



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

**Hall County Government Center 2<sup>nd</sup> Floor  
2875 Browns Bridge Road, Gainesville, GA 30504  
Thursday, April 12, 2018 - 6:00 p.m.**

**1. Call to Order**

Chairman Higgins called the meeting to order at 6:01p.m.

**Present:**

Chairman Richard Higgins, Vice Chairman Kathy Cooper and Commissioners Billy Powell, Scott Gibbs, and Jeff Stowe

Also present were County Administrator Jock Connell, Assistant County Administrator Marty Nix, Assistant County Administrator Lisa Johnsa, Commission Clerk Lisa Ritchie, and County Attorney Bill Blalock

Motion by Commissioner Powell, seconded by Commissioner Gibbs and voted, unanimously, to amend the agenda by moving item 5.3 to 8.1 and approve the amended Agenda.

**2. Approve Agenda**

**3. Invocation**

3.1. Chairman Richard Higgins

**4. Pledge of Allegiance**

4.2. Commissioner Kathy Cooper

**5. Presentations**

5.3. ~~Honorary Road Designation Proclamation~~

Item 5.3 was moved to item 8.1 during the adoption of the Agenda.

**6. Public Comment - Agenda Items Only (2 minutes per speaker/20 minutes maximum)**

There were no comments from the public.

Motion by Commissioner Powell, seconded by Commissioner Stowe and voted, unanimously, to approve the Consent Agenda.

## **7. Consent Agenda**

- 7.4. Approve March 22, 2018 Voting Meeting Minutes
- 7.5. Approve March 22, 2018 Executive Session Minutes
- 7.6. Approve march 22, 2018 Special Called Meeting Minutes
- 7.7. Approve March 19, 2018 Work Session Minutes
- 7.8. Approve March 19, 2018 Executive Session Meeting Minutes
- 7.9. Approve March 19, 2018 Special Called Meeting Minutes
- 7.10. Approve the re-appointment of Bobby Purdum to the Keep Hall Beautiful Board for a term beginning June 1, 2018 and ending on May 31, 2019
- 7.11. Approve Business License Renewal for 2018 for the Buford Corn Maze located at 4470 Bennett Rd., Buford, Ga. Commission District 1.
- 7.12. Approve the execution of the Hall County Probation Governmental Probation Service Plan
- 7.13. Approval of application, award and any further supplemental funding of the Northeastern Judicial Circuit Juvenile Court grant in the amount of \$611,754. Appoint the Grants Manager as the Program Designee and authorize Chairman Higgins to execute all related application and award documents. No match is required.
- 7.14. Approval of the application, award and any further supplemental funding of the Criminal Justice Coordinating Council (CJCC) Grant for Family Drug Treatment in the amount of \$30,000. Appoint the Grants Manager as the Program Designee and authorize Chairman Higgins to execute all related application and award documents. No match is required
- 7.15. Approve Work Request Authorization from Rochester & Associates, Inc. for Survey and Engineering Design Services for Baker Road in the amount of \$188,200.00; Commission District 3
- 7.16. Approve extension of \$101,726.00 Guaranty Performance/Maintenance Agreement for Streets in Harbour Point Phase 7B & 7C Subdivision; Commission District 2
- 7.17. Approve extension of Guaranty Performance/Maintenance Agreement in the amount of \$56,597.91 for Streets in Harbour Point Villas 3B Subdivision; Commission District 2
- 7.18. Approve acceptance of \$44,214.00 Irrevocable Letter of Credit for Sidewalks in Cedar Creek Subdivision; Commission District 3
- 7.19. Approve release of \$49,764.00 Irrevocable Letter of Credit for Sidewalks in Cedar Creek Subdivision; Commission District 3
- 7.20. Approval of Medical Services Contract at the Hall County Jail for FY2019 with Dr Linwood Zoller at a cost of \$168,246.60
- 7.21. Approval of Contract for Nursing Services for FY2019 with Correctional Nursing Services Contract at an estimated cost of \$800,000.
- 7.22. Resolution approving the issuance of a revenue bond by Gainesville and Hall County Development Authority for the benefit of Brenau University, Inc.
- 7.23. Approve Resolution Authorizing the County Attorney to proceed with the acquisition, by deed or by condemnation, of property for right of way along Spout Springs Road and two easements as follows:
  - A permanent easement for the construction and maintenance of slopes and utilities
  - A temporary easement for the demolition of the existing structure
- 7.24. Approve Resolution Authorizing the County Attorney to proceed with the acquisition, by deed or by condemnation, of property for right of way along Spout Springs Road and two easements as follows:
  - A permanent easement for the construction and maintenance of slopes and utilities

- A temporary easement for the demolition of the existing structure

## **8. Other Business**

### 8.1. Honorary Road Designation Proclamation

Item was moved from item 5.3 to item 8.1 during the adoption of the Agenda.

Motion by Commissioner Powell, seconded by Commissioner Stowe and voted, unanimously, to approve the honorary road name, Honorary Daniel B. Merck Parkway, for a portion of Sardis Road, from Ledan to the stop sign where Sardis make the turn.

Commissioner Powell presented the Proclamation to Mr. Merck.

8.25. First Reading and Public Hearing for an application for a Malt Beverage, Wine and Distilled Spirits consumption on the premises alcohol license for Cafe Cancun, located at 5200 Thompson Bridge Rd., Murrayville. Ownership - Cafe Cancun Bar & Grill LLC; Licenseholder - Miguel Ruiz, officer of corporation; Registered Agent - Barbara West, Hall County resident. Commission District # 3

Susan Rector, Business License Director, addressed the Board and issued the First Reading.

Mr. Blalock issued the Public Hearing.

Chairman Higgins stated that the Second Reading and Public Hearing would be held at the April 24, 2018 Special Called Voting Meeting.

8.26. Consider Glenn Hamilton's request for refund of taxes - NOTE: Tabled at the March 22, 2018 Voting Meeting until the April 12, 2018 Voting Meeting

Motion by Commissioner Powell seconded by Commissioner Stowe and voted, unanimously, to remove item 8.26 from the table.

Steve Watson, Chief Appraiser, addressed the Board. He said the dollar amount is \$8,200.00+/-.

Jim Walters, representing Mr. Hamilton, addressed the Board.

Mr. Blalock read code section 48-5-380 sections a and b that states that the Commission has the authority to grant or deny the application for a tax refund.

Motion by Commissioner Gibbs seconded by Commissioner Cooper and voted, 4 to 1, to approve the refund of taxes as requested by Mr. Hamilton.

Vote: 4 to 1

Commissioner Cooper –aye

Commissioner Powell – aye

Chairman Higgins – aye

Commissioner Gibbs – aye

Commissioner Stowe – nay

Motion passed.

**9. Public Hearing to consider applications to amend the Zoning Map of Hall County as follows:**

Srikanth Yamala, Planning Director, addressed the Board.

- 9.27. Application of Vanessa Gomez for a Use Subject to County Commission approval for an automobile repair and maintenance business on a 0.78± acre tract of land located on the southwest corner of the intersection of Atlanta Highway and 1st Street; a.k.a. 1806 Atlanta Highway; Zoned H-B; Tax Parcel 08009A002023. Proposed Use: Automobile repair and maintenance. Commission District 2. NOTE: Tabled at the March 22, 2018 Voting Meeting until the April 12, 2018 Voting Meeting

Motion by Commissioner Powell seconded by Commissioner Cooper and voted, unanimously, to remove item 9.27 from the table.

Mr. Blalock gave the Public Hearing instructions.

Mr. Blalock issued the Reading.

Mr. Yamala stated that the Planning Commission recommended approval with two conditions.

Mr. Blalock conducted the Public Hearing.

Vanessa Gomez, 2335 Athens Highway, addressed the Board in favor of the application.

Wesley Sisson, 1814 Atlanta Highway, addressed the Board in favor of the application.

Motion by Commissioner Powell seconded by Commissioner Gibbs and voted, unanimously, to approve item 9.27 with the following conditions:

- All mechanical services shall be conducted within a garage bay.
- No storage of wrecked or junk vehicles shall be allowed.

- 9.28. Application of Premier Storage, LLC to amend conditions of an existing Planned Commercial Development (PCD) on 4.93± acres located on the northwest side of Thompsons Mill Road approximately 885 feet from its intersection with Spout Springs Road; a.k.a. 2331 and 2339 Thompsons Mill Road; Zoned PCD; Tax Parcels 15041 000003K and 15041 000003N. Proposed Use: Self-Storage Warehouse. Commission District 1

Mr. Blalock issued the Reading.

Mr. Yamala stated that the Planning Commission recommended approval with two conditions.

Mr. Blalock conducted the Public Hearing.

Tyler Smith, Smith Gilliam William and Miles, 301 Green Street, addressed the Board in favor of the application.

Motion by Commissioner Cooper seconded by Commissioner Powell and voted, unanimously, to approve item 9.28 with the following conditions:

- All conditions of the October 10, 2013 rezoning request shall apply, with the exception of condition #9:
  - o Recreational vehicle parking area shall be located at the rear of the property as depicted on the submitted conceptual plan.
  - o Recreational vehicle parking area shall include landscaped islands within the parking area equivalent to not less than ten percent of the total paved area of the parking lot, not including pervious paving surfaces.
  - o Landscaping in parking lots shall contain at least one shade tree (minimum of six feet tall and two inches caliper dbh at time of planting and 35 feet tall at maturity) for each 200 square feet of landscaping. Shade trees shall be planted in a bed of ground cover, sod and/or low shrubbery.
  - o No unregistered vehicles shall be permitted. There shall be no repair work done on-site.
  - o No storage outside of truck beds, cargo vans, or box type trucks or trailers is allowed.
  - o No 18-wheel vehicles shall be parked on-site.
  - o There shall be no ingress/egress from Thompson Mill Road for vehicles stored on the site.
  - o Any outdoor lighting on the premises shall be of a non-spill type.
  - o Gateway Corridors Overlay District standards shall apply to any buildings on the front of the property.
  - o All conditions of zoning shall be made a part of any plat created for property.
- The Hall County Marshal's Office shall visit the property to ensure the landscaping meets the conditions of the 2013 rezoning request.

9.29. Application of Ayoub Botrus to amend conditions of an existing Planned Commercial Development (PCD) on 0.36± acres located on the south side of McEver Road approximately 250 feet from its intersection with Holiday Road; a.k.a. 3053 and 3087 McEver Road; Zoned PCD; Tax Parcels 07299 002017 and 07299 002007A. Proposed Use: Used vehicle sales. Commission District 1

Mr. Blalock issued the Reading.

Mr. Yamala stated that the Planning Commission recommended approval with four conditions.

Mr. Blalock conducted the Public Hearing.

Randa Hanna, 735 Centry Rich Crossing, Suwannee, addressed the Board in favor of the application.

Motion by Commissioner Cooper seconded by Commissioner Powell and voted, unanimously, to approve item 9.29 with the following conditions:

- A new plat is to be recorded showing the two properties combined before a business license will be issued.
- Allowable number of automobiles for sale is contingent on survey of property and the number of existing paved parking spaces developed on site. The existing paved parking area shall also account for one parking space for each employee at maximum employment on a single shift and subsequent required ADA parking spaces.
- Tree plantings to reflect the concept plan that was submitted in 1995.

- One 32 square foot monument sign located no closer than 1 ft. from the front property line as shown in concept plan from 1995.
- 9.30. Application of Vasilij Myalik to rezone from Agricultural-Residential-III (AR-III) and Planned Commercial Development (PCD) to Light-Industrial (I-I) on a 3.91± acre tract located on the northeast side of Holiday Road, at its intersection with Bethlehem Church Road; a.k.a. 5707 Holiday Road; Zoned AR-III and PCD; Tax Parcel 07329 001003. Proposed Use: Automobile repair and machine shop. Commission District 1.

Mr. Blalock issued the Reading.

Mr. Yamala stated that the Planning Commission recommended approval with two conditions.

Mr. Blalock conducted the Public Hearing.

Larry Beck, 773 Bill Watkins Road, Houshton, addressed the Board in favor of the application.

Motion by Commissioner Cooper seconded by Commissioner Powell and voted unanimously, to approve item 9.30 with the following conditions:

- The applicant shall install and maintain the appropriate vegetated buffer with evergreen trees that create an opaque screen along the subject properties side and rear yards where abutting residential uses. Buffer material shall be planted in a minimum ten foot area and shall consist of evergreen trees or shrubs with a minimum height of five feet at time of planting, spaced to provide a continuous screen. The remaining required buffer shall be left in a natural forested state if such a condition exists, or planted with a mix of deciduous and evergreen trees to re-establish a forested area.
- Development shall be generally consistent with the submitted site plan and narrative, modified for compliance with County regulations at time of development permit application.

## **10. Report from County Attorney**

Mr. Blalock did not have any items to report.

## **11. Report from County Administrator**

11.31 National Victims Rights Week - April 8 through April 14, 2018

Mr. Connell stated that an annual commemoration in the United States that promotes victim's rights and services. He stated that the public is invited to attend a ceremony, hosted by the Solicitor's Office and the District Attorney's Office, at the Hall County Sheriff's Office Headquarters at 11:30 on Friday, April 13.

11.32 National Public Safety Telecommunicators Week

Mr. Connell said that this week, sponsored by the Association of Public-Safety Communications Officials International and celebrated annually, honors the thousands of men and women who respond to emergency calls, dispatch emergency professionals and equipment, and render life-saving assistance to

the world's citizens.

#### 11.33 Short-Term Rental

Mr. Connell expressed his appreciation for staff. He said a lot of effort and a lot of time and then implementation took a lot of staff time. He stated that he wished to take a minute to recognize some staff members that were involved. He recognized Lisa Johnsa, Srikanth Yamala, Susan Rector, Andre Niles, Gail Lane, Katie Crumley, Stacey Dixon, and the Sheriff's Department. He said, in the next few weeks, they will see the adjustments that need to be made. He said they are well under way with a process that will allow the County to provide meaningful enforcement to this ordinance.

#### 11.34 Elections Director Position

Mr. Connell stated that Lori Wurtz will begin her role as the Elections Director on Monday, April 16. He said that Dr. Smiley and the Elections Board has provided great leadership.

#### 11.35 Meeting Schedule - Special Called Voting Meeting on Tuesday, April 24 and Cancellation of Voting Meeting on Thursday April 26

### **12. Commission Time**

Commissioner Kathy Cooper, District 1, did not have any items to report.

Commissioner Billy Powell, District 2, did not have any items to report.

Commissioner Scott Gibbs, District 3, did not have any items to report.

Commissioner Jeff Stowe, District 4, thanked staff in regards to the community meeting he had regarding the park idea they are looking at near the Health Department. He thanked Marty Nix, Jock Connell, Katie Crumley, Andre Niles, Nancy Smallwood and Joy Walker for their help in putting it together and being there to answer questions. He said there is a survey online, at hallcounty.org, regarding amenities citizen would like to see. He said the survey will be open until end of month.

Chairman Richard Higgins did not have any items to report.

### **13. Adjourn**

Motion by Commissioner Powell, seconded by Commissioner Stowe and voted, unanimously, to adjourn the meeting at 6:46 p.m.