



**HALL COUNTY BOARD OF COMMISSIONERS
VOTING MEETING 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, August 12, 2021 - 06:00 PM

Call to Order

Chairman Higgins at 6:00 p.m.

Present:

Chairman Richard Higgins, Vice Chairman Jeff Stowe and Commissioners Kathy Cooper, Billy Powell, and Shelly Echols

Also present were County Administrator Jock Connell, Assistant County Administrators Marty Nix and Zach Propes, Commission Clerk Lisa Ritchie and County Attorney Van Stephens

Approve Agenda

Commissioner Cooper/Commissioner Powell — approve with an amendment to move item 41 to follow public comments — unanimous

Invocation

- 1 Chairman Richard Higgins

Pledge

- 2 Commissioner Kathy Cooper

Public Comments

There were no comments from the public.

Other Business - Public Works and Utilities

Bill Nash, Assistant Director of Public Works and Utilities addressed the Board.

- 41 Approve the Collection of a \$451,409.00 Guaranty Performance/Maintenance Agreement for Streets, Stormwater Management Facilities, and Sidewalks in Cambridge Subdivision Phase I. Commission District 1.

This item was moved to this location during the approval of the agenda.

Commissioner Cooper/Commissioner Powell — approve tabling to the August 26, 2021 Voting Meeting — unanimous

Consent Agenda

Commissioner Stowe/Commissioner Powell — approve — unanimous

- 3 Approve the August 9, 2021 Work Session Minutes.
- 4 Approve the August 9, 2021 Executive Session Minutes.
- 5 Approve the August 9, 2021 Special Called Meeting Minutes.
- 6 Approve the July 22, 2021 Voting Meeting Minutes.
- 7 Approve the application of the Petco Love Animal Welfare Organization Grant for the Hall County Animal Shelter for the welfare program in the amount of \$50,000.00, and if awarded, appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related application and award documents. No match is required.
- 8 Approve the renewal of annual contract for IFB #021-40 Athletic Uniform Supply for Parks and Leisure Services to Protime Sports, Inc. of Seattle, WA. The estimated annual cost is \$50,000.00.
- 9 Approve the award of IFB #020-42 Tires (New) and Related Parts and Services for various County departments to Kesler Tire Services of Gainesville, GA, Harrison Tire Service of Gainesville, GA, and Southern Tire Mart of Gainesville, GA. The estimated annual cost is \$340,000.00.
- 10 Approve the award of IFB #024-42 Inmate Grocery & Meat Product Supply for the Hall County Correctional Institution to Performance Foodservice of Oakwood, GA and Sysco Atlanta of College Park, GA. The estimated annual cost is \$460,000.00.
- 11 Approve the ratification of the application and award of the Georgia Emergency Communications Authority (GECA) NG911 Training Block Grant Program for the Hall County Central Communications 911 to provide training in the amount of \$10,000.00 and appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related award documents. No match is required.
- 12 Approve the agreement with Bates, Carter and Company, LLP for Financial Services for annual audit services and authorize the Chairman to execute all necessary documents. The estimated annual cost is \$115,000.00.
- 13 Approve the award of IFB #009-42 Emergency Lighting & Siren Supply for various County departments to West Chatham Warning Devices of Savannah, GA. The estimated annual cost is \$205,000.00.

- 14 Approve the renewal of annual contract for IFB #009-40 Fire & EMS Uniform Annual Contract for the Fire and Emergency Services to NAFECO of Clarkston, GA. The estimated annual cost is \$325,000.00.
- 15 Approval and authorization for the Chairman to execute a Resolution concerning COVID 19 vaccination incentives, subject to review and approval by the County Attorney.
- 16 Approval and authorization for the Chairman to execute a Resolution to extend a study concerning commercial kennels and agri-entertainment venues, subject to review and approval by the County Attorney.
- 17 Approve the renewal of annual contracts for RFP #38-003 Demand Service for Architectural Services for various County departments to Hussey Gay Bell of Duluth, GA, Pieper O'Brien Herr Architects of Peachtree Corners, GA, Precision Planning Inc. of Lawrenceville, GA, and Brewster & Crocker Architects of Gainesville, GA.
- 18 Approve the renewal of the annual contract for RFP #41-001 Demand Services for Civil Engineering Services for various County departments to Rochester & Associates, Inc., Gainesville, GA, CPL of Suwanee, GA, Atlas Technical Consultants of Duluth, GA, and Hayes, James & Associates, Inc. of Norcross, GA.
- 19 Approve the renewal of annual contract for RFP #39-011 Demand Service for Acoustical Ceiling Tile for various County departments to Multiplex, Inc. of Duluth, GA, and Simco Interiors, Inc. of Cleveland, GA.
- 20 Approve the renewal of annual contract for RFP #39-001 Demand Services for On-Call Contractors for various County departments to Chattahoochee Group, Inc. of Clermont, GA, Multiplex, LLC of Duluth, GA, and Owens Maintenance of Gainesville, GA.
- 21 Approve the renewal of annual contract for RFP #41-006 Demand Services for the Hall County Sewer System for Public Works to AECOM of Atlanta, GA, Rochester & Associates, Inc. of Gainesville, GA, Civil Engineering Consultants, Inc. of Marietta, GA, and Tetra Tech, Inc. of Atlanta, GA.
- 22 Approve the award of RFP #41-019, On-Call Right-of-Way Services for Public Works to Atlas Technical Consultants, LLC, of Duluth, GA, and Croy Engineering, of Marietta, GA.
- 23 Approve the award of a Task Order 2021-12 under RFP #39-018 Demand Services for On-Call Public Works Contractors for Public Works for the emergency repair of Willie Robinson Road to Simpson's Trucking and Grading of Gainesville, GA in the amount of \$235,700.00.
- 24 Approve the School Resource Officer annual agreement between Hall County and the Hall County Board of Education.
- 25 Approve the sole source purchase to replace the camera system at the Hall County Jail to Stanley Security of Charlotte, NC in the amount of \$923,190.00.
- 26 Approve the renewal of annual contract for RFP #40-004 Inmate Food Service for the Hall County Jail to Trinity Services Group, Inc. of Oldsmar, FL. The estimated annual cost is \$722,800.00.
- 27 Approve the award of IFB #003-42 Ballistic Vest Annual Contract for the Hall County Sheriff's Office to Dana Safety Supply of Sugar Hill, GA. The estimated annual cost is \$68,000.00.

- 28 Approve the Personal Property Refund in the amount of \$5,266.88 for overpayment of Hall County taxes regarding Account #102751 in the name of De Lage Landen Operational Services, LLC.
- 29 Approve the contract with the State of Georgia Department of Human Services for Hall County Treatment Services to provide drug screening services and appoint the Grants Manager as the Program Designee and authorize the Chairman to execute all related award documents. No match is required.

Other Business - Planning and Development

Sarah McQuade, Director of Planning and Development, addressed the Board.

- 30 First Reading and Public Hearing for a new Malt Beverage and Wine Package alcohol license for Subhanallah Food Mart, located at 2925 Mountain View Rd. Gainesville, GA 30504. Ownership is Al Ghani Food Mart, LLC. License holder and registered agent is Farooq Khan, Hall County Resident. Commission District 2.

Mr. Stephens introduced the item. Ms. McQuade discussed the item. Mr. Stephens conducted the Public Hearing.

There were no comments from the public.

Chairman Higgins stated that the Second Reading and Public Hearing will be held at the Voting Meeting on Thursday, August 26, 2021.

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

- 31 Application of MP Partners Development, LLC to rezone from Agricultural Residential-IV (AR-IV) to Planned Commercial Development (PCD) on 54.05± acres located on the south side of Benefield Road approximately 900 feet from its intersection with Village South Drive; a.k.a. 4370 and 4420 Benefield Road; Zoned AR-IV; Tax Parcels 15028 000070 and 000090. Proposed Use: mixed use commercial development. Commission District 1.

Mr. Stephens introduced the item. Ms. McQuade discussed the item. Mr. Stephens conducted the Public Hearing.

The following people addressed the Board regarding items 31, 32, 33, and 34:

Favor:

- *Trip Campbell, 5289 Winder Highway, Braselton, GA*
- *Darrell Rochester, 425 Oak Street, Gainesville, GA*
- *Rod Cole, 4544 Benefield Road, Braselton, GA.*

Opposition:

- *Randy Moreland, 4387 Benefield Road, Braselton, GA*
- *Stephanie Davis Sullers, 4337 Benefield Road, Braselton, GA*
- *John David Garrett Jr., 4459 Benefield Road, Braselton, GA*

Mr. Rochester spoke in rebuttal to the oppositional comments.

Commissioner Powell expressed his appreciations to everyone who came and for the compromises that were made.

Commissioner Cooper/Commissioner Powell — approve with the nineteen (19) conditions listed below — unanimous

- 1. The development shall generally occur as depicted on the site plan and described in the project narrative, modified for compliance with zoning conditions and Hall County regulations at time of development.*
- 2. The residential portion of the development shall conform to §17.180.060 Planned Residential Development (PRD) standards as it relates to the architectural standards found within §17.180.060.B.9.a.*
- 3. The non-residential components of the development shall be subject to all standards set forth in §17.420.050, Gateway Corridors Overlay District and the architectural standards for non-residential structures shall be approved by the Planning Director prior to the issuance of any permits. All existing elements on site at the time of Rezoning shall be grandfathered. Exceptions to these standards shall be allowed if approved by the Planning director.*
- 4. The County Traffic Engineer and/or the Georgia Department of Transportation (GDOT) shall approve the location, type and design of all driveways to and from the site.*
- 5. A sewer study shall be conducted prior to the submittal of plans for a land disturbance permit.*
- 6. The following language shall be placed upon the final plat and/or development plans for the property: "Owners and users of this property are informed of motor raceway venues nearby and should expect noise, crowds, and other effects associated with such venues."*
- 7. Any future changes or expansion of the development shall require Board of Commissioners approval.*
- 8. The following statement regarding the potential impacts of agricultural operations in the area shall be made a 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 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."*
- 9. A 50 foot, rear of lot, vegetated buffer shall be established around the entirety of the development unless such natural buffer currently exists, with the exception of the road frontage along Winder Highway, Benefield Road and along the western portion of the property which borders existing commercially zoned parcels. Where the existing vegetation does not provide sufficient screening additional plantings may be required. The buffer shall be increased to 100 feet along the northern property line adjacent to the "Race Day Cottages". The buffer of lot 1 shall remain 50 feet.*
- 10. A wooden fence shall be constructed along the shared boundary between tax parcel 15028B000016 (N/F the property of Rodney Cole) and the proposed development.*
- 11. A fence shall be placed along the rear of the residential lots that front Benefield Road, internal to the development, behind lots 1 through 17 and*

extending all the way to the creek buffer on the eastern boundary with the exception of where internal roads connect to Benefield Road.

- 12. All residential lots fronting Benefield Road shall be a minimum of one (1) acre in size and, with the exception of lot 10, shall be accessed through a system of shared driveways or streets with no direct access to Benefield Road permitted. All lots shall be allowed to access Benefield Road from these shared driveways or streets.*
- 13. All property owners shall be the only users approved to access the development from the northern most access point on Benefield Road. This will be managed by gated entry and exit. The remainder of users of the property shall enter from Winder Highway.*
- 14. Rally cross events shall be permitted in daytime hours only.*
- 15. The proposed hotel building if constructed on Tax Parcel 15028B 000015 shall not be any more than four stories in height and shall not be constructed within 550 feet of Benefield Road. A hotel can be constructed on Tax Parcel 15028 B000001 or 15028 B000001E and shall be limited to 70 feet on this parcel only.*
- 16. All car maintenance and repair shall be conducted during the hours between 7:00am and 9:00pm, with the exception of organized races.*
- 17. Right turn only shall be allowed for commercial use exiting the property from Benefield Road.*
- 18. No motor home traffic, commercial/trailer traffic shall be allowed on Benefield Road.*
- 19. The existing emergency exit shall be closed and all emergency access shall be through the residential entrance on Benefield Road.*

- 32 Application of MP Partners Development, LLC to amend conditions of a Planned Commercial Development on a 19.82± acre tract located on the north side of Winder Highway at intersection with Benefield Road; a.k.a. 5385 Winder Highway; Zoned PCD; Tax Parcel 15028B000015. Proposed Use: mixed use commercial development. Commission District 1.

Mr. Stephens introduced the item. Ms. McQuade discussed the item. Mr. Stephens conducted the Public Hearing.

Commissioner Cooper/Commissioner Powell — approve with the nineteen (19) conditions listed in item 31 — unanimous

- 33 Application of MP Partners Development, LLC to amend conditions of a Planned Commercial Development on a 60.91± acre tract located on the north side of Winder Highway approximately 510 feet from its intersection with BBS Way; a.k.a. 5301 Winder Highway; Zoned PCD; Tax Parcel 15028B000001. Proposed Use: mixed use commercial development. Commission District 1.

Mr. Stephens introduced the item. Ms. McQuade discussed the item. Mr. Stephens conducted the Public Hearing.

Commissioner Cooper/Commissioner Stowe — approve with the nineteen (19) conditions listed in item 31 — unanimous

34 Application of MP Partners Development, LLC to amend conditions of a Planned Commercial Development on a 1.95± acre tract located on the north side of Winder Highway approximately 1390 feet from its intersection with Raceway Drive; a.k.a. 5295 Winder Highway (pt.); Zoned PCD; Tax Parcel 15028B000001E (pt.). Proposed Use: mixed use commercial development. Commission District 1.

Mr. Stephens introduced the item. Ms. McQuade discussed the item. Mr. Stephens conducted the Public Hearing.

Commissioner Cooper/Commissioner Stowe — approve with the nineteen (19) conditions listed in item 31 — unanimous

35 Application of Agile Cold ATL NE, LLC to amend conditions of a previous rezoning on a 34.672± acre tract located at the intersection of Roy Parks Road and Athens Highway; a.k.a. 3117 Athens Highway; Tax Parcel 15024 000036. Proposed Use: Cold storage warehouse facility. Commission District 3.

Mr. Stephens introduced the item. Ms. McQuade discussed the item. Mr. Stephens conducted the Public Hearing.

The following people addressed the Board:

Favor:

- *Josh Cronan, 4512 Hideaway Road, Kennesaw, GA*

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

- 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. All conditions of the January 10, 2019 and August 28, 2020 rezoning approval shall apply, with the exception to the three (3) variances requested as part of this application. Condition 7 shall be struck but the rest of the conditions shall remain:*
 - 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. Uses prohibited within the GCOD are prohibited within the subject property and any future subdivisions of the property.*
 - 3. Driveway design and placement are subject to approval by the Georgia Department of Transportation and the Hall County Traffic Engineering.*
 - 4. The Gateway Corridors Overlay District standards shall be applied to the entire development, with the exception of:*
 - i. A combination of insulated metal panels and tilt-up concrete walls may be utilized for each side of the building, with the office specifically being comprised of the tilt-up concrete;*
 - ii. A 60 mil white TPO membrane roof may be utilized for the development but it shall be concealed with parapet walls on the facade and two sides, Parapet walls shall not be required along the rear; The building's principal entrance may be oriented towards the access drive to the west;*

- iii. The trailer parking at the rear of the building may encroach into the transitional buffer as shown on the schematic site plan. The fire access loop road and retaining wall shall be permitted to be built within the transitional buffer along the northeast property line. This access road shall be for emergency purposes only and shall not be used as part of daily operations.*
- 5. All conditions of zoning shall be made a part of any plat created for the property.*
- 6. Variance into the northeast buffer shall be granted should the building be expanded.*
- 7. The front property line narrows to 5' for the planting strip in a portion of the development. The applicant shall utilize the planting areas on the east and west sides to average out the planting area being displaced in the area more narrow than the 10' strip. The overall planting volume shall equate to that required by 17.420.050.02.a. but the allocation of that volume can vary based upon the site conditions. If the applicant is allowed to plant within DOT right-of-way, the 10' requirement along the front shall be met.*
- 8. Variance shall be granted to allow the building's front and principal entrance to orient towards the driveway to be constructed as shown on the site plan, rather than towards Athens Highway.*
- 9. All conditions of zoning shall be made a part of any plat created for the property.*
- 10. A variance is granted to §17.420.050.C to exempt the applicant from the required plantings in transitional buffer along the northeast side of the site. This only applies to the northeast corner identified on the site plan, not the entire extent of the boundary.*
- 11. A variance is granted to §17.420.050.D.1 to remove the requirement for wall plantings along the building perimeter of the warehouse walls of the building. Plantings will still be required around the office portion of the development.*
- 12. A variance is granted to §17.420.050.D.2 to modify the requirement for the 10 foot landscape strip along the street frontage. The landscape strip shall be planted with shade trees (six feet tall, two inches caliper, dbh, at time of planting, and not less than 35 feet tall at maturity) planted not less than 40 feet on center, but the applicant shall be exempt from planting the required shrubbery contained within this section of code.*

36

Application of Joel and Ana Bell to amend the conditions of a Planned Residential Development (PRD) on a 1.00± acre tract located on the west side of Union Church Road approximately 235 feet from its intersection with Oak Farm Way; a.k.a. 4984 Union Church Road; Zoned AR-III; Tax Parcel 15043 000161. Proposed Use: remove shared driveway requirement. Commission District 1.

Mr. Stephens introduced the item. Ms. McQuade discussed the item. Mr. Stephens conducted the Public Hearing.

The following people addressed the Board:

Favor:

- *Joel Bell, 5487 Pleasant Hill Lane, Braselton, GA*

Commissioner Cooper/Commissioner Powell — approve — unanimous

- 37 Application of Longstreet Property Group to rezone from Agricultural Residential-III (AR-III) and Highway Business (H-B) to Light Industrial (I-I) on 13.87± acres located on the west side of Candler Road approximately 700 feet from its intersection with Oakbrook Drive; a.k.a. 1600, 1606, 1612, and 1634 Candler Road; Zoned AR-III and H-B; Tax Parcels 15031 000031, 000030, 000029A, and 000028. Proposed Use: permitted uses within the Light Industrial (I-I) zoning district. Commission District 4.

Mr. Stephens introduced the item. Ms. McQuade discussed the item. Mr. Stephens conducted the Public Hearing.

The following people addressed the Board:

Favor:

- *Tyler Smith, 301 Green Street, Gainesville, GA*

Commissioner Stowe/Commissioner Powell — approve with the four (4) conditions listed below — unanimous

1. *The standards of the Gateway Corridors Overlay District (GCOD) shall be met for all future development.*
2. *All future development shall be subject to Development Review and the necessary permitting procedures.*
3. *All conditions of approval shall be recorded on any subsequent plats of this property.*
4. *The following uses shall be prohibited: adult establishment and junkyards.*

- 38 Application of Patricia Hill Balkissoon and Ralph Balkissoon for a Use Subject to County Commission approval on a 0.62± acre tract located on the north side of Madge Lane at its intersection with Hopewell Church Road; a.k.a. 5212 Hopewell Church Road; Zoned V-C; Tax Parcel 11058 000004A. Proposed Use: expansion of a non-conforming use — mobile home in V-C. Commission District 3.

Mr. Stephens introduced the item. Ms. McQuade discussed the item. Mr. Stephens conducted the Public Hearing.

The following people addressed the Board:

Favor:

- *Ralph and Patricia Balkissoon, 5212 Hopewell Church Road, Gainesville, GA*

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

- 1. Replacement dwelling must meet or exceed current standard for single-family dwelling under the Hall County Code of Ordinances.*
- 2. The new mobile home shall be a minimum of 28 feet by 56 feet in size.*

- 39 Application of Pat and Brenda Burke to amend conditions of a Planned Residential Development (PRD) on a 0.77± acre tract located on the east side of Oakwood Trail, at its intersection with Pinecrest Trail; a.k.a. 6739 Oakwood Trail; Zone PRD; Tax Parcel 10011D000096. Proposed Use: convert camping lots to individual septic lots. Commission District 2.

Mr. Stephens introduced the item. Ms. McQuade discussed the item. Mr. Stephens conducted the Public Hearing.

The following people addressed the Board regarding items 39 and 40:

Favor:

- *Pat Burke, 1760 Fairview Drive, Gainesville, GA*

Commissioner Powell/Commissioner Echols — approve — unanimous

- 40 Application of Pat and Brenda Burke to amend conditions of a Planned Residential Development (PRD) on a 0.51± acre tract located on the north side of Pinecrest Trail, at its intersection with Oakwood Trail; a.k.a. 6710 Pinecrest Trail; Zone PRD; Tax Parcel 10011D000097. Proposed Use: convert camping lots to individual septic lots. Commission District 2.

Mr. Stephens introduced the item. Ms. McQuade discussed the item. Mr. Stephens conducted the Public Hearing.

Commissioner Powell/Commissioner Stowe — approve — unanimous

Other Business - Public Works and Utilities

- ~~41 Approve the Collection of a \$451,409.00 Guaranty Performance/Maintenance Agreement for Streets, Stormwater Management Facilities, and Sidewalks in Cambridge Subdivision Phase I. Commission District 1.~~

This item was moved under Public Comments during the adoption of the agenda.

County Administrator

Mr. Connell addressed the Board and stated the following:

- *Hall County' credit rating has been upgraded by S&P Global to AA from AA-.*
- *The upgraded rating signifies increased stability for investors and will positively impact Hall County's future financing endeavors through lower interest rates*
- *This upgrade is reflective of the Board of Commissioner' strong financial stewardship, including strategic, short and long term planning and ensuring key financial indicators are adhered to*

Commission Time

Chairman Higgins stated that the COVID positivity rate in Hall County is 14.9%. Last month it was 4.0%. He said the patients being treated at the hospital, today, are at 179. A month ago there were 16. He said 83% of the people hospitalized are unvaccinated. He said everyone must be careful going forward.

Adjourn

Commissioner Stowe/Commissioner Echols - adjourn at 7:50 p.m. - unanimous

Hall County Government welcomes people with disabilities and their trained service animals. For questions about accessibility or to request reasonable accommodations please contact Maria Tuck, Compliance Specialist at 770-531-6712 48 hours prior to the event or as soon as possible.