

**DAWSON COUNTY BOARD OF COMMISSIONERS
VOTING SESSION MINUTES – NOVEMBER 21, 2019
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM
25 JUSTICE WAY, DAWSONVILLE, GEORGIA 30534
6:00 PM**

Motion passed 4-0 to come out of Executive Session. Fausett/Nix

ROLL CALL: Those present were Commissioner Fausett, District 1; Commissioner Gaines, District 2; Commissioner Satterfield, District 3; Commissioner Nix, District 4; County Manager Headley; Interim County Attorney Davis; County Clerk Cloud; and interested citizens of Dawson County. Chairman Thurmond was not present.

OPENING PRESENTATION:

Proclamation- Dawson County 4-H BB Team

County Extension Program Assistant Samantha Graves introduced the Dawson County 4-H BB Team.

Vice Chairman Satterfield read aloud the Dawson County 4-H BB Team Proclamation.

INVOCATION: Vice Chairman Satterfield

PLEDGE OF ALLEGIANCE: Vice Chairman Satterfield

ANNOUNCEMENTS:

Commissioner Gaines announced that Dawson County would host its employee Thanksgiving lunch on November 22, 2019.

APPROVAL OF MINUTES:

Motion passed 4-0 to approve the Minutes of the Work Session held on November 7, 2019. Nix/Fausett

Motion passed 4-0 to approve the Minutes of the Voting Session held on November 7, 2019. Gaines/Fausett

APPROVAL OF AGENDA:

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

- Addition of Nos. 6, 7, 8, 9 and 10 under New Business:
 - Request to Accept Georgia Emergency Management and Homeland Security Agency K9 Grant Award
 - Request to Accept Georgia Trauma Commission EMS Trauma Related Equipment Grant
 - Request to Apply for Georgia Forestry Commission Volunteer Fire Assistance 50/50 Grant
 - FY 2021 Georgia Department of Transportation / Federal Transit Administration Section 5311 Transit Contract
 - FY 2020 Legacy Link Contract Addendum No. 2

Fausett/Nix

PUBLIC COMMENT:

None

ZONINGS:

Vice Chairman Satterfield announced that if anyone had 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 normal program, 10 minutes is given to those who wish to speak in favor of or opposition to with some redirect, time permitting.

ZA 19-16 – Ridgeline Land Planning LLC requests to rezone property located at TMP 113-011 and 113-092 from CHB (Commercial Highway Business) to CHB (Commercial Highway Business) and RMF (Residential Multi-Family) for the construction of a 140 attached townhome community.

Planning & Development Director Jameson Kinley said the subject property is located at the northeast corner of Lumpkin Campground Road and Highway 53. He said the rezoning request is in accordance with the county's Comprehensive Plan. Kinley said there are nine existing stipulations from when the property was rezoned to CHB in 2007 and that two adjoining properties recently have been rezoned to RMF. Kinley read aloud the property's existing conditions:

1. Georgia Department of Transportation approval is required if any access is proposed to Highway 53;
2. Prior to further development, a detailed development plan must be submitted and approved by the Planning Commission and the Board of Commissioners (BOC);
3. A Development of Regional Impact (DRI) review may be necessary upon completion of a detailed development plan;
4. The tree density requirement calculation must be based on the entire tract to be developed less the trees preserved in the stream back buffers;
5. Twenty feet of right of way on Lumpkin Campground Road to be tapered 400 feet to be dedicated to Dawson County for future improvements as offered by the applicant;
6. A copy of agreement for use of the adjoining detention pond is required;
7. Stormwater retention / detention to include water quality and encourage infiltration include pervious area be set at 10 percent;
8. All requirements of the Dawson County Tree Ordinance and Georgia 400 Guidelines are to be strictly adhered to; and
9. Inter parcels to connect to the north of the development.

Kinley noted the DRI remains under review and has not been returned. He said the applicant also proposes a stipulation: that the minimum floor area shall be at least 1,400 square feet; the maximum number of units shall be 140; and the amenity area shall include a cabana, pool and playground.

Kinley said the Planning Commission on November 19, 2019, recommended approval of the application by a vote of 3-2 with the following stipulations:

1. The main entrance to the north to align with commercial business entrance to allow for a plus intersection;
2. Final recommendations following traffic impact study;

3. Developer shall address ZA 07-08 stipulation No. 5 and dedicate 20 feet of additional right of way for future expansion; and
4. Project shall meet current Dawson County stormwater requirements during construction design.

Holt Persinger of applicant Ridgeline Land Planning, Winder, Georgia, said the applicant requests the rezoning of 23.57 acres of the tract and said it is below “the maximum allowed density of 6 units per acre at 5.93 units.” He said the property is designated as CHB and that “allowable zoning districts within that Commercial Highway Business district include RMF, COI, CHB, CIR and MUV...” Persinger said his client purchased the property in 2013 and that - from 2007, at which time the property was rezoned to CHB, to present - the property has been marketed as a commercial piece of property “with no interest and no contract.” He said a residential use would be a more “marketable zoning” for the property.

Vice Chairman Satterfield opened the hearing by asking if there was anyone present who wished to speak either for or against the application.

None spoke in favor of the application.

The following spoke against the application:

- Renee Duren, Dawsonville
- Hugh Stowers Jr., Dawsonville
- Beth Martin, Dawsonville

Vice Chairman Satterfield asked if there was anyone else present who wished to speak either for or against the application and, hearing none, closed the hearing.

Motion passed 4-0 to table ZA 19-16 until the December 19, 2019, Board of Commissioners Voting Session, by which time a DRI is expected to have been returned. Fausett/Gaines

ZA 19-18 – Bentley Corners LLC requests to rezone 1.679 acres of property located at Elliott Family Parkway TMP 070-009 from RA (Residential Agricultural) to RSR (Residential Sub-Rural).

Planning & Development Director Jameson Kinley said the applicant wishes to divide the parcel and build a residence. He said the request is not in compliance with the county’s Comprehensive Plan. Kinley said the applicant requests that the BOC postpone the rezoning request.

Applicant Zach Smith, Alpharetta, Georgia, requested the BOC postpone the application until its December 19, 2019, Voting Session, when the board is scheduled to hold a public hearing on the Land Use Resolution Update. “It may help us on the rezoning,” said Smith. “If it’s not going to work out, I guess we’ll buy another piece of property to be in compliance.”

Vice Chairman Satterfield opened the hearing by asking if there was anyone present who wished to speak either for or against the application.

None spoke in favor of the application.

None spoke against the application.

Vice Chairman Satterfield asked if there was anyone else present who wished to speak either for or against the application and, hearing none, closed the hearing.

Motion passed 4-0 to table ZA 19-18 until the December 19, 2019, Board of Commissioners Voting Session. Gaines/Nix

NEW BUSINESS:

Consideration of Special Event Business License Application - Kathy Roos TNT Fireworks

Motion passed 3-1 to approve the Special Event Business License Application - Kathy Roos TNT Fireworks. Fausett/Gaines- Commissioner Nix opposed the motion

Consideration of RFP #354-19 - Request for Proposals for Consulting Services for 53 Overlay District and 400 Corridor District Update

Motion passed 4-0 to approve RFP #354-19 - Request for Proposals for Consulting Services for 53 Overlay District and 400 Corridor District Update; to accept the bids submitted and award a contract to B + C Studios not to exceed the amount of \$95,700. Funds will come from General Fund's fund balance. Gaines/Nix

Consideration of 2020 Local Maintenance & Improvement Grant Application and Approval Request

Motion passed 4-0 to approve the 2020 Local Maintenance & Improvement Grant Application and Approval Request. Nix/Fausett

Consideration of Request for Additional Funding for Increased Attorney Fees in Juvenile Court

Motion passed 4-0 to approve the Request for Additional Funding for Increased Attorney Fees in Juvenile Court in the amount of \$63,000. Funds will come from General Fund's fund balance. Fausett/Nix

Consideration of Board Appointments:

- **Development Authority**
 - Jere Allen- replacing Joel Hanner (January 2020 through December 2023)
- **Planning Commission (Alternate, District 3)**
 - Tony Passarello- appointment (January 2020 through December 2021)

Motion passed 4-0 to approve the appointment of Jere Allen to the Development Authority Board for a term of January 2020 through December 2023. Nix/Gaines

It was noted that Tony Passarello currently serves on another BOC-appointed board.

Motion passed 4-0 to table the appointment for a Planning Commission District 3 Alternate until another application is received. Nix/Gaines

Consideration of Request to Accept Georgia Emergency Management and Homeland Security Agency K9 Grant Award

Motion passed 4-0 to approve the Request to Accept the Georgia Emergency Management and Homeland Security Agency K9 Grant Award. Nix/Fausett

Consideration of Request to Accept Georgia Trauma Commission EMS Trauma Related Equipment Grant

Motion passed 4-0 to approve the Request to Accept the Georgia Trauma Commission EMS Trauma Related Equipment Grant. Fausett/Gaines

Consideration of Request to Apply for Georgia Forestry Commission Volunteer Fire Assistance 50/50 Grant

Motion passed 4-0 to approve the Request to Apply for the Georgia Forestry Commission Volunteer Fire Assistance 50/50 Grant. Nix/Fausett

Consideration of FY 2021 Georgia Department of Transportation / Federal Transit Administration Section 5311 Transit Contract

Motion passed 4-0 to approve the FY 2021 Georgia Department of Transportation / Federal Transit Administration Section 5311 Transit Contract. Gaines/Fausett

Consideration of FY 2020 Legacy Link Contract Addendum No. 2

Motion passed 4-0 to approve the FY 2020 Legacy Link Contract Addendum No. 2. Fausett/Gaines

PUBLIC COMMENT:

None

ADJOURNMENT:

APPROVE:

ATTEST:

Billy Thurmond, Chairman

Kristen Cloud, County Clerk