

**DAWSON COUNTY BOARD OF COMMISSIONERS
VOTING SESSION MINUTES – THURSDAY, AUGUST 17, 2023
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM
25 JUSTICE WAY, DAWSONVILLE, GEORGIA 30534
6:00 PM**

ROLL CALL: Those present were Chairman Billy Thurmond; Commissioner Seth Stowers, District 1; Commissioner Chris Gaines, District 2; Commissioner Alexa Bruce, District 3; Commissioner Emory Dooley, District 4; County Manager Joey Leverette; County Attorneys Angela Davis and Paul Frickey; County Clerk Kristen Cloud; and interested citizens of Dawson

INVOCATION AND PLEDGE OF ALLEGIANCE: Chairman Thurmond

ANNOUNCEMENTS:

None

APPROVAL OF MINUTES:

Motion passed 4-0 to approve the Minutes of the Work Session held on August 3, 2023.
Stowers/Dooley

Motion passed 4-0 to approve the Minutes of the Voting Session held on August 3, 2023.
Dooley/Bruce

APPROVAL OF AGENDA:

Motion passed 4-0 to approve the agenda with the following change:

- Addition of Nos. 4 and 5 under New Business:
 - Budget Increase Request for Fire Prevention / Fire Inspector Positions; and
 - Allowing Chairman to Send a Letter Authorizing the Georgia Mountains Regional Commission to Assist the Development Authority of Dawson County and Etowah Water & Sewer Authority in Preparing a OneGeorgia Equity Grant Fund Application

Gaines/Stowers

PUBLIC COMMENT:

None

ZONING:

ZA 23-06 - Kimley-Horn on behalf of Hybrid Properties and Investments LLC requests to rezone 4.93 acres of TMP 113-098-001 and 113-053 from RA (Residential Agriculture) to CHB (Commercial Highway Business) (Georgia Highway 400).

Chairman Thurmond announced that if anyone contributed more than \$250 to the commissioners or chairman in the past two years and wished to speak, they would have to fill out a disclosure form, which would be made available to them. Under the normal program, 10 minutes is given to those who wish to speak in favor of or opposition to with some redirect, time permitting.

Planning & Development Director Sharon Farrell said the Planning Commission recommended approval of the application at its meeting in July 2023. She said staff had not presented any stipulations for consideration at that time. “There was some discussion at the staff level regarding interparcel connectivity; however, after speaking to an engineer, between topography and other issues on the site, it would be close to impossible to create...” Farrell said the applicant has offered a set of stipulations.

Attorney Joshua Scoggins of Miles, Hansford & Tallant, Cumming, Georgia, representing the applicant and contract purchaser of the property, presented a PowerPoint presentation. “This should be, at least I would hope, a use that most people would want. This is an almost 5-acre tract; it’s actually two parcels. It’s located at the far northern end of the Georgia 400 Corridor overlay, just south of Kilough Church Road. The current zoning is Residential Agriculture. Your Future Land Use map and Comprehensive Plan state that it should be CHB, Highway Business Commercial district, and we are proposing medical offices on this project.” Scoggins added, “What we’re proposing here is two office buildings with an aggregate square footage of 25,000 square feet. Those two medical buildings will be limited to one story. Our team has engaged the Kilough Church Community Task Force group,” including participating in a meeting hosted by the task force on August 9, 2023. Scoggins said, “All the big pressure points that I heard at that meeting I’ve tried to address in the zoning conditions.” Scoggins said he understands that traffic on Kilough Church Road is a primary concern. “We’ve restricted this to medical uses, and I’ve asked my client to get more specific. So we’re talking about a surgical center. I cannot say who the user is; however, we’re talking about a user that is fairly well known in the area who will be doing surgical procedures in these two buildings ... It’s not a high-intensity commercial use like the Comp Plan calls for.”

None spoke in favor of the application.

The following spoke in opposition of the application:

- Mike Liberatore, Dawsonville, Georgia

Chairman Thurmond asked if there was anyone else present who wished to speak on the application and, hearing none, closed the hearing.

Motion passed 3-1 to table ZA 23-06 until August 23, 2023. Stowers/Bruce- Commissioner Gaines abstained after announcing he would recuse himself from voting on the item

NEW BUSINESS:

Chairman Thurmond said, “This next item will be consideration of an impact fee appeal for 620 Valley Drive, 634 Valley Drive and 646 Valley Drive. The issue before the board is whether or not impact fees should have been charged for the issuance of building permits for the three houses after the prior permits had expired. Staff originally determined that impact fees were due, and the county manager affirmed that decision on appeal. This is an appeal of that decision. I do want to note that this does not have anything to do with fire codes or any of the commercial areas of the development – only the three new homes that have been built and whether impact fees must be paid.

“With that said, the impact fee ordinance provides the property owner with the right to a hearing before this board on appeal, but does not establish specific hearing procedures, so we need to adopt

the procedures for this appeal hearing before we begin. I would recommend that the board allow the appellant Paradise Valley Club LLC and the county attorney 30 minutes each to argue and present evidence - with Paradise Valley to present first and the county to present second. Is there a motion to approve these procedures for this appeal hearing?"

Motion passed 4-0 to approve procedures (outlined above) for the appeal hearing. Stowers/Bruce

Board Consideration of Appeal of County Manager's Denial of Impact Fee Appeal for 620 Valley Drive, 634 Valley Drive and 646 Valley Drive

Appellant Attorney Joey Homans presented his case, then County Attorney Paul Frickey presented his case. Each attorney took less than 20 minutes.

Motion passed 4-0 to uphold the County Manager's Denial of an Impact Fee Appeal for 620 Valley Drive, 634 Valley Drive and 646 Valley Drive. Gaines/Stowers

Consideration of an Environmental Health Fee Schedule

Motion passed 4-0 to approve an Environmental Health Fee Schedule. Stowers/Bruce

Consideration of Request for Full-Time Staffing at the Recycling Center

Motion passed 3-1 to approve a Request for Full-Time Staffing at the Recycling Center; to convert a part-time position to a full-time position and retain a part-time position already approved. \$72,764 for both positions will come from General Fund's fund balance. Dooley/Stowers- Commissioner Gaines opposed the motion

Consideration of Budget Increase Request for Fire Prevention / Fire Inspector Positions

Motion passed 4-0 to approve a Budget Increase Request for Fire Prevention / Fire Inspector Positions; to increase the mid-point for a Fire Inspector to \$25.29 per hour and for a Lieutenant Fire Prevention Officer to \$29.28 per hour and to allow the county manager staff a 5 percent contingency above those numbers if needed. \$10,000, plus a 5 percent contingency, will come from General Fund's fund balance. (Staff also was encouraged to examine having a search firm help facilitate finding the right candidates for the positions.) Gaines/Bruce

Consideration of Allowing Chairman to Send a Letter Authorizing the Georgia Mountains Regional Commission to Assist the Development Authority of Dawson County and Etowah Water & Sewer Authority in Preparing a OneGeorgia Equity Grant Fund Application

Motion passed 4-0 to approve Allowing Chairman Thurmond to Send a Letter Authorizing the Georgia Mountains Regional Commission to Assist the Development Authority of Dawson County and Etowah Water & Sewer Authority in Preparing a OneGeorgia Equity Grant Fund Application. Dooley/Stowers

PUBLIC COMMENT:

None

ADJOURNMENT:

EXECUTIVE SESSION:

Motion passed 4-0 to enter into Executive Session to discuss litigation. Stowers/Bruce

Motion passed 4-0 to come out of Executive Session. Stowers/Bruce

APPROVE:

ATTEST:

Billy Thurmond, Chairman

Kristen Cloud, County Clerk