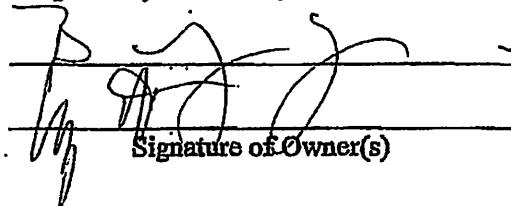
For the following reasons:

CONVERTING HOUSE INTO OFFICE SPACE

FOR RESIDENTIAL BUILDER - VERITAS HOMES

WHEREFORE, the Petitioners pray that the City Commission of the City of Buford, Georgia, pursuant to the provisions of the Acts of the General Assembly of the State of Georgia, Georgia Laws, 1946, do by proper ordinance annex said property to the City Limits of the City of Buford, Georgia.

Respectfully submitted,


Signature of Owner(s)

678 878 0714

Exhibit B

AUTHORIZATION BY PROPERTY OWNER

Application for Annexation

I swear that I am the owner of the property which is the subject matter of the attached application as shown in the records of HALL County, Georgia. I authorize the person named below to act as applicant in the pursuit of an annexation request of this property.

Name of Applicant: CLAYTON ORTIZ

Address: 5659 HOLTDAM Rd
BUUFORD, GA 30518

Telephone number: _____ cell: 678 300 6061

Email address: _____

Signature of Owner

Signature of Owner

- 678 878 0714

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF BUFORD

APPLICANT Veritas Homes
Clayton Ortiz
ADDRESS 5659 Holiday Rd. P.O. Box 115
Buford
ZIP 30518
PHONE NUMBER 678 300 6001
770 614 4698
CONTACT PERSON _____

PROPERTY OWNER Clayton Ortiz
ADDRESS 5659 Holiday Rd
Buford
ZIP 30518
PHONE NUMBER 678 300 6001

ADDRESS OF PROPERTY 5659 Holiday Rd, Buford GA. 30518
PRESENT ZONING DISTRICT AR-III REQUESTED ZONING DISTRICT C2
CITY OF BUFORD LIMITS: YES NO
LAND DISTRICT 1 LAND LOT 299 PARCEL 003002 ACREAGE 1.094
PROPOSED USE Office Space for a Residential Builder -
Veritas Homes

RESIDENTIAL

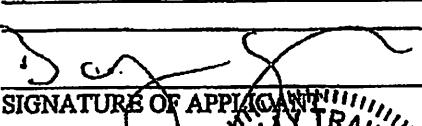
NUMBER OF LOTS/DWELLING UNITS 1
DWELLING UNIT SIZE (SQ. FT.) 1190

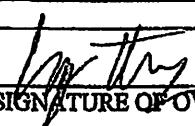
NON-RESIDENTIAL

NUMBER OF BUILDINGS/LOTS _____
SQUARE FEET _____

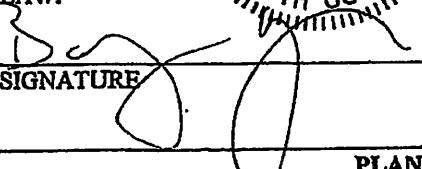
JUSTIFICATION FOR REZONING

PLEASE DEMONSTRATE THE NEED FOR THE REQUEST. (USE ATTACHMENTS).
Rezoning to an office space for a residential builder-Veritas Homes.

SIGNATURE OF APPLICANT 
TYPED OR PRINTED NAME CLAYTON ORTIZ
EXPIRES 9/22
NOTARY PUBLIC Kelly Miller
05/07/2026 DATE

SIGNATURE OF OWNER 
TYPED OR PRINTED NAME CLAYTON ORTIZ
EXPIRES 9/22
NOTARY PUBLIC Kelly Miller
05/07/2026 DATE

I HEREBY CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT UNDER PENALTY OF
LAW.

SIGNATURE 
DATE

PLANNING DEPARTMENT USE ONLY

CASE # _____ DATE RECEIVED _____ RECEIVED BY _____ RECEIPT _____ FEE _____

REZONING APPLICANT'S RESPONSE

STANDARDS GOVERNING EXERCISE OF THE ZONING POWER

Pursuant to section 1702 of the 2000 City of Buford Zoning Ordinance, the commissioners find that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property and shall govern the exercise of the zoning power.

Please respond to the following standards in the space provided or use an attachment as necessary.

(A) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property:

THE PROPOSED ZONING TO C2 WILL BE SUITABLE
FOR THE ADJACENT PROPERTIES. THIS IS COMMERCIAL &
INDUSTRIAL THAT TOUCH PROPERTY

(B) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property:

THE PROPOSED ZONING WILL NOT ADVERSELY AFFECT
THE USE OR USABILITY OF NEARBY PROPERTIES.

(C) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned:

PROPERTY WOULD BE BETTER SUITED ECONOMICALLY
AS C2

(D) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools:

THERE WILL BE NO BURDEN'S DETERIORATED IF PROPERTY
IS ALLOCATED TO C2.

(E) Whether the zoning proposal is in conformity with the policy and intent of the land use plan:

THE PROPOSED ZONING IS IN CONFORMITY w/ THE
INTENT OF LAND USE.

(F) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal:

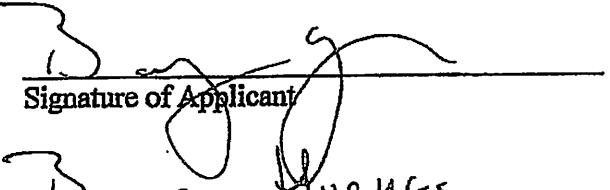
THERE ARE NO CONDITIONS THAT APPARENT THE USE OF THE
PROPERTY.

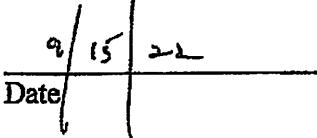
VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

The undersigned below is authorized to make this application. The undersigned certifies that all City of Buford property taxes billed to date for the parcel listed below have been paid in full to the City of Buford. In no case shall an application or reapplication for rezoning be processed without such property verification.

- NOTE: A separate verification form must be completed for each tax parcel included in the rezoning request.

Parcel I.D. Number: District 7 Land Lot 299 Parcel 003002
(Map Reference Number)


Signature of Applicant


Date 9/15/22


Type or Print Name BOBBY MURKIN

CITY OF BUFORD TAX DEPARTMENT USE ONLY

(Payment of all property taxes billed to date for the above referenced parcel have been verified as paid current and confirmed by the signature below)

Name _____ Title _____

Date _____

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City of Buford Board of Commissioners.

NO (yes/no)

Signature of Applicant

Date

Type or Print Name

If the answer is yes, please complete the following section:

Name and Official position of government official	Contribution (list all which aggregate to \$250 or more)	Date contribution was made (within last two years)

Attach additional sheets if necessary to disclose or describe all contributions.

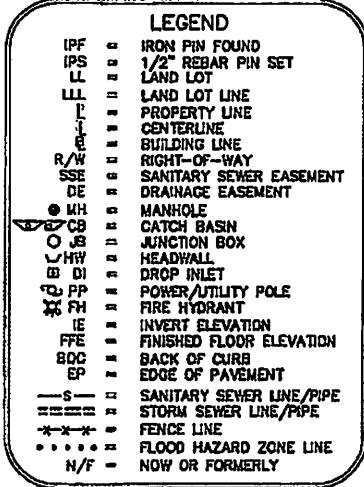
LAND DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 299 of the 7th District, Hall County, Georgia and being more particularly described as follows:

To find the True Point of Beginning, begin at a Concrete Monument Found at the Right-of-Way intersection of the Easterly Right-of-Way of Holiday Road (apparent Right-of-Way Varies) and the Northerly Right-of-Way of McEver Road (apparent Right-of-Way Varies); THENCE from said point as thus established, North 36 degrees 47 minutes 27 seconds West for a distance of 344.00 feet to a Point, said Point being The True Point of Beginning.

THENCE from said Point as thus established, North 36 degrees 20 minutes 29 seconds West for a distance of 175.00 feet to a Point; THENCE North 61 degrees 56 minutes 24 seconds East for a distance of 277.05 feet to a Point; THENCE South 37 degrees 33 minutes 53 seconds East for a distance of 149.48 feet to a Point; THENCE South 56 degrees 37 minutes 19 seconds West for a distance of 277.73 feet to a Point, said Point being The True Point of Beginning.

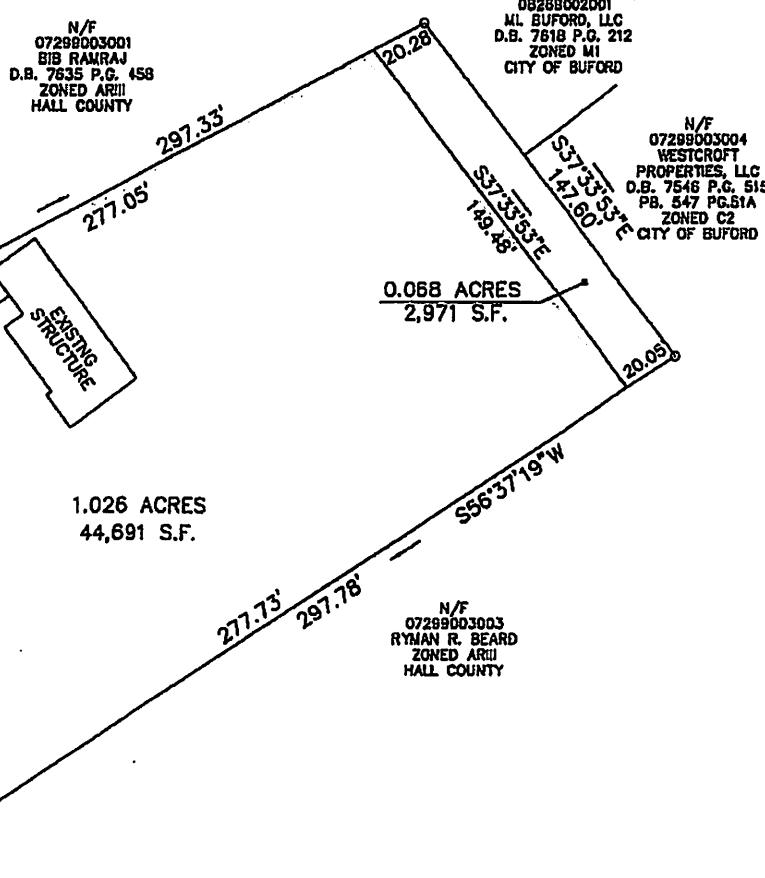
Said property contains 1.026 Acres.
Including easements within



GRAPHIC SCALE



(IN FEET)
1 inch = 60 ft.



ANNEXATION EXHIBIT PLAN FOR:

VERITAS HOMES



LAND DEVELOPMENT
SURVEYORS, INC.

P.O. BOX 2000
DAGUAR, GA. 30019
PH: 770-926-1111
FAX: 770-926-1111
E-MAIL: info@lds.com
COA LSP#000432

Date: 9/22/22	Land Lot: 299	District: 7th
County: HALL, GA	Scale: 1" = 60'	Sheet No.
Proj. Manager: Drawn By: JB	Checked By: LJJ	
Job Number: 22171	File Number:	1 of 1

SITE CONTAINS

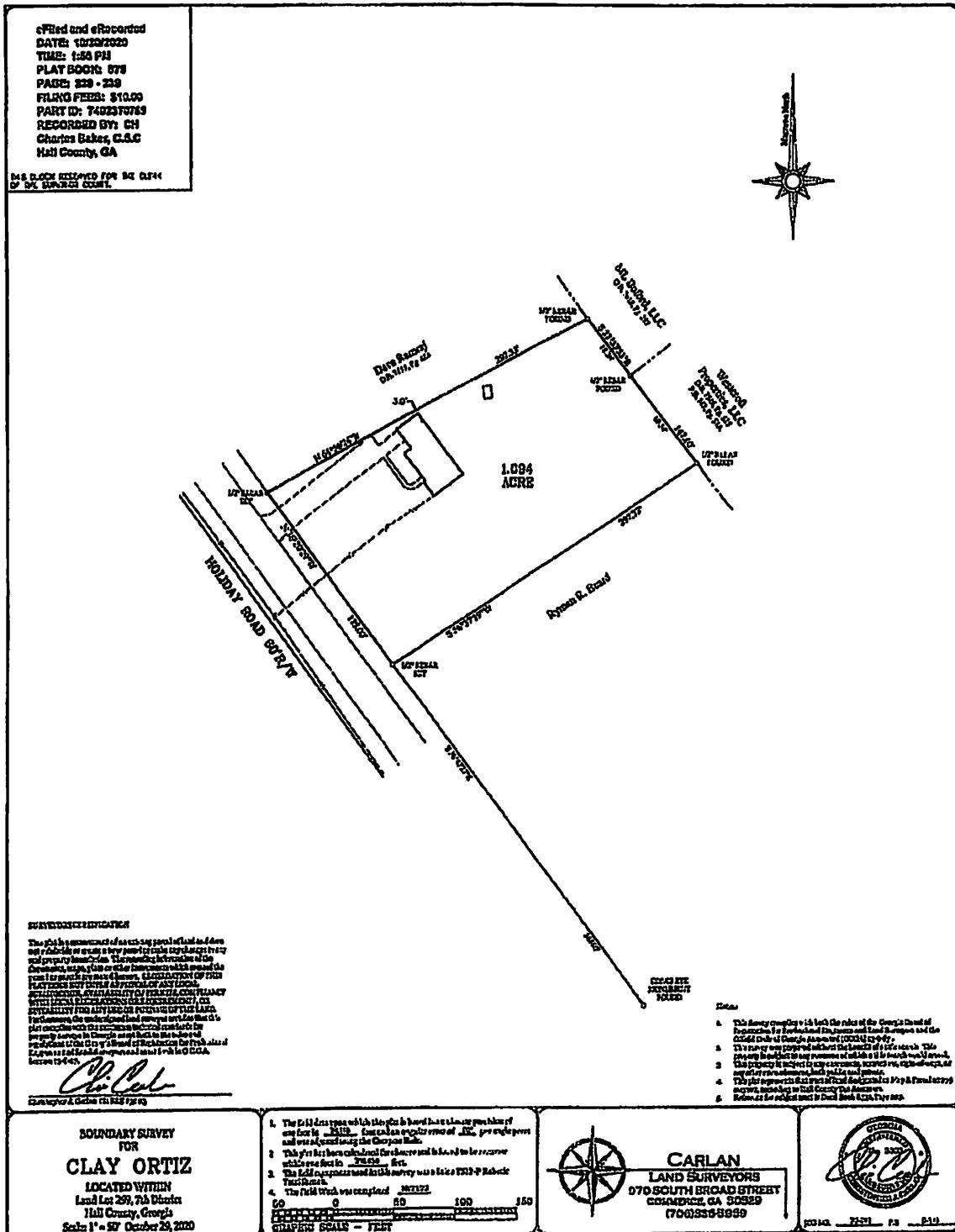
1.094 ACRES

TAX ID# 07299003002

5659 HOLIDAY ROAD

BUFORD, GA. 30518

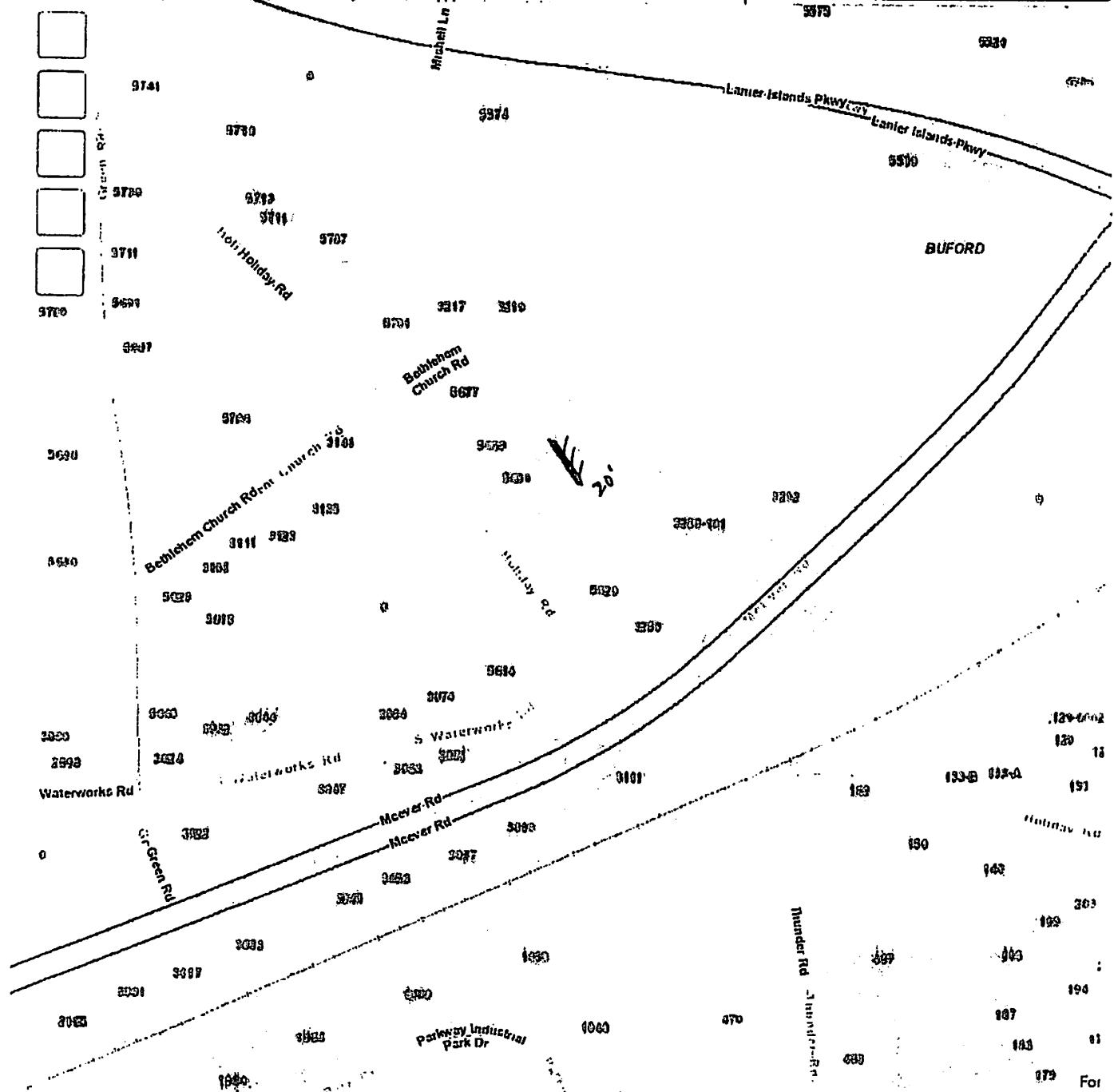
(INCLUDES EASEMENTS WITHIN)





Hall County GIS

Find address or place 



300ft

•73 487 34 : 4h Geog. 807

Exhibit B



EXHIBIT C

CHAPTER 17.110. - AGRICULTURAL- RESIDENTIAL-III DISTRICT (AR-III)

17.110.010. - Permitted uses.

Uses permitted in the AR-III district include:

- A. Agricultural, horticultural [uses] and/or farm winery.
- B. Accessory farm uses including the sale of products grown on the premises and the keeping of livestock or poultry.
- C. Residences:
 - 1. Site-built single-family detached dwelling units.
 - 2. Class A single-family manufactured home.
 - 3. Class A single-family industrialized dwelling units.
- D. Non-commercial accessory residential uses, including but not limited to a private garage, detached home workshop, swimming pool, or greenhouse, all of which shall be incidental to the use of the property as a residence.
- E. Home offices.
- F. Churches and other places of worship, but excluding cemeteries.
- G. County uses including parks and playgrounds, but excluding cemeteries.
- H. [Deleted 1-13-92.]
- I. Substations for electrical transformers, gas regulators and telephone subscriber carrier sites, provided the conditions of [chapter 17.210](#) are met.
- J. Minor subdivisions.
- K. Sawmills used to process timber grown and harvested on the property where it is processed, provided the conditions of [chapter 17.210](#) are met.
- L. Family day care home.
- M. Construction trailer, provided the conditions of [chapter 17.210](#) are met.
- N. Community residences, provided the conditions of [chapter 17.210](#) are met.

O. Home occupations, provided the conditions of [chapter 17.210](#) are met.

P. Transient occupancy of a vacation home provided all requirements of [chapter 17.216](#) are met.

EXHIBIT D

ARTICLE XIII USE PROVISIONS

Section 1308. C-2 General Business District, Retail and Services Uses

Purpose :

The C-2 General Business District is intended to provide adequate space in appropriate locations along major streets, thoroughfares and at intersection for various types of business use. These uses should include the retailing of major goods and services, general office facilities and public functions that would serve a community area of several neighborhoods. Development of uses in the district characteristically occupies a large area because it is intended to serve a greater population and to offer a wider range of services. Orientation and expansion of this district should occur as an increase in depth at major intersections rather than as a strip-like extension along the street or thoroughfare.

Permitted Uses :

Only the following permitted uses shall be allowed in the C-2 General Business District and no structure shall be erected, structurally altered or enlarged for any use other than a use permitted herein with the exception of a) uses lawfully established prior to the effective date of the amendment; b) special uses as permitted herein; or c) accessory uses as defined in Article III, Definitions; or other uses which are clearly similar to and consistent with the purpose of this district.

A. Retail and Service Uses :

1. Antique shops.
2. Animal hospitals or veterinary clinics.
3. Art and school supply stores.
4. Art galleries.
5. Automotive parts stores (no on-premises installation).
6. Bakeries.
7. Banks or financial institutions. Drive-in/through facilities shall obtain a special use permit. See Special Use (19). Automatic tellers as accessory or freestanding use.
8. Barber and beauty shops.
9. Bicycle shops. 13.16
10. Blueprinting establishments.
11. Book or stationery stores.

12. Building, electrical or plumbing contractors (provided no equipment or materials are stored outside).
13. Business college or business schools operated as a business enterprise.
14. Clothing sales or rental stores.
15. Convenience food stores with or without fuel pumps.
16. Custom dressmaking and sewing shops.
17. Dance studios.
18. Day care center, provided the following conditions are met:
 - a. At least one hundred (100) square feet of outdoor recreation area per child, and the outdoor play area is enclosed with a six (6) foot high fence.
 - b. Comply with all state day care requirements.
 - c. Comply with all health regulations.
19. Department stores.
20. Drive-in restaurants. (see special uses #20)
21. Drug stores.
22. Dry cleaning pick-up and delivery stations.
23. Electronic sales and service establishments.
24. Florist.
25. Food catering establishments.
26. Food stores or grocery stores.
27. Funeral homes and mausoleums. 13.17
28. Furniture rental or sales establishments.
29. Equipment rental (excluding heavy equipment, bulldozers, backhoes, forklifts, cranes, etc., and provided there is no outside storage associated with the use).
30. Garden supply centers and greenhouses (including accessory outdoor storage).
31. Gift shops.
32. Hardware stores.
33. Health clubs and spas.
34. Hobby shops.

35. Hotel or motels. (see special uses #17)
36. Ice cream shops.
37. Instruction of fine arts.
38. Interior decorating shops.
39. Jewelry stores.
40. Laundries and dry cleaning establishments, including self-service laundries.
41. Liquor stores.
42. Locksmith shops.
43. Mobile buildings (temporary, while any of the permitted or special uses are under construction, but not exceed six (6) months).
44. Museums and libraries.
45. Music stores or studios.
46. Office/showroom facilities.
47. Parking lots and garages. 13.18
48. Pest control businesses.
49. Pet shops or grooming establishments.
50. Photocopying and reproduction services.
51. Photography shops and studios.
52. Plant nursery sales facilities.
53. Plumbing, electrical, pool and home building supply showrooms and sales centers (provided there is no outdoor storage associated with the use).
54. Radio, recording or television studios and broadcasting stations.
55. Radio and television repair shops.
56. Record/video sales and rental stores.
57. Recreation facilities (indoor, such as bowling alleys, skating rinks, shooting ranges and movie theaters).
58. Restaurants and lounges. Drive-in/through facilities shall obtain a special use permit. See Special Use (20).
59. Shoe stores and shoe repair shops.
60. Small appliance repair shops.

61. Sporting goods stores.
62. Tailor shops.
63. Taxidermist.
64. Toy stores.
65. Travel agencies.
66. Watch and clock repair shops.
67. Weaving apparel shops.
68. Automotive service stations, with or without fuel pumps. 13.19
69. Building supply centers with outdoor lumber yards or storage areas, provided these areas are screened with a six (6) foot high, one hundred (100) percent opaque fence.
70. Log splitting and storage lots, provided splitting and storage areas are screened with a six (6) foot high, one hundred (100) percent opaque fence.
71. Machine, welding, radiator or muffler repair shops.
72. Adult Entertainment Facility.
 - a. Said facility meets all requirements set forth by the City of Buford Code of Ordinance Regulating Adult Entertainment Establishments.
 - b. Said facility shall not be located on a parcel of land that is closer than 1,500 feet of any parcel of land which is either named or used for residential purposes, whether located inside or outside the corporate limits of the City.
 - c. Said facility shall not be located on a parcel of land that is closer than 1,500 feet of any parcel of land which a place of worship, school, governmental building, library, civic center, public park or playground is located, whether located inside or outside the corporate limits of the City.
 - d. Said facility shall not be located on a parcel of land that is closer than 1,500 feet of any parcel of land which contains another adult entertainment facility establishment, whether located inside or outside the corporate limits of the City.

B. Office Uses :

1. Accounting offices.
2. Architecture or engineering offices.
3. Doctor, dentist or chiropractor offices.
4. Insurance offices.
5. Law offices.

6. Medical clinics. 13.20
7. Other public or professional offices.
8. Real estate offices.

C. Public and Semi-Public Uses :

1. Churches, temples, and synagogues.
2. Clubs, lodges, fraternal institutions and meeting halls.
3. Government offices.
4. Post offices.
5. Public or semi-public buildings and land uses, parks, playgrounds or community centers.
6. Utility offices.

D. Residential :

1. Caretaker or watchman quarters as an accessory use.

E. Temporary Uses :

Within the C-2 General Business District only the following uses are permitted for a period not to exceed twenty (20) days or otherwise indicated provided: 1) written permission of the property owner is provided; 2) these uses are not located within fifty (50) feet to any public right-of-way; 3) a sign (not portable) may be erected on the property provided it does not exceed a total of sixteen (16) square feet to ten (10) feet in height and is not placed within twenty (20) feet of any public right-of-way; 4) adequate parking, ingress and egress are provided on site or written permission is obtained if provided on an adjoining property; and 5) a temporary permit is applied for and approved by the Department of Planning and Development. All other requirements for licenses and regulations of the City of Buford shall be met.

1. The sale of fruits and vegetables.
2. Charitable or non-profit events not to exceed four (4) days.
3. Christmas tree sales between November 15 and January 1. 13.21
4. The sale of any items in association with an existing business located on the premises as a principal use (i.e., sidewalk, parking lot or tent sales).
5. Carnival rides not to exceed fifteen (15) days provided no structure or equipment is located within five hundred (500) feet of any residential property lines.

A permit for any temporary use on the same property may not be applied for or renewed for a period of not less than six (6) months from the date of any prior approval of a temporary use. However, one ten (10) day extension of the twenty (20) day period may be granted by the Director of Planning and Development.

Special Uses :

Within the C-2 General Business District, the following uses may be permitted provided the applicant for such a development is granted a Special Use Permit by the Board of Commissioners after receiving recommendations from the Planning Director and Planning Commission and after a public hearing.

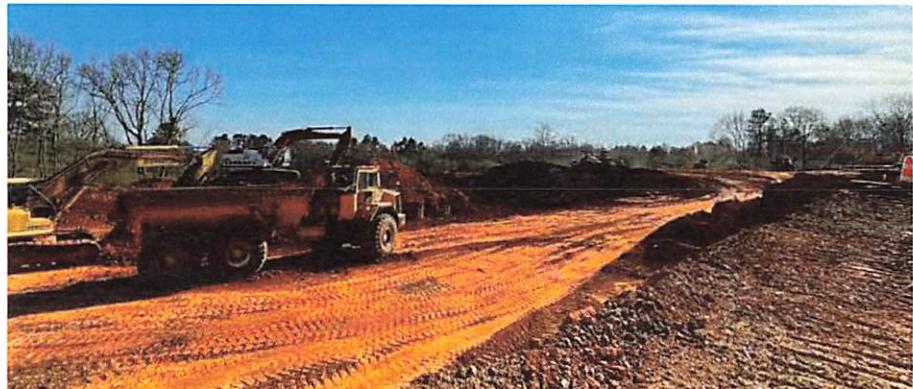
1. Auto body repair shops.
2. Auto repair shops or tire stores including lubrication or tune-up centers (full service and self-service).
3. Automotive sales lots and associated service facilities (new or used), provided such building contains at least 2,000 square feet of heated floor space.
4. Building materials sales with outdoor storage.
5. Recreation facilities (commercial outdoor, such as miniature golf courses, driving ranges, water slides, drive-in theaters or race tracks).
6. Contractor's offices using fencing for any purpose or contractor's offices with outside storage of equipment and materials. Any fencing shall be located in the rear yard provided the storage or equipment areas are screened with a six (6) foot high, one hundred (100) percent opaque fence.
7. Heavy equipment and farm equipment rental or sales and service.
8. Lawn mower repair shops.
9. Machine or welding, radiator or muffler repair shops. 13.22
10. Mobile home or mobile building leasing or sales lots (new or used).
11. Veterinary clinics with outside runs or pens.
12. Animal hospitals provided they are located not less than three hundred (300) feet from any residential zoning district or use as measured from property line to property line.
13. Boat sales establishments (new or used).
14. Telecommunications tower.
15. Mini-warehouse storage facilities.
16. Boat storage facilities.
17. Any hotel or motel with guest rooms containing any two (2) or more of the following three (3) items: dishwasher, stove (cooktop), refrigerator.
18. Banks or other financial institutions with drive-in facilities.

19. Drive-in/through restaurants.
20. Tattoo parlors and body piercing establishments.
21. Vehicle rental establishments.
22. Car wash establishments.
23. Taxi cab establishments.
24. Office/warehouse condominiums.
25. Pay Day Loans/Check Cashing establishments.
26. Secondary residential uses are allowed in proposed multi-story, mixed use buildings and is limited to new construction provided:
 - a. Commercial, retail, and/or office uses are provided on the first floor of the building;
 - b. Residential uses are limited to the second and third story of such building with common floors/ceilings with the commercial development; 13.23
 - c. The total heated residential floor area is not greater than two (2) times the total heated non-residential floor area;
 - d. Garage parking is provided for the residential use within the building; and
 - e. The City Commission approves a concept plan depicting the site plan, building elevations, and mix of uses for the overall development;
 - f. Two (2) car garages shall be required for each residential unit and located in the rear of the building;
 - g. Residential garbage pick-up shall be housed and presented for pick-up next to the garage (rear of dwellings) and shall not be placed outside in excess of twenty-four (24) hours prior to pickup. The City of Buford shall provide sanitation service.
27. Any retail or service establishment not specifically permitted herein, but which is similar to the listed uses, compatible with uses on adjoining property and which meets the intent and purpose of the District.

Other Provisions :

1. No outdoor storage or fencing except as otherwise provided herein.

FUTURE DEVELOPMENT GUIDE *Chapter 4*



A key component of the comprehensive planning process is the creation of the Future Development Guide. The guide includes the Future Development Map, which depicts unique Character Areas that describe the type of development and land uses desired for particular areas. This guide – in addition to the goals and strategies presented in Chapter 3 – explains and helps illustrate the ‘community vision’ for growth and development in Hall County.

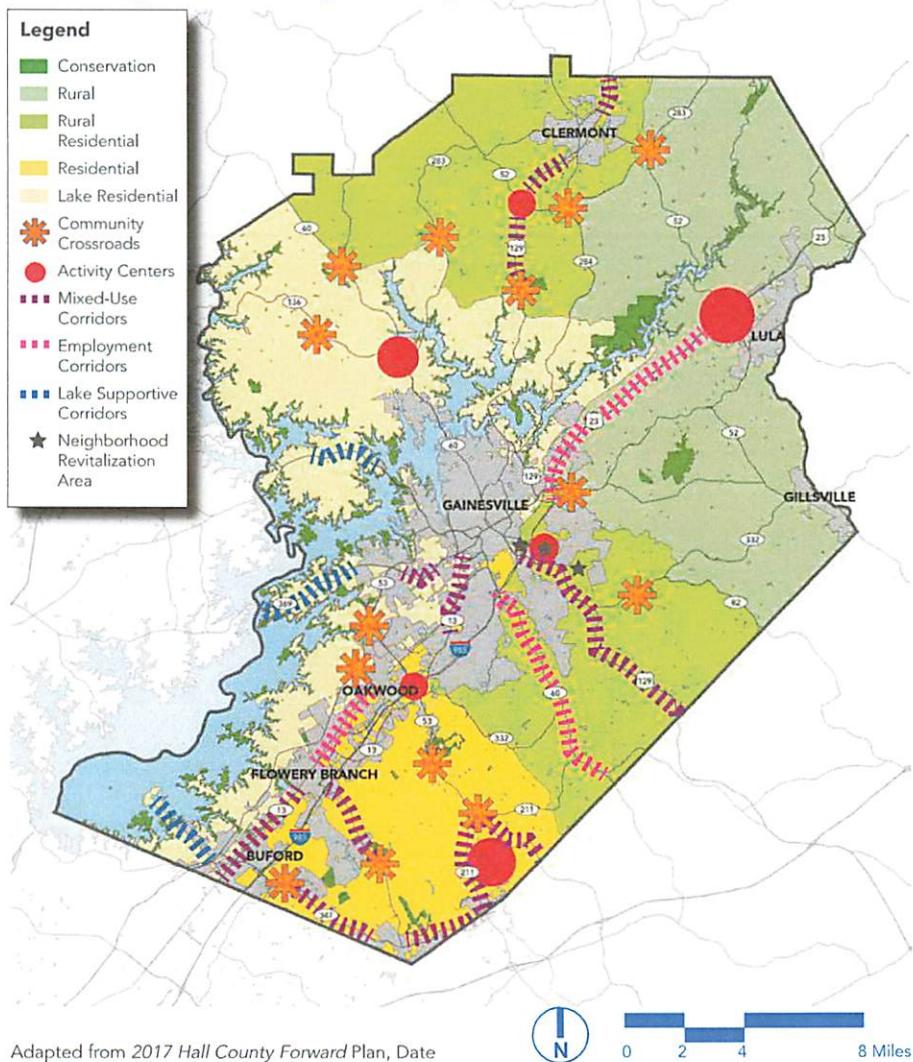
The Future Development Guide includes the three section shown below:

- Future Development Map
- Character Area-Based Planning
- Character Area Policy

Future Development Map

The Future Development Map is used to identify the geographic location of the Character Areas within Hall County. The Character Areas are described in detail later in this chapter. The Future Development Map is intended to help guide decision making related to the physical location of development and where the most appropriate scale and intensity of development should occur. While the map recommends land uses and development patterns for a 20-year planning horizon, it is important that it is regularly reviewed to determine if amendments are needed based on changing market and demographic trends or local goals. At a minimum, the plan is required by the Georgia Department of Community Affairs to be updated every five years.

Hall County Future Development Map



Adapted from 2017 Hall County Forward Plan, Date

Lake Area Residential

Intent: **PRESERVE** established neighborhoods and **CREATE** opportunities for permanent and vacation residences similar in land use patterns to Residential Areas but at lower residential densities.

General Characteristics: The Lake Area Residential category includes low-density residential development and neighborhoods. Land use patterns are similar to Residential Areas, and there is orientation toward Lake Lanier in terms of development and flexibility in use of single-family homes. The area includes the 500-feet buffer around the lake, wherein properties have the potential to be zoned Vacation Cottage District in order for single-family homes to be used as short-term vacation rentals.

Future development will continue to be detached, single family homes at low densities in addition to less intensive agricultural uses that are found in the northwestern part of the area.

Application: Lake Area Residential Areas include portions of the county adjacent to or near Lake Lanier, including parts of Murrayville/ Sardis, Gainesville, and South Hall areas. These areas are located outside of the County's sewer service area, but public water is available.

Primary Future Land Uses

- Low density residential
- Less intensive agriculture
- Greenways and trails
- Civic benefit uses such as community centers, libraries, places of worship and schools

Implementation Strategies (see Chapter 3)

- SED 1.4
- DP 2.1, DP 2.2, DP 3.1, DP 3.2, DP 3.4, DP 4.1, DP 5.1, DP 5.2, DP 6.2
- RC 1.2, RC 1.3, RC 1.4, RC 1.7, RC 1.9, RC 2.1, RC 2.3, RC 2.7, RC 3.1, RC 3.3

DESIGN PRINCIPLES

Density/Intensity

- Low density
- 1 dwelling per acre

Greenspace

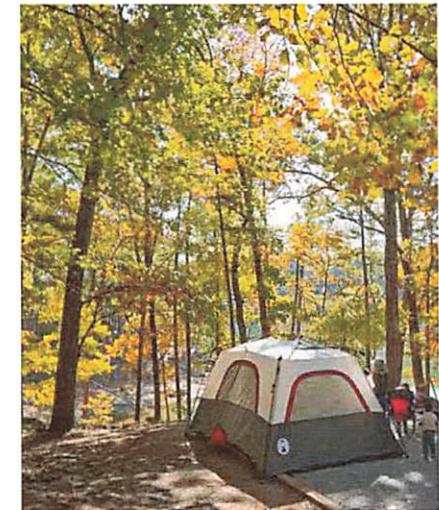
- Formal landscaping with built areas; informal landscaping with passive use areas
- Natural areas
- Agricultural uses

Transportation

- Moderate pedestrian connectivity with sidewalks, greenways, and pedestrian paths
- Moderate vehicular connectivity with curvilinear streets and generous to moderate distance between intersections

Infrastructure

- Public water and private sewer (septic)



Note: Images are for example purposes only and may not be located in unincorporated Hall County.



AGENDA ITEM

Consent Agenda

REPORT TO: **Work Session (10/24/22)**

REPORT TO: **Voting Meeting (10/27/22)**

ITEM NO: 541/2022

SUBJECT: Approve the ratification of the 2023 Judicial Council American Rescue Plan Act Grant funding application for the Northeastern Judicial Circuit to address case backlogs 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. No match is required.

Meetings:

Work Session Date: 10/24/22

Voting Meeting Date: 10/27/22

Executive Summary:

Presenter:

JS

Recommendation:

Approval

Purpose of Request:

Approve the ratification of the 2023 Judicial Council American Rescue Plan Act Grant funding application for the Northeastern Judicial Circuit to address case backlogs 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. No match is required.

History:

The Northeastern Judicial Circuit was awarded a total of \$1,680,497, in two separate cycles, for calendar year 2022. Both cycles end December 31, 2022. The 2023 Judicial Council American Rescue Plan Act Grant funding application is requesting all positions as well as administrative/indirect costs awarded in 2022 in addition to two new FTE positions. The 2023 grant period will run from January 1, 2023 to December 31, 2023.

Facts and Issues:

Options:

Governor Brian P. Kemp has allocated up to \$110 million in American Rescue Plan Act funds to address backlogs of court cases, prioritizing cases involving serious violent felonies. The Judicial Council of Georgia and its Administrative Office of the Courts will administer up to \$96 million in grants to authorized classes of court, prosecutors, and related agencies. The Ad Hoc Committee on American Rescue Plan Act Funding will exist from the date of October 28th, 2021 until December 31, 2024, unless otherwise extended. This item ratifies the application submitted by the Northeastern Judicial Circuit on September 30, 2022 seeking funds to be awarded in calendar year 2023.

Funding Requested \$ 0.00

Are funds within current budget? No
Source of Funds Grants

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.? No

Has it been reviewed by the County Attorney? Yes

Is there a deadline for this item? 2022-09-30

Approvals:

Grants Staff	Submit	Approve	Grants
JW	KM	JS	JW
Budget	Finance	Attorney	Administration
EW	WG	WLI	LJ
Clerk			
AO			

Attachments:

2023 ARPA Budget Form
2023 ARPA Application



**HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT**

AGENDA ITEM 541/2022

Funds Requested: \$ 0.00

Proposed Source of Funding:

Grants

Funding Source Items:

Request Budgeted: No

Budget Transfer Requested:

No

Fiscal Year	Fund	Division	Account	Amount
2023	017 - GRANTS	832 - AMERICAN RES PLAN - COURT	4104 - SALARIES	\$555,297.45
2023	017 - GRANTS	832 - AMERICAN RES PLAN - COURT	4110 - F.I.C.A.	\$41,562.24
2023	017 - GRANTS	832 - AMERICAN RES PLAN - COURT	4121 - HEALTH INSURANCE	\$209,904.72
2023	017 - GRANTS	832 - AMERICAN RES PLAN - COURT	4122 - LIFE INSURANCE	\$1,809.10
2023	017 - GRANTS	832 - AMERICAN RES PLAN - COURT	4131 - RETIREMENT	\$42,754.52
2023	017 - GRANTS	832 - AMERICAN RES PLAN - COURT	4210 - OFFICE SUPPLIES	\$250.00
2023	017 - GRANTS	832 - AMERICAN RES PLAN - COURT	4280 - OFFICE MACH. & FURN<5000	\$15,627.00
2023	017 - GRANTS	832 - AMERICAN RES PLAN - COURT	4331 - TRAVEL & TRAINING	\$11,100.00
2023	017 - GRANTS	832 - AMERICAN RES PLAN - COURT	4460 - SELF-FUNDED RISK MGMT INS	\$2,007.47
2023	017 - GRANTS	832 - AMERICAN RES PLAN - COURT	4704 - FEES-ATTENDING COURT	\$83,201.00
2023	017 - GRANTS	832 - AMERICAN RES PLAN - COURT	4705 - JURY EXPENSES	\$30,000.00
2023	017 - GRANTS	832 - AMERICAN RES PLAN - COURT	4716 - PROFESSIONAL DUES	\$1,500.00
2024	017 - GRANTS	832 - AMERICAN RES PLAN - COURT	4104 - SALARIES	\$555,297.45
2024	017 - GRANTS	832 - AMERICAN RES PLAN - COURT	4110 - F.I.C.A.	\$41,562.24
2024	017 - GRANTS	832 - AMERICAN RES PLAN - COURT	4121 - HEALTH INSURANCE	\$209,904.72
2024	017 - GRANTS	832 - AMERICAN RES PLAN - COURT	4122 - LIFE INSURANCE	\$1,809.10
2024	017 - GRANTS	832 - AMERICAN RES PLAN - COURT	4131 - RETIREMENT	\$42,754.52
2024	017 - GRANTS	832 - AMERICAN RES PLAN - COURT	4210 - OFFICE SUPPLIES	\$250.00
2024	017 - GRANTS	832 - AMERICAN RES PLAN - COURT	4331 - TRAVEL & TRAINING	\$11,100.00
2024	017 - GRANTS	832 - AMERICAN RES PLAN - COURT	4460 - SELF-FUNDED RISK MGMT INS	\$2,007.47
2024	017 - GRANTS	832 - AMERICAN RES PLAN - COURT	4704 - FEES-ATTENDING COURT	\$83,201.00
2024	017 - GRANTS	832 - AMERICAN RES PLAN - COURT	4705 - JURY EXPENSES	\$30,000.00
2024	017 - GRANTS	832 - AMERICAN RES PLAN - COURT	4716 - PROFESSIONAL DUES	\$1,500.00
2023	017 - GRANTS	832 - AMERICAN RES PLAN - COURT	4104 - SALARIES	\$12,800.00
2024	017 - GRANTS	832 - AMERICAN RES PLAN - COURT	4104 - SALARIES	\$12,800.00
2023	017 - GRANTS	832 - AMERICAN RES PLAN - COURT	3702 - US FEDERAL GOVERNMENT	\$-1,007,813.50
2024	017 - GRANTS	832 - AMERICAN RES PLAN - COURT	3702 - US FEDERAL GOVERNMENT	\$-992,186.50

Budget Transfer Items:

Additional Information/Comments:

Please note \$12,800 (832-4104) is pass-through for judicial assistance in both FY 2023 and 2024 creating a total of \$25,600. If awarded, one full-time clinical director, one part-time bailiff position, and one part-time to full-time solicitor victims witness assistant will be added to position control.

Contact for Questions: KM

Phone: 770-538-5383

Budget Categories			Calendar Year 2023	Adjustments	Revised Total	Comments
(List employee title)	\$ -		\$ -	\$ -	\$ -	
	\$ -		\$ -	\$ -	\$ -	
Personnel Court-Based Eviction Prevention and Diversion (E) (4)	\$ -	0	\$ -	\$ -	\$ -	
Total Personnel Costs:	\$ 1,661,529	\$ 25	\$ 1,780,271	\$ -	\$ 1,780,271	
Administrative/Indirect Costs:	Amount		Total			
ARPA-Eligible Administrative Expenses (include in application section (E) (6))						
Equipment < \$5,000 (Computers & Printers for add'l staff)	\$ 15,627	1	\$ 15,627	\$ -	\$ 15,627	
Supplies and Materials	\$ 500	1	\$ 500	\$ -	\$ 500	
Travel – Senior Judges	\$ 3,600	2	\$ 7,200	\$ -	\$ 7,200	
Travel – Employee	\$ 15,000	1	\$ 15,000	\$ -	\$ 15,000	
Juror Expenses	\$ 60,000	1	\$ 60,000	\$ -	\$ 60,000	
Court Reporter Transcripts	\$ 35,000	2	\$ 70,000	\$ -	\$ 70,000	
Interpreter	\$ 48,402	1	\$ 48,402	\$ -	\$ 48,402	
CLE, Bar Dues	\$ 1,000	3	\$ 3,000	\$ -	\$ 3,000	
Total ARPA-Eligible Administrative Expenses	\$ 179,129		\$ 219,729	\$ -	\$ 219,729	
Temporary Facilities or Workspace (include in application section (E) (5))						
Real Estate Rentals	\$ -		\$ -	\$ -	\$ -	
	\$ -		\$ -	\$ -	\$ -	
Total Indirect/Grant Administration	\$ -	\$ -	\$ -	\$ -	\$ -	
Total Administrative Costs:	\$ 179,129		\$ 219,729	\$ -	\$ 219,729	
TOTAL OVERALL BUDGET			\$ 2,000,000	\$ -	\$ 2,000,000	

JUDICIAL COUNCIL ARPA GRANT APPLICATION

Prior to completing this application, please review the **Overview and Instructions** (posted under Quick Links at jcaoc.georgiacourts.gov/arpa). Please also review the *Application Notes on pages 8-10 of this document, which highlight important instructions for certain sections.* Please complete all sections to receive full consideration for federal American Rescue Plan Act (ARPA) grant funding allocated to the Judicial Branch. Type “N/A” if a particular section is not applicable.

Type of Application (check applicable box):

- New grant application (no current award)
- Continue CY 2022 Award with the changes described below
- Continue CY 2022 Award with no changes

Judicial Circuit or Appellate Court Name

Northeastern Judicial Circuit

Chief Judge/Justice of Judicial Circuit or Appellate Court Address

First Name	Last Name	
Kathlene	Gosselin	
Street		
P.O. Box 1778		
City	ZIP Code	
Gainesville	GA	30501
E-mail Address	Business Phone	
kgosselin@hallcounty.org	770-531-6994	

Application Contact

Name the point of contact for application questions and status updates:

First Name	Last Name	
Katie	Mincey	
Job Title	Business Phone	
Deputy Court Administrator	770-532-1895	
E-mail Address (application status updates):	Katie.mincey@hallcounty.org	

Grant Compliance Official

Name the person who will be responsible for ARPA grant compliance:

First Name	Last Name	
Katie	Mincey	
Job Title	Business Phone	
Deputy Court Administrator	770-532-1895	
E-mail Address (grant compliance/reporting):	Katie.mincey@hallcounty.org	

Grant Reimbursement Official (Fiscal Agent)

Name the person from the lead county serving as the fiscal agent for the requested ARPA funds:

First Name	Last Name		
Joy	Walker		
Job Title	Business Phone		
Grants Specialist	770-535-8274		
Street			
P.O. Drawer 1435			
City	ZIP Code	County	
Gainesville	GA	30503	Hall
E-mail Address (grant reimbursement matters)		joywalker@hallcounty.org	

(A) USE OF ARPA FUNDS SUMMARY

The Northeastern Judicial Circuit was awarded a total of \$1,680,497, in two separate cycles, for the year 2022. The award has been enormously helpful, as it included funding for a total of 14 new full-time positions, and other assistance, across Hall and Dawson counties.

The biggest barrier to implementation has been hiring. While several positions were filled within four weeks of award, the last ARPA-funded position took over 8 months to make a hire. Additionally, every department and agency has faced unusually high levels of turnover in 2022, and employees have consistently been shuffled around into new positions.

Administratively, the primary barrier to implementation involved the Judicial Council clarifying grant reporting requirements with the Executive Branch. Significant staff resources were spent initially on procedures and policies that were later revised, amended, or ended. These challenges have receded, thankfully, and reimbursements have been received at a quicker pace. A lesser barrier involved the administrative task of coordinating funding across two counties where only one county may be designated to receive the reimbursement funds.

The availability of Senior Judges has been a concern, and something closely monitored as circuits across the state ramped up their requests. This circuit has mitigated that concern by relying heavily on local, qualified judges from other classes of court assisting in Superior Court.

Looking forward, the Circuit should be much better positioned to take full advantage of any funds awarded in 2023. Only two brand new positions are requested in this application, and all but one current position are presently filled with employees eager to see their roles extend for another year.

(B) CASE BACKLOGS REQUIRED TO JUSTIFY ARPA FUNDS

(1) Description of Case Backlogs

Strictly speaking, case backlogs have improved over the last 12 months due to record-high clearance rates and fewer cases being indicted or accused in Hall County. Current pending caseloads across both counties are only 2% higher than pre-pandemic levels, or approximately 74 cases. New civil filings are also down 20% from pre-pandemic numbers.

Most relevantly, the circuit has seen a 148% clearance rate of serious felonies in 2022, as the courts have prioritized those cases for trial and disposition. Currently there are 83 pending serious felony cases, which is in line with pre-pandemic numbers. The oldest of these cases was first indicted in 2017.

A truer picture of the backlog, however, is presented only by including pre-indicted cases in caseload numbers. When the NEJC first applied for ARPA funds, as of October 1, 2021, the circuit had a backlog of approximately 764 cases when pre-indicted cases were included. This represented a pending caseload 27% higher than pre-pandemic. Currently, as of July 1, 2022, the circuit has a backlog of approximately 700 such cases, virtually all of which are criminal. This represents a caseload 25% higher than pre-pandemic, and is nearly equal in size and scope to the average caseload disposed of annually by each full-time sitting judge.

The number of unindicted criminal cases continues to pose unprecedented challenges to the circuit's dockets. At July 1, 2022, there were 2,485 unindicted cases across Hall and Dawson counties. Seventy-eight of these are serious felonies, which are in addition to the 83 indicted cases mentioned above, and over 70% are felony cases. In Hall County, the current unindicted caseload is 78% higher than pre-pandemic levels. These cases continue to sit in the "pipeline" and will continue to move to dockets and trial calendars in 2023.

More detailed information on this backlog is found in the tables below and in the attached supporting documentation.

(2) Case Backlog Data

(a) Cases Pending – HALL + DAWSON SUPERIOR COURTS

As of Date	Cases Pending by Case Type			
	All Cases	All Felony Cases	Serious Violent Felony Cases	Serious Violent Felony Cases % of All Felony Cases Pending
12/31/2019	3,503	1,542	97	6.3%
12/31/2020	4,208	1,821	86	4.7%
12/31/2021	3,960	1,523	113	7.4%
8/31/22	3,614	1,264	83	6.6%

Note: For this chart, enter the number of cases pending in each box. Only include cases pending in the courts applying for ARPA funds. "Serious Violent Felony Cases" means the types of cases listed in OCGA § 17-10-6.1 (a) (1)-(7) only.

(b) Number of Jury Trials – SUPERIOR + STATE COURTS

Date Range	Number of Jury Trials by Case Type		
	All Cases	All Felony Cases	Serious Violent Felony Cases
1/1/19 - 12/31/19	75	43	12
1/1/20 - 12/31/20	40	21	4
1/1/21 - 12/31/21	68	48	16
1/1/22 – 8/31/22	69	34	17

Note: For this chart, include the total number of jury trials conducted during the date ranges indicated. “Serious Violent Felony Cases” means the types of cases listed in OCGA § 17-10-6.1 (a) (1)-(7) only.

(c) Clearance Rates – HALL + DAWSON SUPERIOR COURTS

Date Range	Clearance Rates (%) by Case Type		
	All Cases	All Felony Cases	Serious Violent Felony Cases
1/1/19 - 12/31/19	100%	108%	105%
1/1/20 - 12/31/20	89%	90%	132%
1/1/21 - 12/31/21	107%	120%	83%
1/1/22 - 6/31/22	107%	115%	148%

Note: For this chart, include the number of disposed cases as a percentage of the number of filed cases for the date ranges indicated within each category. “Serious Violent Felony Cases” means the types of cases listed in OCGA § 17-10-6.1 (a) (1)-(7) only.

(d) Description of Pending Warrants and Unindicted Cases

Please see “Description of Case Backlogs” above.

(C) TOTAL ARPA GRANT FUNDS REQUESTED FROM THE JUDICIAL COUNCIL TO ADDRESS CASE BACKLOGS

- (1)** Overall total ARPA grant funds requested to address case backlogs: \$ 2,000,000.
- (2)** Amount of overall total ARPA grant funds requested that will be dedicated to addressing backlogs of serious violent felonies (as defined in OCGA § 17-10-6.1 (a)): \$ 1,809,545.
- (3)** Overall number of new staff positions requested: Twenty-four (24).
 - (a) Overall full time positions: Seventeen (17).*
 - (b) Overall part time positions: Seven (7).*
- (4)** Portion of overall number of new staff positions requested that will be dedicated to addressing backlogs of serious violent felonies (as defined in OCGA § 17-10-6.1 (a)): Twenty-one (21).
 - (a) Full time positions dedicated to serious violent felonies: Fifteen (15).*
 - (b) Part time positions dedicated to serious violent felonies: Six (6).*

(D) ARPA GRANT FUNDS REQUESTED OR RECEIVED FROM OTHER SOURCES TO ADDRESS CASE BACKLOGS

- (1)** *Applicants (except appellate courts) are required to request ARPA funds from one or more counties in their circuit. Have you requested ARPA funds from any counties in your circuit?*

Yes No

(2) List the counties from which you have requested ARPA funds (attach request & response):

County	Purpose(s) For Which ARPA Funds Were Requested with Dates Requested	Amount Requested	Amount Approved
Dawson & Hall	<i>Please see attached documentation for requests made in 2020-2021.</i>	\$	\$
Hall	<i>Please see attached letter and response from Hall County in 2022.</i>	\$	\$
Dawson	<i>Please see attached letter to Dawson County in 2022. No response was received.</i>	\$	\$

(3) County Resources Provided to Courts

The judicial system has worked closely with officials from both Hall and Dawson counties to respond to the COVID-19 crisis and the ensuing challenges presented by the backlog of cases. While early funding conversations focused narrowly on federal relief funds, subsequent discussions have focused less on the specific funding source and more on the project need. This has allowed both counties maximum flexibility to qualify and administer their ARPA and CARES Act funding as they deem fit.

As eligibility guidelines from OPB became clear, the courts have focused requests to the Judicial Council's ARPA committee on temporary positions and spaces, while the counties have provided needed infrastructure and facility upgrades. In addition, both counties have funded permanent, additional pretrial officer positions as a result of the pandemic.

Specifically, Hall County Commissioners have funded the installation of broadband internet at the courthouse, the conversion of every single trial courtroom into a "hybrid courtroom" capable of facilitating remote video hearings, the purchase of new software, and the redesign of the circuit website to facilitate livestreaming and public access. Most significantly, capital funds have been approved to purchase a new office building to house growing staff, and to construct a new, expanded jury assembly room. It is unknown if any of the monies for these projects come from County ARPA funds.

Dawson County Commissioners have also provided funding to enable remote video hearings in each courtroom, and funded new invoicing software to handle growing caseloads. It is unknown if any of the monies came from County ARPA funds.

Finally, in an effort to address staff shortages, both counties have considered and approved various pay increases and cost-of-living adjustments for employees.

(4) Total ARPA grant funds requested from other sources: \$ 2,744,291.

(5) Total ARPA grant funds received from other sources: \$ Unknown.

(6) Total ARPA grant funds from other sources expended to date: \$ Unknown.

(7) Total ARPA grant funds from other sources obligated to date: \$ 126,769.

(E) REQUESTS UNDER EACH ARPA EXPENDITURE CATEGORY (EC)

(1) Payroll-Public Sector Staff Responding to Case Backlogs (EC 3.1; 31 CFR § 35.6 (b) (3) (ii) (E) (1))

- (a) *Subtotal of funds requested for this EC: \$ 1,193,488.*
- (b) *Amount of subtotal for this EC dedicated to addressing the backlog of serious violent felonies, as defined in OCGA § 17-10-6.1 (a): \$ 1,005,033.*
- (c) *More than 50 percent of total personnel costs awarded each calendar year under this EC must be dedicated to serious violent felonies, as defined in OCGA § 17-10-6.1 (a). What percentage of the personnel costs requested under this EC will be dedicated to serious violent felonies? 84%.*
- (d) *Overall number of new positions requested for this EC: Seventeen (17).*
 - (i) *Full time positions: Ten (10).*
 - (ii) *Part time positions: Seven (7).*
- (e) *Number of new positions requested for this EC dedicated to serious violent felonies, as defined in OCGA § 17-10-6.1 (a): Fifteen (15).*
 - (i) *Full time positions: Nine (9).*
 - (ii) *Part time positions: Six (6).*

Summary of Request

The Northeastern Judicial Circuit is comprised of two counties – Hall and Dawson. There are five sitting Superior Court judges handling an annual caseload of approximately 4,200 new filings (excluding probation revocations). The judges are assisted by designated Juvenile judges, Magistrate judges and Senior Judges.

This request renews what was previously awarded in 2022 while also seeking funding for one additional full-time Courtroom Deputy and one additional part-time position in the Solicitor General's Office. Every position requested will be used to prioritize serious violent felonies, with the exception of the Associate Probate Judge and the part-time Solicitor Victims Witness Assistant.

New 2023 Requests

Dawson County Deputy Sheriff. Dawson County Superior Court has seen more felony case filings in the first half of 2022 than in all of 2021, or any previous year on record. As a result of the volume of new cases, the Dawson County Sheriff has seen an increase of more than fifty (50) additional days scheduled to be in court. Deputies have also been required to transport over 120 more inmates from the detention center to the courthouse than in 2019 (pre-pandemic). With an even more aggressive schedule already planned in 2023, and in anticipation of calling several high security cases that were previously delayed due to the suspension of jury trials, an additional Courtroom Deputy Sheriff is requested. An additional deputy will allow other personnel to be in the “field” serving civil process and arrest warrants – tasks which are currently taking second priority to courthouse security. One hundred percent of this employee’s time will be dedicated to prioritizing serious violent felony cases.

Solicitor General's Victim Witness Assistant. With the evolution of our calendaring schedule post-COVID (4 calendar calls a day, often overlapping), it is increasingly difficult for our Victim Advocates to communicate with victims in real time for court appearances and scheduling. This request seeks a supplemental amount to take one part time front desk position to a full time status. This will allow victim information/communication to be relayed accurately in real time, a consistent front desk person to be trained in victim rights/responsibilities, and provide someone aware of the nuanced questions and information. This position does not prioritize serious violent felonies.

Renewal of 2022 Awards

Chief Superior Court Judge Kathlene F. Gosselin first declared a local judicial emergency on March 13, 2020 – one day prior to the statewide order being entered by then-Chief Justice Harold D. Melton. All non-essential proceedings were suspended for a period of 7 weeks until detailed health protocols could be put in place. The Circuit was among the first in the State to resume jury trial proceedings after the statewide suspension was lifted, before they were resuspended in accordance with Justice Melton's amended order from December 23, 2020 through March 9, 2021. On March 10, 2021, the Circuit once again resumed jury trials and has conducted as many trials as permitted under our still-existing health and safety protocols approved by a local COVID-19 Jury Committee.

Since the summer of 2021, the judges of this Circuit have actively engaged stakeholders to plot a way forward and out of the crisis. While carefully monitoring local health conditions, and adapting wherever necessary, the Circuit has made quick and steady progress since the jury suspensions were lifted. However, even at its current pace, the Circuit cannot dispose of its still-growing caseload without additional resources. Chief Judge Gosselin has proposed a two-prong strategy for attending to the backlog, with both prongs dependent upon new judicial officers providing additional days in the courtroom.

First, the Circuit appointed an additional juvenile court judge in 2022 with the counties' consent. This juvenile judge has been designated in Superior Court for the duration of the year and tasked with hearing and deciding civil and domestic cases. This plan has allowed the five experienced sitting judges to prioritize criminal cases and, in particular, the serious violent felony cases. Even more specifically, the judges have called for trial those cases where the defendant is presently detained in a county detention center.

Second, the Circuit has continued to make regular use of both Senior Judges and qualified judges from other classes of court. In 2021, Senior Judges provided judicial assistance for a total of 89 days. In 2022, thanks to ARPA funding, the Circuit has designated either Senior Judges or other local judges for a total of 194 days of assistance from January through September – a remarkable increase over the 77 days in 2019.

This strategy of having more judges available more often has downstream effects and, in order to be successful, requires each stakeholder in the system to be appropriately staffed and resourced. The designated juvenile judge has been asked to carry a caseload as high as any other sitting judge, and asked to dispose of cases at a similar pace. In order to do so, a full-time

judicial assistant was hired. A court reporter was also temporarily hired, along with an additional Jury Division Clerk for scheduling, sending notices, and providing jury services. Six additional bailiffs have also been employed at the daily rate established in the two counties.

In order to prosecute the cases and handle a more frequent court schedule, the District Attorney has also hired temporary staff, including an ADA, investigator, and administrative assistant.

Additionally, the Circuit's Pretrial Services agency has experienced an unprecedented influx of new cases over the last two years. Since 2019, the number of defendants requiring supervision has surged from a monthly average of 775 defendants to almost 1,000 at present. Both Hall and Dawson County officials have approved new officer positions; however, the agency's growth has also required additional administrative support. The Administrative Secretary position has been instrumental in managing the increased caseload of felony defendants, many of which have violent or sexual charges. The department saw almost 50% growth between 2019 and 2022 as a result of the reduction in detention center populations. As cases take more time to process, the average defendant's supervision in 2022 lasts 158 days longer than in 2019.

Finally, outside of Superior Court, a full-time Associate Probate Judge in Hall County was previously awarded to handle an increased pending caseload caused by the pandemic. In 2019, Probate Court had 651 new case filings, a number in line with previous years. In 2020, the number was 673, but 2021 is where we saw the largest increase. In 2021, Probate Court opened 857 new estates, more than a 30% increase over our typical numbers prior to the pandemic. Based on current numbers, the court will open approximately 925 new estates in 2022. Due to this increase, we've gone from a near 100% closure rate each year to closing approximately 90% of our cases for 2020 and 2021. The closure rate has increased in 2022 to 93%. When counting pending objections to petitions to probate or administer an estate or for appointment of a guardian or conservator, there are currently four times as many open as there were in December of 2020. One-hundred percent of this new judge's time will be spent responding to the current pending backlog.

(2) Court-Based Mental Health Diversion (EC 1.12; 31 CFR § 35.6 (b) (3) (i) (C))

(a) Subtotal of funds requested for this EC: \$ 78,741.

(b) Overall number of new positions requested for this EC: One (1).

(i) Full time positions: One (1).

(ii) Part time positions: Zero (0).

(c) Number of new positions requested for this EC dedicated to serious violent felonies, as defined in OCGA § 17-10-6.1 (a): One (1).

(i) Full time positions: One (1).

(ii) Part time positions: Zero (0).

Summary of Request

*The Northeastern Judicial Circuit is fortunate to have a robust accountability court system operated under the umbrella agency of Treatment Services. **This request renews what was previously awarded in 2022 and includes no new requests.***

One-hundred percent (100%) of the funds requested will be used for court-based mental health diversion, and one-hundred percent (100%) of funds will be used to conserve resources in order to prioritize serious violent felonies.

Numerically, every defendant evaluated and admitted into our mental health program diverts a case to a non-trial resolution and allows the court to concentrate on and conserve its limited trial weeks for the most serious cases. To date, 58 defendants have entered our mental health programs in 2022, representing over 60 less-serious cases that will be removed from a trial calendar as a result. Program enrollment has grown 78% in 2022, and referrals have increased 278%. One-hundred (100) defendants are projected to enroll in 2023.

Renewal of 2022 Award

Individuals with substance use and other mental health disorders are incarcerated at much higher rates than others, causing a great strain on local law enforcement resources. Currently, 23% of the inmate population in the Hall County jail has been identified as needing mental health services. Most of those inmates, who have been denied bond and pretrial release, are the most serious of our criminal cases pending.

*As a result of the 2022 grant cycle, a full-time **Human Services Coordinator** was hired to work directly in the Hall County Jail to provide vital mental health services to individuals in need, particularly when the wait time for a disposition is longer than it ever has been due to the suspension of jury trials. This clinician assists in mental health assessments and identification of need, mental health counseling, and coordination of mental health services within in the jail to include referrals for medication assessment, and developing comprehensive discharge plans.*

In an effort to reduce recidivism and provide cost-savings to local communities, one of the state standards for treatment courts is to identify appropriate candidates and enroll them in services within 50 days of arrest. We aim to meet this goal within 7-14 days of arrest, well below the state standard. By having a full-time clinician in the jail, we are able to better meet this goal and ensure that individuals involved in the criminal justice system are being tracked appropriately so case disposition can occur as a faster pace.

Because case dispositions should not occur until after mental health evaluation and/or treatment, this request provides dedicated staff to ensure these vital needs are immediately addressed so that recidivism rates will decrease and individuals will receive more comprehensive services at the onset of treatment thereby providing more stability and chance of success.

In order to try serious cases, defendants facing less serious charges should be considered for pretrial bond (since the judges of this circuit are prioritizing trials for incarcerated individuals). The mental health services offered by this position are often a critical component of a judge's decision to grant such release, and thus a necessary strategy for shortening the timeframe currently experienced by those awaiting trial on serious charges.

Further Background

Throughout the COVID-19 pandemic, Treatment Services ensured continuity of care and deliverable services to all program participants by transitioning to a virtual platform from March – June 2020. Since July 2020, services resumed in-person with an overall increase of deliverables by 9.5%. Annually, our agency facilitates nearly 4,000 treatment groups and approximately 6,000 hours of direct clinical services to an average of 500 participants in our circuit. In addition to our accountability courts, our agency oversees a Drug Testing Laboratory which collects and analyzes an average of 47,000 drug screens and a referral and evaluations program conducting approximately 790 evaluations annually. Currently, all of this is made possible by 35 full-time and four part-time staff, plus five previously-awarded ARPA positions.

The requested position serves the population most directly and severely affected by the case backlog. And every hour of work that this employee devotes to the criminal caseload is an hour spent assisting the court in prioritizing serious violent felonies. Disposing of the current backlog depends upon the support services provided by this request.

The personnel and services provided pursuant to this request report directly to the court, are supervised at the direction of the court, and are ultimately overseen by a committee of circuit court judges. It is one-hundred percent court-based.

(3) Court-Based Substance Use Diversion (EC 1.13; 31 CFR § 35.6 (b) (3) (i) (C))

(a) Subtotal of funds requested for this EC: \$ 413,407.

(b) Overall number of new positions requested for this EC: Five (5).

(i) Full time positions: Five (5).

(ii) Part time positions: Zero (0).

(c) Number of new positions requested for this EC dedicated to serious violent felonies, as defined in OCGA § 17-10-6.1 (a): Five (5).

(i) Full time positions: Five (5).

(ii) Part time positions: Zero (0).

Summary of Request

The Northeastern Judicial Circuit is fortunate to have a robust accountability court system operated under the umbrella agency of Treatment Services. This request renews what was previously awarded in 2022, including its four positions, and makes a new request for one additional position. One-hundred percent (100%) of the funds requested will be used for court-based substance use services, and one-hundred percent (100%) of funds will be used to conserve resources in order to prioritize serious violent felonies.

Numerically, this request will facilitate the removal of approximately 300 felony cases from the circuit's trial calendars in 2023, allowing the judges to prioritize serious violent felony trials. This represents approximately 15% of the circuit's projected felony filings. To date, 179 defendants have enrolled in substance use programs in 2022. Every drug case that our Treatment Services agency is able to staff appropriately is a non-serious case directly

removed from the court's trial calendars. The five requested positions will not directly touch serious violent felonies, since such cases are ineligible for Drug Court admission, but every hour devoted to diversion directly impacts the circuit's ability to prioritize serious cases for trial.

New 2023 Request – Clinical Services Director

Treatment Services delivers over 6,000 hours of direct clinical services to program participants annually. With over 75 groups facilitated on a weekly basis by certified and licensed staff, our agency is the largest accountability court systems in the state providing therapeutic and case management services to eligible individuals.

As our court systems work through a backlog of cases, our programs have experienced a **42% increase in enrollment and program census**. This influx has a direct impact on the operations of our agency and the need for more clinical support and direction. ARPA funds will allow our circuit to hire a full-time Clinical Director to oversee the direction and coordination of all clinical services conducted by our agency. Currently, these duties are spread amongst various staff which has proven to be unsustainable given the continued increase in enrollments and other necessary job duties. We will consolidate all of these applicable responsibilities to one dedicated staff member who can serve all programs.

In order to provide the highest level of services, our agency employs **23 clinicians among 6 various accountability courts**. Each clinician is responsible for carrying a caseload of appx. 30 participants, facilitating group and individual therapy sessions, and actively participating in regular supervision sessions. The Clinical Director will be responsible for providing clinical oversight and accountability for all clinicians, ongoing support for clinical staff, ensuring fidelity to curriculum and compliance with State standards, and conducting coaching on clinical skills related to group and individual counseling sessions and clinical documentation. The Clinical Director plays a crucial role in our agency as direct clinical services accounts for the largest service delivered. The creation of this position will allow us to establish a solid avenue for treatment fidelity and quality services. This position will alleviate some duties of other staff allowing for more efficient use of time and resources as our agency continues to grow.

Renewal of 2022 Award

In addition to the new position above, this application renews our funding request for four positions previously awarded in the 2022 grant cycle. These four positions directly support our drug court programs and the influx of referrals as the backlog of court cases is processed. Current (2022) funding provides two Program Counselors, a Case Manager, and an Intake Specialist.

Program Counselors provide direct clinical services to program participants. Each counselor carries a full caseload and facilitates group and individual counseling sessions and other therapeutic services for program participants.

A full-time Case Manager is responsible for completing individualized case management plans and needed administrative tasks. This position helps support our current operations as our census grows by 200 participants.

The final position is a full-time Intake Specialist, who coordinates the growing number of individuals referred to our Drug Court program. There are 20-30 referrals each week. The Intake Specialist follows all program referrals, communicates with court staff regarding case information, follows up for applicable and necessary medical and mental health records, and ensures timely enrollment in our accountability court. This helps ease the burden to our local jail by preparing individuals to be released at a quicker pace and assists our court system by coordinating prompt enrollment in our program and moving their case from other court dockets.

Further Background

Throughout the COVID-19 pandemic, Treatment Services ensured continuity of care and deliverable services to all program participants by transitioning to a virtual platform from March – June 2020. Since July 2020, services resumed in-person with an overall increase of deliverables by 9.5%. Annually, our agency facilitates nearly 4,000 treatment groups and approximately 6,000 hours of direct clinical services to an average of 500 participants in our circuit. In addition to our accountability courts, our agency oversees a Drug Testing Laboratory which collects and analyzes an average of 47,000 drug screens and a referral and evaluations program conducting approximately 790 evaluations annually. Currently, all of this is made possible by 35 full-time and 4 part-time staff, plus 6 previously-awarded ARPA positions.

The requested positions serve the population most directly and severely affected by the case backlog. And every hour of work that these employees devote to the criminal caseload is an hour spent assisting the court in prioritizing serious violent felonies. Disposing of the current backlog depends upon the support services provided by this request.

The personnel and services provided pursuant to this request report directly to the court, are supervised at the direction of the court, and are ultimately overseen by a committee of circuit court judges. They are one-hundred percent court-based.

(4) Court-Based Eviction Prevention and Diversion (EC 2.2; 31 CFR § 35.6 (b) (3) (ii) (A) (1), (5))

- (a) Subtotal of funds requested for this EC: \$ _____.
- (b) Overall number of new positions requested for this EC: _____.
 - (i) Full time positions: _____.
 - (ii) Part time positions: _____.

N/A

(5) Temporary Facilities or Workspace to Respond to Case Backlogs (ECs 3.5, 7.1; 31 CFR §

35.6 (b) (3) (ii) (E) (4))

(a) *Subtotal of funds requested for this EC: \$ _____.*

(b) *Amount of subtotal for this EC dedicated to addressing the backlog of serious violent felonies, as defined in OCGA § 17-10-6.1 (a): \$ _____.*

N/A

(6) ARPA-Eligible Administrative Expenses (EC 7.1; 31 CFR § 35.6 (b) (3) (ii) (E) (3)-(4))

(a) *Subtotal of funds requested for this EC: \$ 314,363.*

(b) *Number of new positions requested for this EC: One (1).*

(i) *Full time positions: One (1).*

(ii) *Part time positions: Zero (0).*

The primary use of these funds will provide a grants administrator as hired pursuant to the current (2022) award. Although previously funded at a part-time level, this request modifies that award by seeking funding for full-time work status.

Additionally, other expenditures are summarized on the attached Budget Form and include:

(1) Mandatory law enforcement equipment issued to a new Dawson County Sheriff's Deputy:

<i>Training Uniform Polo's</i>	<i>\$33.58 x3</i>	<i>\$100.74</i>
<i>Class A L/S Shirt</i>	<i>\$73.11 x3</i>	<i>\$219.33</i>
<i>Class B S/S Shirt</i>	<i>\$67.69 x3</i>	<i>\$203.07</i>
<i>Black Uniform Pants</i>	<i>\$59.99 x3</i>	<i>\$179.97</i>
<i>Tru Spec Vector Pants</i>	<i>\$62.28 x3</i>	<i>\$186.84</i>
<i>RIGGER BELT</i>	<i>\$106.97</i>	<i>\$106.97</i>
<i>GRIP PADDED BELT</i>	<i>\$55.62</i>	<i>\$55.62</i>
<i>Body Armor W/ CARRIER</i>	<i>\$990.00</i>	<i>\$990.00</i>
<i>Duty Holster</i>	<i>\$151.00</i>	<i>\$151.00</i>
<i>Back Up Holster</i>	<i>\$60.00</i>	<i>\$60.00</i>
<i>Glock 45 MOS</i>	<i>\$500.50</i>	<i>\$500.50</i>
<i>Glock 45 Magazines</i>	<i>\$29.95 x3</i>	<i>\$89.85</i>
<i>Glock 43X</i>	<i>\$388.00</i>	<i>\$388.00</i>
<i>Glock 43X Magazine</i>	<i>\$29.95</i>	<i>\$29.95</i>
<i>Magazine Holder (HSG)</i>	<i>\$23.80 x2</i>	<i>\$47.60</i>
<i>Smith & Warren Badge</i>	<i>\$98.00</i>	<i>\$98.00</i>
<i>Badge Holder</i>	<i>\$27.95</i>	<i>\$27.95</i>
<i>Collar Brass/ Rank</i>	<i>\$16.00</i>	<i>\$16.00</i>
<i>Pepper Spray</i>	<i>\$12.92</i>	<i>\$12.92</i>
<i>Pepper Spray holder</i>	<i>\$30.00</i>	<i>\$30.00</i>
<i>Expandable Baton</i>	<i>\$140.40</i>	<i>\$140.40</i>
<i>Expandable Baton Holder</i>	<i>\$41.00</i>	<i>\$41.00</i>
<i>Search Gloves</i>	<i>\$30.00</i>	<i>\$30.00</i>
<i>Handcuffs</i>	<i>\$24.60</i>	<i>\$24.60</i>
<i>Handcuff case (HSG)</i>	<i>\$33.31</i>	<i>\$33.31</i>
<i>Handcuff Key</i>	<i>\$11.41</i>	<i>\$11.41</i>

<i>Portable Radio (2019 price)</i>	\$930.00	\$930.00
<i>Dell Rugged Latitude Laptop</i>	\$3,545.00	\$5,345.00
<i>Portable Radio Holder</i>	\$46.45	\$46.45
<i>Rain Coat (if needed)</i>	\$51.50	\$51.50
<i>Winter Coat</i>	\$253.30	\$253.30
<i>Traffic Vest</i>	\$26.00	\$26.00
<i>Traffic Gloves (Haltz)</i>	\$37.00	\$37.00
<i>Colt Patrol Rifle</i>	\$1,200.00	\$1,200.00
<i>Patrol Rifle Magazines</i>	\$15.00	\$15.00
<i>Aimpoint Patrol Rifle Optic</i>	\$450.00	\$450.00
<i>Remington 870 Shotgun</i>	\$400.00	\$400.00
<i>Digital Camera</i>	\$149.00	\$149.00
<i>Cell Phone</i>	\$350.00	\$350.00
<i>Digital Recorder</i>	\$62.00	\$62.00
<i>Taser x26p</i>	\$1,200.00	\$1,200.00
<i>Taser x6p Cartridges</i>	\$40.00 x2	\$80.00
<i>Taser 7 Holster</i>	\$57.00	\$57.00
TOTAL = \$15,627		
(2) Supplies and Materials:		
<i>Office supplies needed for various positions. These items include paper, pens, pencils, notepads, etc. - \$500.00</i>		
(3) Travel – Senior Judges:		
<i>Travel which includes hotel stays, mileage and meals - \$7,200</i>		
(4) Travel – Employee:		
<i>Registration and lodging for CLE conferences for the juvenile judge as well as the associate probate judge - \$3,000</i>		
<i>New employee training, travel, and educational registrations for Program Counselors, Intake Specialist, Case Manager, and Clinical Director - \$12,000</i>		
(5) Juror Expenses:		
<i>The projected increase in jury trials will result in a significant increase in the costs of summoning jurors. This request will be utilized in both Hall and Dawson Counties, and will enable the circuit to summon 1,500 additional juror days in 2023 (at \$40 per day). The judges of this circuit are prioritizing serious violent felony cases for trial. For context, this circuit typically summons over 15,000 jurors per year. - \$60,000</i>		
(6) Court Reporter Transcripts:		
<i>The strategy of having more judges available more often has downstream effects, increasing a dramatic increase to total court reporter fees billed across both counties. - \$70,000</i>		

(6) Interpreter Services:

The strategy of having more judges available more often has downstream effects and, in order to be successful, requires each stakeholder in the system to be appropriately staffed and resourced as well. In 2021, 1,421 requests for an interpreter were received in the circuit; requests in 2022 are on pace to exceed 2,000. - \$48,402

(6) CLE, Bar Dues for Attorney Positions:

<i>Assistant District Attorney</i>	<i>\$1,000</i>
<i>Associate Probate Judge</i>	<i>\$1,000</i>
<i>Juvenile Judge</i>	<i>\$1,000</i>

(F) SUPPORTING DOCUMENTATION AND BUDGET

Check this box if supporting documentation (other than the required budget form) is attached to the application. Applicants *must* attach: (1) a completed **ARPA Budget Form** in an Excel spreadsheet file format (available under Quick Links at jcaoc.georgiacourts.gov/arpa); and (2) copies of any correspondence to and from county governments requesting ARPA funds for trial courts (except municipal courts), prosecutors, and related agencies within the circuit.

(G) CERTIFICATION

By checking this box, I, the undersigned, certify that (1) the information in this application is true and correct to the best of my knowledge; and (2) the proposed activities are eligible expenditures under the federal American Rescue Plan Act of 2021 and 31 CFR Part 35 (“Final Rule”). I understand that the use of ARPA grant funds is subject to U.S. Treasury and Governor’s Office of Planning and Budget reporting requirements, audits, and recoupment if put toward impermissible uses. 31 CFR § 35.10.

Chief Judge/Justice Signature

Printed Name: Kathlene F. Gosselin

Title: Chief Superior Court Judge

Date: _____

(H) SUBMIT APPLICATION

E-mail a pdf of your completed, certified, and signed application (with a completed **ARPA Budget Form** in an Excel spreadsheet file format and any supporting documentation) to ARPA@georgiacourts.gov.

APPLICATION NOTES

Only judicial circuits and appellate courts are currently authorized to apply for ARPA funds. The ARPA Grants Team will automatically reject any application from a court or entity that is not a judicial circuit or appellate court. See section 2. Authorized Courts and Judicial System Stakeholders of the [Overview and Instructions](#) for details.

...

(B) CASE BACKLOGS REQUIRED TO JUSTIFY ARPA FUNDS

All applicants must objectively demonstrate that case backlogs exist to qualify for ARPA grant funds. All expenditures requested in this application must be reasonably proportional to the applicant's objectively demonstrated need to address case backlogs, with priority given to serious violent felonies (as defined in OCGA § 17-10-6.1 (a)). 87 Fed. Reg. 4,344; 4,388 (Jan. 27, 2022). When calculating the need for additional resources to respond to case backlogs, a court may provide statistics comparing its case volume from a “normal” pre-pandemic year (e.g., case volume in 2019) to its current case volume. If statistics do not demonstrate the full picture of an applicant’s case backlog, other facts may be included in the description, e.g., space constraints or other factors. Applicants should also identify what portion of case backlogs are serious violent felony cases, as defined in OCGA § 17-10-6.1 (a).

...

(D) ARPA GRANT FUNDS REQUESTED OR RECEIVED FROM OTHER SOURCES TO ADDRESS CASE BACKLOGS

Applicants (except appellate courts) must request ARPA funds from their respective county governments. For ARPA grant funds requested or received by any court or other entity included in this application from any other sources (including a county, municipality (to include a “nonentitlement unit of local government”), or an eligible non-profit entity), attach documentation explaining how requested, received, expended, or obligated funds have been or will be used, including whether such funds have been or will be used to address the backlog of serious violent felonies, as defined in OCGA § 17-10-6.1 (a). Also attach any correspondence to and from each county from which ARPA funds were requested.

As used in this section, “obligated” means “an order placed for property and services and entering into contracts, subawards, and similar transactions that require payment.” 31 CFR § 35.3. Section 9901 (a) of ARPA defines the term “nonentitlement unit of local government” to mean a “city” (as defined in 42 USC § 5302 (a) (5)) that is not a “metropolitan city” (as defined in 42 USC § 5302 (a) (4)). Codified at 42 USC § 803 (g) (4)-(5).

(E) REQUESTS UNDER EACH ARPA EXPENDITURE CATEGORY (EC)

(1) Payroll-Public Sector Staff Responding to Case Backlogs

More than 50 percent of total personnel costs awarded each calendar year under this EC must be dedicated to responding to serious violent felonies, as defined in OCGA § 17-10-6.1 (a). As used in (E) (1) (c), “total personnel costs” means the subtotal of funds requested under section (E) (1) only, as stated in (E) (1) (a). To get the percentage used in (E) (1) (c), divide the amount provided under (E) (1) (b) by the amount provided in (E) (1) (a).

New or existing staff may be used to respond to case backlogs, with priority given to serious violent felony cases (as defined in OCGA § 17-10-6.1 (a)). However, only payroll for time spent actually responding to case backlogs may be reimbursed with ARPA grant funds. 87 Fed. Reg. 4,341; 4,388 (Jan. 27, 2022) (Eligible use must “respond to the identified negative economic impact” of the pandemic, “e.g., backlogs in court systems”). This includes payroll of new personnel hired to backfill existing personnel responding to case backlogs (prioritizing cases involving serious violent felonies). Therefore, time spent responding to case backlogs (or backfilling others so they can respond) must be tracked and documented for reimbursement and auditing purposes.

(2) Court-Based Mental Health Diversion

Per Executive Branch limitations, ARPA funds for court-based mental health diversion services must: (a) respond to case backlogs; and (b) conserve staff time and resources to respond to case backlogs of serious violent felony cases, as defined in OCGA § 17-10-6.1 (a). Accordingly, for purposes of this expenditure category, grant applicants **must provide** a **numerical estimate** in the description regarding the staff hours and resources court-based mental health diversion services will conserve so staff may respond to serious violent felonies. *As used in this section, “numerical” means containing one or more of the number symbols 0, 1, 2, 3, 4, 5, 6, 7, 8, or 9; e.g., 20 hours of staff time per week, 18 percent of a judge’s caseload, or some other numerical measurement.* Please also note that ARPA funds allocated to the Judicial Council may be used for court-based services only and not for out of court mental health treatment services.

(3) Court-Based Substance Use Diversion

Per Executive Branch limitations, ARPA funds for court-based substance use diversion services must: (a) respond to case backlogs; and (b) conserve staff time and resources to respond to case backlogs of serious violent felony cases, as defined in OCGA § 17-10-6.1 (a). Accordingly, for purposes of this expenditure category, grant applicants **must provide** a **numerical estimate** in the description regarding the staff hours and resources court-based substance use diversion services will conserve so staff may respond to serious violent felonies. *As used in this section, “numerical” means containing one or more of the number symbols 0, 1, 2, 3, 4, 5, 6, 7, 8, or 9; e.g., 20 hours of staff time per week, 18 percent of a judge’s caseload, or some other numerical measurement.* Please also note that ARPA funds allocated to the Judicial Council may be used for court-based services only and not for out of court substance use treatment services.

(4) Court-Based Eviction Prevention and Diversion

Per Executive Branch limitations, ARPA funds for court-based eviction prevention and diversion services must: (a) respond to case backlogs; and (b) conserve staff time and resources to respond to case backlogs of serious violent felony cases, as defined in OCGA § 17-10-6.1 (a). Accordingly, for purposes of this expenditure category, grant applicants **must provide** a **numerical estimate** in the description regarding the staff hours and resources court-based eviction prevention and diversion services will conserve so that staff may respond to serious violent felonies. *As used in this section, “numerical” means containing one or more of the number symbols 0, 1, 2, 3, 4, 5, 6, 7, 8, or 9; e.g., 20 hours of staff time per week, 18 percent of a judge’s caseload, or some other*

numerical measurement. Please also note that ARPA funds allocated to the Judicial Council may not be used for direct payments to landlords or tenants.

...

(6) ARPA-Eligible Administrative Expenses

Grant Administration Payroll

The following clarifications have been provided by OPB regarding reimbursement for ARPA grant administration payroll expenditures only:

- **Current hourly** employees performing ARPA grant administration duties may be paid from ARPA funds for time spent (including overtime) if the time is documented with timesheets.
- **Current salaried** employees performing ARPA grant administration duties may not be paid extra from ARPA funds for added duties, but an employer may be reimbursed from ARPA funds for time spent by those employees performing ARPA grant administration duties if the time is documented with timesheets. To be clear, current employees performing ARPA grant administration duties may not be given a supplement or a raise to be paid from ARPA funds.
- **New part-time** employees (hourly or salaried) may be paid from ARPA funds for time spent working on grant administration duties if the time is documented with timesheets.
- **New full-time** employees (hourly or salaried) may be paid from ARPA funds for time spent working on grant administration duties if the time is documented on a timesheet, labor report, and a Personnel Action or Periodic Certification Form upon hire and a chart of accounts for ARPA funding is provided. See ARPA Fiscal Team for details.

Grant administration includes costs related to disbursing payments of ARPA funds and managing ARPA grant programs. 87 Fed. Reg. 4,435-4,436; 4,444 (Jan. 27, 2022).

Supplies, Materials, and Equipment

ARPA funds are authorized for supplies, furniture (valued at under \$5,000), and equipment (valued at under \$5,000; e.g., monitors, computers, software licenses, phones, and printers) that are necessary for personnel to respond to case backlogs or perform ARPA grant administration. If valued at under \$5,000, such expenditures are generally classified as non-capital permitted expenditures and should be listed under (E) (6) and in the Administrative/Indirect Costs section of the **ARPA Budget Form** (available under Quick Links at jcaoc.georgiacourts.gov/arpa). Grant recipients should rent equipment (if possible, practical, and cost-effective) to avoid violating the prohibition on purchasing permanent infrastructure.

(F) SUPPORTING DOCUMENTATION AND BUDGET

The **ARPA Budget Form** must be submitted in an Excel spreadsheet format and not a .pdf file format. Copies of correspondence requesting county ARPA funds must also be attached, as well as any response to such request.

...

(H) SUBMIT APPLICATION

Please ensure that an **ARPA Budget Form** (in an Excel spreadsheet file format and not a .pdf) is attached, as well as any other supporting documentation the ARPA Committee will need to sufficiently and efficiently review your application. The ARPA Grants Team will confirm receipt and follow up with you regarding any issues with your application and next steps. Applications that are not timely completed during the application window may need to be considered by the ARPA Committee in a subsequent grant cycle. Promptly notify the ARPA Grants Team at ARPA@georgiacourts.gov if you need to revise or withdraw a submitted application.



AGENDA ITEM

Consent Agenda

REPORT TO: **Work Session (10/24/22)**

REPORT TO: **Voting Meeting (10/27/22)**

ITEM NO: 556/2022

SUBJECT: Approve the renewal for health and welfare benefit plans inclusive of medical, dental, vision, life, disability, and the Hall County Government Family Health Center. The estimated annual cost is \$23,491,114.00.

Meetings:

Work Session Date: 10/24/22

Voting Meeting Date: 10/27/22

Executive Summary:

Presenter: JT

Recommendation:

Department recommends approval of the renewal for health and welfare benefit plans inclusive of medical, dental, vision, life, disability, and the HCG Family Health Center, with an annual estimated premium of \$23,491,114.00.

Purpose of Request:

The purpose of this request is to approve the benefit plans for 2023.

History:

The County has been in partnership with the current vendors for the last nine years.

Facts and Issues:

Options:

* Medical Insurance: The estimated annual premium to be paid by the County is \$18,745,013.40 * Admin Fees (medical, dental, vision, FSA, HSA, COBRA, retiree billing): \$678,797.00 * Retiree Medicare Advantage Plan: Aetna's premiums will increase by 8.5% for a total cost of \$224,592. * Life & Disability: The life and disability premiums will increase by 27.46%. The estimated total annual cost to be paid to Unum is \$651,473 (includes a new leave management system). * Stop Loss Insurance: Cigna is increasing the stop loss premium by 4.94%, resulting in a total annual estimated cost of \$1,356,491.54. * HCG Family Health Center - Healthwell Solutions is increasing the monthly fee by 2.5%, resulting in an annual cost of \$1,288,806.23. * HCG Family Health Center Pharmacy - On-Site RX is increasing the per member per month fee by 3%, resulting in a projected annual cost of \$511,560.84 * NGHS Employee Assistance Program - The annual projected cost to cover employees and dependents is \$34,380.00. All projections are based on current census and will fluctuate throughout the year as enrollments vary.

Funding Requested

\$ 23,491,114.01

Yes

Group Health Insurance Fund

Yes



HALL COUNTY BOARD OF COMMISSIONERS FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 556/2022

Funds Requested: \$ 23,491,114.01

Request Budgeted: Yes

Proposed Source of Funding:

Group Health Insurance Fund

Budget Transfer Requested:

Yes

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2023	011 - INSURANCE	011 - INSURANCE FUND	4128 - INSURANCE EXPENSE	\$17,530,506.40
2023	011 - INSURANCE	011 - INSURANCE FUND	4128B - SUPPL FOR RETIREES	\$1,900,000.00
2023	011 - INSURANCE	011 - INSURANCE FUND	4469 - ADMIN FEES/LARGE LOSS	\$678,797.00
2023	011 - INSURANCE	011 - INSURANCE FUND	4130 - INSURANCE PREMIUMS	\$1,581,443.54
2023	011 - INSURANCE	315 - HALL COUNTY CLINIC	4419 - TECHNICAL & PROFESSIONAL	\$1,288,806.23
2023	011 - INSURANCE	314 - HALL COUNTY PHARMACY	4419 - TECHNICAL & PROFESSIONAL	\$511,560.84

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: JT

Phone:

770-531-2652



AGENDA ITEM

Consent Agenda

REPORT TO: **Work Session (10/24/22)**

REPORT TO: **Voting Meeting (10/27/22)**

ITEM NO: 554/2022

SUBJECT: Approve the Demand Services On-Call Contract for Abatement of Nuisance Properties and Demolition of County Owned Properties for Code Enforcement to Eagle Demolition & Environmental, Inc. of Carrollton, GA, Southern Demolition, LLC of Atlanta, GA, SCAL Global Solutions of Macon, GA, and EnviroMasters, Inc. of Carrollton, GA. The estimated annual cost is \$200,000.00.

Meetings:

Work Session Date: 10/24/22

Voting Meeting Date: 10/27/22

Executive Summary:

Presenter: RD

Recommendation:

Approve the Demand Services On-Call Contract for Abatement of Nuisance Properties and Demolition of County Owned Properties for Code Enforcement to four (4) contractors; (1) Eagle Demolition & Environmental, Inc. of Carrollton, GA, (2) Southern Demolition, LLC of Atlanta, GA, (3) SCAL Global Solutions of Macon, GA, and (4) EnviroMasters, Inc. of Carrollton, GA, in the estimated annual amount of \$200,000.00. Services may be used County wide across all Districts.

Purpose of Request:

To establish a qualified pool of Demand Services On-Call qualified contractors to utilize for Abatement of Nuisance Properties and Demolition of County Owned Properties on a project-by-project basis as they arise.

History:

RFQ/P #43-011 for On-Call Abatement of Nuisance Properties and Demolition of County Owned Properties was competitively bid and all responses were evaluated by the evaluation team consisting of Captain Barry Shaw, Marshal Richard Ellis and Chuck Pinney.

Facts and Issues:

Options:

Four (4) properties are currently slotted for abatement: (1) 3706 Atlanta Hwy, Flowery Branch, GA, District 1, Kathy Cooper Commissioner, (2) 804 Dorsey Peek Rd, Gainesville, GA, District 3, Shelly Echols Commissioner, (3) 2938 Joe Chandler, Gainesville, GA, District 3, Shelly Echols Commissioner, (4) 2154 Grant St, Gainesville, GA, District 4, Jeff Stowe Commissioner

Funding Requested	\$ 200,000.00
Are funds within current budget?	Yes
Source of Funds	Restricted Programs
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	Yes
Has it been reviewed by the County Attorney?	Yes
Is there a deadline for this item?	2022-10-27

Approvals:

Buyer	Submit	Approve	Purchasing
AP	RD	RD	AP
Budget	Finance	Attorney	Administration
EW	WG	WLI	LJ
Clerk			
AO			

Attachments:

Financial Supplement
 Eagle Demolition Contract
 Southern Demolition Contract
 SACAL Contract
 EnviroMasters Contract
 Bid Tab
 Bidder's List
 Notice of Award
 2938 Joe Chandler Photo
 3706 Atlanta Hwy Photo
 804 Dorsey Peek Road Photo
 2154 Grant Street Photo



HALL COUNTY BOARD OF COMMISSIONERS FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 554/2022

Funds Requested: \$ 200,000.00

Request Budgeted: Yes

Proposed Source of Funding:

Restricted Programs

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2023	024 - RESTRICTED PROGRAMS	786 - HOUSING PROGRAMS	4582 - REHAB OF PRIVATE PROPERTY	\$200,000.00

Budget Transfer Items:

Additional Information/Comments:

Captain Barry Shaw Hall County Marshal's Office 770-531-6762 As restricted funds are used up budget transfers will be requested within development services.

Contact for Questions: RD

Phone:

770-297-5544



Hall County Government

FINANCIAL SERVICES

HALL COUNTY
GEORGIA

STATE OF GEORGIA
COUNTY OF HALL

CONTRACT RFQ/P #43-011

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

DIRECTOR
Wes Geddings

Demand Services for

ABATEMENT OF NUISANCE PROPERTIES AND DEMOLITION OF COUNTY OWNED PROPERTIES

This agreement, made and entered into this the 14th day of October, 2022, by and between the Board of Commissioners of Hall County, Georgia (Hereinafter referred to as "County") and Eagle Demolition & Environmental, located at 103 Folds Dr, Carrollton, GA 30117, (hereafter referred to as "Contractor").

Witnessed:

Whereas, the County intends to contract to provide services for **Demand Services for Abatement Of Nuisance Properties and Demolition of County Owned Properties** per RFQ/P #43-011, (herein referred to as the "Services") and has entered into an agreement for the necessary services provided by the project and whereas, the Contractor desires to perform the services and for the contract costs as detailed.

Hall County's RFQ/P #43-011 issued on July 20, 2022, the Bidder's response (All originals are on file in the Hall County Purchasing Department, 2875 Browns Bridge Rd 4th Floor - Purchasing, Gainesville, Georgia 30504), and this contract are all incorporated into and made a part of this agreement by reference.

If any paragraph, sub-paragraph, sentence, clause, phrase or any portion of this agreement shall be declared invalid or unconstitutional by any Court of competent jurisdiction or if the provisions of any part of this agreement as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this agreement not so held to be invalid or the application of this agreement to other circumstances not so held to be invalid. It is hereby declared to be the intent of the parties to this agreement to provide for separate and divisible parts, and to hereby adopt any and all parts hereof as may not be held invalid for any reason.

In witness whereof, the parties hereto have hereunto set their hands and affixed their seals the day and year first above written.

[Signatures on following page]

IN WITNESS WHEREOF, said Parties have hereunto affixed their signature and seal on the day, month, and year first above written:

EAGLE DEMOLITION & ENVIRONMENTAL

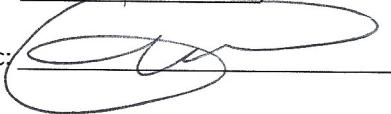
By: 

Title: CEO

Print Name: Vetta Holland

Sworn to and subscribed before me this

14 Day of October, 2022

Notary Public: 

Notary commission expires: 12/19/23

PLACE SEAL OR STAMP



HALL COUNTY, GEORGIA

By: _____

Richard Higgins, Chairman
Hall County Board of Commissioners

Attestment: _____

County Clerk

Sworn to and subscribed before me this

____ Day of _____, 2022

Notary Public: _____

Notary commission expires: _____

PLACE SEAL OR STAMP

APPROVED AS TO FORM:

Van Stephens, County Attorney
William Linkous III, Deputy County Attorney



Hall County Government

FINANCIAL SERVICES

HALL COUNTY
GEORGIA

STATE OF GEORGIA
COUNTY OF HALL

CONTRACT RFQ/P #43-011

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

DIRECTOR
Wes Geddings

Demand Services for

ABATEMENT OF NUISANCE PROPERTIES AND DEMOLITION OF COUNTY OWNED PROPERTIES

This agreement, made and entered into this the 13 day of Oct, 2022, by and between the Board of Commissioners of Hall County, Georgia (Hereinafter referred to as "County") and Southern Demolition and Environmental, located at 2035 Bolton Rd NW, Atlanta, GA 30318, (hereafter referred to as "Contractor").

Witnessed:

Whereas, the County intends to contract to provide services for **Demand Services for Abatement Of Nuisance Properties and Demolition of County Owned Properties** per RFQ/P #43-011, (herein referred to as the "Services") and has entered into an agreement for the necessary services provided by the project and whereas, the Contractor desires to perform the services and for the contract costs as detailed.

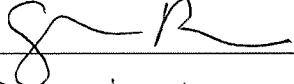
Hall County's RFQ/P #43-011 issued on July 20, 2022, the Bidder's response (All originals are on file in the Hall County Purchasing Department, 2875 Browns Bridge Rd 4th Floor - Purchasing, Gainesville, Georgia 30504), and this contract are all incorporated into and made a part of this agreement by reference.

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[Signatures on following page]

IN WITNESS WHEREOF, said Parties have hereunto affixed their signature and seal on the day, month, and year first above written:

SOUTHERN DEMOLITION AND ENVIRONMENTAL

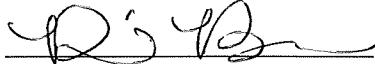
By: 

Title: President

Print Name: Gina Ragsdale

Sworn to and subscribed before me this

13 Day of October, 2022

Notary Public: 

Notary commission expires: April 17, 2023

PLACE SEAL OR STAMP



HALL COUNTY, GEORGIA

By: _____

Richard Higgins, Chairman
Hall County Board of Commissioners

Attestment: _____
County Clerk

Sworn to and subscribed before me this

_____ Day of _____, 2022

Notary Public: _____

Notary commission expires: _____

PLACE SEAL OR STAMP

APPROVED AS TO FORM:

Van Stephens, County Attorney
William Linkous III, Deputy County Attorney



Hall County Government

FINANCIAL SERVICES

HALL COUNTY
GEORGIA

STATE OF GEORGIA
COUNTY OF HALL

CONTRACT RFQ/P #43-011

Demand Services for

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

DIRECTOR
Wes Geddings

ABATEMENT OF NUISANCE PROPERTIES AND DEMOLITION OF COUNTY OWNED PROPERTIES

This agreement, made and entered into this the _____ day of _____, 2022, by and between the Board of Commissioners of Hall County, Georgia (Hereinafter referred to as "County") and SACAL Environmental & Management, located at 2153 Vineville Ave, Macon, GA 31204, (hereafter referred to as "Contractor").

Witnessed:

Whereas, the County intends to contract to provide services for **Demand Services for Abatement Of Nuisance Properties and Demolition of County Owned Properties** per RFQ/P #43-011, (herein referred to as the "Services") and has entered into an agreement for the necessary services provided by the project and whereas, the Contractor desires to perform the services and for the contract costs as detailed.

Hall County's RFQ/P #43-011 issued on July 20, 2022, the Bidder's response (All originals are on file in the Hall County Purchasing Department, 2875 Browns Bridge Rd 4th Floor - Purchasing, Gainesville, Georgia 30504), and this contract are all incorporated into and made a part of this agreement by reference.

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[Signatures on following page]

IN WITNESS WHEREOF, said Parties have hereunto affixed their signature and seal on the day, month, and year first above written:

SACAL Environmental & Management

By: *Samuel James*

Title: *President*

Print Name: *Samuel James*

Sworn to and subscribed before me this

13th Day of October, 2022

Notary Public: *Victoria James*

Notary commission expires: 06-23-2024

PLACE SEAL OR STAMP



HALL COUNTY, GEORGIA

By: _____

Richard Higgins, Chairman
Hall County Board of Commissioners

Attestment: _____

County Clerk

Sworn to and subscribed before me this

_____ Day of _____, 2022

Notary Public: _____

Notary commission expires: _____

PLACE SEAL OR STAMP

APPROVED AS TO FORM:

Van Stephens, County Attorney
William Linkous III, Deputy County Attorney



Hall County Government

FINANCIAL SERVICES

HALL COUNTY
GOVERNMENT

STATE OF GEORGIA
COUNTY OF HALL

CONTRACT RFQ/P #43-011

Demand Services for

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

DIRECTOR
Wes Geddings

ABATEMENT OF NUISANCE PROPERTIES AND DEMOLITION OF COUNTY OWNED PROPERTIES

This agreement, made and entered into this the 13 day of October, 2022, by and between the Board of Commissioners of Hall County, Georgia (Hereinafter referred to as "County") and EnviroMasters, located at 2790 US-27, Carrollton, GA 30117, (hereafter referred to as "Contractor").

Witnessed:

Whereas, the County intends to contract to provide services for **Demand Services for Abatement Of Nuisance Properties and Demolition of County Owned Properties** per RFQ/P #43-011, (herein referred to as the "Services") and has entered into an agreement for the necessary services provided by the project and whereas, the Contractor desires to perform the services and for the contract costs as detailed.

Hall County's RFQ/P #43-011 issued on July 20, 2022, the Bidder's response (All originals are on file in the Hall County Purchasing Department, 2875 Browns Bridge Rd 4th Floor - Purchasing, Gainesville, Georgia 30504), and this contract are all incorporated into and made a part of this agreement by reference.

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In witness whereof, the parties hereto have hereunto set their hands and affixed their seals the day and year first above written.

[Signatures on following page]

IN WITNESS WHEREOF, said Parties have hereunto affixed their signature and seal on the day, month, and year first above written:

ENVIROMASTERS, INC.

By: Bobby Presnal

Title: President

Print Name: Bobby Presnal

Sworn to and subscribed before me this

13 Day of October, 2022

Notary Public: Lisa Williams

Notary commission expires: 2-8-24

PLACE SEAL OR STAMP



HALL COUNTY, GEORGIA

By: _____

Richard Higgins, Chairman
Hall County Board of Commissioners

Attestment: _____
County Clerk

Sworn to and subscribed before me this

_____ Day of _____, 2022

Notary Public: _____

Notary commission expires: _____

PLACE SEAL OR STAMP

APPROVED AS TO FORM:

Van Stephens, County Attorney
William Linkous III, Deputy County Attorney

ABATEMENT OF NUISANCE PROPERTIES BID TABULATION SHEET
9/9/2022

BIDDER	Enviro Masters	SACAL	Chattahoochee Group	Southern Demolition	Eagle Demolition & Environmental	Clean & Green Environmental
TECHINCAL SCORE						
AVERAGE SUB-TOTAL	660	627	373	713	620	440
COST SCORE SUB-TOTAL						
	160	178	33	135	200	180
TOTAL BID SCORES	820	805	406	848	820	620

EVALUATORS

Captain Shaw

Richard Ellis

Chuck Pinny

Totals

Average Score

TECHNICAL SCORING ON QUALIFICATIONS					
700	600	400	600	500	520
660	580	480	780	700	500
620	700	240	760	660	300
1980	1880	1120	2140	1860	1320
660	627	373	713	620	440

Technical Ranking	800 Points Max
Southern Demolition	713
SACAL	627
Enviro Masters	660
Eagle Demolition	620
Clean & Green Environmental	440
Chattahoochee Group	373

Cost Ranking	200 Points Max
Southern Demolition	135
SACAL	178
Enviro Masters	160
Eagle Demolition	200
Clean & Green Environmental	180
Chattahoochee Group	33



Hall County Government
FINANCIAL SERVICES

Request for Qualifications with Cost Proposals
RFQ/P #43-011

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

DIRECTOR
Wesley Geddings

For the provision of On-Call Demand Services for
**ABATEMENT OF NUISANCE PROPERTIES AND
DEMOLITION OF COUNTY OWNED PROPERTIES**

Date Issued: July 20, 2022

Due Date: August 11, 2022

Bidder's List

1. Enviro Masters, Carrollton, GA – Responsive
2. SACAL of Macon, GA - Responsive
3. Chattahoochee Group, Inc. Clermont, GA – Responsive
4. Southern Demolition, LLC, Atlanta, GA – Responsive
5. Eagle Demolition & Environmental, Carrollton, GA – Responsive
6. Clean & Green Environmental, Suwanee, GA – Responsive
7. Southern Environmental Services, Inc., Marietta, GA – Non-Responsive (did not follow instructions).



NOTICE OF INTENT TO AWARD

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

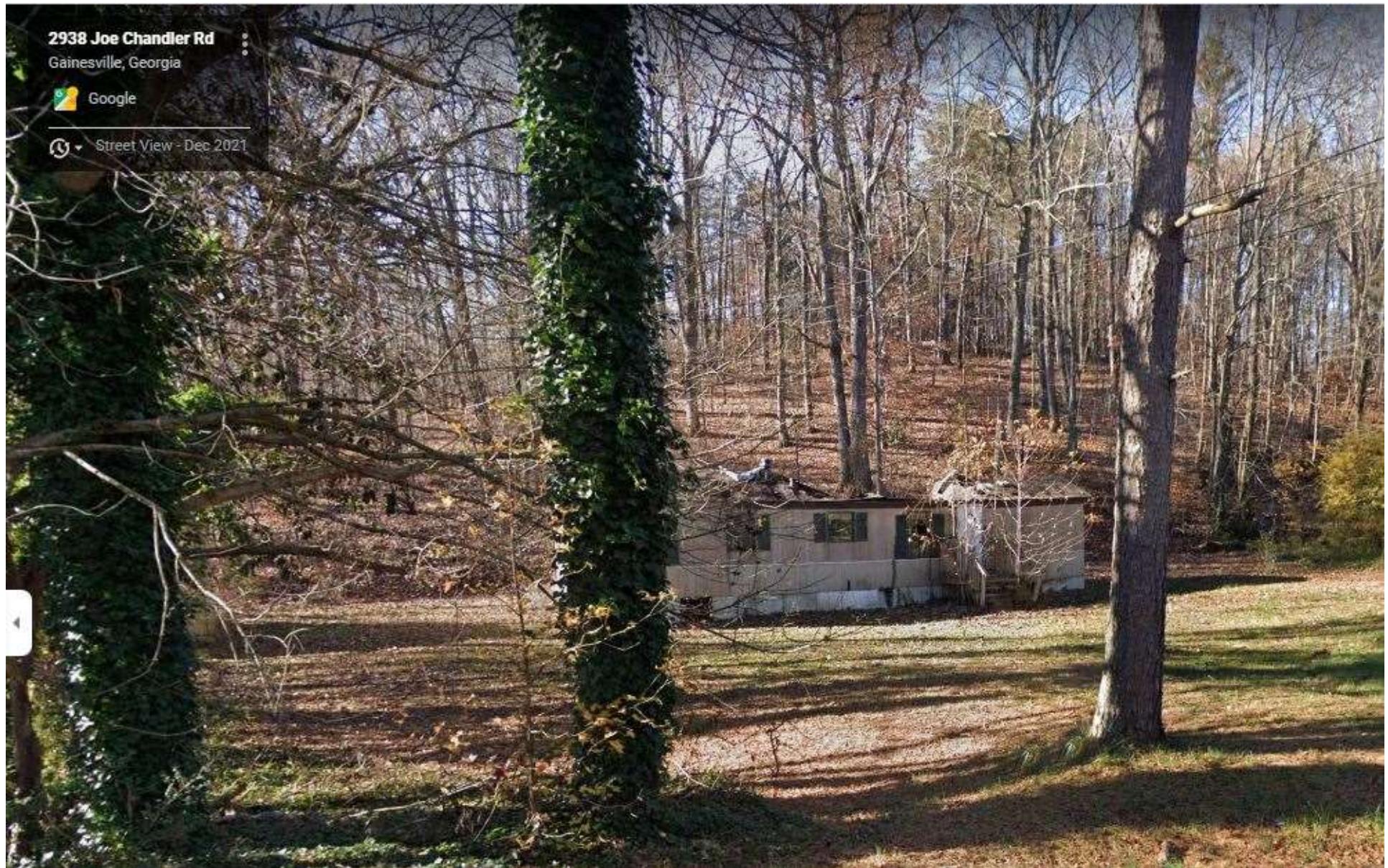
DIRECTOR
Wesley Geddings

NOIA Date:	September 13, 2022
Solicitation:	RFQ/P #43-011
Description:	To establish a qualified pool of Demand Service Contractors for On-Call Abatement of Nuisance Properties and Demolition of County Owned Properties
Issuing Officer:	Andy Penick, Purchasing Manager Hall County, Georgia
Notice:	Hall County intends to award contracts to the apparent successful highest scoring bidders noted below. This NOIA is not a legal binding contract. A Notice of Award will follow. Individual Task Orders (Request for Quotes) will be issued to the selected pool of Contractors who will then be allowed to bid on specified projects as they arise. Projects will be awarded in the form of a Task Order based on the best value to the County and availability of bidders.

Highest Scoring Bidders List Available for Award(s)
Southern Demolition, LLC
Eagle Demolition & Environmental
Enviro Masters, Inc.
SACAL Environmental & Management Company

Lowest Scoring Bidders List Not Available for Award
Southern Environmental Services, Inc.
Clean & Green Environmental Group PSG Inc.
Chattahoochee Group, Inc.


Andy Penick,
apenick@hallcounty.org











AGENDA ITEM

Consent Agenda

REPORT TO: **Work Session (10/24/22)**

REPORT TO: **Voting Meeting (10/27/22)**

ITEM NO: 553/2022

SUBJECT: Approve Change Order #2 for right-of-way services for the Sardis Road Connector Project to Croy Engineering Inc. of Marietta, GA, in the amount of \$139,450.00.

Meetings:

Work Session Date: 10/24/22

Voting Meeting Date: 10/27/22

Executive Summary:

Presenter: BN

Recommendation:

Approve the change order

Purpose of Request:

Approve Change Order #2 for right-of-way services for the Sardis Road Connector project to Croy Engineering Inc. of Marietta, GA in the amount of \$139,450.00. Commission District 2.

Facts and Issues:

Change order #2 to include services for an additional three (3) parcels on the Sardis Road Connector project that required new negotiations, reoffers and evaluations. GDOT also required several items that required additional evaluations (Parcel 143).

Funding Requested

\$ 139,450.00

Are funds within current budget?

Yes

Source of Funds

SPLOST V11

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

Yes

Has it been reviewed by the County Attorney?

Yes

Is there a deadline for this item?

Approvals:

Buyer	Submit	Approve	Purchasing
DH	SY	SY	AP
Budget	Finance	Attorney	Administration
EW	WG	WLI	LJ
Clerk			AO

Attachments:

Financial Supplement

Croy_change_order_request.pdf



HALL COUNTY BOARD OF COMMISSIONERS FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 553/2022

Funds Requested: \$ 139,450.00

Request Budgeted: Yes

Proposed Source of Funding:

SPLOST V11

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
FY23	027 - SPLOST VII	915 - SP-VII SARDIS RD CONN RO	5419 - DESIGN & ENGINEERING	\$139,450.00

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: SY

Phone: 770-531-6800

P.I. 0003626 Sardis Road Connector
Right of Way Acquisition
Croy Change Order #2

Change Order # 2 (Req. 23140) from Croy Engineers for the additional services for an additional 3 parcels on the Sardis Road Connector. Also, several parcels were sold and new negotiations and reoffers were required. GDOT also required several requests that included addition evaluations (Parcel 143). Therefore, Croy is asking for an additional \$139,450.00 for the added work required to satisfy both the County and GDOT.

We feel this is a valid request, Therefore we would like to move forward with requisition 23140 and approve the additional funds for the right of way acquisition.

Franklin P. Miller, P.E.



AGENDA ITEM

Consent Agenda

REPORT TO: **Work Session (10/24/22)**

REPORT TO: **Voting Meeting (10/27/22)**

ITEM NO: 557/2022

SUBJECT: Approve the Release of a \$96,525.00 Guaranty Performance/Maintenance Agreement and acceptance of streets in Lancaster Subdivision Phase 1 into Hall County maintenance. Commission District 1.

Meetings:

Work Session Date: 10/24/22

Voting Meeting Date: 10/27/22

Executive Summary:

Presenter: SY

Recommendation:

Approve

Purpose of Request:

Approve the release of a \$96,525.00 Bond and the Acceptance of Streets in Lancaster Subdivision Phase 1. Commission District 1

History:

Facts and Issues:

Options:

Funding Requested

\$ 0.00

Are funds within current budget?

No

Source of Funds

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

No

Has it been reviewed by the County Attorney?

Yes

Is there a deadline for this item?

Approvals:

Submit	Approve	Budget	Finance
WS	BN	EW	WG
Attorney	Administration	Clerk	
WLI	LJ	AO	

Attachments:

Power-of-Attorney
Guaranty Performance/Maintenance Agreement
Final Plat Information

POWER-OF-ATTORNEY

70NGP184950

NATIONAL INDEMNITY COMPANY

1314 DOUGLAS STREET, SUITE 1400, OMAHA, NEBRASKA 68102-1944

(402) 916-3000

KNOW ALL MEN BY THESE PRESENTS: This Power-of-Attorney is not valid unless attached to the duly-executed bond that it authorizes. This Power-of-Attorney specifies THE AUTHORITY OF THE ATTORNEY-IN-FACT and THE LIABILITY OF NATIONAL INDEMNITY COMPANY, WHICH SHALL NOT EXCEED:

**NINETY-SIX THOUSAND, FIVE HUNDRED TWENTY-FIVE AND 00/100 DOLLARS
(\$ 96,525.00)**

NATIONAL INDEMNITY COMPANY, a Nebraska corporation, having its principal office in the City of Omaha, State of Nebraska, does hereby make, constitute and appoint Matthew G. Grantham in the City of Omaha, County of Douglas, State of Nebraska, its true and lawful attorney-in-fact, at Omaha, in the State of Nebraska, to make, execute, seal and deliver for and on its behalf, and as its act and deed, any and all bonds and undertakings, provided that the liability of the Company as surety on any such bond executed under this authority shall not in any event exceed the sum shown above.

THIS POWER VOID IF ALTERED OR ERASED

The acknowledgement and execution of any such document by the said Attorney-In-Fact shall be as binding upon the Company as if such bond had been executed and acknowledged by the regularly-elected officers of this Company.

This Power of Attorney is granted, and is signed and sealed by original signature, under and by the authority of the following Resolution adopted by the Executive Committee, as duly authorized by the Board of Directors of NATIONAL INDEMNITY COMPANY, at a meeting duly called and held on the 15th day of March, 2017:

RESOLVED, That the President, any Vice President or the Secretary shall have the power and authority to (1) appoint Attorneys-in-fact and to authorize them to execute on behalf of this Company bonds and other undertakings and (2) remove at any time any such Attorney-in-fact and revoke the authority given.

FURTHER RESOLVED, That any Surety Administrator or Surety Underwriter shall have the power and authority to appoint Attorneys-in-fact and to authorize them to execute on behalf of this Company any license bond with a limit of \$10,000 or less.

FURTHER RESOLVED, That any Surety Administrator shall have the power and authority to appoint Attorneys-in-fact and to authorize them to execute on behalf of this Company (1) any bond, except an appeal bond, with a limit of \$10,000 or less and (2) any license bond with a limit of \$50,000 or less.

In Witness Whereof NATIONAL INDEMNITY COMPANY has caused its official seal to be hereunder affixed, and these presents to be signed by its Senior Vice President this 19th day of November, 2020.

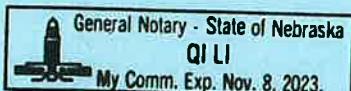
NATIONAL INDEMNITY COMPANY



BY _____
(Name) Philip M. Wolf
(Title) Senior Vice President

STATE OF NEBRASKA } ss.:
COUNTY OF DOUGLAS }

On this 19th day of November, 2020, before me, a Notary Public, personally appeared Philip M. Wolf, who being by me duly sworn, acknowledged that he signed the above Power of Attorney as Senior Vice President of said NATIONAL INDEMNITY COMPANY and acknowledged said instrument to be the voluntary act and deed of said corporation.



Q-L

Notary Public, Nebraska

1. THIS POWER DOES NOT AUTHORIZE EXECUTION OF BONDS OF NE EXEAT OR ANY GUARANTEE FOR FAILURE TO PROVIDE PAYMENTS OF ALIMONY SUPPORT OR WAGE LAW CLAIMS, OR BONDS FOR CRIMINAL APPEARANCE.
2. THIS POWER DOES NOT AUTHORIZE THE EXECUTION OF BONDS FOR LOAN GUARANTEES.

This Power Can Only Be Used in The State of: GEORGIA
This Power Can Only Be Used For The Following Obligee(s): HALL COUNTY
Bond Title / Description: GUARANTY PERFORMANCE/MAINTENANCE AGREEMENT - LANCASTER PHASE 1 SUBDIVISION
Principal or case reference: CLAYTON PROPERTIES GROUP, INC.

GUARANTY PERFORMANCE/MAINTENANCE AGREEMENT

KNOW ALL MEN BY THESE PRESENTS, that we, Clayton Properties Group, Inc. (owner/principal, hereinafter referred to as "Principal"), and National Indemnity Company (surety), a company entitled and licensed to do business as a surety in the State of Georgia and Hall County, (hereinafter referred to as "Surety"), are held and bound unto Hall County, Georgia in the sum of Ninety-six thousand, five hundred twenty-five and no/100 dollars (\$96,525.00)* (hereinafter referred to as "bonded amount") for payment of which we bind ourselves, our heirs, executors, administrators and assigns.

WHEREAS, Clayton Properties Group, Inc. (principal) is owner of the Subdivision known as Lancaster Phase 1 Subdivision, which subdivision is shown on a plat prepared by Development Planning & Engineering, Inc., Georgia Registered Surveyor Number LSF#000757, and

WHEREAS, Clayton Properties Group, Inc. (principal) wishes to induce the Board of Commissioners of Hall County, Georgia to approve the street system shown on the Final Plat of Lancaster Phase 1 Subdivision for recording purposes, and

WHEREAS, Clayton Properties Group, Inc. (principal) wishes to induce the Board of Commissioners of Hall County, Georgia to accept the streets shown on the Final Plat of Lancaster Phase 1 Subdivision for public maintenance (not applicable to private developments).

Clayton Properties Group, Inc. (principal) and National Indemnity Company (surety) agree in consideration of the foregoing,

NOW, THEREFORE BE IT RESOLVED, Clayton Properties Group, Inc. (principal) agrees that all construction of the street system of Lancaster Phase 1 Subdivision will be completed and maintained for fifteen (15) months according to the terms and requirements as shown on the recorded Final Plat and of the Subdivision Regulations in force in Hall County, Georgia.

Clayton Properties Group, Inc. (principal) and National Indemnity Company (surety) agree to the following:

Sidewalks will be completed throughout entire subdivision as shown on recorded final plat within one (1) year of signing of said final plat. One inch of "F" mix asphalt may be placed anytime prior to final platting or up to one (1) year after final plat approval. In addition, Principal and Surety agree that if either the sidewalks, cuts, fills, sub-grades, shoulders, pavement, grassing, storm water management facilities, or traffic signs in Lancaster Phase 1 Subdivision are improperly maintained or are found to be defective from faults in design, materials or workmanship as shown on the recorded Final Plat, or as set out in the Subdivision Regulations in force in Hall County, Georgia, then upon demand from Hall County, National Indemnity Company (surety) shall pay the bond amount to Hall County.

Terms of Guaranty:

Clayton Properties Group, Inc. (principal) and National Indemnity Company (surety) shall be bound by the provisions of this agreement until a properly authorized letter is received by National Indemnity Company (surety) from Hall County authorizing release of Clayton Properties Group, Inc. (principal) and National Indemnity Company (surety) from this Guaranty Agreement.

NOTWITHSTANDING the above provisions, this Guaranty Performance/Maintenance Agreement is hereby issued on November 20, 2020 and expires on November 20, 2022 (minimum 24 months from date of issuance), and the Surety will have no more liability after that date. When the indicated expiration date falls on Sunday or a legal holiday, or for any reason the Surety is not open for business, the expiration date shall be extended to the next succeeding business day. Jurisdiction for any civil litigation necessary for collection of bond claims hereunder shall be in the Superior Court of Hall County, Georgia.

IN WITNESS WHEREOF, the undersigned have hereunto signed their names and affixed their seals, this 20th day of NOVEMBER, 2020.

- **Clayton Properties Group, Inc.**

PRINCIPAL

By:
(Corporate Officer or other authorized representative)

Principal's Address:
5230 Bellwood Court
Buford, GA 30518

- **National Indemnity Company**

SURETY

By:
Matthew G. Grantham, Attorney-in-Fact

Surety's Address:
1314 Douglas Street, Suite 1400
Omaha, NE 68102

- Approved:
Hall County

By: _____
(Chairman)



- * The amount of the bond equals 30 percent of all completed infrastructure including base, paving, grassing, stormwater management facilities, and sidewalks plus 100 percent of the cost of all incomplete infrastructure such as remaining sidewalks and asphalt topping. The unit cost data used in the calculations will be based upon the latest Georgia Department of Transportation (GADOT) Item Mean Summary, or the latest Hall County contract data, whichever is higher.

Final Plat Information

Consider release of \$96,525.00 Bond and acceptance of Streets in Lancaster Subdivision Phase 1.

Subject Subdivision is located off of Spout Springs Road.

NAME OF SUBDIVISION: Lancaster Phase 1
NAME OF OWNER/DEVELOPER: Clayton Properties Group, Inc.
ADDRESS: 5230 Belle Wood Court
Buford, GA 30518

TYPE OF MAINTENANCE BOND: Bond
DATE OF BOND: January 17, 2019
AMOUNT OF BOND: \$96,525.00

FINANCIAL INSTITUTION: National Indemnity Company
AND ADDRESS: 1314 Douglas Street
Suite 1400
Omaha, Nebraska 68102-1944

Account No.: 70NGP184950

COMM.	DIST.	STREET NAME	R/W IN FEET	LENGTH IN MILES	WIDTH IN FEET	TYPE OF SURFACE	STATE REF. NO.
	1	Lancaster Crossing	50	0.634	20	P.M.	---
	1	Bedlow Bend	50	0.038	20	P.M.	----

NOTES:

NUMBER OF LOTS: 65
CURB & GUTTER: 24" Rolled Back
TOTAL ACRES OF S/D: 101.55 AC



AGENDA ITEM

Consent Agenda

REPORT TO: **Work Session (10/24/22)**

REPORT TO: **Voting Meeting (10/27/22)**

ITEM NO: 558/2022

SUBJECT: Approve the purchase of asphalt paving at the Gun Range for the Sheriff's Office to Simpson Trucking & Grading, Inc. of Gainesville, GA, in the amount of \$105,315.00.

Meetings:

Work Session Date: 10/24/22

Voting Meeting Date: 10/27/22

Executive Summary:

Presenter: SW

Recommendation:

The Sheriff's Dept. requested quotes from the On-Call Contract Services for Public Works vendors and are recommending the award go to Simpson Trucking & Grading, as they were the lower bid and a vendor in good standing with Hall County.

Purpose of Request:

Approve the purchase of asphalt paving at the Gun Range for the Sheriff's Office to Simpson Trucking & Grading , Inc. of Gainesville, GA. in the amount of \$105,315.00.

History:

This bid #39-018 On-Call Contract Services for Public Works has four (4) vendors in the pool. Of those, only two (2) responded and the lower cost was chosen.

Facts and Issues:

This is a joint project with the Sheriff's Office and the FBI. This amount will be reimbursed by the FBI once proof of payment is received.

Options:

The FBI Has chosen to fund Option 1 from the Simpson Trucking & Grading quote.

Funding Requested

\$ 0.00

Are funds within current budget?

Yes

Source of Funds

Capital Projects

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

Yes

Has it been reviewed by the County Attorney?

Yes

Is there a deadline for this item?

Approvals:

Buyer	Submit	Approve	Purchasing
JD	SC	SC	AP
Budget	Finance	Attorney	Administration
EW	WG	WLI	LJ
Clerk			AO

Attachments:

SImpsons_Trucking__Grading_quote_dtd_5-26-22.pdf



HALL COUNTY BOARD OF COMMISSIONERS FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 558/2022

Funds Requested: \$ 0.00

Request Budgeted: Yes

Proposed Source of Funding:

Capital Projects No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2023	005 - CAPITAL PROJECTS	543 - SHERIFF-OPERATION CAPITAL	4488 - REMODEL/RENOVATIONS	\$105,351.00

Budget Transfer Items:

Additional Information/Comments:

This project is being reimbursed by the FBI.

Contact for Questions: SW **Phone:** 770-503-3123



Simpson Trucking & Grading, Inc.
1364 Candler Road
Gainesville, GA 30507

Phone 770-536-4731
Fax 770-503-0289
www.simpsontrucking.com

PROPOSAL: HALL COUNTY SHERIFF'S GUN RANGE

Hall County Sheriff's Office
Joseph Collier - Maintenance & Project Specialist

Date: 5/26/2022

Line No.	Item Description	Quantity	Unit	Price	Amount
OPTION 1					
1	Graded Aggregate Base (scarify, re-grade, supplement 2" average)	2950	SY	\$ 4.10	\$ 12,095.00
2	Asphalt Paving 2" Binder, 1" Surface	2950	SY	\$ 31.60	\$ 93,220.00
SUBTOTAL OPTION 1					\$ 105,315.00
OPTION 2					
3	Graded Aggregate Base (scarify, re-grade, supplement 2" average)	5940	SY	\$ 3.90	\$ 23,166.00
4	Asphalt Paving 2" Binder, 1" Surface	5940	SY	\$ 24.15	\$ 143,451.00
SUBTOTAL OPTION 2					\$ 166,617.00
OPTION 3					
5	Graded Aggregate Base (scarify, re-grade, supplement 2" average)	2675	SY	\$ 3.90	\$ 10,432.50
6	Asphalt Paving 2" Binder, 1" Surface	2675	SY	\$ 24.15	\$ 64,601.25
SUBTOTAL OPTION 3					\$ 75,033.75
TOTAL					\$ 346,965.75

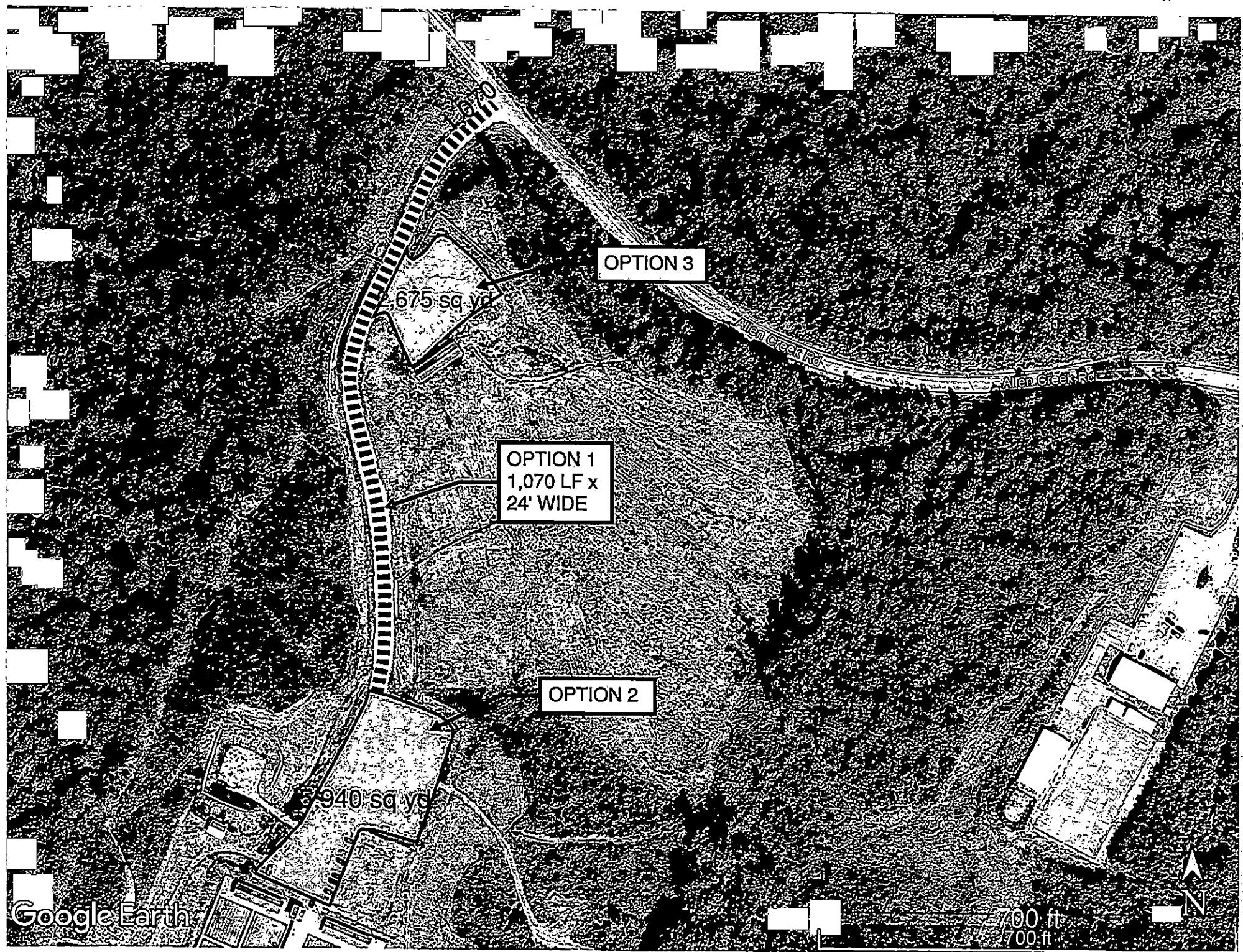
ASPHALT

Simpson's Trucking & Grading, Inc.

A handwritten signature in black ink, appearing to read "Buddy Phelan".

Buddy Phelan / Project Manager

05/26/22





AGENDA ITEM

Consent Agenda

REPORT TO: **Work Session (10/24/22)**

REPORT TO: **Voting Meeting (10/27/22)**

ITEM NO: 551/2022

SUBJECT: Approve the purchase of six (6) new 2022 vehicles for the Sheriff's Office to Brannen Motor Company of Unadilla, GA, in the amount of \$234,400.00.

Meetings:

Work Session Date: 10/24/22

Voting Meeting Date: 10/27/22

Executive Summary:

Presenter: SMF

Recommendation:
Brannen Motor Company, Unadilla, GA

Purpose of Request:

Purchase six (6) vehicles from Brannen Motor Works for the Hall County Sheriff Department.

History:

Ford isn't accepting orders for 2022 vehicles and Brannen Motor Company has a large inventory of new 2022 vehicles on their lot. Brannen has kept their pricing the same for 2022 vehicles for Hall County since the vehicle shortage. They are a good vendor to work with.

Facts and Issues:

We are purchasing three (3) 2022 Ford Explorers and three (3) Chevrolet Tahoes. These vehicles are on the lot and ready for delivery at this time.

Options:

Funding Requested	\$ 234,400.00
Are funds within current budget?	Yes
Source of Funds	Capital / SRO
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?	Yes
Has it been reviewed by the County Attorney?	Yes
Is there a deadline for this item?	

Approvals:

Buyer	Submit	Approve	Purchasing
DH	SC	SC	AP
Budget	Finance	Attorney	Administration
EW	WG	WLI	LJ
Clerk			
AO			

Attachments:

Financial Supplement
 Clint_Brannen_vehicles.pdf



HALL COUNTY BOARD OF COMMISSIONERS FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 551/2022

Funds Requested: \$ 234,400.00

Request Budgeted: Yes

Proposed Source of Funding:

Capital / SRO

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2023	005 - CAPITAL PROJECTS	543 - SHERIFF-OPERATION CAPITAL	6006 - MOTOR VEHICLES	\$150,400.00
2023	024 - RESTRICTED PROGRAMS	247 - SRO	6006 - MOTOR VEHICLES	\$84,000.00

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: SMF

Phone: 2383



1080 2nd Street
PO Box 746
Unadilla, GA 31091
P: (478) 627-3221 F: (478) 627-9550
www.brannenmotorcompany.com



SOLD TO: HALL COUNTY SO

INVOICE NO.

DATE: 9-26-2022

ADDRESS: 2875 BROWNS BRIDGE RD GAINESVILLE, GA 60504

CUST. NO.	STOCK NO	YEAR MAKE	MODEL	NEW OR USED	VIN NO.	KEY	SALESMAN
		2022	INTERCEPTOR SUV	USED	NGB17649	4KEY/4FOB	KELLEY/REED

INSURANCE COVERAGE INCLUDES

FIRE AND THEFT
COLLISION AMT. DEDUCT.

PUBLIC LIABILITY • AMT.
PROPERTY DAMAGE • AMT.

PRICE OF CAR
FREIGHT AND
HANDLING

OPTIONAL EQUIP.
ACCESS.

NO FEES

OPTIONAL EQUIPMENT AND ACCESSORIES

GROUP	DESCRIPTION	PRICE
-------	-------------	-------

PHONE CONTACT-

VEHICLE(S)- 1-2022 BLACK ECOBOOST INTECEPTOR SUV

EMAIL- MFREE@HALLCOUNTY.ORG

DISCLAIMER OF WARRANTIES

THE SELLER, BRANNEN MOTOR COMPANY, HEREBY EXPRESSLY DISCLAIMS ALL WARRANTIES, EITHER EXPRESS OR IMPLIED, INCLUDING ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. AND BRANNEN MOTOR COMPANY NEITHER ASSUMES NOR AUTHORIZES ANY OTHER PERSON TO ASSUME FOR ANY LIABILITY CONNECTION WITH SALE OF THE VEHICLE.

LICENSE AND TITLE
TOTAL CASH PRICE

FINANCING
INSURANCE

TOTAL TIME
PRICE SETTLEMENT:

DEPOSIT
CASH ON DELIVERY
USED CAR: •
TYPE
SERIAL NO,

ENGINE NO.
PAYMENTS.

NO ADDED
FEES

NO TAX

GPC APPLIED
\$38,000

TOTAL



1080 2nd Street
PO Box 746
Unadilla, GA 31091
P: (478) 627-3221 F: (478) 627-5550
www.brannenmotorcompany.com

SOLD TO: Hall County							INVOICE NO.
DATE 09/23/22							220923
CUST. NO.	STOCK NO	YEAR MAKE	MODEL	NEW OR USED	SERIAL NO.		SALESMAN
		See Below		New			Bobby Reed
<u>INSURANCE COVERAGE INCLUDES</u> FIRE AND THEFT COLLISION AMT. DEDUCT.							PRICE OF CAR FREIGHT AND HANDLING OPTIONAL EQUIP. ACCESS.
<u>OPTIONAL EQUIPMENT AND ACCESSORIES</u>							\$42,000.00 (X2)
GROUP	DESCRIPTION	PRICE					
2022 Chevrolet Tahoe PPV (1GNSCLED4NR336743) \$42,000.00							N/A
2022 Chevrolet Tahoe PPV (1GNSCLED7NR197918) \$42,000.00							
DISCLAIMER OF WARRANTIES THE SELLER, BRANNEN MOTOR COMPANY, HEREBY EXPRESSLY DISCLAIMS ALL WARRANTIES, EITHER EXPRESS OR IMPLIED, INCLUDING ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FINESS FOR A PARTICULAR PURPOSE, AND BRANNEN MOTOR COMPANY NEITHER ASSUMES NOR AUTHORIZES ANY OTHER PERSON TO ASSUME FOR ANY LIABILITY CONNECTION WITH SALE OF THE VEHICLE.							
PURCHASER'S SIGNATURE							
							TAVT LICENSE AND TITLE TOTAL CASH PRICE
							FINANCING INSURANCE TOTAL TIME PRICE
							<u>SETTLEMENT:</u>
							DEPOSIT
							CASH ON DELIVERY
							USED CAR
							TYPE
							SERIAL NO.
							ENGINE NO.
							PAYMENTS
							TOTAL
							\$84,000.00



1080 2nd Street
PO Box 746
Unadilla, GA 31091
P: (478) 627-3221 F: (478) 627-9550
www.brannenmotorcompany.com



DATE: 9-28-2022

SOLD TO: HALL COUNTY SHERIFF'S OFFICE

ADDRESS: 2859 BROWNS BRIDGE ROAD, GAINESVILLE, GA 30504

INVOICE NO.

CUST. NO.	STOCK NO	YEAR MAKE	MODEL	NEW OR USED	VIN NO.	KEY	SALESMAN
		2022	INTERCEPTOR	NEW	NGB00203	4	KELLEY/REED

INSURANCE COVERAGE INCLUDES

FIRE AND THEFT
COLLISION AMT. DEDUCT.

PUBLIC LIABILITY • AMT.
PROPERTY DAMAGE • AMT.

PRICE OF CAR
FREIGHT AND
HANDLING

OPTIONAL EQUIP.
ACCESS.

NO FEES

OPTIONAL EQUIPMENT AND ACCESSORIES

GROUP	DESCRIPTION	PRICE
-------	-------------	-------

PHONE CONTACT-
VEHICLE(S)- 2022 FORD INTERCEPTOR SUV (black)

EMAIL- MFREE@HALLCO.ORG

LICENSE AND TITLE
TOTAL CASH PRICE

NO ADDED FEES

FINANCING
INSURANCE

NO TAX

TOTAL TIME
PRICE SETTLEMENT:
DEPOSIT
CASH ON DELIVERY
USED CAR: •
TYPE
SERIAL NO,
ENGINE NO.
PAYMENTS.

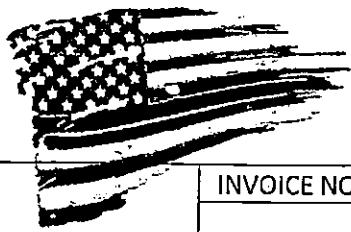
GPC APPLIED
\$35,200.00

TOTAL

DISCLAIMER OF WARRANTIES
THE SELLER, BRANNEN MOTOR COMPANY, HEREBY EXPRESSLY DISCLAIMS ALL WARRANTIES, EITHER EXPRESS OR IMPLIED, INCLUDING ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. AND BRANNEN MOTOR COMPANY NEITHER ASSUMES NOR AUTHORIZES ANY OTHER PERSON TO ASSUME FOR ANY LIABILITY CONNECTION WITH SALE OF THE VEHICLE.



1080 2nd Street
PO Box 746
Unadilla, GA 31091
P: (478) 627-3221 F: (478) 627-9550
www.brannenmotorcompany.com



DATE: 9-28-2022

SOLD TO: HALL COUNTY SHERIFF'S OFFICE

INVOICE NO.

ADDRESS: 2859 BROWNS BRIDGE ROAD, GAINESVILLE, GA 30504

CUST. NO.	STOCK NO	YEAR MAKE	MODEL	NEW OR USED	VIN NO.	KEY	SALESMAN
		2022	INTERCEPTOR	NEW	1FADP3E51NGA99266	4	KELLEY/REED

INSURANCE COVERAGE INCLUDES

FIRE AND THEFT
COLLISION AMT. DEDUCT.

PUBLIC LIABILITY • AMT.

PROPERTY DAMAGE • AMT.

PRICE OF CAR

FREIGHT AND
HANDLING

OPTIONAL EQUIP.
ACCESS.

NO FEES

OPTIONAL EQUIPMENT AND ACCESSORIES

GROUP	DESCRIPTION	PRICE
-------	-------------	-------

PHONE CONTACT-
VEHICLE(S)- 2022 FORD INTERCEPTOR SUV (SILVER)

EMAIL- MFREE@HALLCO.ORG

DISCLAIMER OF WARRANTIES

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LICENSE AND TITLE

TOTAL CASH PRICE

FINANCING

INSURANCE

TOTAL TIME

PRICE SETTLEMENT:

DEPOSIT

CASH ON DELIVERY

USED CAR: •

TYPE

SERIAL NO.,

ENGINE NO.

PAYMENTS.

NO ADDED
FEES

NO TAX

GPC APPLIED
\$35,200.00

TOTAL

25100
25109



1080 2nd Street
PO Box 746
Unadilla, GA 31091
P: (478) 627-3221 F: (478) 627-9550
www.brannenmotorcompany.com



SOLD TO: HALL COUNTY BOARD OF COMMISSIONERS

INVOICE NO.

DATE: 9-22-2022

ADDRESS: 2875 BROWNSBRIDGE ROAD

QUOTE

CUST. NO.	STOCK NO	YEAR MAKE	MODEL	NEW OR USED	VIN NO.	KEY	SALESMAN
HALLCOSO		2022	TAHOE PPV	NEW	NR199451	2	KELLEY/REED

INSURANCE COVERAGE INCLUDES

FIRE AND THEFT PUBLIC LIABILITY • AMT.
 COLLISION AMT. DEDUCT. PROPERTY DAMAGE • AMT.

OPTIONAL EQUIPMENT AND ACCESSORIES

GROUP	DESCRIPTION	PRICE
3X 2022 TAHOE PPV (2 BLACK, 1 DARK ASH)\$40,000.00 EACH		
TOTAL- \$120,000.00		

MIKE FREE- MFREE@HALLCOUNTY.ORG

DISCLAIMER OF WARRANTIES

THE SELLER, BRANNEN MOTOR COMPANY, HEREBY EXPRESSLY DISCLAIMS ALL WARRANTIES, EITHER EXPRESS OR IMPLIED, INCLUDING ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. AND BRANNEN MOTOR COMPANY NEITHER ASSUMES NOR AUTHORIZES ANY OTHER PERSON TO ASSUME FOR ANY LIABILITY CONNECTION WITH SALE OF THE VEHICLE.

PRICE OF CAR	NO FEES
FREIGHT AND HANDLING	
OPTIONAL EQUIP. ACCESS.	
LICENSE AND TITLE	NO ADDED FEES
TOTAL CASH PRICE	
FINANCING	
INSURANCE	
TOTAL TIME	NO TAX
PRICE SETTLEMENT:	
DEPOSIT	
CASH ON DELIVERY	
USED CAR: •	
TYPE	
SERIAL NO,	
ENGINE NO.	
PAYMENTS.	
TOTAL	GPC APPLIED \$120,000.00



AGENDA ITEM

Consent Agenda

REPORT TO: **Work Session (10/24/22)**

REPORT TO: **Voting Meeting (10/27/22)**

ITEM NO: 542/2022

SUBJECT: Approve the purchase of EagleView Geospatial Aerial Imagery for the Tax Assessor's Office to EagleView Technologies, Inc. of Rochester, NY. The estimated total cost is \$627,163.32 over six (6) years.

Meetings:

Work Session Date: 10/24/22

Voting Meeting Date: 10/27/22

Executive Summary:

Presenter: SWD&CA

Recommendation:

Approve the purchase of Eagle View Geospatial Aerial Imagery for the Tax Assessor's Office to EagleView Technologies, Inc. of Bellevue, Washington,. The Estimated Total Cost is \$627,163.32 over six (6) years. There are three (3) projects planned over the next six (6) years. Project one (1) is a two (2) year project with \$28,121.94 for the initial year, then \$196,853.58 for year two (2). Project two (2) is also a two (2) year project with \$100,546.95 for the initial year, then \$100,546.95 for year two (2) Project three (3) is also a two (2) year project with \$100, 546.95 for the initial year, then \$100,546.95 for year two (2)

Purpose of Request:

History:

The purpose of the purchase is so that we can property assess Fair and Equitable taxes throughout all districts of Hall County. In person field inspectors encounter hard-to-access properties, gates, trees, dogs, and "No Trespassing" signs, and unaccounted-for property changes that slow down the assessment process and stretches our staff thin. Imagery from EagleView offers solutions will help us increase efficiency and solve many day-to-day assessment challenges, fuel cost, and help with formal and informal appeals by citizens. With EagleView imagery, we can cover more territory faster. The majority of other EagleView customers surveyed reported assessing more than double the number of properties they did without imagery. By using high-resolution aerial imagery, the Tax Assessor's Office will be able to view property details often missed during a field inspection, such as additions, new construction, and permits prior to a field visit. Additionally the solution will measure square footage, area, heights, lengths, widths, distances, angles and elevations of buildings, properties and roads. Remote inspections with EagleView imagery is safer for field assessors, and it's less invasive for property owners. Additionally, the County will be able to present property owners with a recent, accurate, high-resolution aerial image of their property in dispute cases.

Budgeted for FY2023 - #509 - Tax Assessors - Real, Account Code #60008

Facts and Issues:

EagleView is on GSA's contract - 35F-0801N

Options:

Funding Requested

\$ 627,163.32

Are funds within current budget?

Yes

Source of Funds

Capital Projects

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

Yes

Has it been reviewed by the County Attorney?

Yes

Is there a deadline for this item?

2022-10-10

Approvals:

Buyer	Submit	Approve	Purchasing
AP	RW	RW	AP
Budget	Finance	Attorney	Administration
EW	WG	VS	AO
Clerk			
AO			

Attachments:

Financial Supplement

EagleView_Funding_Breakdown.pdf

EagleView Letter Explaining Advantages of Pictometry

EagleView Vendor Quote

EagleView used by 79 GA counties

Advantages of High Resolution Aerial Imagery



HALL COUNTY BOARD OF COMMISSIONERS FINANCIAL SUPPLEMENT REPORT

AGENDA ITEM 542/2022

Funds Requested: \$ 627,163.32

Request Budgeted: Yes

Proposed Source of Funding:

Capital Projects

Budget Transfer Requested:

No

Funding Source Items:

Fiscal Year	Fund	Division	Account	Amount
2023	005 - CAPITAL PROJECTS	509 - TAX ASSESSORS-REAL	6008 - COMPUTERS/SOFTWARE	\$28,121.94
2024	005 - CAPITAL PROJECTS	509 - TAX ASSESSORS-REAL	6008 - COMPUTERS/SOFTWARE	\$196,853.58
2025	005 - CAPITAL PROJECTS	509 - TAX ASSESSORS-REAL	6008 - COMPUTERS/SOFTWARE	\$100,546.95
2026	005 - CAPITAL PROJECTS	509 - TAX ASSESSORS-REAL	6008 - COMPUTERS/SOFTWARE	\$100,546.95
2027	005 - CAPITAL PROJECTS	509 - TAX ASSESSORS-REAL	6008 - COMPUTERS/SOFTWARE	\$100,546.95
2028	005 - CAPITAL PROJECTS	509 - TAX ASSESSORS-REAL	6008 - COMPUTERS/SOFTWARE	\$100,546.95

Budget Transfer Items:

Additional Information/Comments:

The FY 2024 CIP will be updated to include the updated payment amount. (cell) 470-691-6375
rswatson@hallcounty.com

Contact for Questions: SWDoHCBoA

Phone:

(office) 770-531-6733

Elizabeth White (Finance)

From: Steve Watson (Real Property)
Sent: Wednesday, October 19, 2022 3:33 PM
To: Elizabeth White (Finance)
Cc: John Smith (Tax Assessors)
Subject: FW: Eagle View Agenda Item

Elizabeth:

See below email from Kevin Lamonds. Please advise.

Respectfully,

Steve Watson,
Director/Chief Appraiser of Hall County Board of Assessors
[Hall County Government](http://HallCountyGovernment.org)
(office) 770-531-6733
(cell) 470-691-6375
rswatson@hallcounty.org



From: Kevin Lamonds <kevin.lamonds@eagleview.com>
Sent: Wednesday, October 19, 2022 3:27 PM
To: Steve Watson (Real Property) <rswatson@hallcounty.org>
Subject: RE: Eagle View Agenda Item

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hey Steve,

Below is the payment breakdown. This is when you will be invoiced. Maybe we didn't clarify the difference between the calendar year and fiscal year. Maybe that's the difference you are seeing. I do see where you had FY on your last email, but that sometimes gets confusing as I will describe. Georgia counties are on a mix of July, October, and January budget cycles. It's hard to tell exactly when the "Due at delivery payment" will be due. We also deliver different products at different times throughout the process.

We will send an invoice in the amount of \$28,121.94 when you sign. This is 25% of the first year payment. I assume this will be in November or December of this year (that is why I have 2022 on the chart). We will send another invoice when the imagery is delivered. This will be sometime in 2023 and the remaining 75% of the first payment.

Your initial oblique imagery will delivery in March or April give or take (they may send you a partial invoice then, but we can make the payment due after July 1). Your orthogonal imagery will be delivered 120 days later. This would be in June or July. We will start your ChangeFinder when the ortho imagery is ready and delivery it around August. They will probably invoice you for the \$84,365.82 when the ortho imagery delivers in June or July.

Basically, we can invoice you all at once, or in segments as items deliver. I know your finance probably wants to go back and add the \$85,000 to FY2023, but you will most likely have to hold that amount over in the next FY anyway given what I described below. Columbia County has to hold funds over every year because of this scenario.

Will they let you just ask for the remainder (\$196,853.58) in the FY24 budget? Will that make it easier? If so, I can have my boss let our accounts receivable know to invoice you after July, 1 2023.

Let me know if we need to have a call to discuss this further. I know this portion is confusing.

Hall, GA Payments		
	Year Due	Amount
First Project		
Due at signing	2022	\$28,121.94
Due at initial shipment of imagery	2023	\$84,365.82
Due at First Anniversary of Shipment of Imagery	2024	\$112,487.76
Total		\$224,975.52
Second Project	Year Due	Amount
Due at initial shipment of imagery	2025	\$100,546.95
Due at First Anniversary of Shipment of Imagery	2026	\$100,546.95
Total		\$201,093.90
Third Project	Year Due	Amount
Due at initial shipment of imagery	2027	\$100,546.95
Due at First Anniversary of Shipment of Imagery	2028	\$100,546.95
Total		\$201,093.90



Kevin Lamonds
District Manager GA/AL
[Schedule A Meeting](#)
M 336.500.1016
Kevin.Lamonds@eagleview.com

From: Steve Watson (Real Property) <rswatson@hallcounty.org>
Sent: Wednesday, October 19, 2022 2:25 PM
To: Kevin Lamonds <kevin.lamonds@eagleview.com>
Subject: FW: Eagle View Agenda Item

This email originated from outside of EagleView

January 31, 2022

Steve Watson
Hall County, GA
300 Henry Ward Way
Gainesville, Georgia 30501

Dear Steve,

As technological leader in the field of high resolution geo-referenced aerial imagery, Pictometry International Corp. holds 94 U.S. patents issued and in force and 32 pending U.S. patent applications that relate to various aspects of capturing, processing, displaying, and using geo-referenced aerial imagery (information current as of September 18, 2020). The Pictometry patent portfolio protects, among other things, Pictometry's (and its EagleView affiliates') exclusive rights to use or provide the following capabilities:

- Determine from an oblique image distance along the surface of the earth following the terrain instead of a straight line that ignores changing terrain (US Patent 7,995,799);
- Use tessellated ground plane data with an oblique image to produce greater accuracy when converting from pixels to geo-locations and when making linear and area measurements (US Patent 7,787,659);
- Use Pictometry's proprietary file structure for oblique images (US Patents 7,787,659 and 8,068,643);
- Select a measurement mode (including distance, height, relative elevation) from a list of tools while viewing an oblique image and using the associated metadata and ground plane information for the oblique image to obtain the corresponding measurements directly from the imagery (US Patent 8,068,643);
- Use a geographic location, whether manually input or from an address lookup, to search a database of oblique images, each with metadata and ground plane data, in order to retrieve the image that contains that location and display it for analysis (US Patent 8,204,341);
- Calculate a desired measurement in a displayed oblique image by referencing positional data for the oblique image and a pre-calculated or created ground plane having elevation data conforming to the topography of an area within the oblique image (US Patents 8,204,341; 9,811,922; and 10,607,357);
- Calculate multiple elevations of a tessellated ground plane for an oblique image using positional data and data indicative of topography represented by the oblique image such that the elevations of the tessellated ground plane conform to the topography of the oblique image (US Patent 8,204,341);
- Measure distance, height, area and relative elevation dependent upon ground plane data that closely approximates the terrain within an oblique image (US Patents 8,223,666 and 8,634,594);
- Extract area measurements of vertical or pitched surfaces using an oblique image, its associated camera information and ground plane information (US Patent 8,223,666);
- Pan through an oblique library by detecting the border of the current image and automatically selecting the oblique image that best matches the current camera orientation and scale while extending farther in the direction the user is panning. (US Patents 8,593,518; 8,643,720; and 9,530,181);
- Transmit post-disaster imagery to the ground from an airplane in real-time through a high-speed directional communications link that is synced with a "non-line of sight communication system" such as a satellite telephone (US Patents 8,477,190; 9,723,269; and 9,743,046);
- Use a capture system that acquires the geo-location of a camera during image acquisition, and controls multiple cameras separately (US Patent 9,182,657);
- Measure between at least two selected points on a man-made structure, such as a building, using an intermediate selection of points or a summation of at least two line segments (US Patent 9,443,305);
- Securely process images of sensitive geographic regions (US Patents 9,881,163 and 10,311,328); and
- Ensure full coverage of acceptable images without costly reflights or delays (US Patents 8,385,672; 8,515,198; 9,262,818; 9,633,425; 9,959,609; 10,198,803; and 10,679,331).

Those patented technologies enable Pictometry to deliver combinations of product and service offerings, features, functions and quality not available through other vendors.



Frank Giuffrida - Senior Vice President – Image Capture R & D

25 Methodist Hill Drive | Rochester, NY 14623 | www.eagleview.com

Pictometry is a member of the EagleView® family of companies.



Budget Proposal

Proposal for: Hall County, GA

Project Name: 3" Oblique & Certified Ortho with IR

Quote Number: Q-86224

Contract Term: 6 Year(s)

Number of Projects: 3

EagleView Rep: Kevin Lamonds

Phone Number: (336) 500-1016

Email: kevin.lamonds@eagleview.com

Expiration Date: 12/13/2022

Targeted Capture: 2023-a-Winter

Multi-Project Summary

3 Projects over 6 year(s)

Project 1 Total: \$224,975.52

Project 2 Total: \$201,093.90

Project 2 Total: \$201,093.90

Annual Payments: \$112,487.76

Annual Payments: \$100,546.95

Annual Payments: \$100,546.95

This quote is non-binding, creates no legal rights, duties or obligations, expressed or implied, on either party, and shall become binding only in the event that Pictometry and Customer enter into a definitive agreement incorporating it. The pricing quoted above does not reflect applicable taxes, which will be reflected in any resulting definitive agreement with Customer. This quote is valid until the date shown above, after which it expires. All Discounts are approximate.



Budget Proposal

Proposal for: Hall County, GA
Project Name: 3" Oblique & Certified Ortho with IR
Contract Term: 6 Year(s)
Number of Projects: 3

EagleView Rep: Kevin Lamonds
Expiration Date: 12/13/2022
Targeted Capture: 2023-a-Winter

Project 1

Qty	Product	List Price	Discount (%)	Subtotal
3	Pictometry Connect - CA - 50	\$2,200.00	75	\$1,650.00
3	CONNECT ImageService CA	\$2,000.00	75	\$1,500.00
7	Reveal 3D Textured Mesh	\$250.00		\$1,750.00
1	FutureView Adv Training	\$2,499.00		\$2,499.00
1	Pictometry CONNECTAssessment	\$5,000.00	100	\$0.00
81914	ChangeFinder - Change Detection and Building Outlines; Digital Parcel File Provided	\$0.68		\$55,701.52
1	ChangeFinder - Project Fee	\$1,000.00		\$1,000.00
1	Oblique Imagery Bundle w/Three (3)Yrs of EFS Maint & Support	\$0.00		\$0.00
1	RapidAccess - Disaster Response Program	\$0.00		\$0.00
429	Reveal Advanced Property	\$500.00	25	\$160,875.00
Project 1 TOTAL:				\$224,975.52

Project 2

Qty	Product	List Price	Discount (%)	Subtotal
429	Reveal Advanced Property	\$500.00	25	\$160,875.00
7	Reveal 3D Textured Mesh	\$250.00		\$1,750.00
1	RapidAccess - Disaster Response Program	\$0.00		\$0.00
1	Pictometry Connect - EarlyAccess	\$10,000.00	100	\$0.00
3	Pictometry Connect - CA - 50	\$2,200.00	50	\$3,300.00
1	Pictometry CONNECTAssessment	\$5,000.00	100	\$0.00
1	Oblique Imagery Bundle w/Three (3)Yrs of EFS Maint & Support	\$0.00		\$0.00
1	FutureView Adv Training	\$2,499.00		\$2,499.00
1	ChangeFinder - Project Fee	\$1,000.00		\$1,000.00
81914	ChangeFinder - Change Detection; Digital Parcel File Provided	\$0.35		\$28,669.90
3	CONNECT ImageService CA	\$2,000.00	50	\$3,000.00
Project 2 TOTAL:				\$201,093.90

Project 2

Qty	Product	List Price	Discount (%)	Subtotal
429	Reveal Advanced Property	\$500.00	25	\$160,875.00
7	Reveal 3D Textured Mesh	\$250.00		\$1,750.00
1	RapidAccess - Disaster Response Program	\$0.00		\$0.00
1	Pictometry Connect - EarlyAccess	\$10,000.00	100	\$0.00
3	Pictometry Connect - CA - 50	\$2,200.00	50	\$3,300.00
1	Pictometry CONNECTAssessment	\$5,000.00	100	\$0.00
1	Oblique Imagery Bundle w/Three (3)Yrs of EFS Maint & Support	\$0.00		\$0.00
1	FutureView Adv Training	\$2,499.00		\$2,499.00
1	ChangeFinder - Project Fee	\$1,000.00		\$1,000.00
81914	ChangeFinder - Change Detection; Digital Parcel File Provided	\$0.35		\$28,669.90

This quote is non-binding, creates no legal rights, duties or obligations, expressed or implied, on either party, and shall become binding only in the event that Pictometry and Customer enter into a definitive agreement incorporating it. The pricing quoted above does not reflect applicable taxes, which will be reflected in any resulting definitive agreement with Customer. This quote is valid until the date shown above, after which it expires. All Discounts are approximate.

3	CONNECT ImageService CA	\$2,000.00	50	\$3,000.00
		Project 2 TOTAL:		\$201,093.90

TOTAL: \$627,163.32

This quote is non-binding, creates no legal rights, duties or obligations, expressed or implied, on either party, and shall become binding only in the event that Pictometry and Customer enter into a definitive agreement incorporating it. The pricing quoted above does not reflect applicable taxes, which will be reflected in any resulting definitive agreement with Customer. This quote is valid until the date shown above, after which it expires. All Discounts are approximate.

Proposal for: Hall County, GA

Project Name: 3" Oblique & Certified Ortho with IR

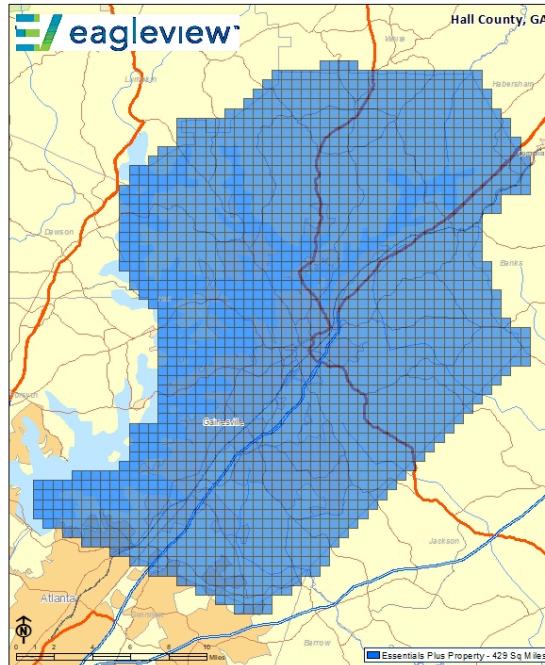
Contract Term: 6 Year(s)

Number of Projects: 3

EagleView Rep: Kevin Lamonds

Expiration Date: 12/13/2022

Targeted Capture: 2023-a-Winter



This quote is non-binding, creates no legal rights, duties or obligations, expressed or implied, on either party, and shall become binding only in the event that Pictometry and Customer enter into a definitive agreement incorporating it. The pricing quoted above does not reflect applicable taxes, which will be reflected in any resulting definitive agreement with Customer. This quote is valid until the date shown above, after which it expires. All Discounts are approximate.



February 25, 2022

Mark Lane
GIS Manager
Gainesville-Hall County GIS
2875 Browns Bridge Rd., Gainesville, GA 30504

Below are a list of reasons that counties across the nation choose EagleView as their imagery provider.

- Long-term Initiative Option=Cost Savings
- Option to pay over 3 years with no added charge
- 94 US Patents and 32 pending
- Proven experience with 79 county customers in Georgia
- Access to surrounding county imagery
- In-field Technical Manager and training
- Disaster Response Program (no charge)
- Rapid delivery times, within 45 days or sooner
- Superior change detection process with proven ROI
- Partner and integrate with your qPublic GIS website
- Partner and integrate with your Central Square 911 CAD System
- Partner and integrate with your WinGAP CAMA
- Partner and integrate with your Mobile Assessor
-

The above reasons are just to name a few. Please let me know if you would like further elaboration.

Kevin L. Lamonds
District Manager

High-Resolution Oblique Imagery for Counties



High-Resolution Imagery Applications for Counties

Agencies and departments within the county will now have access to high-resolution orthogonal and oblique imagery at no additional cost! Imagery can be accessed from any web browser through the cloud-based CONNECT™ platform, or ask about solutions for integrating the imagery into existing workflows for GIS, public safety and more. Oblique imagery allows you to view and measure not just from the top down but the sides as well, providing you with a natural perspective to recognize and respond to objects captured.

All county departments are welcome to access and use the oblique imagery.

ASSESSORS & APPRAISERS

- » Save time and fuel costs with fewer field inspections, particularly for rural or hard-to-access properties
- » Conduct formal and informal appeals
- » Preview properties for additions, new construction and permits prior to a field visit
- » Investigate land use classifications
- » Measure square footage, area, heights, lengths, widths, distances, angles and elevations of buildings, properties and roads
- » Achieve ROI and gain new revenues

COMMUNITY PLANNING, ENVIRONMENTAL ASSESSMENT & DEVELOPMENT

- » Inspect proximity of new developments to housing, schools and roadways
- » Measure angles, area, distance, height and width of any structure or property
- » View parcels from multiple directions to identify modifications to properties not recognizable from traditional street-view photos or orthogonal images
- » Examine environmentally sensitive areas

LAW ENFORCEMENT

- » Identify staging and surveillance areas
- » Plan searches, raids and seizures
- » Develop preemptive and concurrent tactical plans
- » Obtain pictorial references for court presentations and search warrant applications

FIRE DEPARTMENTS

- » Pre-plan responses for major structures and facilities
- » Zoom in and inspect structural compositions, roof layout and access points
- » Access structural inventories such as sprinklers and hazardous material lists

- » Send coordinates of house numbering systems to MDTs in vehicles en route

9-1-1

- » Quickly view a location using a Lat/Lon coordinate or physical address
- » View alternate traffic routes to incidents
- » Provide remote guidance on location of electrical wires and other obstacles that might impair equipment or helicopter access; clearly see all that otherwise might not be seen
- » Monitor foot chases through visual clues and provide assistance to officers on the scene
- » Plan for evacuation and traffic control

ENGINEERING, TRANSPORTATION & UTILITIES

- » Import data from GIS and other sources to assess location of water mains, electrical distribution systems and zoning information
- » Calculate acreage or square footage
- » Review properties for planning rights-of-way and easements
- » View neighborhoods from growth and traffic flow analysis

Access imagery for the county:

1. On your desktop — go to <https://explorer.eagleview.com>
2. On your mobile device, download CONNECTMobile on Google Play or the iTunes store.



25 Methodist Hill Dr.
Rochester, NY 14623
Toll Free: 888-771-9714
Main Line: 585-486-0093
Fax: 585-486-0098

EagleView Customer Support

888-771-9714 x4260
customersupport@eagleview.com



AGENDA ITEM

Other Business - Planning and Development

REPORT TO: Work Session (10/24/22)

REPORT TO: Voting Meeting (10/27/22)

ITEM NO: 555/2022

SUBJECT: Public Hearing for a new Malt Beverage Package License for Amigo Grocery, located at 1815 Atlanta Highway, Gainesville, GA 30504. Ownership is Syed Investment Group, Inc. License holder is Syed Ali and Registered Agent is Tauhid Khan. Commission District 4.

Meetings:

Work Session Date: 10/24/22

Voting Meeting Date: 10/27/22

Executive Summary:

Presenter: RD

Recommendation:

Approve

Purpose of Request: History:

Facts and Issues: Options:

Funding Requested \$ 0.00

Are funds within current budget? No

Source of Funds

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.? No

Has it been reviewed by the County Attorney? No

Is there a deadline for this item? 2022-10-27

Approvals:

Submit	Approve	Budget	Finance
BS	SY	EW	WG
Attorney	Administration	Clerk	
WLI	LJ	AO	

Attachments:



AGENDA ITEM

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

REPORT TO: **Work Session (10/24/22)**

REPORT TO: **Voting Meeting (10/27/22)**

ITEM NO: 552/2022

SUBJECT: Application of Rafael Lopez Nunez for a Use Subject to County Commission approval on a 5.58± acre tract located on the north side of Poplar Springs Road approximately 953 feet from its intersection with Poplar Springs Church Road; a. k. a. 3523 Poplar Springs Road; Zoned AR-III & R-I; Tax Parcel 15036 000005. Proposed use: 2-lot subdivision. Commission District 3.

Meetings:

Work Session Date: 10/24/22

Voting Meeting Date: 10/27/22

Executive Summary:

Presenter: RD

Recommendation:

Approval, with conditions: 1. The front setback of the house being built on Parcel A shall be no less than 86 feet from the road.

Purpose of Request:

Application of Rafael Lopez Nuñez for a Use Subject to County Commission approval on a 5.58± acre tract located on the north side of Poplar Springs Road approximately 953 feet from its intersection with Poplar Springs Church Road; a. k. a. 3523 Poplar Springs Road; Zoned AR-III & R-I; Tax Parcel 15036 000005. Proposed use: 2-lot subdivision. Commission District 3.

History:

Facts and Issues:

Options:

Funding Requested

\$ 0.00

Are funds within current budget?

No

Source of Funds

Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.?

No

Has it been reviewed by the County Attorney?

Yes

Is there a deadline for this item?

Approvals:

Submit	Approve	Budget	Finance
AD	RD	EW	WG
Attorney		Administration	
WLI		LJ	
		Clerk	
		AO	

Attachments:

Board Memo
Recommendation Report
Application
Narrative
Site plan
Maps
Environmental Health Comments
GDOT Comments
Public Works Comments
Fire Comments
Notice Sign Photos



Hall County Government

PLANNING & DEVELOPMENT

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6809 | f: 770.531.3902

DIRECTOR
Randi Doveton

To: Richard Higgins, Chairman
Kathy Cooper, District 1
Billy Powell, District 2
Shelly Echols, District 3
Jeff Stowe, District 4

From: Randi Doveton, Director

Date: October 4, 2022

Subject: Application of Rafael Lopez Nuñez for a Use Subject to County Commission approval on a 5.58± acre tract located on the north side of Poplar Springs Road approximately 953 feet from its intersection with Poplar Springs Church Road; a. k. a. 3523 Poplar Springs Road; Zoned AR-III & R-I; Tax Parcel 15036 000005. Proposed use: 2-lot subdivision. Commission District 3.

The request before you is the application of Rafael Lopez Nuñez for a Use Subject to County Commission approval for the proposed use of a 2-lot subdivision. This item is located within Commission District 3.

At their September 19, 2022 meeting, the Hall County Planning Commission voted to recommend approval (5-0) of this request with the following one (1) condition:

1. *The front setback of the house being built on Parcel A shall be no less than 86 feet from the road.*

There were no public comments in advance of the Planning Commission meeting and no one spoke in opposition or favor during the public hearing on September 19, 2022.

There have been no changes to the request since the Planning Commission took action.

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant Rafael Lopez Nuñez

Request Use Subject to County Commission approval

Proposed Use 2-lot subdivision

Size 5.58± acres

Zoning Agricultural Residential III (AR-III) and Residential I (R-I)

Location On the north side of Poplar Springs Road approximately 953 feet from its intersection with Poplar Springs Church Road; a. k. a. 3523 Poplar Springs Road; Tax Parcel 15036 000005.

Commission District Three

Planning Commission Date September 19, 2022

Staff Recommendation Approval, with conditions

Planning Commission Recommendation: Approval, with conditions

Vote: 5-0

Conditions:

1. *The front setback of the house being built on Parcel A shall be no less than 86 feet from the road.*

Applicant Proposal

The applicant is requesting to subdivide an existing 5.58± acre Agricultural Residential III (ARIII) and Residential I (R-I) zoned parcel into two building lots. Pursuant to §17.60.040, a residential subdivision within the R-I zoning district requires conditional use approval from the County Commission.

The applicant's narrative states that the purpose of the application subdivide the property so that the applicant's son may build a residence on the new building lot. The existing residence will be

located on a $2.93\pm$ acre parcel. The second tract will contain $2.67\pm$ acres of land and has a lot width of 130 feet.

History and Existing Land Uses

The subject property is $5.68\pm$ acres and is Agricultural Residential III (AR-III) and Residential I (R-I). The property is developed with a 3,037 square foot residence, constructed in 2013. In March of 2022 a minor subdivision plat was submitted for review to the Planning Department. It was determined at that time that the applicant would need to apply for a conditional use permit from the Hall County Board of Commissioners to subdivide the property.

The subject property is located on the north side of Poplar Springs Road. Properties to the east and west of the subject property along Poplar Springs Road are also split zoned, with the R-I district fronting the road and the AR-III district to the rear of the lots. This zoning appears to be original to the parcels. Across the street is a Planned Residential Development, which was approved by the Hall County Board of Commissioners on December 15, 2021 for a 192 lot subdivision.

Comprehensive Plan Land Use Designation

The Comprehensive Plan's future land use designation for the subject parcel is "Rural Residential." Rural Residential Areas are characterized by low-density single-family residential uses with deep setbacks from the road. Future development should continue to reflect lower density detached single-family residential uses, and neighborhood design should incorporate a high percentage of open space (i.e. 'Conservation Subdivision' design).

The applicant's request is consistent with the Comprehensive Plan.

Development Support and Constraints

Hall County Environmental Health

In an email dated August 30, 2022, Emily McGahee, Environmental Health, provided the following comments: "All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. This plat is currently under review by the Hall County Plat Review Team and Environmental Health can approve the subdivision plat."

Hall County Fire Services

In an email dated September 1, 2022, Lieutenant John Hornick, Hall County Fire Rescue, stated "Hall County Fire Marshal's Office has no comments regarding 2 lot subdivision as proposed."

The subject property is located approximately 3.9 miles from Fire Station #5, located at 4187 Falcon Parkway, Flowery Branch.

Hall County Public Works and Utilities

A memo dated September 2, 2022 from Srikanth Yamala, Director of Hall County Public Works and Utilities, provided the following comment:

Engineering

The site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.

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

Traffic Engineering No

comment.

Utilities

No comment.

Hall County Tax Assessors

No comments were provided in relation to this item.

Gainesville Water and Sewer Resources

Public water is not available along this portion of Snelling Mill Road.

Georgia Department of Transportation

This project will not require GDOT coordination.

Zoning Analysis

- The proposed request to subdivide the property into two building lots use is consistent with the Comprehensive Plan. These parcels are not located within any corridors or activity centers and is in a residential area of the county.
- The subject parcel is a total of 5.68± acres in size.
 - The applicant is requesting to allow a subdivision to create two building lots.
- Per § 17.240.010, the minimum dimensional standards for the R-I district is as follows:
 - 35,000 square foot minimum lot size ○ 150' minimum frontage along an arterial or collector road, per §16.50.040 ○ 75' minimum lot width (at front setback line) per §17.240.120 ○ 30' front and street side setbacks ○ 10' side yard setback ○ 20' rear setback
- Per § 17.240.010, the minimum dimensional standards for the AR-III district is as follows:
 - 43,560 square foot minimum lot size ○ 150' minimum frontage along an arterial or collector road, per §16.50.040 ○ 75' minimum lot width (at front setback line) per §17.240.120 ○ 40' front setbacks ○ 15' side yard setback ○ 25' rear setback
- In any subdivision not involving the construction of new roads and in any minor subdivision (as defined by the Hall County zoning regulations), all new lots accessing a road designated as an arterial or collector shall have a minimum frontage of 150 feet, §16.50.040.

- The proposed subdivision exceeds the minimum lot size requirement for both zoning district.
 - The existing residence meets the setback requirements in the proposed lot split.
 - Parcel A does not meet the requirements of §17.240.150 (flag lot width and frontage standards) which requires that the minimum required lot frontage as established by the county zoning regulations shall be maintained as the minimum lot width for all of that portion of the lot between the front property line (frontage) and the actual building site on the lot even if the building site is a greater distance from the front property line than the minimum required front setback.
 - Parcel A has approximately 150.05 feet of frontage along Poplar Springs Road, but the lot narrows to 130 feet in width. The plat will need to be revised to meet the requirements of §17.240.150 or a road frontage variance obtained.
- §17.380.060 provides the criteria for considering a conditional use. The application **meets** all these standards based on the following analysis:
 - The zoning proposal is consistent with the Comprehensive Land Use designation by maintaining low density residential uses in the area of the lake.
 - Due to the number of other residential uses within this area, a conditional use for a minor subdivision, if granted, would not cause substantial detriment to the public good

Staff Recommendation

Staff recommends **approval** of the applicant's request with the following condition:

1. Tract A shall be revised so that the minimum required lot frontage of 150 feet, as established by the county zoning regulations, shall be maintained as the minimum lot width for all of that portion of the lot between the front property line (frontage) and the actual building site on the lot, even if the building site is a greater distance from the front property line than the minimum required front setback.

Excerpts from the minutes of the September 19, 2022 meeting

Applicant's Presentation:

Randi Doveton, Planning Director, presented a summary of the request.

Rafael Lopez, 3523 Poplar Springs, Gainesville, presented the request.

Marcela Aguilar, 3523 Poplar Springs, Gainesville, presented the request.

Public Forum:

There were no comments in support or opposition.

Planning Commission Comments:

Mr. Hunt questioned the width requirements for zoning. Mr. Braswell stated the road frontage of both lots. Mr. Braswell questioned if the applicant was willing to build the house further back from the existing home. Mr. Lopez stated the new home would be built further back.

Motion: A motion to approve, with conditions was made by Mr. Hunt and seconded by Mr. Bell. Vote: 5-0

Condition:

1. *The front setback of the house being built on Parcel A shall be no less than 86 feet from the road.*

RECEIVED

JUL 26 2022

Planning & Zoning Department

PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504
MAILING ADDRESS: PO BOX 1435, GAINESVILLE, GA 30503
t: 770-531-6809 | f: 770-531-3902



CONDITIONAL USE APPLICATION

Applicant (Name & Mailing Address)

Rafael Lopez Núñez
3523 Poplar Springs Rd
Gainesville GA 30507
Phone 678-206-4221
Email Address _____
Proposed Use 2-Lot S/D

Property Owner (Name & Mailing Address)

Rafael Lopez Núñez
3523 Poplar Springs Rd
Gainesville GA 30507
Phone 678-206-4221
Email Address rafaellopez1222@icloud.com

Contact Person (Name & Mailing Address)

Phone _____
Email Address _____
Tax Parcel Number _____
Location Address 3523 POPULAR SPRINGS RD.

Status of Applicant

<input type="checkbox"/> Owner	Permissive Use:
<input type="checkbox"/> Option to Purchase	<input type="checkbox"/> HCPC <input checked="" type="checkbox"/> HCC
<input type="checkbox"/> Area Resident	Fee: \$ <u>400.00</u>
<input type="checkbox"/> Other	Receipt #: <u>859021</u>

Zoning: R-1/AR-III Check #: Cash

Acreage 5.5 AC

I hereby certify that the above information and all attached information are true and correct.

Sign

Date: _____

Applicant must complete all information above. Failure to complete this section will result in the refusal of the application. The Planning Department has 15 days to review all applications and will set the dates for each application. If the application is found insufficient, an agenda date will not be set until the required information is submitted. Please note that the Planning Commission and County Commission dates are tentative.

Application Withdrawal: I hereby withdraw the application.

Sign _____

Date: _____

Staff Use Only

Application Date: 3/26/22

Taken by: _____

Tentative Planning Commission Date: 9/19

Tentative County Commission Date: 10/27

County Commission District: 3

CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

This form must be completed by the applicant and property owner, or person representing the property owner, for all zoning actions.

OCGA § 36-67A-3[C] Disclosure of campaign contributions:

(b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:

(3) The name and official position of the local government official to whom the campaign contribution was made; and

(4) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have** I have not

within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

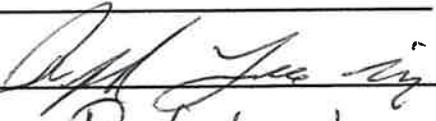
****If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.**

Name of Official(s): _____

Office: _____

Dollar Amount: _____

Date of Contribution: _____

Applicant's/Owner's Signature: 

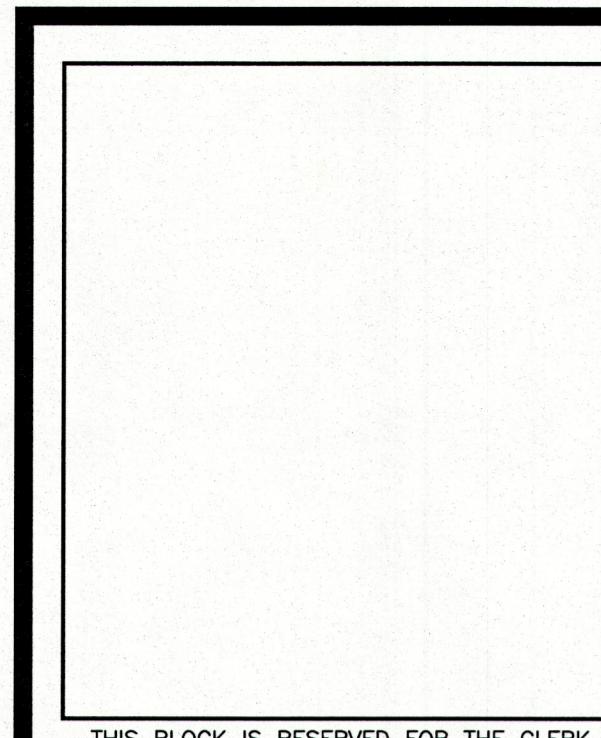
Date: 8/25/2022

Applicant's/Owner's Name (Printed): Rafael Lopez Munoz

July 26, 2022

I Rafael Lopez Núñez want to build a home
for my son. I wish to divide the property
for this purpose.

Rafael Lopez Núñez



ZONING AND BUILDING SETBACKS (S/B):

INFORMATION PROVIDED BY HALL COUNTY G.I.S.
WEB SITE LOCATED AT:
<http://gis.hallcounty.org/Public/WebPages/Map/FundyViewer.aspx>

CURRENT HALL COUNTY ZONING:
R-1 - RESIDENTIAL

BUILDING SETBACKS:
FRONT: 30' FROM RIGHT-OF-WAY LINE OR 55' FROM CENTERLINE ROAD (WHICHEVER IS GREATER)
SIDE: 10' FROM PROPERTY LINE
REAR: 20' FROM PROPERTY LINE

ZONING & BUILDING SETBACKS (S/B):

INFORMATION PROVIDED BY HALL COUNTY G.I.S.
WEB SITE LOCATED AT:
<http://gis.hallcounty.org/Public/WebPages/Map/FundyViewer.aspx>

CURRENT HALL COUNTY ZONING:
AR-III - AGRICULTURAL RESIDENTIAL III

BUILDING SETBACKS:
FRONT: 40' FROM RIGHT-OF-WAY LINE OR 65' FROM CENTERLINE ROAD (WHICHEVER IS GREATER)
SIDE: 15' FROM PROPERTY LINE
REAR: 25' FROM PROPERTY LINE

1. THIS PROPERTY IS NOT LOCATED WITHIN A FLOOD HAZARD AREA AS PER FIRM FLOOD INSURANCE RATE MAP OF HALL COUNTY, GA. COMMUNITY PANEL NO. 130466 0304 F, EFFECTIVE DATE: SEPTEMBER 29TH, 2006. THIS OPINION IS NOT A CERTIFICATION OF FLOOD HAZARD STATUS, BUT IS AN INTERPRETATION OF THE REFERENCED FIRM AND PUBLIC DATA. THE EXACT LOCATION OR ELEVATIONS OF THESE HAZARD AREAS ARE UNKNOWN; A MORE DETAILED STUDY MAY BE NEEDED. THIS FIRM ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THE ACCURACY OF THE REFERENCED MAP OR PUBLIC DATA.

2. THIS PROPERTY IS NOT AFFECTED BY THE HALL COUNTY STUDIED FLOOD ZONES AS SHOWN ON HALL COUNTY G.I.S. WEB SITE LOCATED AT:
<http://gis.hallcounty.org/Public/WebPages/Map/FundyViewer.aspx>

3. IF THIS PROPERTY CONTAINS FEMA AND/OR LOCAL FLOOD HAZARD AREAS, BOTH FEDERAL AND LOCAL RESTRICTIONS MAY APPLY.

4. THIS SURVEY WAS PREPARED IN THE GEODIS STATE PLANE COORDINATE SYSTEM, TRANSVERSE MERCATOR PROJECTION, WEST NORTH AMERICAN DATUM OF 1983/2007 ADJUSTMENT. THE SCALE FACTOR FOR THIS SITE IS 0.999915645. (GRID DISTANCE/SCALE FACTOR=GROUND DISTANCE). ALL COORDINATES SHOWN HEREON ARE GRID COORDINATES UNLESS OTHERWISE STATED.

5. THIS SURVEY COMPLIES WITH BOTH THE RULES OF THE GEORGIA BOARD OF REGULATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE OFFICIAL CODE OF GEORGIA ANNOTATED (O.C.G.A) 15-6-67 AS AMENDED BY HB76 (2017).

6. CONVENTIONAL EQUIPMENT USED FOR MEASUREMENT WAS A TOPCON PS 103. GPS EQUIPMENT USED FOR MEASUREMENT WAS A CHAMPION TKO GNSS RECEIVER USING REALTIME KINEMATIC OBSERVATIONS PROCESSED THROUGH THE EGPS NETWORK.

7. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 41,649 FEET AND AN ANGULAR CLOSURE OF 0'00"03" PER ANGLE POINT, AND WAS ADJUSTED USING LEAST SQUARES RULE. FIELD PARTY D.W. & D.C.

8. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN PARCEL "A": 138,263 FEET.
PARCEL "B": 148,250 FEET.

9. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF TITLE REVIEW AND IS SUBJECT TO ANY RESERVATIONS, RESTRICTIONS, RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

10. THIS PLAT OF SURVEY IS FOR THE EXCLUSIVE USE OF THE PARTIES LISTED UNDER THE CAPTION "SURVEY FOR" ANY THIRD PARTY USE TO BE AT THEIR OWN RISK.

11. THIS PROPERTY DOES CONTAIN STATE WATERS REQUIRING AN UNDISTURBED NATURAL BUFFER. LOCAL ORDINANCES MAY ALSO REQUIRE ADDITIONAL BUFFERS FOR THESE AREAS.

12. IF THE PROPERTY IS LOCATED IN THE NORTH OCONEE WATERSHED DISTRICT, THEN ADDITIONAL STREAM BUFFERS AND IMPERVIOUS SETBACKS MAY BE REQUIRED FOR COMPLIANCE. (HALL COUNTY CODE § 17.225.040).

13. THE FIELD SURVEY WAS CONDUCTED ON MARCH 16TH, 2022.

14. THE UNDERGROUND UTILITIES SHOWN HEREON WERE LOCATED BASED ON SURFACE EVIDENCE AND FROM INFORMATION TAKEN FROM G.I.S./UTILITY WEB SITES. THERE MAY BE OTHER SUBSURFACE UTILITIES THAT SERVICE THE PROPERTY THAT ARE NOT SHOWN ON THIS SURVEY.

SURVEYOR'S CERTIFICATION:

AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR. THIS PLAT HAS BEEN APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS THAT REQUIRE PRIOR APPROVAL FOR RECORDING THIS TYPE OF PLAT OR ONE OR MORE OF THE APPLICABLE LOCAL JURISDICTIONS DO NOT REQUIRE APPROVAL OF THIS TYPE OF PLAT. FOR ANY APPLICABLE LOCAL JURISDICTION THAT REQUIRES APPROVAL OF THIS PLAT, THE NAME OF THE AGENCY OR OFFICE OF INDIVIDUALS SIGNING OR APPROVING THIS PLAT, THE AGENCY OR OFFICE OF THAT INDIVIDUAL, AND THE DATE OF APPROVAL ARE LISTED IN THE APPROVAL TABLE SHOWN HEREON. FOR ANY APPLICABLE LOCAL JURISDICTION THAT DOES NOT REQUIRE APPROVAL OF THIS TYPE OF PLAT, THE NAME OF SUCH LOCAL JURISDICTION, THE NUMBER OF THE APPLICABLE ORDINANCE OR RESOLUTION PROVIDES THAT NO SUCH APPROVAL IS REQUIRED ARE LISTED IN THE APPROVAL TABLE SHOWN HEREON.

THE FOLLOWING GOVERNMENTAL BODIES HAVE APPROVED THIS MAP, PLAT OR PLAN FOR FILING:

HALL COUNTY DEPARTMENT OF PUBLIC HEALTH DATE:

HALL COUNTY PLANNING COMMISSION DATE:

HALL COUNTY ENGINEERING DATE:

SUCH APPROVALS, AFFIRMATIONS, OR ORDINANCE OR RESOLUTION NUMBERS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE APPLICABLE LAND SURVEYOR CERTIFIES THAT THIS PLAT CONFORMS WITH THE MINIMUM STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

Chris M. Patton
03/18/2022
DATE:
CHRIS M. PATTON, GA. R.L.S. #2647
HALL COUNTY SURVEYOR



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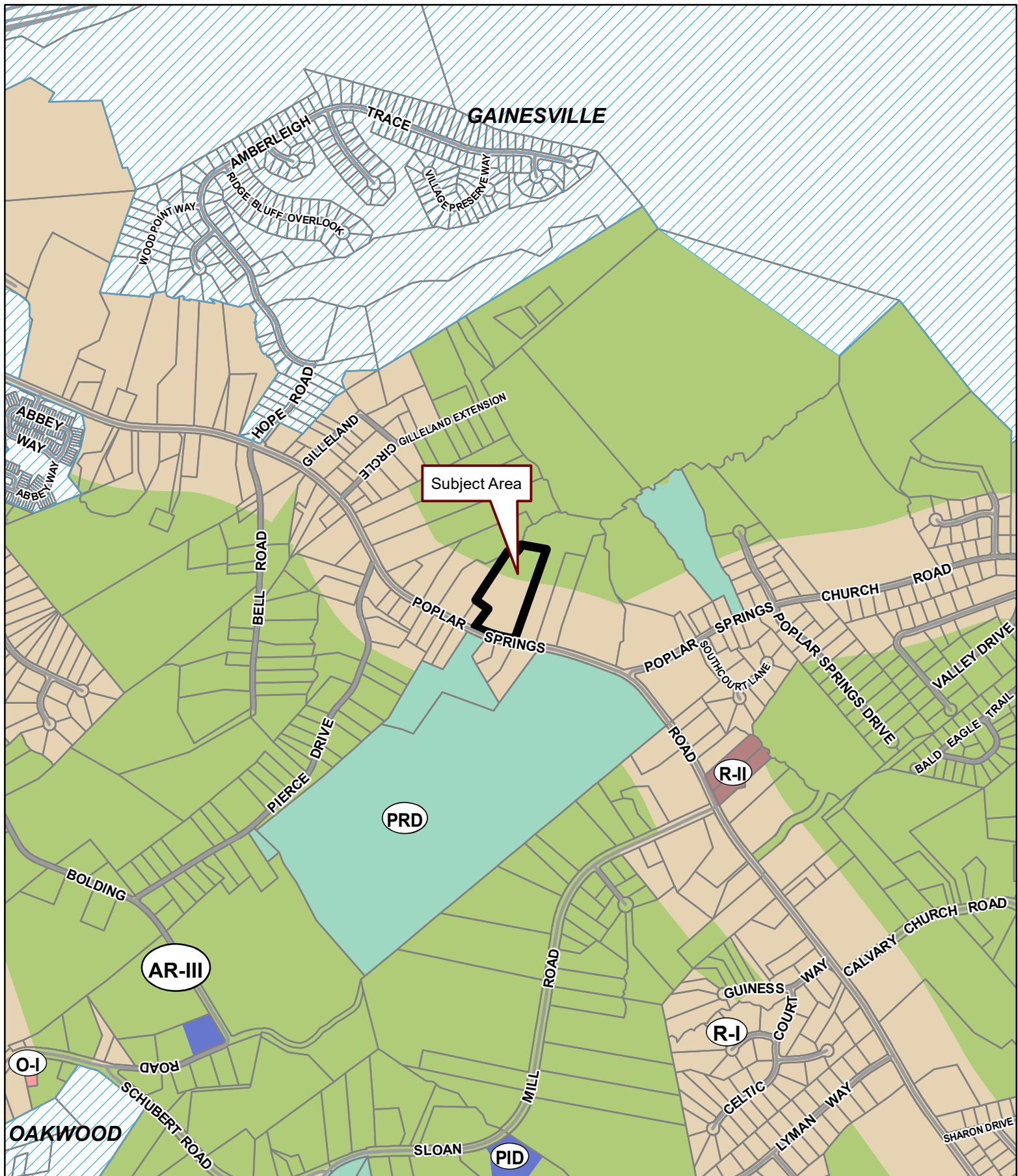
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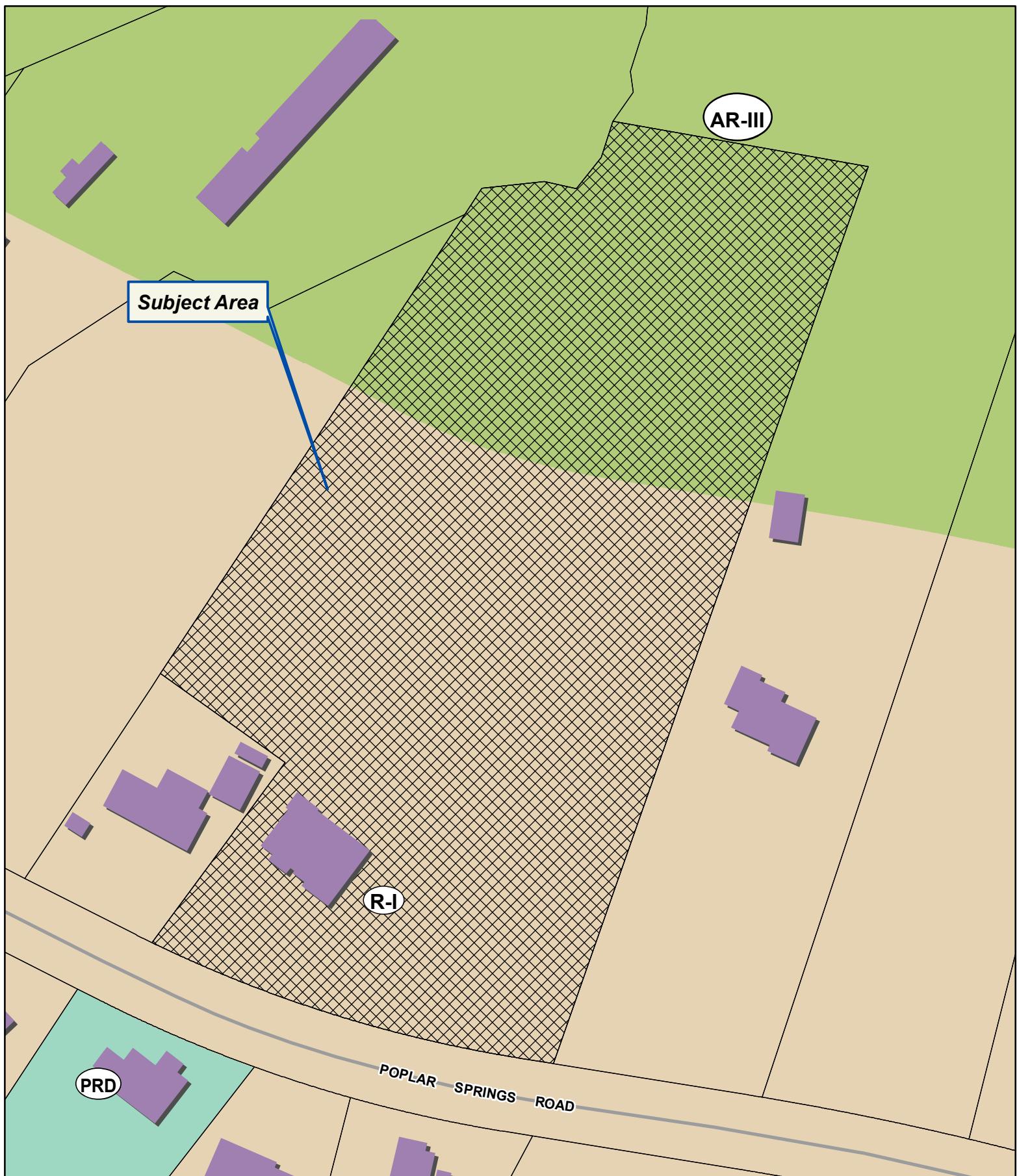
Applicant: RAFAEL LOPEZ NUÑEZ

Tax Parcel #: 15036 000005

Location: 3523 POPLAR SPRINGS ROAD, GAINESVILLE, GA 30507

Commission District 3

PC Mtg. Date: 09/19/2022



Applicant: RAFAEL LOPEZ NUÑEZ

Tax Parcel #: 15036 000005

Location: 3523 POPLAR SPRINGS ROAD, GAINESVILLE, GA 30507

Commission District 3

PC Mtg. Date: 09/19/2022

0 25 50 100
Feet

■ Zoning Boundary
□ City Limits
■ Subject Area
□ Structure





Applicant: RAFAEL LOPEZ NUÑEZ

Tax Parcel #: 15036 000005

Location: 3523 POPLAR SPRINGS ROAD, GAINESVILLE, GA 30507

Commission District 3 **PC Mtg. Date:** 09/19/2022

0 25 50 100
Feet

Zoning Boundary

City Limits

Subject Area



Anael Dominguez (Planning)

From: Emily McGahee (Environmental Health)
Sent: Tuesday, August 30, 2022 3:20 PM
To: Randi Doveton (Planning); Anael Dominguez (Planning)
Cc: Chad Harper (Environmental Health); Kelly Hairston (Environmental Health)
Subject: HCPC Tentative Agenda 9.19.22

Please find Environmental Health comments below:

Item 1, 2002 Memorial Park Drive, Sanchez: Must meet all Environmental Health commercial septic system permitting requirements. A detailed business plan must be submitted to Hall County Environmental Health for review. Additional items, including, but not limited to: recorded plat, soil evaluation, and septic system installation/modification may be required after review of business plan.

Item 2, 6541 Henry Smith Road, Crawford: Environmental Health issued a septic permit (OSC 7294) for storage building/barn (sink/toilet) in May 2022. The system has not been installed as of this date.

Item 3, 3523 Poplar Springs Church, Nunez: All proposed lots must meet Hall County Board of Health Lot Size Resolution requirements. This plat is currently under review by the Hall County Plat Review Team and Environmental Health can approve the subdivision plat.

Item 4, 6295, 6363,0 Athens Street, 5759 Main St and 4514 Cornelia Hwy, CBD Investments: Public sewer. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.

Item 5, 2191, 2211,2233 Old Cornelia Hwy, InLine Communities: Public sewer. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.

Items 6 & 7, 4745 Cagle Mill Rd, Boling: Public sewer. Any abandoned well shall be properly closed as per Water Well Standards Act. Any abandoned septic tank shall be pumped by a State certified pumper/hauler and crushed/filled.

Emily McGahee
Hall County Environmental Health
Hall County Government Center
2875 Browns Bridge Road
Mailing: PO Box 5901
Gainesville, GA 30504
(770) 531-3973
(770) 531-6767 (fax)

<http://dph.georgia.gov/environmental-health> (State Website)
<http://www.phdistrict2.org/HallCounty.htm> (District Website)
<http://www.hallcounty.org/devserv/environmental.asp> (County Website & Forms)

Anael Dominguez (Planning)

From: Niebauer, Parker J <PNiebauer@dot.ga.gov>
Sent: Wednesday, August 31, 2022 7:05 PM
To: Anael Dominguez (Planning); Randi Doveton (Planning)
Cc: Peevy, Jonathan; Chavers, Veronica E
Subject: RE: Tentative Planning Agenda for September 19, 2022

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please see responses below in red

Thanks,

Parker Niebauer
DITO Traffic Operations Supervisor



District 1 Division of Field Services
1475 Jesse Jewell Pkwy
Suite 100
Gainesville, GA, 30501
770.533.8275 office
770.519.3223 cell

From: Anael Dominguez (Planning) <adominguez@hallcounty.org>
Sent: Friday, August 26, 2022 12:59 PM
To: Becky Ruffner (Parks & Leisure) <bruffner@hallcounty.org>; Bill Nash (Public Works) <bnash@hallcounty.org>; Brandi Smith (Business License) <bsmith@hallcounty.org>; Bryan Cash (Fire Services) <bcash@hallcounty.org>; Chad Harper (Environmental Health) <charper@hallcounty.org>; Chris Braswell (Planning) <cbraswell@hallcounty.org>; Christopher Armstrong (Fire Services) <carmstrong@hallcounty.org>; Dan Barnes <Daniel.C.Barnes@usace.army.mi>; Ellis Still (Planning) <estill@hallcounty.org>; Emily McGahee (Environmental Health) <emcgahee@hallcounty.org>; Frank Miller (Engineering) <fmiller@hallcounty.org>; Dykes, Jason <jdykes@dot.ga.gov>; Jason Skarda (Engineering) <jskarda@hallcounty.org>; Jeremy Wills <jeremy.wills@gainesville.org>; John Hornick (Fire Services) <jhornick@hallcounty.org>; Peevy, Jonathan <jpeevy@dot.ga.gov>; Kelly Hairston (Environmental Health) <khairston@hallcounty.org>; Randi Doveton (Planning) <rdoveton@hallcounty.org>; Matt Cox <matt.cox@hallco.org>; Michael Vieira (Fire Services) <mvieira@hallcounty.org>; Mike Little (Parks and Leisure) <mlittle@hallcounty.org>; Nicole Griffin (Tax Assessors) <nicole.griffin@hallcounty.org>; nswafford <nswafford@gainesville.org>; Pam Cravero <Pam.Cravero@hallco.org>; Niebauer, Parker J <PNiebauer@dot.ga.gov>; Randi Doveton (Planning) <rdoveton@hallcounty.org>; rich <rich@flowerybranchga.org>; Scott Puckett <spuckett@hallcounty.org>; Srikanth Yamala (Public Works) <syamala@hallcounty.org>; Stephen Cain <troy.s.cain@usace.army.mil>; Steve Watson (Real Property) <rswatson@hallcounty.org>; Tammie Croy (Engineering) <tcroy@hallcounty.org>; Tracy Gilreath (Tax Assessors) <tgilreath@hallcounty.org>; Wanda Moreno (Engineering) <wmoreno@hallcounty.org>; Wanda Sutton (Engineering) <wsutton@hallcounty.org>; will schofield <will.schofield@hallco.org>
Subject: Tentative Planning Agenda for September 19, 2022

Good afternoon–

Here is the Tentative Agenda and Maps for the **Monday, September 19, 2022** Hall County Planning Commission Meeting.

Please use the links to review the documents and respond with comments to Hall County Planning and Development. Failure to provide comments in a timely manner may result in the information not being included in the staff report.

When submitting comments, please include the name of the applicant along with the address of the property with the corresponding comment.

Comments are due by **Friday, September 2nd.** Email comments to Randi (rdoventon@hallcounty.org) and Ana (adominguez@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – September 6, 2022

OLD BUSINESS

1. Previously tabled application of Salomon Sancen to rezone from Residential-I (R-I) to Highway Business (H-B) on a .89± acre tract located on the west side of Memorial Park Drive at its intersection with Browns Bridge Road; a.k.a. 2002 Memorial Park Drive; Zoned R-I; Tax Parcel 08014 005011. Proposed use: retail sales. ** Commission District 4.

NEW BUSINESS

2. Application of Tyler Crawford for a Use Subject to Planning Commission approval on a 5.65± 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. Proposed use: rural business. * Commission District 3.
None

3. Application of Rafael Lopez Nuñez for a Use Subject to County Commission approval on a 5.58± acre tract located on the north side of Poplar Springs Road approximately 953 feet from its intersection with Poplar Springs Church Road; a. k. a. 3523 Poplar Springs Road; Zoned AR-III & R-I; Tax Parcel 15036 000005. Proposed use: 2-lot subdivision. ** Commission District 3.
GDOT Coordination Required

4. Application of CBD Investments, LLC to rezone from Agricultural Residential-IV (AR-IV) and Planned Commercial Development (PCD) to Planned Industrial Development (PID) on a 303.43± acre tract located on the west side of Athens Street at its intersection with Cornelia Highway; a. k. a. 6295, 6363, 0, 0 Athens Street, 5759 Main Street, & 4514 Cornelia Highway; Zoned AR-IV & PCD; Tax Parcels 09072 000003 (pt.) -000004, 09080 000005 - 000006, 09081 000001 (pt.) - 000001A (pt.). Proposed use: business park. ** Commission District 3.
GDOT Coordination Required

5. Application of InLine Communities, LLC to rezone from Residential-I (R-II) & Highway-Business (H-B) to Planned Residential Development (PRD) on a 28.03± acre tract located on the north side of Old Cornelia Highway at its intersection with Jesse Jewell Parkway; a.k.a. 2191, 2211, & 2233 Old Cornelia Highway; Zoned R-II & H-B; Tax Parcels 15033C000055, 000057, & 000058. Proposed use: 320-unit multi-family residential & neighborhood commercial development. ** Commission District 3.
None

6. Application of Josh Boling to rezone from Agricultural Residential-III (AR-III) and Agricultural Residential-IV (AR-IV) to Planned Residential Development (PRD) on a 62.09± acre tract located on the west side of Cagle Mill Road approximately 429 feet from Noah Martin Drive; a.k.a. 4745 Cagle Mill Road; Zoned AR-III & AR-IV; Tax Parcel 15007 000254 (pt.). Proposed use: single family, townhome, & cluster home development. ** Commission District 3.

None

7. Application of Josh Boling to rezone from Agricultural Residential-III (AR-III) to Light Industrial (I-I) on a 10.57± acre tract located on the east side of Cornelia Highway approximately 4,970 feet from Cagle Road; a.k.a. 4745 Cagle Mill Road; Zoned AR-III; Tax Parcel 15007 000254 (pt.). Proposed use: commercial outparcels. ** Commission District 3.

None

*The Planning Commission's decision will be the final action taken unless appealed to the Board of Commissioners. To do so, file an application with the Planning Department within five working days of the Planning Commission's decision.

The Hall County Board of Commissioners will hear appeals at a public hearing **Thursday, October 27, 2022** at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

The Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action at a public hearing on **Thursday, October 27, 2022. The Board will meet at 6:00 p.m. at the Hall County Government Center, 2nd Floor Meeting Room, 2875 Browns Bridge Road, Gainesville, Georgia.

Thank you,
Ana Dominguez
Planning Commission Clerk
Hall County Government
2875 Browns Bridge Road, Gainesville, GA 30504
www.hallcounty.org | 770-531-6810



Georgia is a state of natural beauty. And it's a state that spends millions each year cleaning up litter that not only mars that beauty, but also affects road safety, the environment and the economy. Do your part – don't litter. How can you play an active role in protecting the splendor of the Peach State? Find out at <http://keepgaclean.com/>.



Hall County Government

PUBLIC WORKS AND UTILITIES
ENGINEERING DIVISION

MEMORANDUM

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA
Director

BILL NASH, P.E.
Assistant Director

FRANKLIN P. MILLER, P.E.
County Engineer

To: Randi Doveton, Director of Planning and Development
From: Srikanth Yamala, Director of Public Works and Utilities
Date: September 2, 2022
Subject: September 19, 2022 - Hall County Planning Commission Agenda

Please be advised that our office has reviewed the Hall County Planning Commission agenda for the September 19, 2022 meeting. Upon review, we provide the following comments:

1. Previously tabled application of Salomon Sancen to rezone from Residential-I (R-I) to Highway Business (H-B) on a .89± acre tract located on the west side of Memorial Park Drive at its intersection with Browns Bridge Road; a.k.a. 2002 Memorial Park Drive; Zoned R-I; Tax Parcel 08014 005011. Proposed use: retail sales. ** Commission District 4.
 - a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
 - b) **Traffic:** Driveway must meet Hall County and GDOT requirements.
 - c) **Utilities:** Will water and sewer service the facility?

NEW BUSINESS

2. Application of Tyler Crawford for a Use Subject to Planning Commission approval on a 5.65± 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. Proposed use: rural business. * Commission District 3.
 - a) **Engineering:** The site may require a stormwater management report, should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
 - b) **Traffic:** No comments.
 - c) **Utilities:** No comments.
3. Application of Rafael Lopez Nuñez for a Use Subject to County Commission approval on a 5.58± acre tract located on the north side of Poplar Springs Road approximately 953 feet from its intersection with Poplar Springs Church Road; a. k. a. 3523 Poplar Springs Road; Zoned AR-III & R-I; Tax Parcel 15036 000005. Proposed use: 2-lot subdivision. ** Commission District.
 - a) **Engineering:** The site may require a stormwater management report should the site plan indicate the proposed development meets



POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

SRIKANTH YAMALA
Director

BILL NASH, P.E.
Assistant Director

FRANKLIN P. MILLER, P.E.
County Engineer

Hall County Government

PUBLIC WORKS AND UTILITIES
ENGINEERING DIVISION

stormwater thresholds for impervious surfaces and/or disturbed acreage.

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

- b) Traffic:** No comments.
- c) Utilities:** No comments.

4. Application of CBD Investments, LLC to rezone from Agricultural Residential-IV (AR-IV) and Planned Commercial Development (PCD) to Planned Industrial Development (PID) on a 303.43± acre tract located on the west side of Athens Street at its intersection with Cornelia Highway; a. k. a. 6295, 6363, 0, 0 Athens Street, 5759 Main Street, & 4514 Cornelia Highway; Zoned AR-IV & PCD; Tax Parcels 09072 000003 (pt.) -000004, 09080 000005 - 000006, 09081 000001 (pt.) - 000001A (pt.). Proposed use: business park. ** Commission District 3.

- a) Engineering:** The site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
Show stream buffers and FEMA/county studied flood plains.
- b) Traffic:** Athens Street and Burton Drive are truck restricted by ordinance and not structurally able to accommodate industrial traffic. Recommend that development access be restricted to State Routes only utilizing an internal road network for individual lot access.
2. If industrial access is to be considered via Athens Street or Burton Drive, recommend a condition that the roadways will be reconstructed to Hall County industrial standards including any additional improvements necessary to provide safe and efficient access.
3. According to the traffic impact study, improvements/modifications will be necessary for Lula Road (SR52) at development access and for Lula Road (SR52) at Cornelia Hwy (SR365) including turn lanes, existing turn lanes modification and traffic signal modifications.
Recommend a zoning condition that improvements identified in the traffic impact study and any others necessary to meet GDOT and Hall County requirements be required.
4. Recommend that all necessary improvements be the financial responsibility of the developer and constructed concurrently with the development.
5. Any improvements/modifications on State Routes must be approved and permitted by GDOT.
- c) Utilities:** Hall County sewer district.
Existing gravity in Cornelia requires a sewer availability letter.

5. Application of InLine Communities, LLC to rezone from Residential-I (R-II) & Highway-Business (H-B) to Planned Residential Development (PRD) on a 28.03± acre tract located on the north side of Old Cornelia Highway at its intersection with Jesse Jewell Parkway; a.k.a. 2191, 2211, & 2233 Old Cornelia Highway; Zoned R-II & H-B; Tax Parcels 15033C000055, 000057, & 000058. Proposed use: 320-unit multi-family residential & neighborhood commercial development. ** Commission District 3.



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SRIKANTH YAMALA
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Assistant Director

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County Engineer

Hall County Government

PUBLIC WORKS AND UTILITIES
ENGINEERING DIVISION

- a) Engineering:** The site may require a stormwater management report should the site plan indicate the proposed development meets stormwater thresholds for impervious surfaces and/or disturbed acreage.
Show buffer and impervious setback from wretched vegetation, not centerline of creek.
- b) Traffic:** 1. Right-in/right-out driveways are ineffective on undivided roadways. Recommend that the Jesse Jewell Parkway entrance be full access with a left turn lane and right turn (decel) lane. Applicant should verify that intersection and stopping sight distances can be achieved.
2. Left turn and right turn (decel) lanes will be required for the proposed Old Cornelia Hwy entrance.
3. Recommend requiring a traffic signal warrant analysis for the intersection of Old Cornelia Highway and Jesse Jewell Parkway. Analysis should include the traffic impact for the proposed development.
4. Proposed internal roadways must meet Hall County Code Title 16 (Subdivision Regulations) if variances are requested/proposed, they must be specific, justified and approved through the rezoning process. Current site plan does not meet Hall County requirements.
5. Recommend that all necessary improvements be the financial responsibility of the developer and constructed concurrently with the development.
- c) Utilities:** City of Gainesville Sewer District. No county sewer.

6. Application of Josh Boling to rezone from Agricultural Residential-III (AR-III) and Agricultural Residential-IV (AR-IV) to Planned Residential Development (PRD) on a 62.09± acre tract located on the west side of Cagle Mill Road approximately 429 feet from Noah Martin Drive; a.k.a. 4745 Cagle Mill Road; Zoned AR-III & AR-IV; Tax Parcel 15007 000254 (pt.). Proposed use: single family, townhome, & cluster home development. ** Commission District 3.

- a) Engineering:** The site may require a stormwater management report should the site plan indicate the proposed development meets stormwater threshold for impervious surfaces and/or disturbed acreage.
Show FEMA and Hall County studied flood plain.
Part of North Oconee Water Protection District.
Show buffer and impervious setback from wretched vegetation, not centerline of creek. (150')
Hall County will not maintain bridge over river.
- b) Traffic:** 1. Access onto Cornelia Hwy (SR365) must be approved and permitted by GDOT.
2. Internal roadways are proposed to be private; however, they still need to meet Hall County Code Title 16 (subdivision regulations). Any proposed variances to Title 16 must be specific, justified and approved through the rezoning process. In addition, there is a proposed bridge shown near the Cornelia Hwy (SR365) entrance and it should be noted that Hall County does not accept bridges into County maintenance. A cul-de-sac will be required at the end of the proposed County maintained section. Current site plan does not meet Hall County requirements.



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GAINESVILLE, GA 30503

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SRIKANTH YAMALA
Director

BILL NASH, P.E.
Assistant Director

FRANKLIN P. MILLER, P.E.
County Engineer

Hall County Government

PUBLIC WORKS AND UTILITIES
ENGINEERING DIVISION

3. Recommend that the gravel section of Cagle Mill Road from existing end of pavement to White Hall Road (approximately 1,400 feet) be improved and paved to Hall County standards to provide safe and efficient access to and from the site via Old Cornelia Highway/White Hall Road.

4. Recommend that all necessary improvements be the financial responsibility of the developer and constructed concurrently with the development.

c) **Utilities:** Hall County sewer district.
Sewer lift station @ 365.

7. Application of Josh Boling to rezone from Agricultural Residential-III (AR-III) to Light Industrial (I-I) on a 10.57± acre tract located on the east side of Cornelia Highway approximately 4,970 feet from Cagle Road; a.k.a. 4745 Cagle Mill Road; Zoned AR-III; Tax Parcel 15007 000254 (pt.). Proposed use: commercial outparcels. ** Commission District 3.

a) **Engineering:** The site may require a stormwater management report should the site plan indicate the proposed development meets stormwater threshold for impervious surfaces and/or disturbed acreage.

Show FEMA and Hall County studied flood plain.

Part of North Oconee Water Protection District.

Show buffer and impervious setback from wretched vegetation, not centerline of creek. (150')

Hall County will not maintain bridge over river.

b) **Traffic:** 1. Access onto Cornelia Hwy (SR365) must be approved and permitted by GDOT.
2. Roadway will need to meet Hall County industrial standards.
3. There is a proposed bridge shown near the Cornelia Hwy (SR365) entrance and it should be noted that Hall County does not accept bridges into County maintenance. A cul-de-sac will be required at the end of the proposed County maintained section.
4. Recommend that all necessary improvements be the financial responsibility of the developer and constructed concurrently with the development.

c) **Utilities:** Sewer at 365, need sewer availability letter flows?

Anael Dominguez (Planning)

From: John Hornick (Fire Services)
Sent: Thursday, September 1, 2022 10:53 AM
To: Randi Doveton (Planning)
Cc: Anael Dominguez (Planning); Michael Vieira (Fire Services); John Tucker (Fire Services)
Subject: Fire Comments Tentative Agenda 9/19/22

Fire Comments 9/1/22

Here is the Tentative Agenda and Maps for the **Monday, September 19, 2022** Hall County Planning Commission Meeting.

Please use the links to review the documents and respond with comments to Hall County Planning and Development. Failure to provide comments in a timely manner may result in the information not being included in the staff report.

When submitting comments, please include the name of the applicant along with the address of the property with the corresponding comment.

Comments are due by **Friday, September 2nd.** Email comments to Randi (rdoventon@hallcounty.org) and Ana (adominguez@hallcounty.org).

CALL TO ORDER

AGENDA REVIEW

APPROVAL OF MINUTES – September 6, 2022

OLD BUSINESS

1. Previously tabled application of Salomon Sancen to rezone from Residential-I (R-I) to Highway Business (H-B) on a .89± acre tract located on the west side of Memorial Park Drive at its intersection with Browns Bridge Road; a.k.a. 2002 Memorial Park Drive; Zoned R-I; Tax Parcel 08014 005011. Proposed use: retail sales. ** Commission District 4.
Hall County Fire Marshal's Office has no comments regarding highway business as proposed.

NEW BUSINESS

2. Application of Tyler Crawford for a Use Subject to Planning Commission approval on a 5.65± 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. Proposed use: rural business. * Commission District 3.
Hall County Fire Marshal's Office has no comments regarding rural business as proposed.

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Hall County Fire Marshal's Office has no comments regarding 2 lot subdivision as proposed.

4. Application of CBD Investments, LLC to rezone from Agricultural Residential-IV (AR-IV) and Planned Commercial Development (PCD) to Planned Industrial Development (PID) on a 303.43± acre tract located on the west side of Athens Street at its intersection with Cornelia Highway; a. k. a. 6295, 6363, 0, 0 Athens Street, 5759 Main Street, & 4514 Cornelia Highway; Zoned AR-IV & PCD; Tax Parcels 09072 000003 (pt.) -000004, 09080 000005 - 000006, 09081 000001 (pt.) - 000001A (pt.). Proposed use: business park. ** Commission District 3.

Hall County Fire Marshal's Office has no comments regarding business park as proposed.

5. Application of InLine Communities, LLC to rezone from Residential-I (R-II) & Highway-Business (H-B) to Planned Residential Development (PRD) on a 28.03± acre tract located on the north side of Old Cornelia Highway at its intersection with Jesse Jewell Parkway; a.k.a. 2191, 2211, & 2233 Old Cornelia Highway; Zoned R-II & H-B; Tax Parcels 15033C000055, 000057, & 000058. Proposed use: 320-unit multi-family residential & neighborhood commercial development. ** Commission District 3.
All access controlled gates will require a knox key switch override device for fire department access into the gated complex.
6. Application of Josh Boling to rezone from Agricultural Residential-III (AR-III) and Agricultural Residential-IV (AR-IV) to Planned Residential Development (PRD) on a 62.09± acre tract located on the west side of Cagle Mill Road approximately 429 feet from Noah Martin Drive; a.k.a. 4745 Cagle Mill Road; Zoned AR-III & AR-IV; Tax Parcel 15007 000254 (pt.). Proposed use: single family, townhome, & cluster home development. ** Commission District 3.
There appears to be several dead end fire department access roads over 150 feet that do not have approved turnarounds. If approved the plans will have to be revised to include approved turnarounds for dead end fire department access roads over 150' in length, see the International Fire Code 2018 edition Table D103.4 for turnaround requirements.
All access controlled gates will require a knox key switch override device for fire department access into the gated community.
Bridges shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridge.
7. Application of Josh Boling to rezone from Agricultural Residential-III (AR-III) to Light Industrial (I-I) on a 10.57± acre tract located on the east side of Cornelia Highway approximately 4,970 feet from Cagle Road; a.k.a. 4745 Cagle Mill Road; Zoned AR-III; Tax Parcel 15007 000254 (pt.). Proposed use: commercial outparcels. ** Commission District 3.
Hall County Fire Marshal's Office has no comments regarding the light industrial development as proposed.

Regards,

John Hornick, NPQ Fire Inspector 1, Plans Review

Lieutenant, Hall County Fire Rescue
Hall County Government
Main: 770-531-6838 | Cell: 404-597-0083
Website: www.Hallcounty.org



PLANNING AND DEVELOPMENT DEPARTMENT
2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA 30504
MAILING ADDRESS: BOX 435, GAINESVILLE, GA 30503
T 770-531-4693 | F 770-531-6802



PUBLIC NOTICE REQUIREMENTS

Zoning regulations require that public notice must be given prior to all zoning hearings as follows:

1. The Planning Department shall publish a legal advertisement no less than fifteen (15) days and no more than forty-five (45) days prior to the public hearing.
2. The Planning Department shall send notification by letter of all other property owners within a 500-foot radius of the applicant's property is standard administrative policy of the Planning Department.
3. The applicant shall place the public notice sign in a conspicuous location on the property not less than fifteen (15) days and not more than forty-five (45) days prior to the public hearing.

The Planning Department shall post the legal advertisement and notify property owners within a 500-foot radius of the subject property.

The applicant is required to post the public notice sign no less than fifteen (15) days and no more than forty-five (45) days prior to the public hearing. A photo of the sign placed at the location is required and must be sent to the Planning Department.

Multiple sign postings on a site may be required as determined by the Planning Department. The sign must be in a location where it is clearly visible from the roadway. A photo of the sign placed in the manner, placed too far from the road, or placed in such manner as would cause it to be bent into the landscape.

Should you find the sign missing or vandalized in any manner, contact the Planning Department for a replacement sign. When the proceeding is complete and final Board action has occurred, the sign shall then be removed from the property by the applicant.

THE ZONING SIGN MUST BE POSTED NO EARLIER THAN 09/04/2022 AND

THE ORIGINAL SIGNED AFFIDAVIT MUST BE AND RETURNED TO THE PLANNING DEPARTMENT

NO LATER THAN 09/28/2022 ALONG WITH A MINIMUM OF ONE PHOTO

SHOWING THE SIGN POSTED AT THE SUBJECT PROPERTY.

Failure to comply will result in a delay of the application.

AFFIDAVIT
I, Rafael Lopez Nunez, hereby acknowledge that I have read and understand the sign posting requirements. I further certify that the required public notice sign will be posted on 09/19/2022 for 25 consecutive days.

Signature: Rafael Lopez Nunez Faxed September 2021

REQUEST:

**RAFAEL LOPEZ NUÑEZ
USE SUBJECT TO BOC FOR 2-LOT
SUBDIVISION**

PUBLIC HEARINGS WILL BE HELD ON:

PLANNING COMMISSION
Date: 09-19-2022
Time: 05:15 PM

AND

COUNTY COMMISSION
Date: 10-21-2022
Time: 06:00 PM

HALL COUNTY GOVERNMENT CENTER, 2875 BROWNS BRIDGE ROAD, GAINESVILLE, GA

FOR MORE INFORMATION CALL: (770) 531-6809

