



**HALL COUNTY BOARD OF COMMISSIONERS
VOTING MEETING 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
Thursday, August 24, 2023 - 06:00 PM**

Call to Order

Chairman Higgins at 6:08 p.m.

Present:

Chairman Richard Higgins, Vice-Chairman Billy Powell, and Commissioners Kathy Cooper, Gregg Poole, and Jeff Stowe

Also present were County Administrator Zach Propes, Assistant County Administrator Casey Ramsey, Commission Clerk Jennifer Rivera, County Attorney William Linkous III, and Assistant County Attorney Justin Lawhon

Approve Agenda

Commissioner Powell/Commissioner Stowe — approve — unanimous

Invocation

- 1 Chairman Richard Higgins

Pledge

- 2 Commissioner Jeff Stowe

Public Comments

There were no comments from the public.

Proclamation/s

- 3 Approve the proclamation recognizing Bradley Cochran's retirement after 21 years of service to Hall County, GA.

Commissioner Cooper presented Bradley Cochran with the Proclamation.

Commissioner Powell/Commissioner Stowe — approve — unanimous

4 Approve the proclamation recognizing Jimmy Wilson's retirement after 39 years of service to Hall County, GA.

Commissioner Poole presented Jimmy Wilson with the Proclamation.

Commissioner Powell/Commissioner Stowe — approve — unanimous

5 Approve the proclamation recognizing the 116th anniversary of the Garden of Greater Gethsemane FBH Church.

Commissioner Stowe presented Eleese Davis with the Proclamation.

Commissioner Stowe/Commissioner Powell — approve — unanimous

6 Approve the proclamation recognizing Tina Rice's retirement after 23 years of service to Hall County, GA.

Commissioner Stowe/Commissioner Powell — approve — unanimous

7 Approve the proclamation recognizing Jerald Clayton Palmer's retirement after 33 years of service to Hall County, GA.

Commissioner Powell/Commissioner Stowe — approve — unanimous

8 Approve the proclamation recognizing the Fair Street-Butler High Schools Alumni Association, Inc.

Commissioner Powell/Commissioner Poole — approve — unanimous

9 Approve the proclamation recognizing September 16, 2023 as the 213th Anniversary of the Independence of Mexico.

Commissioner Poole/Commissioner Stowe — approve — unanimous

10 Approve the ratification of the proclamation recognizing City of Oakwood Mayor Horace Lamar Scroggs.

Commissioner Powell/Commissioner Stowe — approve — unanimous

Consent

Commissioner Powell/Commissioner Poole — approve — unanimous

11 Approve the August 21, 2023 Work Session minutes.

12 Approve the August 10, 2023 Voting Meeting minutes.

13 Approve the August 10, 2023 Executive Session minutes.

14 Approve the August 10, 2023 Meeting minutes.

15 Approve the re-appointment of Tom Cole to the Northeastern Judicial Circuit's Public Defender Supervisory Panel to serve a term from September 1, 2023 to August 31, 2026. Commission Districts 1, 2, 3, & 4.

- 16 Approve the nominations of Glennis Barnes, Pat Powell and Roger Sulhoff to the Hospital Authority for a term from 10/1/2023 to 9/30/2026. Commission District 2.
- 17 Approve the nominations of Martha Randolph, Gary Funk and John Geyer to the Hospital Authority for a term from 10/1/2023 to 9/30/2026. Commission District 4.
- 18 Approve the purchase of one (1) 2023 Ford F-250 Truck for Animal Services to Akins Ford Dodge Chrysler Jeep of Winder, GA, in the amount of \$53,100.00.
- 19 Approve the single source purchase of a 2022 Ford F-550 Crew Cab 4x4 Service Truck with Crane Attachment for Fleet Services to Houston Automotive Group, Inc. of Houston, TX, in the amount of \$233,565.50.
- 20 Approve the purchase and installation of three (3) new standby generators and one (1) existing standby generator at North Hall Community Center, East Hall Community Center, Mulberry Creek Community Center and the Transitional Care House for Emergency Management to Cain Electric Company, Inc. of Gainesville, GA, in the amount \$841,370.00.
- 21 Approve the request from Lake Lanier Association for a waiver of Hall County Landfill tipping fees for an approximate 35 tons of trash to be collected (the estimated tipping fees are \$2,100.00) and to allow the deposit of prohibited items collected during the Shore Sweep event scheduled for September 23, 2023.
- 22 Approve the release of \$58,276.00 Irrevocable Letter of Credit for Sidewalks in Deer Creek Crossing Subdivision. Commission District 3.
- 23 Approve the release of \$721,854.00 Guaranty Performance/Maintenance Agreement for Streets, Stormwater Management Facilities, and Sidewalks in Stephens Point Subdivision Phase 1. Commission District 2.
- 24 Approval and authorization for the Chairman to execute a resolution to appeal the State of Georgia Auditor's Office 2022 Hall County Sales Ratio Study, and authorization for the Chairman to execute any and all additional documents necessary to effectuate the appeal, subject to review and approval by County Attorney.

Other Business - Appointments for Consideration

- 25 Appointment to the Department of Family and Children's Services (DFACS) Board to serve an unexpired term to June 30, 2028. Chairman's Appointment. NOTE: Tabled at the August 10, 2023 Voting Meeting until the August 24, 2023 Voting Meeting.

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

Commissioner Stowe/Commissioner Powell — appoint Angela Middleton — unanimous

- 26 Hospital Authority Nominations (3) for a term from 10/1/2023 to 9/30/2026. Commission District 1.

Commissioner Cooper/Commissioner Stowe — nominations of Terry Evans, Rusty Hopkins and Jerry Jackson — unanimous

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

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

- 27 **3271 & 3270 Buffington Farm Road | Rezone** | from Agricultural-Residential-III (AR-III) and Vacation-Cottage (V-C) to Planned Residential Development (PRD) on a 55.54± acre tract located on the north side of Buffington Farm Road at its intersection with Cagle Road | Zoned AR-III & V-C; Tax Parcels 09106 000001A & 000005 (pt.) | **Proposed use: 121-lot subdivision** | Commission District 3 | **Arabella Capital, LLC, applicant.** NOTE: Tabled at the August 10, 2023 Voting Meeting until the August 24, 2023 Voting Meeting.

Commissioner Powell/Commissioner Poole — approve removing item 27 from the table — unanimous

Public Hearing was previously closed at the August 10, 2023 Voting Meeting.

Commissioner Poole/Commissioner Stowe — approve with the thirteen (13) conditions listed below — unanimous

Conditions:

- 1. Development is approved for lots as generally shown on the concept plan and typical lot layout (sheet 200) dated March 27, 2023, and as described in the project narrative, and as described in the final conditions of zoning, modified as necessary for compliance with development standards enforced at the time of site plan approval. Minor changes can be approved by the Planning Director provided there are no reductions in buffers, no changes in the structural design and materials, and the changes do not create the need for a variance from the Hall County development standards. Any conflict in development standards between the concept plans, project narrative, and conditions of zoning shall be determined by the final conditions of zoning.*
- 2. Standard Hall County Development Review and permitting processes shall be followed. Approval of this request does not supersede development standards, or processes, in effect when the plans are submitted for review. Such standards include, but are not limited to, stormwater management and emergency access requirements.*
- 3. This section of the development is approved for a maximum of 121 lots with a minimum lot size of 6,800 square feet each.*
- 4. The minimum heated floor area (HFA) shall be 1,600 square feet for dwelling units. Houses shall be constructed with a mixture of cement siding, stone, and/or brick façade, with a minimum of brick or stone accents on the front of the homes. The balance of the home may be the same material or of fiber-cement material. Vinyl siding is prohibited. Houses shall be consistent with the submitted renderings for the Annapolis, Harrisburg, Macland, and Creekside elevations. Elevations shall provide a similar expression of depth, dimension, and architectural detailing articulated on the proposed renderings.*

5. *All homes shall be constructed with a garage with a minimum of two-car capacity.*
6. *Minimum front yard setback must be a minimum of 20 feet, to accommodate additional parking in driveways without encroaching into rights-of-way.*
7. *A maximum of 19 lots shall be permitted driveway access from Buffington Farm Road per the conceptual site plan dated March 27, 2023.*
8. *At the developers expense, a decel lane and a left turn lane shall be installed on Cagle Road to access Buffington Farm Road. These improvements shall occur within Hall County right-of-way and shall be completed prior to final plat approval.*
9. *All conditions of zoning shall be made a part of any plats or construction plans created for the subdivision.*
10. *The development shall be limited to a maximum of three (3) model homes prior to approval and recording of the final plat.*
11. *No variances or development exceptions not specifically listed in these conditions of approval are granted.*
12. *In lieu of a 50 foot undisturbed buffer adjacent to the entire eastern boundary of the subject property, a berm and opaque fence will be installed on the eastern property line of lots shown as 22, 23, 24, 25, 26, 27, 28, 29, 30, and 31 on the overall proposed rezoning plan dated March 27, 2023.*
13. *The developer shall coordinate with Hall County Public Works and Utilities pertaining to any roadway improvements prior to applying for a land disturbance permit.*

28

2196 Centennial Drive | Use Subject to County Commission Approval | on a 4.19± acre parcel located on the north side of Centennial Drive approximately 1,235 feet from its intersection with Centennial Circle | Zoned I-I; Tax Parcel 08013 003033 | **Proposed Use: food processing plant involving the further processing of animal or animal product |** Commission District 4 | **Brian Jones, applicant.**

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

The following people addressed the Board:

Favor:

- Brian Jones, 108 Ozark Trail, Canton*
- Juan Carlos Lomas, 3587 Southers Road, Gainesville*

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

Conditions:

- 1. The development shall conform substantially with the proposed narrative, modified as necessary for compliance with current development standards at time of site plan approval.*
- 2. A 30 foot transitional buffer shall be planted or remain undisturbed along any boundary which abuts residential use of zoned properties. Planting standards shall meet those requirements in Section 17.260.020 of the Official Code of Hall County.*
- 3. Plans for any further improvements or development of the property shall be submitted for review and appropriate permits obtained.*
- 4. All conditions of zoning shall be made part of any plats created for the property.*
- 5. There shall be no truck or vehicle parking or idling in the right-of-way of Centennial Drive.*

29

5961 Pocahontas Drive | Use Subject to County Commission Approval |
on a 5.30± acre tract located at the intersection of Pocahontas Drive and
Nachoochee Trail | Zoned R-I; Tax Parcel 08131 002046 | **Proposed use: 5-lot**
subdivision | Commission District 2 | Kimberly Zax, applicant.

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

The following people addressed the Board:

Favor:

- Lee Chambers, 4622 Pine Manor Bluff, Suwanee
- William Ferguson, 4441 JM Turk Road, Flowery Branch

Opposition:

- Dennis Pritchett, 5984 Pocahontas Drive, Flowery Branch
- Robert Corr, 5951 Nachoochee Trail, Flowery Branch
- Ray Peacock, 5981 Pocahontas Drive, Flowery Branch
- Tim Nouis, 5930 Nachoochee Trail, Flowery Branch

Commissioner Powell/Commissioner Stowe — approve with the six (6) conditions listed below — Vote: 4 to 0

Commissioner Cooper —aye

Commissioner Powell — aye

Chairman Higgins — aye

Commissioner Poole — abstained

Commissioner Stowe — aye

Motion passed.

Conditions:

1. The property shall be subdivided into a maximum of five (5) building lots in accordance with the requirements of the Residential-I (R-I, 17.60) zoning district as detailed in 17.240 (area and setback requirements).
2. A subdivision plat shall be reviewed for compliance with all applicable standards found in the Official Code of Hall County as part of the Hall County Plat Review process.
3. All conditions of zoning shall be made part of any plats created for the property.
4. Developer shall install and maintain a 20 feet buffer of planted trees no less than six (6) feet tall along the powerline easement.
5. Permitting shall require normal review process.
6. A sign shall be posted on the lot thirty (30) days in advance of construction. The sign shall serve as notification of construction for the neighborhood.

30

3555 North Bogan Road | Use Subject to County Commission Approval | on a 7.03± acre tract located on the east side of North Bogan Road, approximately 290 feet from its intersection with Bogan Springs Drive | Zoned AR-III, Tax Parcel 08155 000029 | **Proposed use: agri-entertainment venue** | Commission District 1 | **John A. Moore, Sr., applicant.**

Mr. Lawhon introduced items 30, 31, and 32 which were heard together. Ms. Doveton discussed the items. Mr. Lawhon conducted the Public Hearing.

The following people addressed the Board regarding items 30, 31, and 32:

Opposition:

- Connie Reilly, 4561 Bogan Gates Trail, Buford*
- Tony Reilly, 4561 Bogan Gates Trail, Buford*

Commissioner Cooper/Commissioner Powell — deny — unanimous

- 31 **3555 North Bogan Road | Variance |** from 17.215.040 to reduce the setback for agri-entertainment structures from 300 feet to 15 feet on a 7.03± acre tract located on the east side of North Bogan Road, approximately 290 feet from its intersection with Bogan Springs Drive | Zoned AR-III, Tax Parcel 08155 000029 | **Proposed use: agri-entertainment venue |** Commission District 1 | **John A. Moore, Sr., applicant.**

Items items 30, 31, and 32 were heard together. See item 30 for public hearing details.

Commissioner Cooper/Commissioner Stowe — deny — unanimous

- 32 **3555 North Bogan Road | Variance |** from 17.215.040 to reduce the setback for agri-entertainment parking from 200 feet to 15 feet on a 7.03± acre tract located on the east side of North Bogan Road, approximately 290 feet from its intersection with Bogan Springs Drive | Zoned AR-III, Tax Parcel 08155 000029 | **Proposed use: agri-entertainment venue |** Commission District 1 | **John A. Moore, Sr., applicant.**

Items items 30, 31, and 32 were heard together. See item 30 for public hearing details.

Commissioner Cooper/Commissioner Poole — deny — unanimous

County Administrator

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

- Hall County Offices will be closed on Monday, September 4, 2023 in observance of the Labor Day holiday.*

Commission Time

The Commissioners did not have any items to report.

Adjourn

Commissioner Powell/Commissioner Poole — adjourn at 7:33 p.m. — unanimous