



**HALL COUNTY BOARD OF COMMISSIONERS
SPECIAL CALLED MEETING
MINUTES**

**Hall County Government Center 2nd Floor
2875 Browns Bridge Road, Gainesville, GA 30504
Thursday, November 15, 2018 - 6:00 p.m.**

Call to Order

Chairman Higgins called the meeting to order at 6:00 p.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, Deputy Clerk Karyn Reeves and County Attorney Bill Blalock

Approve Agenda

Motion by Commissioner Cooper, seconded by Commissioner Gibbs and voted, unanimously, to approve the Agenda.

Invocation

1. Chairman Richard Higgins

Pledge of Allegiance

2. Commissioner Scott Gibbs

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 Gibbs and voted, unanimously, to approve the Consent Agenda.

Consent Agenda

3. Approve October 25, 2018 Voting Meeting Minutes
4. Approve October 25, 2018 Executive Session Minutes
5. Approve October 25, 2018 Special Called Meeting Minutes
6. Approve October 22, 2018 Work Session Minutes
7. Approve October 22, 2018 Executive Session Minutes
8. Approve an Animal Control Officer Intergovernmental Service Agreement between Hall County, Georgia and the City of Gainesville, Georgia.

9. Approve submittal of application and award for a \$80,459.00 FY2020 Section 5303 grant for the Gainesville-Hall MPO to conduct transit planning and to appoint Planning Director Srikanth Yamala as the Program Designee and authorize Chairman Higgins to execute all related application and award documents. 10% match provided by Georgia DOT and 10% match provided by Hall County.
10. Approval of the award of the Residential Substance Abuse Treatment for Prisoners Grant Program in the amount of \$28,000 for the Hall County Correctional Institution (CI). Program will assist CI in developing and implementing residential substance abuse treatment programs within correctional facility to permit substance abuse treatment. Appoint the Grants Manager as the Program Designee and authorize Chairman Higgins to execute all related application and award documents. A match of \$9,333 is required and will be provided with in-kind staff hours.
11. Approval of application and if awarded the Community HOME Investment Program in the amount of \$300,000 to provide eligible low and moderate income households assistance with home rehabilitation. Appoint the Grants Manager as the Program Designee and authorize Chairman Higgins to execute all related application and award documents. Grant requires leverage that can be in-kind or cash.
12. Approve the Award of IFB #038-39, Scott AirPaks, Cylinders & Valves to American Safety & Fire House, Doraville, GA for \$143,000.00.
13. Approval of a Request for Special Permission to enable an increase in the threshold for County Administration to approve items up to \$50,000 for the Courthouse Renovation Project to ensure Construction Timeline is met.
14. Approval of Single Source Procurement of Body Cameras and Tasers for the Hall County Sheriff's Office to Axon Enterprise Inc. of Scottsdale, AZ through a 5 year Lease/Purchase Agreement in the amount of \$1,189,206.66.
15. Approve "Contract Item Agreement Memorandum of Understanding" between the Georgia Department of Transportation and Hall County Department of Public Works and Utilities for utilities relocation for the Spout Springs Road Widening Project; Commission District 1.
16. Approve release of \$72,682.00 Irrevocable Letter of Credit for Sidewalks in Ventura Subdivision; Commission District 2.
17. Approve Real Property Refund of \$3,220.09 for overpayment of taxes - Elliott.
18. Approve the lease agreement with 117 Bradford, LLC for 117 Bradford St., SE, Gainesville, GA for one year with two annual renewals for \$3,673.38 per month.
19. Approve a Resolution to Declare Brown Street Property Blighted and Condemn Property.
20. Approve Commission Chairman to execute Limited Warranty Deed between Hall County, Georgia and Gainesville and Hall County Development Authority; Commission District 3.
21. Approve Resolution to authorize condemnation of right-of-way for Spout Springs Road Project, Parcel 126; Commission District 1
22. Approve Resolution to authorize condemnation of right-of-way for Spout Springs Road Project, Parcel 129; Commission District 1
23. Approve Resolution to authorize condemnation of right-of-way for Spout Springs Road Project, Parcel 130; Commission District 1
24. Approve Resolution to authorize condemnation of right-of-way for Spout Springs Road Project, Parcel 131; Commission District 1
25. Approve Resolution to authorize condemnation of right-of-way for Spout Springs Road Project, Parcel 139; Commission District 1
26. Approve Resolution to authorize condemnation of right-of-way for Spout Springs Road Project, Parcel 159; Commission District 1

27. Approve Resolution to authorize condemnation of right-of-way for Spout Springs Road Project, Parcel 165; Commission District 1
28. Approve Resolution to authorize condemnation of right-of-way for Spout Springs Road Project, Parcel 195; Commission District 1
29. Approve Resolution to authorize condemnation of right-of-way for Spout Springs Road Project, Parcel 196; Commission District 1
30. Approve Resolution to authorize condemnation of right-of-way for Spout Springs Road Project, Parcel 213; Commission District 1
31. Approve Resolution to authorize condemnation of right-of-way for Spout Springs Road Project, Parcel 216; Commission District 1
32. Approve Resolution to authorize condemnation of right-of-way for Spout Springs Road Project, Parcel 217; Commission District 1
33. Approve Resolution to authorize condemnation of right-of-way for Spout Springs Road Project, Parcel 220; Commission District 1
34. Approve Resolution to authorize condemnation of right-of-way for Spout Springs Road Project, Parcel 239; Commission District 1

Other Business - Appointments

35. Parks & Leisure Services Board
 - 1) Commissioner Gibbs' appointment

Motion by Commissioner Gibbs, seconded by Commissioner Stowe and voted, unanimously, to appoint Jim Syfan to the Parks & Leisure Services Board.

Other Business - Planning and Development

Srikanth Yamala, Planning and Development Director, addressed the Board.

36. Public Hearing on revocation of business license for Hulsey Plumbing and Environmental Services located at 6724 Cleveland Highway, Clermont, Ga. Commission District 3.
NOTE: Tabled at the October 25, 2018 Voting Meeting until the zoning issues are resolved.

Motion by Commissioner Powell, seconded by Commissioner Gibbs and voted, unanimously, to remove item 36 from the table.

Mr. Blalock issued the Reading and Public Hearing.

Motion by Commissioner Gibbs, seconded by Commissioner Powell and voted, unanimously, to table item 36 until the December 13, 2018 Board of Commissioners Voting Meeting. At that time, it will be tabled until the January 24, 2019 Board of Commissioners Voting Meeting.

Other Business - Public Works & Utilities

Ken Rearden, Public Works & Utilities Director, addressed the Board.

37. First Reading and Public Hearing to approve the abandonment of a section of platted right-of-way off Hidden Valley Road and Felicia Court in Commission District 3. The section is approximately one hundred fifty seven (157+/-) feet in length.

Mr. Blalock conducted the Reading and Public Hearing.

38. Second Reading and Public Hearing to approve the abandonment of a section of right-of-way on Whitehall Road in Commission District 3. The section is approximately two thousand eight hundred fifty (2,850+/-) feet in length.

Mr. Blalock conducted the Reading and Public Hearing.

Jim Syfan, 4014 Summerhill Drive Gainesville, spoke in favor of the item.

Tony Herker, 2729 Longstreet Way, Vision Greenspace 2027 Committee

Motion by Commissioner Gibbs, seconded by Commissioner Powell and voted, unanimously, to approve item 38.

Other Business - Sheriff

Sheriff Gerald Couch addressed the Board.

39. Approve Agreement with the City of Rest Haven for the purpose of housing inmates.
NOTE: Tabled at the October 25, 2018 Voting Meeting until the November 15, 2018 Special Called Voting Meeting.
40. Approve Agreement with the City of Buford for the purpose of housing inmates.
NOTE: Tabled at the October 25, 2018 Voting Meeting until the November 15, 2018 Special Called Voting Meeting.

Motion by Commissioner Stowe, seconded by Commissioner Powell and voted, unanimously, to remove items 39 and 40 from the table.

Motion by Commissioner Stowe, seconded by Commissioner Powell and voted, unanimously, to table items 39 and 40 until the Jan 10, 2019 Board of Commissioners Voting Meeting.

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

Mr. Blalock gave the Public Hearing Instructions.

41. Application of Falcon Design Consultants to rezone from Agricultural Residential-IV (AR-IV) to Light Industrial (I-I) on 203.98± acres located on the west side of Cornelia Highway, 900± ft. from the Hall/Habersham County Line; a.k.a. 5933 Cornelia Highway and 0 Mud Creek Road; Zoned AR-IV; Tax Parcels 09005 000011 and 09006 000001. Proposed Use: Permitted uses within the Light Industrial (I-I) zoning district. Commission District 3.
NOTE: Tabled at the October 25, 2018 Voting Meeting until the November 15, 2018 Special Called Voting Meeting.

Mr. Blalock issued the Reading.

Motion by Commissioner Powell, seconded by Commissioner Gibbs and voted, unanimously, to remove item 41 from the table.

Mr. Yamala stated that the applicant asked to have the item tabled until the January 24, Board of Commissioners Voting Meeting.

Motion by Commissioner Gibbs, seconded by Commissioner Powell and voted, unanimously, to table item 41 until the January 24, 2019 Board of Commissioners Voting Meeting.

42. Application of Creston Warner for a Use Subject to County Commission approval on 58.92± acres located on the north side of Old Whelchel Road, approximately 670± feet from its intersection with Peck Circle; a.k.a. 6866 Old Whelchel Road; Zoned AR-IV; Tax Parcel 11092 000003B. Proposed Use: 3-lot subdivision. Commission District 3.

Mr. Yamala stated that the applicant asked to have the item tabled until the January 24, 2019 Board of Commissioners Voting Meeting.

Motion by Commissioner Gibbs, seconded by Commissioner Powell and voted, unanimously, to table item 42 until the January 24, 2019 Board of Commissioners Voting Meeting.

43. Application of Eastwood Homes of GA, LLC to amend conditions of a Planned Residential Development (PRD) on 53.3± acres located on the west side of Spout Springs Road, 1,000± ft. from its intersection with Quincy Drive; a.k.a. 6732 and 6700 Spout Springs Road; Tax Parcels 15042 000020 and 052. Proposed Use: Modify the existing conditions. Commission District 1.

Mr. Blalock conducted the Public Hearing.

Mr. Yamala stated that the Planning Commission recommended approval with 13 conditions.

Mr. Blalock conducted the Public Hearing.

Steve Atchison, 4041 Idlewilde Meadows, Marietta, GA spoke in favor of the item.

Motion by Commissioner Cooper, seconded by Commissioner Powell and voted, 4 to 1 to approve item 43 with the following conditions:

VOTE: 4 to 1

Commissioner Cooper – aye

Commissioner Powell – aye

Chairman Higgins – aye

Commissioner Gibbs – aye

Commissioner Stowe – nay

Motion Passed.

- 1) Development is approved for lots as generally shown on the concept plan and described in the project narrative modified as necessary for compliance with development standards enforced at the time of site plan approval.
- 2) Development is approved for a maximum of 130 lots, with a minimum lot size of 7,131 square feet.

- 3) Prior to receiving a land disturbance permit, the developer shall design all ingress and egress points to accommodate the road widening improvements for Spout Springs Road.
- 4) The developer shall plat the development in phases and work with Hall County Engineering on determining any road improvements necessary to serve this development prior to each phase's final plat approval.
- 5) Lot standards for development shall be as follows:
 - Minimum of 25 feet from the front yard property line
 - Minimum of 5 feet from the side yard property line
 - Minimum lot width of 62 feet at the building line
 - The minimum heated floor area (HFA) shall be 1,800 square feet for dwelling units. Houses shall be constructed primarily of brick or stacked stone on front and side facades of the house. The balance of the home may be the same material or of fiber-cement material. Vinyl siding is prohibited.
- 6) All homes shall be constructed with a garage with a minimum of one-car.
- 7) The garage wall width shall not exceed 60% of the width of the front façade of the dwelling.
- 8) All lots must be accessed via internal roadways.
- 9) All utilities shall be installed underground throughout the development.
- 10) Before a final plat is approved, the applicant/developer shall install a 50 foot vegetated buffer with a staggered row of Leyland Cypress trees along the northern property lines of the proposed lots 24 - 54 to provide a visual screen and barrier of the development. Trees shall have minimum height of 6 foot at the time of planting.
- 11) The following statement regarding the potential impacts of existing regional operations in the area shall be made 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 waste water treatment practices which may take place on adjacent and nearby property including, but not limited to odors and the storage and disposal of waste. Therefore, owners, occupants and users of the property shown on this plat should be prepared to expect the effects of such practices."
- 12) All conditions of zoning shall be made a part of any plats created for the subdivision.
- 13) If there is ever an intersection, the applicant shall be responsible for the traffic study. If the traffic study shows that a traffic light is warranted, the applicant and Hall County shall split the cost of the light.

44. Application of Clayton Properties Group, Inc. to rezone from Agricultural-Residential-III (AR-III) and Planned Residential Development (PRD) to PRD and to amend an existing PRD on a 138.24± acre tract located on the west side of Spout Springs Road, 2,500± ft. from its intersection with Quincy Drive; a.k.a. 0 and 6818 Spout Springs Road; Tax Parcel 15042 000341 and 15042 000017(pt.). Proposed Use: 187 single-family lots and 144 townhomes. Commission District 1.

Mr. Yamala stated that the Planning Commission recommended approval with 13 conditions.

Mr. Blalock conducted the Public Hearing.

Steve Gilliam, 301 Green Street addressed the Board in favor of the item.

Motion by Commissioner Cooper seconded by Commissioner Gibbs and voted, unanimously, to approve item 44, with the following conditions:

Conditions:

- 1) Development is approved for lots as generally shown on the concept plan and described in the project narrative modified as necessary for compliance with development standards enforced at the time of site plan approval at the October 20, 2016 meeting.
- 2) Development is approved for a maximum of 187 detached lots with a minimum lot size of 7,130 square feet
- 3) Lot standards for the development shall be as follows:
 - o Minimum of 25 feet from the front property line
 - o Minimum of 5 feet from the side yard property line
 - o Minimum lot width of 62 feet at the building line
 - o Minimum lot size of 7,130 square feet
- 4) The minimum heated floor area (HFA) shall be 1,800 square feet. Houses shall be constructed primarily of brick or stacked stone on the front and not on the side façade of the house. The balance of the home may be the same material or of fiber-cement material. Vinyl siding is prohibited.
- 5) For the detached dwelling units, a garage shall not extend any more than 8 feet further toward the front yard property line than the façade of the habitable area of the first story, and the width of the garage wall shall not exceed 55% of the front façade of the dwelling.
- 6) All lots must be accessed via internal roadways.
- 7) Any modifications from section 16.60.200 – Design Standards for Streets must be approved by Hall County Engineering. No variance shall be granted to reduce the minimum cul-de-sac length from centerline to center of turnaround.
- 8) All utilities shall be installed underground throughout the development.
- 9) The following statement regarding the potential impacts of existing regional operations in the area shall be made part of any plat recorded on the property: “Owners, occupants and uses of property shown on this plat are hereby informed of the impacts associated with waste water treatment practices which may take place on adjacent and nearby property including, but not limited to odors and the storage and disposal of waste. Therefore, owners, occupants and users of the property shown on this plat should be prepared to expect the effects of such practices.”
- 10) A cabana and pool shall be added to the amenities area of the detached dwelling units and shall be dedicated to the Home Owner’s Association (HOA). The HOA shall have covenants to reflect that amenities shall be constructed after 33% of the lots (not houses) are sold.
- 11) All conditions of zoning shall be made a part of any plats created for the subdivision.

Report from County Attorney

Mr. Blalock did not have any items to report.

Report from County Administrator

Mr. Connell stated the elections were successful, and that Lori Wurtz, Elections Director, did an outstanding job. He also noted that there were virtually no hitches in the process.

Mr. Connell reminded everyone that Veteran's Day was last Sunday, November 11, 2018 and he hopes and prays we will all remember on a daily basis the sacrifices made so that we can live free in our country.

Thanksgiving holidays coming up. Hall County offices will be closed Thursday, November 22nd and Friday November 23rd to be with our families.

Commission Time

Commissioner Kathy Cooper, District 1, invited everyone out Sunday, November 18, 2018 at 2:00 p.m. to UNG for the dedication of a memorial to the five students that were killed 50 years ago.

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, did not have any items to report.

Chairman Richard Higgins did not have any items to report.

Adjourn

Motion by Commissioner Powell, seconded by Commissioner Gibbs, and voted, unanimously, to adjourn the meeting at 6:32 p.m.