



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

**Hall County Government Center 2nd Floor
2875 Browns Bridge Road, Gainesville, GA 30504
Thursday, December 13, 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, Deputy Clerk Karyn Reeves and County Attorney Bill Blalock

Approve Agenda

Mr. Connell requested that item 41 be removed from the Consent Agenda, to be replaced by item 43 on the Agenda. Commissioner Gibbs motioned, seconded by Commissioner Powell and voted, unanimously, to remove item 41 and replace it with item 43.

Invocation

1. Chairman Richard Higgins

Pledge of Allegiance

2. Commissioner Jeff Stowe

Presentations

3. Hall County Bicentennial Proclamation

Commissioner Powell presented the Bicentennial Proclamation. Katie Crumley recognized and announced Joel Katz, who spoke on behalf of Honorable Doug Collins of the House of Representatives who presented a Congressional Record in honor of Hall County's history and achievements.

Chairman Higgins called Commissioner Gibbs and Jennifer Gibbs to the front and presented Mrs. Gibbs with a floral arrangement. The Chairman spoke about Commissioner Gibbs' 8 years of faithful service to Hall County. Commissioner Gibbs stated that he appreciated everyone and that it has been a great honor to serve. He said he has enjoyed working for the great citizens of Hall County.

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

Douglas Aiken gave a comment regarding item 12 on the Consent Agenda.

Consent Agenda

Motion by Commissioner Powell , seconded by Commissioner Gibbs and voted, unanimously, to approve the Consent Agenda as amended during the approval of the Agenda.

4. Approve November 15, 2018 Special Called Voting Meeting Minutes
5. Approve November 15, 2018 Executive Session Minutes
6. Approve November 15, 2018 Special Called Meeting Minutes
7. Approve November 12, 2018 Special Called Work Session Minutes
8. Approve November 12, 2018 SCM Minutes
9. Approve November 12, 2018 ES Minutes
10. Approve the appointment of Gina Pilcher to serve an unexpired term to the Planning Commission to January 31, 2019.
11. Approve the 2019 Board of Commissioners Meeting Schedule
12. Approve Resolution designating Hall County Open Records Officers upon whom requests for inspection or copying of records shall be made.
13. Approve updated resolution authorizing the Hall County Board of Commissioners and the Hall County Clerk of Superior Court to enter into an agreement to establish procedures for the continued receipt and expenditure of funds generated from E-filing transaction fees in Superior and State Courts.
14. Approval of the application and if awarded the Georgia County Internship Program for the Human Resources Department in the amount of \$2,000.00. Appoint the Grants Manager as the Program Designee and authorize Chairman Higgins to execute all related application and award documents. There is a \$500.00 cash match required.
15. Approval of the application and if awarded the Georgia County Internship Program for the Engineering Division in the amount of \$2,000.00. Appoint the Grants Manager as the Program Designee and authorize Chairman Higgins to execute all related application and award documents. There is a \$500.00 cash match required.
16. Approval of the application and if awarded the Homeland Security Grant Program for the Sheriff's Office in the amount of \$3,000.00. Appoint the Grants Manager as the Program Designee and authorize Chairman Higgins to execute all related application and award documents. No match is required. This funding will be utilized by the K-9 program.
17. Approval of the application and if awarded the Homeland Security Grant in the amount of \$8,607.00 for the Sheriff's Office. Appoint the Grants Manager as the Program Designee and authorize Chairman Higgins to execute all related application and award documents. No match is required. The funding will assist with the purchase of a Chemical, Biological, Radiological, Nuclear and Explosive (CBRNE) Gas and Radiation detector along with other equipment for the Sheriff's Office.
18. Approval of the award for the Edward Byrne Memorial Justice Assistance Grant (JAG) from the U.S. Department of Justice in the amount of \$16,712.00 for the Solicitor's Office. Appoint the Grants Manager as the Program Designee and authorize Chairman Higgins to execute all related award documents. No match is required. The grant project requires a reallocation of unassigned part-time position within the FY 2019 approved position count. When funding for the grant is satisfied, the part-time position will move out of the Solicitor's Office and into the unassigned category.

19. Approval of award for IFB #037-39, Rifle Range Gate & Fence, to Blue Ridge Fence, Inc., Lula, GA for \$15,578.00
20. Approval of Award for IFB #039-39 Roll-Off Truck with Hoist and Tarping System to Peach State Freightliner - Norcross, GA in the amount of \$154,430.00.
21. Approval of award of RFQ/P #039-024, Design-Build Three Bay Fleet Maintenance Shop Metal Building Addition to Chattahoochee Group, Inc., Clermont, GA for \$232,860.00
22. Approval of US Communities Cooperative Contract for Countywide Roof & Building Envelope Assessment Inspection Services to Garland/DBS, Inc. of Atlanta, GA in the amount of \$50,000 plus Lift Rental if needed.
23. Approval of Award for AirVac 911 Engine Exhaust Removal Systems to Air Vacuum Corp, Dover, NH for \$200,078.00
24. Approval of a Fire Pumper Truck to Pierce Manufacturing of Appleton, WI via Ten-8 Fire & Safety of Forsyth, GA in the amount of \$570,812.00.
25. Approval of attached List of Vehicles to be surplus for the MANS Unit of the Sheriff's Dept.
26. Approve Release of \$66,490.00 Irrevocable Letter of Credit and acceptance of Streets in Bay Pointe Subdivision Phase I; Commission District 2
27. Approve Release of \$28,998.00 Irrevocable Letter of Credit for Sidewalks in Fields on Ellison Subdivision; Commission District 1
28. Approve Confirmation and Eighth Extension of Letter of Intent of January 2010 as Amended and Extended Heretofore (Glades Land Management Agreement)
29. Approve Resolution to authorize condemnation of right-of-way for Spout Springs Road Project, Parcel 179; Commission District 1
30. Approve Resolution to authorize condemnation of right-of-way for Spout Springs Road Project, Parcel 91; Commission District 1
31. Approve Resolution to authorize condemnation of right-of-way for Spout Springs Road Project, Parcel 109; Commission District 1
32. Approve Resolution to authorize condemnation of right-of-way for Spout Springs Road Project, Parcel 98; Commission District 1
33. Approve Resolution to authorize condemnation of right-of-way for Spout Springs Road Project, Parcel 102; Commission District 1
34. Approve Resolution to authorize condemnation of right-of-way for Spout Springs Road Project, Parcel 105; Commission District 1
35. Approve Resolution to authorize condemnation of right-of-way for Spout Springs Road Project, Parcel 123; Commission District 1
36. Approve Resolution to authorize condemnation of right-of-way for Spout Springs Road Project, Parcel 136; Commission District 1
37. Approve Resolution to authorize condemnation of right-of-way for Spout Springs Road Project, Parcel 166; Commission District 1
38. Approve Resolution to authorize condemnation of right-of-way for Spout Springs Road Project, Parcel 214; Commission District 1
39. Approve Resolution to authorize condemnation of right-of-way for Spout Springs Road Project, Parcel 219; Commission District 1
40. Approve Resolution to authorize condemnation of right-of-way for Spout Springs Road Project, Parcel 117; Commission District 1
41. ~~Approve Resolution to authorize condemnation of right-of-way for Spout Springs Road Project, Parcel 144; Commission District 1~~
Note: Removed from the Consent Agenda during the approval of the Agenda.
42. Approve Letter of Support for Braselton ASC Multi-Specialty Surgery Center Project Hall County Commission Letter of Support
43. Approve Resolution to authorize condemnation of right-of-way for Spout Springs Road Project, Parcel 173 and 173 (R); Commission District 1

Motion by Commissioner Stowe, seconded by Commissioner Gibbs and voted, unanimously, to remove item 43 from the agenda, as it has been resolved.

44. Approve Resolution to authorize condemnation of right-of-way for Spout Springs Road Project, Parcel 103; Commission District 1

Motion by Commissioner Stowe, seconded by Commissioner Gibbs and voted, unanimously, to approve item 44.

Mr. Blalock introduced an item to be added to the agenda regarding Construction Easement to approve temporary easement for water facilities requested by developer for Jordan Land and Cody Drive. He stated that the county needed the construction easement for up to 2 years or 30 days after line completion.

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

Other Business - Financial Services

45. Approval of Award for RFP #039-020 Gainesville-Hall Regional Transportation Plan: 2020 Update to RS&H of Atlanta, GA in the amount of \$198,220.00.

Motion by Commissioner Stowe, seconded by Commissioner Gibbs and voted, unanimously, to approve item 45.

Other Business - Planning and Development

46. 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 November 15, 2018 Special Called Voting Meeting until the December 13, 2018 Voting Meeting.

Motion by Commissioner Gibbs, seconded by Commissioner Powell and voted, unanimously, to remove item 46 from the table.

Motion by Commissioner Gibbs, seconded by Commissioner Powell and voted, unanimously, to table items 46 and 49 until the January 24, 2019 Commissioners Voting Meeting.

Other Business - Public Works & Utilities

47. First Reading and Public Hearing to approve the abandonment of a section of unused right-of-way for Hillcrest Drive and Pine Drive in Commission District 3. Section is approximately (6,318 feet +/-) in length.

Mr. Rearden stated that Alto Street is also a part of abandonment.

Mr. Blalock conducted the Reading and Public Hearing.

The Second Reading and Public Hearing will be held at the January 10, 2018 Voting Meeting.

48. Second 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.

Public Works recommends approval

Motion by Commissioner Gibbs, seconded by Commissioner Powell and voted, unanimously, to approve item 48.

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

49. Appeal the Planning Commission's denial for the application of Hulsey Environmental for a Use Subject to Planning Commission approval and variance from Gateway Corridor Overlay District standards on 8.89± acres located on the east side of Cleveland Highway, approximately 209± feet from its intersection with Hub Head Road; a.k.a. 6720 Cleveland Highway; Zoned H-B; Tax Parcel 12084 000053. Proposed Use: Truck terminal and commercial signage. Commission District 3.

Previously motioned by Commissioner Gibbs, seconded by Commissioner Powell and voted, unanimously, to table items 46 and 49 until the January 24, 2019 Commissioners Voting Meeting.

50. Application of Gateway 2 Partners, LLC to rezone from Agricultural-Residential-IV (AR-IV), Planned Residential Development (PRD), and Planned Commercial Development (PCD) to a Planned Industrial Development (PID) on approximately 518.63± acres located on the east side of Cornelia Highway/State Route 365 at its intersection with Simpson Road, a.k.a 3240 Chiplan Road and 4275 and 4295 Simpson Road; Tax Parcels 15019 000001, 15019 000016, and 15019 000137; Zoned AR-IV, PRD, PCD; Proposed Use: Mixed-use (industrial, commercial, office, and institutional) development. Commission District 3.

Planning Commission recommended approval with 9 Conditions.

Bryan Rochester with Rochester and Associates addressed the Board and asked that 1 of the 3 parcels in item 50 be tabled to the 2nd meeting in January.

The following people addressed the Board in opposition of the item:

1. David Edwards, 4251 Simpson Road
2. Vicky Kannady, 5315 H Thomas Road
3. Sherozinsky, 4025 Greenway Road

Mr. Rochester addressed the Board in rebuttal to the opposition.

Motion by Commissioner Gibbs, seconded by Commissioner Powell and voted, unanimously, to approve 2 out of 3 Tax Parcels (15019000001 and 15019000016) with listed conditions, in addition to a 5th condition The 3rd parcel (15019000137) will be tabled until the January 24 Board of Commissioners Voting Meeting.

Conditions:

1. Development shall be generally consistent with the submitted site plan and narrative, modified for compliance with Hall County regulations at the time of development permit application.
 2. Driveway design and placement are subject to approval by the Georgia Department of Transportation and Hall County Traffic Engineering.
 3. Development shall adhere to the covenants, restrictions and easements for Gateway Industrial Centre, as recorded in Deed Book 7799 page 542.
 4. All conditions of zoning shall be made a part of any plat created for the property.
 5. Up to 5 acres of property shall be donated to the County, per discretion of the County Administrator.
 6. The Applicant will impose a fifty (50) foot buffer adjacent to all external property lines zoned residential. The buffer, if disturbed, shall be re-vegetated in accordance with Hall County Buffer Standard requirements.
 7. The proposed entrance on Simpson Road shall be for the exclusive use of the eastern half of the property. The western half of the property will be accessed from entrances on Whitehall Road, Chiplan Drive, and a proposed entrance on SR 365.
 8. A "No thru Trucks" sign will be placed on Whitehall Road at the site driveway serving the western half of the property. Truck traffic beyond this point will be restricted to only those accessing the site driveway on Simpson Road serving the eastern half of the property.
 9. Any outdoor lighting that is within 100' of an existing residence shall be of a non-spill type of fixture.
51. Application of Cool Springs Blueberry Farm, LLC for a Use Subject to County Commission approval on 5.33± acres located on the west side of Smith Mill Road, 840± feet from its intersection with Grants Ford Drive; a.k.a. 5975 Smith Mill Road; Zoned AR-III; Tax Parcel 10013 000006. Proposed Use: Agri-Entertainment District. Commission District 2.

Planning Commission recommended approval with 11 Conditions.

Jason Harper, 6101 Smithmill Road, addressed the Board in Favor of item 51.

Marsha Clemmons, 5817 Grant Ford Road, addressed the Board in Opposition of item 51.

Motion by Commissioner Powell, seconded by Commissioner Stowe and voted, unanimously, to approve item 51 with the conditions recommended by the Planning Commission's 2 additional conditions.

Conditions:

1. The proposed activities are approved, and any future changes to dates and/or time of operation and/or expansion of activities on the property shall require approval by the Hall County Board of Commissioners.
2. Parking shall be clearly designated on the property.
3. Hours of operation shall terminate no later than 10:00p.m. on Sunday through Thursday and no later than 11:00p.m. on Friday and Saturday.
4. If any existing structures are to be utilized for the agri-entertainment district, those structures shall be inspected by Hall County Building Inspections and meet applicable building code.

5. Any new development related to the agri-entertainment district will be subject to the Hall County Development Review process.
6. The subject parcel shall be held to Hall County Stormwater Management regulations if more than 5,000 square feet of impervious area is added to site.
7. The applicant shall meet Hall County Environmental Health Department standards to ensure regulations pertaining to onsite septic systems, temporary restroom facilities, and food service.
8. Applicant shall supply traffic control measures for all events.
9. No fireworks shall be allowed at the property.
10. Approval for agri-entertainment uses shall apply for the applicant only. Any future property owners shall be required to obtain use for agri-entertainment uses from the Board of Commissioners.
11. Applicant shall inform Hall County Planning Department via written notice 5 days prior to each private event at the subject property.
12. The parking lot layout shall face away from the Clemon's property so that headlights of the cars face towards the blueberry farm.
13. Any existing Leeland Cypress trees on property damaged during construction shall be replaced.

52. Application of Backus Holdings, LLC to amend conditions of a Planned Commercial Development (PCD) on 2.4± acres located on the north side of Lanier Islands Parkway, at its intersection with Lee Circle; a.k.a. 6337 Lanier Islands Parkway; Zoned PCD; Tax Parcel 07331 003004. Proposed Use: Modify the existing conditions. Commission District 1.

Planning Commission recommended approval with 2 Conditions.

Attorney Steve Gilliam, 301 Green Street, addressed the Board in Favor of item 52.

Motion by Commissioner Cooper, seconded by Commissioner Stowe and voted, unanimously, to approve item 52 with the listed conditions.

Conditions:

1. All previous conditions of zoning from February 9, 2006 shall apply, with the exception of condition #5.
 2. If a new stormwater report is not submitted and replacement structures are not installed before December 31, 2019, no business licenses shall be renewed or issued for this property.
53. Application of Ponderosa Farms, LLC to rezone from Agricultural-Residential-III (AR-III) to Planned Residential Development (PRD) on a 121.25± acre tract located at the intersection of L J Martin Drive and Ponderosa Farm Road; a.k.a. 5232 Ponderosa Farm Road; Zoned AR-III; Tax Parcel 15038 000087. Proposed Use: 279 lot subdivision. Commission District 1.

Planning Commission recommended approval with Conditions.

Brian Rochester, 425 Oak Street, addressed the Board in Favor of item 53.

The following people addressed the Board in opposition of item 53:

- Kevin Storm, 5258 Ponderosa Farm Road

- Attorney Jane Range, Hulseley, Oliver & Maltar
- Mike Reviso, 5315 LJ Martin Road
- Mark Skelton, 5301 LJ Martin Road

The following people addressed the Board in rebuttal of item 53:

- Brian Rochester
- Steve Gilliam

Motion by Commissioner Cooper, seconded by Commissioner Gibbs and voted, unanimously, to approve item 53 with the listed conditions.

Conditions:

1. The development of the site shall occur in substantial conformance to the concept plan and descriptive narrative submitted, modified as necessary for compliance with development standards in place at the time of site plan approval. The development may be used for either:
 - a. Age-restricted housing, or
 - b. Traditional family housing
2. The development is approved for a maximum of 229 lots, with a density of 1.89
3. Lot standards shall be as follows:
 - a. Age-restricted development:
 - Minimum lot area: 4,400 square feet
 - Minimum lot width: 40 feet
 - Minimum lot depth: 110 feet
 - Maximum building height: 35 feet
 - Front yard setback: 10 feet
 - Rear yard setback: 20 feet
 - Side yard setback: 5 feet to property line, 10 feet foundation to foundation
 - b. Traditional family development:
 - Minimum lot area: 6,000 square feet
 - Minimum lot width: 50 feet
 - Minimum lot depth: 120 feet
 - Maximum building height: 35 feet
 - Front yard setback: 15 feet
 - Rear yard setback: 20 feet
 - Side yard setback: 5 feet to property line, 10 feet foundation to foundation
4. All homes shall be constructed with a garage with a minimum of a two-car capacity. The width of the garage wall shall not exceed the following standards:
 - a. Age-restricted development:
 - 75% for lots with a minimum frontage of 40 feet
 - 60% for lots with a minimum frontage of 50 feet
 - 50% for lots with a minimum frontage of 60 feet
 - b. Traditional family development:
 - 60% for lots with a minimum frontage of 50 feet
 - 50% for lots with a minimum frontage of 60 feet
5. The minimum heated floor area (HFA) shall be 1,800 square feet for ranch style homes and 2,200 square feet for two storied homes. If the development is age restricted, the HFA shall be 1,600 square feet for ranch style homes.
6. Houses shall be constructed with a minimum of 50% of brick or stone on front façades of the house. The balance of the home may be the same material or of fiber-cement material or shake siding. Vinyl siding is prohibited.
7. All residences shall have sodded front and side lawns.

8. All utilities shall be installed underground throughout the development.
9. All residential lots must be accessed via internal roadways, with no lots having driveway access onto Ponderosa Farm Road or L J Martin Drive.
10. Entryway design and placement are subject to approval by the Hall County Traffic Engineer and the Georgia Department of Transportation.
11. The following statements regarding the potential impacts of agricultural uses in the area shall be made part of any plat recorded on this property:
 - a. "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."
12. All conditions of zoning shall be made a part of any plats created for the subdivision.
13. Vegetation shall be added to the buffer when the existing vegetation is sparse or insufficient to screen the development from adjacent properties.
14. The second phase shall include a second entrance on LJ Martin side of property.
15. The section across the second creek shall be eliminated and replaced with a walking trail.
16. Up to 10 model homes with crusher run shall be permitted prior to issuance of a final plat for the development.
17. A 50' enhanced buffer with landscaping and evergreens shall be installed along the propertyline with parcel no 15029 000166
18. At the developer's expense, a four-way stop sign shall be installed at the intersection of LJ Martin Drive and Ponderosa Farm Road with an approved stop sign warrant study.

Report from County Attorney

Mr. Blalock did not have any items to report.

Report from County Administrator

Mr. Connell announced that Hall County offices would be closed on Monday, December 24th, 2018 and Tuesday, December 25th, 2018 for the Christmas holiday, as well as Tuesday, January 1st, 2019 for New Year's Day.

Commission Time

Commissioner Kathy Cooper, District 1, wanted to wish everyone a Merry Christmas.

Commissioner Billy Powell, District 2, stated that it has been a pleasure working with Commissioner Gibbs.

Commissioner Scott Gibbs, District 3, wanted to wish everyone a Merry Christmas, and express his gratitude for being able to serve as a Hall County Commissioner for the last 8 years.

Commissioner Jeff Stowe, District 4, did not have any items to report.

Chairman Richard Higgins wanted to recognize Don Smallwood for his 21 years as a public servant.

Adjourn

Motion by Commissioner Powell, seconded by Commissioner Stowe and voted, unanimously, to adjourn the meeting at 7:57 p.m.