



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

**Hall County Government Center 2nd Floor
2875 Browns Bridge Road, Gainesville, GA 30504
Thursday, October 25, 2018 - 6:00 p.m.**

Call to Order

Chairman Higgins called the meeting to order at 6:04 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 Gibbs, seconded by Commissioner Powell and voted, unanimously, to approve the Agenda.

Invocation

1. Chairman Richard Higgins

Pledge of Allegiance

2. Commissioner Scott Gibbs

Presentations

3. National Family Literacy Day

Commissioner Powell presented the proclamation to Marya Leatherford and Penny Walker.

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 table item 50, "Public Hearing on revocation of business license for Hulsey Plumbing and Environmental Services located at 6724 Cleveland Highway, Clermont, Ga. Commission District 3." until the November 15, 2018 Board of Commissioners Special Called Voting Meeting.

Motion by Commissioner Powell, seconded by Commissioner Cooper and voted, 4 to 0, to approve the Consent Agenda.

Vote: 4 to 0

Commissioner Cooper –aye

Commissioner Powell – aye

Chairman Higgins – aye

Commissioner Gibbs – aye

Commissioner Stowe – recused

Motion passed.

Consent Agenda

4. Approve September 27, 2018 Voting Meeting Minutes
5. Approve September 24, 2018 Work Session Minutes
6. Approve September 24, 2018 Executive Session Meeting Minutes
7. Approve September 24, 2018 Special Called Meeting Minutes
8. Approve the reappointment of Dr. Thomas Smiley to the Board of Elections
9. Approve the reappointment of Ron House to the Board of Tax Assessors
10. Approve the appointment of Commissioner Elect, Shelly Echols to the Chestatee Chattahoochee RC&D Council
11. Approve the reappointment of Kevin McInturff to the Chestatee Chattahoochee RC&D Council
12. Approve the reappointment of Commissioner Billy Powell to serve as the ex-officio of the Gainesville Hall Development Authority
13. Approve Commissioner Powell's nominations to the Hospital Authority:
 - 1) Jack Keener
 - 2) Roger Sulhoff
 - 3) Pat Powell
14. Approve Commissioner Stowe's nominations to the Hospital Authority:
 - 1) Ben Hawkins, DMD
 - 2) Gary Funk
 - 3) Lee Rogers
15. Approve Commissioner Gibbs' nominations to the Hospital Authority:
 - 1) Preston Bowen
 - 2) Jennifer Gibbs
 - 3) Jack Gilsdorf
16. Approve the reappointment of Commissioner Kathy Cooper to serve as the ex-officio of the Hospital Authority
17. Approve the reappointment of Nicole Wood to the Parks & Leisure Services Board
18. Approve the reappointment of Commissioner Jeff Stowe to serve as the ex-officio of the Parks & Leisure Services Board
19. Approve the appointment of Glennis Barnes to the Gainesville-Hall County Land Bank
20. Approve the appointment of Tate O'Rourke to the Gainesville-Hall County Land Bank
21. Approve the Intergovernmental Agreement between Hall County and the City of Gainesville for inmate work details

22. Approval of application and if awarded the FY 2018 Emergency Management Performance Grant (EMPG) for the Hall County Emergency Management Agency in the amount of \$50,000 for the completion of the GEMA/HS Local Annual Work Plan, continual operation of the citizens alert system, continual development of All-Hazard plan and conducting and participating in required exercises that test our EOP and All-Hazard plan. Appoint the Grants Manager as the Program Designee and authorize Chairman Higgins to execute all related application and award documents. A match amount of \$50,000 is required and will be provided in cash and in-kind staff hours.
23. Approval of application and if awarded the Assistance to Firefighters grant in the amount of \$997,994 for turnout gear washers and dryers, base station and mobile radios and EMS equipment. Appointment of the Grants Manager as the Program Designee and authorize Chairman Higgins to execute all related application and award documents. A cash match of \$99,799 is required.
24. Approval of application and if awarded the State Criminal Alien Assistance Program (SCAAP) in the amount not to exceed \$45,000. Appoint the Grants Manager as the Program Designee and authorize Chairman Higgins to execute all related application and award documents. No match is required.
25. Approve the Award of IFB #034-39, Underground Fuel Tank Closures, to Georgia Oilmen's Services, Inc, of Lawrenceville, GA, in the amount of \$23,150.00
26. Approve the award of the order to IFB #035-39, Eagle Air Compressor & Components to NAFECO of Decatur, AL, for \$49,328.00
27. Approve the Award of RFQ #39-015 Demand Services for On-Call Electrical Contractors to the Following Pool of Vendors: Capital Electrical Services of Norcross, GA, and McArthur Electric, Inc., of Gainesville, GA
28. Approve the Award of RFQ #39-016 Demand Services for On-Call HVAC Contractors to the Following Pool of Vendors: Frazier Service Co of Atlanta, GA; Gee Heating & Air of Gainesville, GA; and Johnson Controls of Roswell, GA,
29. Approve the Award of RFQ #39-019 Demand Services for Tool & Equipment Rental Vendors to the Following Pool of Vendors: Herc Rentals, Inc. of Bonita Springs, FL, and M&R Rental of Gainesville, GA
30. Approve the Award of IFB #029-39, Towing Services Annual Contract to Statewide Towing of Gainesville, GA in the amount of \$53,000 based upon prior year expenditures.
31. Approval of Award of IFB #031-39, HCGC Exterior Cleaning, to All Clear Windows & Gutters of Athens, GA, for \$11,880.00.
32. Approval of Award for IFB #036-39 Trailer for Fire Services to Stephen L Green Trailers of Farmingdale, NJ in the amount of \$11,234.56.
33. Approval of RFP 39-014 Construction Manager at Risk for the Hall County Library Main Branch to Scroggs & Grizzel Construction of Gainesville, GA in the amount of \$318,000.
34. Approval of Award for FLIR Thermal Cameras for Fire Services to Safeware, Inc. Richmond, VA in the amount of \$121,061.69. This is a US Communities Co-op Contract recognized by the State of Ga.
35. Approval of the Purchase of Motorola Portable Radios for Fire Services from the State of Georgia Contract to Motorola Solutions in the amount of \$133,325.85.
36. Approval of Award for RFP 39-018 On-Call Contractors for Public Works to a pool of Contractors: E.R. Snell - Snellville, GA; Griffin Bros. Inc. - Maysville, GA; Simpson Trucking & Grading - Gainesville, GA and Lanier Contracting Co. - Suwanee, GA. Price to be determined as Task Orders arise.

37. Approve the extension of Workers Comp services provided by Gallagher Bassett, including the Stop Loss insurance coverage provided by Midwest Employers Casualty Company, and authorize the Chairman to execute any necessary documents.
38. Approve acceptance of streets in Candler Business Park into County Maintenance. These roads include Candler Park Drive and Hardwood Circle; Commission District 1
39. Approve Resolution to authorize condemnation of right-of-way for Spout Springs Road Project, Parcel 141 (Marisol Raygoza Garcia and Jesus Ramirez Robles); Commission District 1
40. Approve Resolution authorizing condemnation of right-of-way for Spout Springs Road Project, Parcel 143 (Regynald Heurtelou); Commission District 1
41. Approve Resolution authorizing condemnation of right-of-way for Spout Springs Road Project, Parcel 145 (Janie N. Stanley); Commission District 1
42. Approve Resolution to authorize condemnation of right-of-way for Spout Springs Road Project, Parcel 161 (Himmeler Themistocle and Nerlandes Themistocle); Commission District 1
43. Approve Resolution to authorize condemnation of right-of-way for Spout Springs Road Project, Parcel 198 (Arthur Parcher and Anne Parcher); Commission District 1

Other Business - Appointments

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

Commissioner Gibbs stated that he would leave item 44 blank until the November 15, 2018 Board of Commissioners Special Called Voting Meeting.

Other Business - Department of Corrections and Maintenance

Mike Ledford, Animal Services Director, addressed the Board.

Mr. Blalock gave the Public Hearing Instructions.

45. Second Reading and Public Hearing to amend Title 4, "Animals" of the Official Code of Hall County

The following people addressed the Board in favor of item 45:

- Jennifer Summers, 4025 Tanners Mill Road
- Alice Black, 5819 Cliff Valley Way

The following people addressed the Board in opposition of item 45:

- Gregory White, 3495 Davis Bridge Road

Commissioner Stowe asked for everyone in favor of the Ordinance to stand. The majority of the people did stand.

Commissioner Stowe then asked for everyone opposed to the Ordinance to stand. Two people stood.

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

Commissioner Powell stated that over the last couple of weeks the County has received numerous media inquiries concerning a litter of eight puppies that were taken into the Hall County Animal Shelter in late September. He stated that these inquiries stemmed from allegations of mistreatment of the animals within the shelter. He stated that on advice from legal counsel, the County could not answer medical questions about the specific animals because that information is protected by Georgia law. He stated that the Hall County staff has looked into the allegations of wrongdoing at the shelter and did not find any evidence to support them.

Commissioner Powell stated that the shelter is licensed through the Georgia Department of Agriculture and in order to maintain the license, the shelter undergoes inspections by the Department of Agriculture 2 to 4 times a year. He said that due to these allegations the Department of Agriculture did an investigation regarding the complaint received about the eight puppies. Commissioner Powell said that the results of the Animal Protection Inspection Reports, public record reports, show that the shelter did not violate any protocols, policies, or procedures in the treatment of the puppies.

Chairman Higgins stated that County staff has done their due diligence and the Board of Commissioners support the animal shelter staff.

Other Business - Financial Services

Motion by Commissioner Stowe, seconded by Commissioner Powell and voted, unanimously, to remove items 46, 47 and 48 from the table.

46. Approval of Award for IFB 030-39 Skid Steer to Gene & Matt Tractor Sales Inc. - Winder, GA in the amount of \$52,897.00.
NOTE: Tabled at the September 27, 2018 Voting Meeting until the October 25, 2018 Voting Meeting
47. Approval of Award for IFB 033-39 Kubota Tractors (2) or Equivalent to Kubota Atlanta - Marietta, GA in the amount of \$46,446.00.
NOTE: Tabled at the September 27, 2018 Voting Meeting until the October 25, 2018 Voting Meeting

Motion by Commissioner Gibbs, seconded by Commissioner Powell and voted, unanimously, to approve items 46 and 47.

48. Approval of Award for IFB 032-39 Kubota Excavator or Equivalent to Bobcat of Atlanta in the amount of \$85,547.00.
NOTE: Tabled at the September 27, 2018 Voting Meeting until the October 25, 2018 Voting Meeting

Motion by Commissioner Gibbs, seconded by Commissioner Powell and voted, unanimously, to throw out the bids for item 48 and rebid.

Commissioner Gibbs stated that he would like to move forward to item 57. The Commission moved forward to item 57, "Application of Adventures in Missions".

Other Business - Human Resources

Bill Moats, Human Resources Director, addressed the Board.

49. Approve Employee Handbook changes to include: ratification of previous revisions made since April 2013; approval of new leave policy changes effective January 1, 2019; and approval to remove the Business Travel Expense section from the Handbook.

Motion by Commissioner Gibbs, seconded by Commissioner Stowe and voted, unanimously, to ratify previous revisions to the employee handbook made since April 2013, and approve the removal of the Business Travel Expense section.

Motion by Commissioner Gibbs made a motion seconded by Commissioner Stowe and voted unanimously to add new PTO for new full time employees after 12/31/2018 as proposed with two changes:

- The bank maximum hours is changed from 328 to 120 for regular employees, and the annual accrual rates are adjusted accordingly.
- The bank maximum hours is changed from 432 to 120 for fire employees, and the annual accrual rates are adjusted accordingly but not old one.

Other Business - Planning and Development

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

50. Public Hearing on revocation of business license for Hulsey Plumbing and Environmental Services located at 6724 Cleveland Highway, Clermont, Ga. Commission District 3.

Earlier in the meeting, Commissioner Powell made a motion, seconded by Commissioner Gibbs, and voted unanimously to table item 50 until the Zoning issue is resolved.

Other Business - Public Works & Utilities

Kevin McInturff, County Engineer, addressed the Board.

51. First 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.

The following people spoke in opposition of item 51:

- Rhonda Morris, 5772 Whitehall Road
- Whitney Smith, 5201 Whitehall Road
- Kay Thomas, 4814 Small Lane

The Second Reading and Public Hearing will be held at the November 15, 2018 Board of Commissioners Special Called Voting Meeting.

Other Business - Sheriff

Lieutenant Casey Ivey, Sheriff's Office, addressed the Board.

52. Approve Agreement with the City of Buford for the purpose of housing inmates.

53. Approve Agreement with the City of Rest Haven for the purpose of housing inmates.

Motion by Commissioner Gibbs, seconded by Chairman Higgins and voted, unanimously, to table items 52 and 53 until the Board of Commissioners Special Called Voting Meeting on November 15, 2018.

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

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

54. 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 September 27, 2018 Voting Meeting until the October 25, 2018 Voting Meeting

Mr. Blalock gave the Public Hearing instructions.

Motion by Commissioner Gibbs, seconded by Commissioner Powell and voted, unanimously, to remove item 54 from the table.

Motion by Commissioner Gibbs, seconded by Commissioner Stowe and voted, unanimously, to table item 54 until the Board of Commissioners Special Called Voting Meeting on November 15, 2018.

55. Application of Guilherme C. Cardoso for a Use Subject to County Commission approval and variance from Gateway Corridor Overlay District standards on 1.86± acres located on the south side of Lanier Islands Parkway, at its intersection with New Bethany Road; a.k.a. 6250 Lanier Islands Parkway; Zoned H-B; Tax Parcel 07330 001006B. Proposed Use: Used vehicle sales and boat storage. Commission District 1.

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

Mr. Blalock conducted the Public Hearing.

The following person addressed the Board in favor of item 55:

- Rick Freeland, 3522 Old Duckett Mill Road

The following people addressed the Board in opposition of item 55:

- Jennifer Lane 5921 Mount Water Trail
- Kelly Myhan, 5887 Bayview Drive
- Richard Groves, 5891 Bayview Drive
- Derek Dugan, 5809 Bayside Court
- Robert Bendig, 5842 Bayside Court
- John Brogdon, 6510 New Bethany Road

Kevin Murphy, 1802 Fenton Manor, spoke in rebuttle to the comments in opposition to the item.

Motion by Commissioner Cooper seconded by Commissioner Stowe and voted, unanimously, to deny item 55.

56. Application of Kristen Tracy for a Use Subject to County Commission approval on a 34.66± acres located on the south side of Price Road, 415± feet from its intersection with Marks Drive; a.k.a. 5417 Price Road; Zoned AR-III; Tax Parcel 11133 000005. Proposed Use: Agri-Entertainment District. Commission District 2.

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

Mr. Blalock conducted the Public Hearing.

The following person addressed the Board in favor of item 56:

- Stan Warner, 5389 Price Road

The following person addressed the Board in opposition of item 56:

- April Bloomer, 5568 Bourbon Drive

Motion by Commissioner Powell seconded by Commissioner Gibbs to approve item 56 with conditions. Commissioner Stowe recommended amending the motion to include a condition for no outdoor music festivals. Commissioner Powell accepted Commissioner Stowe's amendment. The commission voted, unanimously, to approve item 56 with conditions, and amendment 7 to the conditions.

Conditions:

- 1) Any future expansion of activities on the property shall require approval by the Hall County Board of Commissioners.
- 2) Any new development related to the agri-entertainment venue will be subject to the Hall County Development Review process.
- 3) The proposed use shall operate within the parameters of the Hall County Noise Ordinance – Title 8.80.020.
- 4) The agri-entertainment venue shall seek a temporary use permit for any event that requires use of a tent and meet any other regulations of the Hall County Fire Services.
- 5) The applicant shall meet Hall County Environmental Health standards to ensure regulations pertaining to onsite septic systems and food service permits are met.
- 6) The subject property shall be held to Hall County Engineering Stormwater Management Regulations.
- 7) There shall be no outdoor music festivals.

57. Application of Adventures in Missions to rezone from Agricultural Residential-IV (AR-IV) to Planned Residential Development (PRD) on 12.32± acres located on the west side of Bogus Road, 425±feet from its intersection with Claude Peck Road; a.k.a. 5552 Bogus Road; Zoned AR-IV; Tax Parcel 12051 000015(pt). Proposed Use: Assisted Living Community. Commission District 3.

The application of Adventures in Missions was heard earlier in the meeting, after item

48.

Mr. Blalock gave the Public Hearing Instructions.

Mr. Yamala stated that the Planning Commission recommended denial.

Mr. Blalock conducted the Public Hearing.

The following people addressed the Board in favor of item 57:

- Seth Barnes, 559 Honeysuckle Road
- Bob Mudd, 1247 Lake Stone Court
- Stan Wright, 2077 Democracy Drive
- Deana Michael Daniel, 6549 Sunset Drive

The following people addressed The Board in opposition of item 57:

- Karen Pruitt, 5407 Bogus Road
- Ken Torbit, 5407 Bogus Road
- Bryan & Anna Jackson, 5689 Bogus Road
- Christopher and Tracy Patterson, 5640 Bogus Road
- Kevin Meyer, 5345 Bogus Road
- Jobe Kennemore, 5379 Bogus Road

Bob Mudd addressed the Board in rebuttal of the comments in opposition

Motion by Commissioner Gibbs seconded by Commissioner Cooper and voted, unanimously, to approve item 57, with the following staff's conditions:

Conditions:

- 1) Development is approved as generally shown on the concept plan and described in the project narrative modified as necessary for compliance with development standards at the time of development review. Any deviation from the site plan or narrative shall require approval from the Hall County Planning Director.
- 2) The proposed buildings shall be residential in character and building materials shall contain a mixture of masonry materials and require approval of the Hall County Planning Director prior to permitting. Vinyl siding is prohibited.
- 3) A 20 foot planted buffer is required between properties of a different owner. The buffer shall meet the requirements of §12.260 of the Official Code of Hall County.
- 4) All conditions of zoning shall be made part of any plat created for the property.
- 5) All development shall be permitted through the Hall County Development Review process, including grading and improvements such as buildings, parking lots, and stormwater management facilities.

58. Application of Bill Stark Properties, Inc. to rezone from Agricultural Residential-III (AR-III) to Planned Commercial Development (PCD) on 6.34± acres located at the intersection of Atlanta Highway and Bailey Street; a.k.a. 5912 and 5908 Atlanta Highway; Zoned AR-III; Tax Parcels 08133 003001 and 08133 003016. Proposed Use: Boat and recreational vehicle storage. Commission District 1.

Motion by Commissioner Cooper seconded by Commissioner Powell, and voted 3-2, to approve item 58 with conditions, and Commissioner Cooper's amended condition that the entrance be moved as far to the right hand side of property as possible, as well as a minimum of 35 feet buffer all the way around property, and planted vegetation continuing down left hand side property line, as condition 11.

Conditions:

- 1) Development shall be generally consistent with the submitted site plan and narrative, modified for compliance with County regulations at time of development permit application.
- 2) The development shall be limited to a maximum of 200 storage units.
- 3) No unregistered vehicles shall be permitted. There shall be no vehicle repair work done on-site.
- 4) No storage outside of truck beds, cargo vans, or box type trucks or trailers is allowed.
- 5) There shall be no access to the facility by staff or customers between the hours of 1:00am and 5:00am.
- 6) No 18-wheel vehicles shall be parked on-site.
- 7) Driveway design and placement are subject to approval by the Georgia Department of Transportation and the Hall County Traffic Engineer.
- 8) The Gateway Corridors Overlay District standards shall be applied to the entire development.
- 9) A new recorded plat of the 6.34± acres shall be created before the issuance of a commercial development permit.
- 10) All conditions of zoning shall be made a part of any plat created for the property.
- 11) The entrance shall be moved as far to the right hand side of property as possible, as well as a minimum of 35 feet buffer (20 feet undisturbed; 15 feet planted) shall be placed all the way around property abutting the subdivision.

Vote: 3 to 1

Commissioner Cooper –aye

Commissioner Powell – aye

Chairman Higgins – aye

Commissioner Gibbs – recused

Commissioner Stowe – nay

Motion passed.

Report from County Attorney

Mr. Blalock did not have any items to report.

Report from County Administrator

Mr. Connell gave reminder that the November 5, 2018 Board of Commissioners Work Session and November 8, 2018 Board of Commissioners Voting Meeting have both been cancelled.

He also gave a reminder that there will be a Board of Commissioners Special Called Work Session on November 12, 2018, and a Board of Commissioners Special Called Voting Meeting on November 15, 2018.

Mr. Connell recognized that October is National Breast Cancer Awareness Month.

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, did not have any items to report.

Chairman Richard Higgins did not have any items to report.

Adjourn

Motion by Commissioner Gibbs, seconded by Commissioner Powell and voted, unanimously, to adjourn the meeting at 8:54 p.m.