



**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, December 14, 2023 - 06:00 PM**

Call to Order

Chairman Higgins at 6:02 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 Administrators Katie Crumley and Casey Ramsey, Commission Clerk Jennifer Rivera, County Attorney William Linkous III, and Assistant County Attorney Justin Lawhon

Approve Agenda

Commissioner Powell/Commissioner Cooper — approve — unanimous

Invocation

1 Chairman Richard Higgins

Pledge

2 Commissioner Billy Powell

Public Comments

There were no comments from the public.

Proclamation/s

3 Approve the Proclamation recognizing December 15, 2023 as Hall County Day.

Commissioner Poole read the Proclamation.

Commissioner Powell/Commissioner Poole — approve — unanimous

Consent

Commissioner Powell/Commissioner Poole — approve — Vote: 4 to 0

Commissioner Cooper —aye

Commissioner Powell — aye

Chairman Higgins — aye

Commissioner Poole — aye

Commissioner Stowe — recused

Motion passed.

- 4 Approve the December 11, 2023 Work Session minutes.
- 5 Approve the November 9, 2023 Voting Meeting Minutes.
- 6 Approve the renewal of the annual contract for RFP #41-011 Demand Services for Fabrication & Installation of Hall County Signage for Administration to Miller EG Design of Acworth, GA. The estimated annual cost is \$657,662.18.
- 7 Approve the ratification of the purchase of engine repairs and replacement for a 2006 International 2600 Dump Truck for Road Maintenance to Rush Truck Center of Gainesville, GA, in the amount of \$54,690.01.
- 8 Approve the ratification of the 2024 Judicial Council American Rescue Plan Act Grant funding application for the Northeastern Judicial Circuit to address case backlogs in the amount of \$749,692.00, and if awarded, appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related application and award documents. No cash or in-kind match is required.
- 9 Approve the sole source purchase of hardware, software and services, including Motorola CommandCentral Aware, Radio Location, and Radio Management for 911/Central Communications from Motorola Solutions, Inc. of Schaumburg, IL and establish a capital projects budget in the amount of \$480,983.00.
- 10 Approve the sole source purchase of four (4) Zoll X Series Advanced Monitors/Defibrillators for Fire Rescue to Zoll Medical Corporation of Chelmsford, MA, in the amount of \$162,775.76.
- 11 Approve the award of IFB #028-44 Furnish and Install Two (2) Shipping Containers for Live Firefighting Training for Fire Rescue to Symtech Fire, LLC of New Providence, NJ and establish a capital projects budget in the amount of \$122,050.00.
- 12 Approve the renewal of the Third Party Administrator (TPA) and Excess Worker's Compensation for plan year 2024 with Arthur J. Gallagher Risk Management Services, Inc. of Atlanta, GA and Gallagher Bassett Services, Inc. of Rolling Meadows, IL. The estimated cost of this renewal is \$438,899.00; and authorization for the Chairman to execute all related documents, subject to review and approval by the County Attorney.
- 13 Approve the Employment Agreement for the position of Major for the Sheriff's Office.

- 14 Approve the Employment Agreement for the position of Administrative Operations Director for the Sheriff's Office.
- 15 Approve the Recommendation from the Hearing Officer regarding a Revocation of a Short Term Rental License for Stone Resource, LLC located at 6111 Blackberry Lane, Buford, GA 30518.
- 16 Approve the award of RFQ/P #44-015 Georgia Safe Streets for All (SS4A) Action Plan for Public Works & Utilities to Alta Planning + Design, Inc. of Peachtree Corners, GA, in the amount of \$287,981.00.
- 17 Approval and authorization for the Chairman to execute six (6) amendments to existing easements for the Friendship Road Sewer Project, subject to review and approval by the County Attorney. Commission District 1.
- 18 Approval and authorization for the Chairman to execute an Intergovernmental Agreement with the City of Buford for cooperative paving of a section of New Bethany Road, which are maintained by Hall County, subject to review and approval by the County Attorney.
- 19 Approval and authorization for the Chairman to execute a Master Services Agreement to consolidate three (3) existing Flock Safety Camera Service Agreements into one (1) co-terminous agreement for the Sheriff's Office with Flock Group, Inc. of Atlanta, GA, subject to review and approval by the County Attorney. The estimated annual cost is \$150,000.00.

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

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

- 20 **1731 Friendship Road | Rezone |** from Agricultural Residential IV (AR-IV) to Planned Commercial Development (PCD) on a 7.33± acre parcel located on the north side of Friendship Road, approximately 240 feet east of its intersection with Reunion Way | Zoned AR-IV (GCOD); Tax Parcel 15041 000190 (pt.) | **Proposed Use: 185-unit multi-family development |** Commission District 1 | **Tim Wilbanks, applicant.**

Mr. Lawhon introduced items 20, 21 and 22, which were heard together. Ms. Doveton discussed the items. Mr. Lawhon conducted the Public Hearing.

The following people addressed the Board regarding both items 20, 21 and 22:

Favor:

- Bryceson Mercer, 202 Tribble Gap Road, Suite 200, Cumming

Opposition:

- Rose Marie Wood, 5925 Deer Chase Lane, Hoschton
- Michelle Larson, 5778 Porch Swing Place, Hoschton
- Brendan Whitcomb, 6820 New Fern Lane, Hoschton
- BJ Sims, 5721 Grand Reunion Drive, Hoschton
- Gary Hodges, 7316 Grand Reunion Drive, Hoschton
- Robyn Strickland, 5786 Porch Swing Place, Hoschton

Commissioner Cooper/Commissioner Powell — deny — Vote: 4 to 0

Commissioner Cooper — aye

Commissioner Powell — aye

Chairman Higgins — aye

Commissioner Poole — abstained

Commissioner Stowe — aye

Motion passed.

- 21 **1731 Friendship Road | Rezone |** from Agricultural Residential IV (AR-IV) to Highway Business (H-B) on a 2.72± acre parcel located on the north side of Friendship Road, approximately 240 feet east of its intersection with Reunion Way | Zoned AR-IV (GCOD); Tax Parcel 15041 000190 (pt.) | **Proposed Use: permitted uses within Highway Business (H-B) |** Commission District 1 | **Tim Wilbanks, applicant.**

Items 20, 21 and 22 were heard together. See item 20 for public hearing details.

Commissioner Cooper/Commissioner Stowe — deny — Vote: 4 to 0

Commissioner Cooper — aye

Commissioner Powell — aye

Chairman Higgins — aye

Commissioner Poole — abstained

Commissioner Stowe — aye

Motion passed.

22 **1731 Friendship Road | Variance | 17.420.050.C.2** to reduce the required transitional buffer in Gateway Corridors Overlay District | on a 10.04± acre parcel located on the north side of Friendship Road, approximately 240 feet east of its intersection with Reunion Way | Zoned AR-IV (GCOD); Tax Parcel 15041 000190 | **Proposed Use: 185-unit multi-family development and permitted uses within Highway Business (H-B) | Commission District 1 | Tim Wilbanks, applicant.**

Items 20, 21 and 22 were heard together. See item 20 for public hearing details.

Commissioner Cooper/Commissioner Powell — approve withdrawal of item 22 — unanimous

23 **2122 & 0 Browns Bridge Road | Use Subject to County Commission Approval |** on a 1.708± acre tract located on the west side of Browns Bridge Road, approximately 62 feet from its intersection with Hilton Drive | Zoned H-B (GCOD); Tax Parcels 00122 001021 & 001031B | **Proposed use: used vehicle sales lot | Commission District 4 | Antonio Duran, applicant.**

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

The following people addressed the Board:

Favor:

- *Don Jones, 930 Interstate Ridge, Gainesville*

Commissioner Stowe/Commissioner Powell — approve with the six (6) conditions listed below — unanimous

Conditions:

- 1. The property shall be utilized as depicted on the site plan and described in the project narrative, both updated October 12, 2023.*
- 2. All parking and storage areas utilized by the business shall be paved with either asphalt or concrete.*
- 3. No customer, employee, or inventory parking is to take place within the public right-of-way.*
- 4. All functions of the business shall be conducted within tax parcel 00122 001021. All deliveries of inventory to the business are to take place fully within the property lines of tax parcel 00122 001021. There shall be no such activity within the public right-of-way of Browns Bridge Road or any nearby roads.*
- 5. All proposed signage shall adhere to GCOD standards and shall follow the standard permitting process.*
- 6. There shall be no wrecked or junk vehicles parked on the paved asphalt/concrete pad.*

3715 Wahoo Falls Trace, 1000 Treesort View, and 0 Price Road | Amend Conditions | of a Planned Commercial Development (PCD) on a total of 39.56± acres located within the Riverbrook Marketplace development a.k.a. Riverbrook Marketplace Grocery and Shops | Zoned PCD & PRD (GCOD); Tax Parcels 10100 000156B, 000158, & 000156C | **Proposed use: master sign plan |** Commission District 2 | **Todd Mathes, applicant.**

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

The following people addressed the Board:

Favor:

- *Todd Mathes, 7978 Cooper Creek Boulevard, Sarasota, FL*

Commissioner Powell/Commissioner Stowe — approve with the two (2) conditions listed below — unanimous

Conditions:

1. *The amended master sign plan is approved, as presented in the application documents, and shall be subject to the conditions of zoning approved by the Hall County Commission on December 9, 2021:*
 - a. *The development shall conform substantially with the proposed site plan and narrative, modified as necessary for compliance with current development standards at time of site plan approval. This includes architectural standards and sign standards as presented in the Master Sign Development Plan.*
 - b. *The proposed development standards, master sign development plan and narrative are approved. Any development standards that are not addressed in the applicants project narrative or Master Sign Development Plan shall be governed by the standards set forth by the Official Code of Hall County.*
 - c. *The total building square footage for the proposed development shall be limited to a maximum of 85,000 square feet.*
 - d. *Access to the development shall be approved by Hall County Traffic and/or the Georgia Department of Transportation, whichever applies.*
 - e. *Any necessary access modifications must be approved and permitted by the Georgia Department of Transportation (GDOT). All costs associated with any required improvements shall be the developer's responsibility.*
 - f. *Building height shall be limited to 3-stories/45 feet.*
 - g. *No outdoor storage shall be allowed for any use, with the exception of the grocery store and associated display of seasonal items along the front entrance of the store.*
 - h. *The following uses shall require a conditional use permit:*
 - i. *Full service car wash. Car washes associated with a gas station shall be permitted.*
 - ii. *Self-storage facilities.*
 - i. *The following uses shall not be permitted: Tire sales, automobile repair and maintenance businesses with the exception of an auto parts and quick oil change services, which shall be allowed by right.*
 - j. *The applicant shall submit architectural renderings, including building*

materials and colors, to be approved by the Planning Director prior to any issuance of any building permits.

- k. All conditions of zoning shall be made part of any new plat created for the property.*
 - l. The development shall adhere to the Hall County Erosion Control Ordinance Best Management Practices for Large Developments, which included the 3 BMPs from the County-approved list, even if the phase of development is less than 20 acres.*
 - m. Hall County supports a traffic signal on Thompson Bridge Road provided the signal is permitted and approved by GDOT, and paid for by the developers.*
- 2. Monument signs placed within the median of any public or private street shall be constructed of a breakaway material, subject to review and approval of the Traffic Engineer. Signs located within the right-of-way of state routes shall be subject to GDOT regulations and permitting requirements.*

25 **2367, 2371, and 0 Monroe Drive | Rezone** | from Agricultural Residential III (AR-III) and Heavy Industrial (I-II) to Heavy Industrial (I-II) | on a combined 1.22± acres located on the north side of Monroe Drive, approximately 765 feet east of its intersection with Danbury Lane | Zoned AR-III and I-II, Tax Parcels 15032F000028, 000028B and 000060 | **Proposed Use: truck parking and dumpster storage** | Commission District 4 | **Bobby Wood, applicant.**

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

The following people addressed the Board:

Favor:

- Bobby Wood, 2764 Merritt Drive, Buford

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

Conditions:

1. The property shall be developed in accordance with the submitted site plan, dated September 18, 2023 and as described in written application materials. Minor changes can be approved by the Planning Director provided there are no reductions in any imposed buffers, 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. A combination plat shall be recorded, including any conditions of zoning for the three tax parcels 15032F000028, 15032F000028B, and 15032F000060.
3. Prior to development of the property, the applicant shall obtain a land disturbance permit for the proposed work. The scope of work shall look at the site as a whole, not just the proposed gravel expansion, and all applicable development standards shall be applied.
4. The existing access drive from Monroe Drive shall be brought up to industrial access standards, subject to the review and approval of the Traffic Engineer.
5. The construction of a permanent bathroom structure will be required if the property is to be occupied for at least two consecutive hours. Construction of restrooms, placement of prefabricated restroom facilities, or industrialized restroom or office building, shall require a building permit and must follow standard Hall County commercial building permit processes.
6. The applicant shall obtain a Hall County business license before conducting business operations at this site.
7. An opaque fence of no less than 6 foot height shall be installed along the front of the property where adjacent to right-of-way. All maintenance shall be the responsibility of the property owner.

26 **6086 Atlanta Highway | Rezone |** from Agricultural Residential III (AR-III) to Highway Business (H-B) | on a 0.53± acre parcel located on the north east side of Atlanta Highway, approximately 382 feet from its intersection with Mount Salem Circle | Zoned AR-III (GCOD), Tax Parcel 08139 003001 | **Proposed Use: permitted uses within Highway Business (H-B) |** Commission District 1 | **Daniel Perdomo, applicant.**

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

The following people addressed the Board:

Favor:

- Mark Altschuler, 6304 Brighton Way, Flowery Branch

Commissioner Cooper/Commissioner Poole — approve with the five (5) conditions listed below — unanimous

Conditions:

1. Prior to the issuance of a building permit, the property shall be brought into compliance with the non-residential design standards of the Gateway Corridors Overlay District (17.420.050) excluding the existing structure which may be exempt from 17.420.050.H. - Architectural standards for non-residential buildings. Any new structure erecting on the subject lot must meet the standards of 17.420.050.H. - Architectural standards for non-residential buildings.
2. The existing structure must be brought into compliance with commercial building code standards prior to the issuance of a commercial occupancy.
3. The commercial driveway shall be permitted by GDOT. All required improvements shall be at the developer's cost.
4. The property shall be utilized as described in the Letter of Intent dated September 14, 2023 or as any other permissible use within the Highway Business (H-B,17.150) district with the following uses prohibited: bus stations, drive-in theaters, hotels, motels, parks for leisure and scenic appeal, restaurant, subdivision, family day care, group day care, construction trailer, adult establishments. Uses which require Planning Commission or County Commission approval shall apply for a conditional use approval as required by the Zoning Ordinance.
5. No variances have been granted to the development standards of the Zoning Ordinance other than those shown of the site plan dated September 14, 2023 which includes the location of the existing one story structure. If the current request is approved, the applicant shall be required to seek a variance to allow the encroachment into the 20-foot right side yard setback.

27 **0 Candler Road | Rezone |** from Agricultural Residential-IV (AR-IV) to Heavy Industrial (I-II) on a 51.47± acre tract located on the west side of Candler Road approximately 1840 feet from its intersection with Lee Land Road | Zoned AR-IV (GCOD); Tax Parcel 15031A000001 | **Proposed use: welding service |** Commission District 3 | **Paden M. Dunagan, applicant.**

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

The following people addressed the Board:

Favor:

- *Paden Dunagan, 3263 Tanners Mill Road, Gainesville*

Commissioner Poole/Commissioner Powell — approve with the eleven (11) conditions listed below — unanimous

Conditions:

- 1. The development shall occur as depicted on the site plan dated April 14, 2021 and described in the project narrative, modified for compliance with zoning conditions and Hall County regulations at the time of permit application. 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. No variances are granted as part of this request other than those specifically granted herein.*
- 2. As the proposed structure crosses the common property line between the subject property tax parcel 15031A000001 and tax parcel 15031A000002 to the north, a combination plat shall be recorded prior to the approval of any development permits.*
- 3. The storage or disposal of junk material and construction debris on the subject property is prohibited. Any areas where junk or debris has been stored on the property shall be properly disposed of or stored in accordance with applicable regulations.*
- 4. All parking and storage areas shall be paved with either asphalt or concrete, if located within the 300 feet that defines the Gateway Corridor Overlay District.*
- 5. All plans for improvements and/or further development of the property shall be submitted for review and appropriate permits obtained.*
- 6. All conditions of zoning shall be made part of any plats created for the property.*
- 7. The extended driveway shall meet Gateway Corridor Overlay District standards for a minimum distance of 300 feet from the centerline of the road, as well as Georgia Department of Transportation (GDOT) requirements. The driveway paving (concrete or asphalt) shall extend the entire length of the drive from Candler Road to the parking area for the welding business.*
- 8. The parking area shall either be paved with concrete or asphalt, or a combination of the two.*
- 9. All signage within 300 feet of the centerline of Candler Road shall adhere to Gateway Corridor Overlay District standards.*
- 10. Gateway Corridor Overlay District architectural standards shall not apply to the building, so long as the building is located at least 300 feet from the centerline of Candler Road.*
- 11. All previous conditions of zoning set forth by the 2021 Board of Commissioners approval letter shall be repealed, and are replaced by the zoning conditions herein.*

28

3321 Montvale Drive | Use Subject to County Commission Approval | on a 7.88± acre tract located on the south side of Montvale Drive, at its intersection with Manor Ridge | Zoned R-I & AR-III; Tax Parcel 10046 000015 | **Proposed use: 4-lot subdivision |** Commission District 2 | **Zachary Lewis Boyd Milne, applicant.**

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

The following people addressed the Board:

Favor:

- Zach Milne, 3321 Montvale Drive, Gainesville*
- Joel Bell, 6756 Spout Springs Road, Flowery Branch*

Opposition:

- Ian Patterson, 3497 Montvale Drive, Gainesville*

Commissioner Powell/Commissioner Stowe — approve with the six (6) conditions listed below — unanimous

Conditions:

- 1. The property shall be subdivided in accordance with the survey certified by London Land Surveying on July 26, 2023 and the updated narrative dated October 16, 2023.*
- 2. All development within the subdivision shall conform to Residential-I (R-I, 17.60) zoning guidelines and restrictions, with the exception of the prohibition of the following uses:
 - a. "I" Family Daycare;*
 - b. "J" Community Residences.**
- 3. Manufactured homes are prohibited within the subdivision. All principal structures shall be site-built.*
- 4. The following statement regarding the potential impacts of agricultural operations in the area shall be made a part of any plat recorded for any of the subject properties established and approved herein: 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 shall be prepared to expect the effects of such practices.*
- 5. No more than one new residential building permit with the exception of an addition to the existing home, shall be open at one time. Each permit must be closed and occupancy issued prior to the issuance of a new building permit.*
- 6. The minimum heated floor area shall be no less than 1,500 square feet.*
- 7. Any lot or building created must comply with the covenants of Lanier Northwest subdivision.*

Commissioner Powell/Commissioner Stowe — reconsider previous motion — unanimous

Commissioner Powell/Commissioner Stowe — amend condition number one (1) to state that with the exception that lot four (4) will be eliminated — unanimous

County Administrator

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

- *Hall County Offices will be closed on Friday, December 22, 2023 and Monday, December 25, 2023 in observance of the Christmas holiday.*
- *Hall County Offices will also be closed on Monday, January 1, 2024 in observance of the New Years Day holiday.*
- *Wished the Board of Commissioners, Hall County employees and their families Happy Holidays, Merry Chistmas and Happy New Years.*

Commission Time

Commissioner Kathy Cooper, District 1, wished everyone a safe and Merry Christmas.

Commissioner Billy Powell, District 2, wished everyone a safe and Merry Christmas.

Commissioner Gregg Poole, District 3, wished everyone a safe and Merry Christmas.

Commissioner Jeff Stowe, District 4, wished everyone Merry Christmas and Happy New Year.

Chairman Richard Higgins wished everyone a Merry Christmas.

Adjourn

Commissioner Powell/Commissioner Poole — adjourn at 7:15 p.m. — unanimous