

**DAWSON COUNTY BOARD OF COMMISSIONERS
VOTING SESSION MINUTES – JANUARY 21, 2016
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM
25 JUSTICE WAY, DAWSONVILLE
6:00PM**

ROLL CALL: Those present were Chairman Berg; Commissioner Fausett, District 1; Commissioner Swafford, District 2; Commissioner Hamby, District 3; Commissioner Nix, District 4; County Attorney Homans; County Clerk Yarbrough and interested citizens of Dawson County.

OPENING PRESENTATIONS:

- Bill Saling – Georgia Mountains Hospice Day Proclamation
- Bill Saling – Mardis Gras in the Mountains Proclamation

Motion passed unanimously to approve the Georgia Mountains Hospice Day Proclamation and the Mardis Gras in the Mountains Proclamation. Swafford/Hamby

- Frank M. Riley, Jr. – Chestatee/Chattahoochee RC & D Council

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Chairman Berg

ANNOUNCEMENTS:

- Commissioner Swafford announced that it was Chairman Berg’s birthday.
- Chairman Berg announced that the Government Center would be closed due to inclement weather on Friday, January 22, 2016.
- Chairman Berg also announced that there would be no work session on Thursday, January 28, 2016 due to lack of business, but there would still be a voting session on February 4, 2016.
- Chairman Berg asked Public Works Director David McKee to give an update on the winter storm.
- Last, Chairman Berg announced that he would not be seeking re-election for the next term.

APPROVAL OF MINUTES:

Motion passed unanimously to approve the minutes from the Voting Session held on December 17, 2015. Nix/Swafford

APPROVAL OF THE AGENDA:

Motion passed unanimously to approve the agenda as presented. Hamby/Fausett

PUBLIC COMMENT:

None

ALCOHOL LICENSE HEARING:

None

ZONINGS:

ZA 15-03 – Delinda Umberger on behalf of Aqua Design Pool and Spas has made a request to rezone 1.998 acres from R-A (Residential Agricultural) to C-HB (Commercial Highway Business). The property is located at TMP 098-009. (*This item was previously heard and voted on but due to additional questions, it was agreed to be re-heard.*)

Chairman Berg announced that if anyone had contributed more than \$250 to the campaign for public office and wished to speak they will have to fill out a form which will be made available to them. Under normal program, ten minutes will be given to those who wish to speak in favor of or opposition to with some redirect, time permitting.

Attorney George Butler, Dahlonga, representing the applicant Delinda Umberger answered any additional questions that had been raised regarding the zoning request and agreed to provide additional options to be considered. He also stated that there would be no chemicals either opened or used on the property. It would be a design only business.

Chairman Berg asked if anyone wished to speak for the application. The following spoke in favor:

- Jeff Umberger- *Cleveland, Georgia*
- Jim Sharp- *Cumming, Georgia*

Chairman Berg asked if anyone wished to speak against the application. The following spoke in opposition:

- Christopher Light- *Cumming, Georgia*

Chairman Berg asked if anyone else wished to speak against the application, and hearing none, closed the hearing.

Motion made to postpone a decision until both sides had a chance to come together and work out a solution to the issues raised. Nix/

Motion died for lack of a second.

Motion passed 3-1 to approve ZA 15-03 with the following stipulations:

1. There shall be no changes to the exterior architecture of the historic one-story home on the Subject Property without the advance approval by the Board of Commissioners for a period of ten years after the date of this rezoning, except for a possible expansion to the rear of the structure of the existing sunroom, provided that any such expansion must be designed by a registered Georgia architect with experience in the field of historic restoration and must be architecturally consistent with and complementary to the existing structure in terms of both style and scale.
2. This rezoning of the Subject Property from R-A (Residential Agricultural) to C-HB (Commercial Highway Business) is not a blanket rezoning to the latter category; instead, the Subject Property shall be restricted to use for the following very limited number of

otherwise permitted uses within the C-HB District and to those permitted uses only and to the exclusion of all others:

- a. Small retail space for bakeries, art galleries, florists, photo studios, *etc.* (as per §403(B)(1) & §402(A)(2) of the Land Use Resolution of Dawson County);
 - b. Small personal service business like dressmaking, tailoring, custom pool design, and shoe repair (as per §403(B)(1) & §402(A)(3));
 - c. Professional office for architects, engineers, attorneys, CPAs, *etc.* (as per §403(B)(2) & §405(A)(1));
 - d. Restaurant (as per §403(B)(3)); and
 - e. Small Fabricating shop (as per §403(B)(1) & 402(A)(5)).
3. An attractive eight-foot high continuous wooden fence (with the finished side facing the exterior of the lot) shall be required in place of a vegetative buffer or planted screen and shall be located just inside of and along the interior edge of the required setback; and said privacy fence for the benefit of the adjacent property owner(s) shall begin at the forty-foot setback line from Alan Thomas Road and shall follow the approximate path of the red dotted line on the Exhibit "A" attached hereto around the northern perimeter of the property.

Hamby/Swofford- Commissioner Nix opposed the motion

ZA 15-07 - Karen Reece has made a request to rezone 6.8 acres from RSRMM (Residential Sub-Rural Manufactured/Moved) to C-HB (Commercial Highway Business). Karen Reece has also made a request to vary from the Land Use Resolution, Article IV, Section 121-99.1 for a front setback reduction. The property is located at TMP 113-012. (*Tabled from the December 17, 2015 Voting Session*)

Motion passed unanimously to approve ZA 15-07 as requested with the condition that the footprint remain the same. Swofford/Hamby

PUBLIC HEARING:

None

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Consideration of Animal Care and Control Agreement

Motion passed unanimously to postpone consideration of the Animal Care and Control Agreement to the next voting session on February 4, 2016. Nix/Fausett

Consideration of CIE Annual Update Adoption Resolution

Motion passed unanimously to approve the CIE Annual Update Adoption Resolution. Swofford/Nix

Consideration of 2016 Qualifying Fees for Elected Officials Resolution

Motion passed unanimously to approve the 2016 Qualifying Fees for Elected Officials Resolution. Nix/Hamby

Consideration of Draft Memorandum of Understanding between Dawson and Forsyth County Governments regarding temporary placement of Forsyth County Firefighting Personnel and Equipment in Dawson County

Motion passed unanimously to approve the Draft MOU between Dawson and Forsyth County regarding the temporary placement of Forsyth County firefighting personnel and equipment. Hamby/Fausett

Consideration of County Attorney Reappointment

Motion passed unanimously to table the consideration of County Attorney reappointment until the next voting session on February 4, 2016. Nix/Fausett

Consideration of County Clerk Reappointment

Motion passed unanimously to reappoint Danielle Yarbrough as County Clerk. Swafford/Hamby

Consideration of Appointment of Commissioner Swafford for Vice-Chairman of the Board of Commissioners

Motion passed 3-0 to approve the reappointment of Commissioner Swafford as Vice-Chairman of the Board of Commissioners. Hamby/Nix- Commissioner Swafford abstained

Board Appointments:

Motion passed unanimously to approve the following board appointments:

a. Board of Assessors

- i. Mike Wenson (Term: January 2016 through December 2018)

b. Dawson County Health Board

- i. Kay D. Parrish- *replacing Penny Putnam* (Term: January 2016 through December 2017)

c. EMS Advisory Council Board

- i. Ricky Rexroat- *replacing Lanier Swafford* (Term: January 2016 through December 2017)
- ii. Lanier Swafford- *replacing Billy Thurmond* (Term: January 2016 through December 2017)

d. Parks and Recreation Board

- i. Spencer Wright (Term: January 2016 through December 2020)

Swafford/Fausett

Consideration of Use of Office Space within County Building-Adult Learning Center Agreement

Motion passed unanimously to approve the Use of Office Space within County Building-Adult Learning Center Agreement. Nix/Hamby

ADJOURNMENT:

PUBLIC COMMENT:

EXECUTIVE SESSION:

Motion passed unanimously to go into Executive Session. Nix/Hamby

Motion passed unanimously to come out of Executive Session. Hamby/Nix

APPROVE:

Mike Berg, Chairman

ATTEST:

Danielle Yarbrough, County Clerk