

**DAWSON COUNTY BOARD OF COMMISSIONERS
VOTING SESSION MINUTES – DECEMBER 16, 2021
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. Satterfield/Fausett

ROLL CALL: Those present were Chairman Billy Thurmond; Commissioner Sharon Fausett, District 1; Commissioner Chris Gaines, District 2; Commissioner Tim Satterfield, District 3; Commissioner Emory Dooley, District 4; County Manager David Headley; County Attorney Molly Esswein; County Clerk Kristen Cloud; and interested citizens of Dawson County.

INVOCATION: Chairman Thurmond

PLEDGE OF ALLEGIANCE: Chairman Thurmond

ANNOUNCEMENTS:

Chairman Thurmond announced that county offices would be closed December 24 and 27, 2021, for the Christmas holidays and December 31, 2021, for the New Year's holiday.

Chairman Thurmond announced that the next Board of Commissioners meeting would be held January 20, 2022; and, starting in 2022, work and voting sessions will run consecutively, with work sessions beginning at 4 p.m.

Public Affairs Officer Laura Fulcher introduced and displayed a new Dawson County "Connect with Us!" social media outreach card that she said would be made available to the public through numerous community partners.

APPROVAL OF MINUTES:

Motion passed 4-0 to approve an Amendment to the Minutes of the Voting Session held on November 4, 2021. Dooley/Fausett

Motion passed 4-0 to approve the Minutes of the Work Session held on December 2, 2021. Satterfield/Gaines

Motion passed 4-0 to approve the Minutes of the Voting Session held on December 2, 2021. Fausett/Dooley

APPROVAL OF AGENDA:

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

- Addition of another name for consideration for item **c. Tax Assessors** below No. 7 Board Appointments under New Business:
 - Roxanne Howard- *appointment* (Term: January 2022 through December 2026)
- Addition of letters d. and e. below No. 7 Board Appointments under New Business:
 - **d. Industrial Building Authority**
 - i. Gary Coates- *reappointment* (Term: January 2022 through December 2025)

- ii. Brian Trapnell- *reappointment* (Term: January 2022 through December 2025)
 - **e. Planning Commission**
 - i. Jason Hamby- *District 1 reappointment* (Term: January 2022 through December 2022)
 - ii. Seth Stowers- *District 1 Alternate reappointment* (Term: January 2022 through December 2022)
 - iii. Tim Bennett- *District 3 reappointment* (Term: January 2022 through December 2022)
 - iv. Jean Maryanski- *District 3 Alternate reappointment* (Term: January 2022 through December 2022)
- Addition of Nos. 9, 10, 11 and 12 under New Business:
 - 9. Family Connection 2022 Fiscal Agent Request
 - 10. Contract #386-21 – Design Build Services for Two Artificial In-Filled Grass Surfaces Change Order
 - 11. Title and Grade Change for Two Information Technology Employees
 - 12. Updated Title VI Plan and Georgia Department of Transportation Drug and Alcohol Policy for 2022

Fausett/Satterfield

PUBLIC COMMENT:

Jane Graves, Dawsonville, Georgia, said, “As a lake resident, I would highly recommend and ask and plead that you go ahead this evening and vote for a short-term rental agreement. As you well know, a lot of the lake residences are on very small plots of land. We’re exceedingly close together. Our land is about 100 feet by 200 feet so our neighbors are exceedingly close. A lot of our subdivisions are, in fact, older. They have no HOAs. They have no covenants, and so we literally have no protections from whoever decided to invest and rent these properties.” Graves said the county also could lose a large tax base if residents choose to move. “There’s also issues regarding blight, especially with some of the older properties,” she added. “Properties around the lake vary. They aren’t all ‘McMansions.’ Some of them are small residences and they’re not suitable for large parties.” Additionally, she said, “...When you are licensing and enforcing, it’s really important that [it] is done well and promptly because a lot of things get licensed and then they’re not checked on. So, when they are licensed, please take a look at the fact that some of these properties have shared driveways and so they go over other people’s land. There’s a lot of easements.” Graves also noted how busy the lake is, especially in the summer. “I haven’t looked at the statistics for accidents, but I’m sure they’re there,” she said. “If it’s going to turn into a holiday camp out there...you’re going to have a lot more accidents on the lake and a lot more busyness there.”

ALCOHOL:

New Alcohol License (Retail Package Sale of Beer and Wine) – E-Z Buy Kwik Mart
 Motion passed 4-0 to approve a New Alcohol License (*Retail Package Sale of Beer and Wine*) – E-Z Buy Kwik Mart. Dooley/Gaines

ZONINGS:

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 normal program, 10 minutes is given to those who wish to speak in favor of or opposition to with some redirect, time permitting.

ZA 21-21 - Jim King requests to rezone TMP 098-015, 098-016-001 and 098-016-002 from RA (Residential Agriculture) to RS3 (Residential Suburban 3) for the purpose of developing a 379-lot subdivision (Highway 9 South / Goodson Road).

VR 21-08 - Jim King requests a variance to the Dawson County Subdivision Regulations Article X Section 1003.D minimum lot width reduction - TMP 098-015, 098-016-001 and 098-016-002. (Postponed from the November 18, 2021, Voting Session)
(APPLICANT HAS REQUESTED TO WITHDRAW THE APPLICATION.)

Planning & Development Director Sharon Farrell said the applicant requests to withdraw the application.

Motion passed 4-0 to accept a withdrawal request for ZA 21-21 and VR 21-08. Fausett/Dooley

SU 21-07 - Greg Spence on behalf of Verizon Wireless requests a special use of TMP 049-001 for the purpose of placing a telecommunications tower (Highway 52 East).

VR 21-19 - Greg Spence on behalf of Verizon Wireless requests a variance to the Dawson County Land Use Resolution Article IV Section 410 F.4.

Planning & Development Director Sharon Farrell said the applicant reports that the variance is no longer needed as part of the application. "They were able to adjust the location on the property," she said. Farrell said the Planning Commission recommended denial of the application. She noted that a balloon test was conducted on November 1, 2021.

Attorney David Kirk, partner at Troutman Pepper, Atlanta, Georgia, provided telecommunication statistics and presented a PowerPoint presentation. "...Verizon Wireless is proposing a telecommunication tower that's capable of hosting four carriers, as your ordinance requires," he said. "It's located on a 59-acre portion of a 98-acre tract on Highway 52 East near Wesley Chapel Road, and it's intended to improve the service in that vicinity. We've asked for a special use permit for the tower itself. At the Planning Commission, there was a lot of discussion about the location of the tower, and we were requested by folks who were there to see if we could move it further back into the site. We've been able to do that and...with the removal of that variance requirement, we meet all the requirements that are in your ordinance." Kirk added, "...I think we've demonstrated through the materials we've provided tonight and submitted for the record that this site will significantly improve coverage and enhance the quality of service to folks who rely on their wireless devices for business. It will help first responders. It will help the general public in the area as well as residents. We've moved that tower back that 300 feet...in a good-faith effort to respond to the concerns of the community, and we now fully meet all your ordinance requirements."

Applicant Greg Spence discussed the balloon test. "The requirement is for a single hour," he said. "That's what's required by your ordinance, but we left it up for longer while we were going around and taking the photo simulations and everything else...but the zoning ordinance calls for a single hour."

Chairman Thurmond 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 in opposition of the application:

- Joel Crotzer, Dawsonville, Georgia
- Larry Kollar, Dawsonville, Georgia
- Patricia Bearden, Dawsonville, Georgia
- Shane Turner, 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 was made by Commissioner Satterfield to deny the application, but the motion died for lack of a second.

Motion passed 3-1 to table SU 21-07 and VR 21-19 until February 3, 2022, and until such time the applicant performs a balloon test for a minimum of four hours and provides notification to the Board of Commissioners to allow the board to physically be on site to see the balloon, as well as to allow concerned area residents to see the balloon. Gaines/Fausett- Commissioner Satterfield opposed the motion

ZA 21-22 - Redo Properties LLC requests to rezone TMP 094-044 from RSR (Residential Sub-Rural) to RMF (Residential Multi-Family) for the purpose of bringing a non-conforming use into zoning compliance (Reeves Road).

Planning & Development Director Sharon Farrell said the nearly 9-acre parcel is just off Highway 9. “It’s been out there since the late ‘80s,” she said. “It is basically multi-family housing and it’s being rezoned to bring it into compliance from a zoning standpoint. Farrell said the Planning Commission recommended approval of the application.

Rex Gravitt said he is a managing member of Redo Properties and that he has owned the property for several years. He said the housing was built “before there were any zoning regulations, and I really didn’t even realize it wasn’t zoned until I was trying to refinance the property and the mortgage company said they did a Phase 1 study on it and they came back and said the property wasn’t zoned. ...So, basically, I’m just trying to re-zone it to protect my investment.” Gravitt said he does not intend to expand the 27-unit residential property.

Chairman Thurmond opened the hearing by asking if there was anyone present who wished to speak either for or against the application and, hearing none, closed the hearing.

Motion passed 4-0 to approve ZA 21-22. Satterfield/Gaines

UNFINISHED BUSINESS:

Consideration of a Proposed Short-Term Rental / Bed and Breakfast Establishment Ordinance (Tabled from the December 2, 2021, Voting Session, at which time a public hearing was held)

Motion passed 4-0 to approve a Proposed Short-Term Rental / Bed and Breakfast Establishment Ordinance, with some revisions discussed during the meeting. Fausett/Gaines

NEW BUSINESS:

Consideration to Move Forward to a Public Hearing for an Ordinance Amending Chapter 30 of the Code of Dawson County to Establish a Mechanism Whereby County Residents May Petition the Board of Commissioners for the Creation of Special Tax Districts to Fund Capital Improvement Projects

Motion passed 4-0 to approve to Move Forward to a Public Hearing for an Ordinance Amending Chapter 30 of the Code of Dawson County to Establish a Mechanism Whereby County Residents May Petition the Board of Commissioners for the Creation of Special Tax Districts to Fund Capital Improvement Projects. Satterfield/Fausett

Consideration of New Agreement with Professional Probation Services Inc.

Motion passed 4-0 to approve a New Agreement with Professional Probation Services Inc. Dooley/Gaines

Consideration of Compensation of Court Bailiffs

Motion passed 4-0 to approve Compensation of Court Bailiffs (funds budgeted in the FY 2022 budget). Satterfield/Gaines

Consideration of Request for Approval of FY 2022 State Public Defender Contract

Motion passed 4-0 to approve a Request for Approval of a FY 2022 State Public Defender Contract. Fausett/Dooley

Consideration of Request for Approval of FY 2022 Public Defender Intergovernmental Agreement Between Dawson and Hall Counties

Motion passed 4-0 to approve a Request for Approval of a FY 2022 Public Defender Intergovernmental Agreement Between Dawson and Hall Counties. Satterfield/Gaines

Consideration of Request to Apply for Grant for Generator at Rock Creek Park

Motion passed 4-0 to approve a Request to Apply for a Grant for a Generator at Rock Creek Park. Gaines/Fausett

Consideration of Board Appointments:

- **Joint Development Authority and Development Authority of Dawson County**
 - Carroll Turner- replacing Betsy McGriff and Calvin Byrd, respectively (Terms: January 2022 through December 2022)

Motion passed 4-0 to approve the appointment of Carroll Tuner to the Joint Development Authority and the Development Authority of Dawson County for terms of January 2022 through December 2022. Gaines/Satterfield

- **Parks & Recreation**
 - Christopher Conowal- reappointment (Term: January 2022 through December 2025)

Motion passed 4-0 to approve the reappointment of Christopher Conowal to the Parks & Recreation board for a term of January 2022 through December 2025. Dooley/Fausett

- **Tax Assessors**
 - Andrea McKenzie- reappointment; or Roxanne Howard- appointment (Term: January 2022 through December 2026)

Motion passed 4-0 to approve the appointment of Roxanne Howard to the Tax Assessors board for a term of January 2022 through December 2026. Fausett/Satterfield

- **Industrial Building Authority**

- Gary Coates- reappointment (Term: January 2022 through December 2025)
- Brian Trapnell- reappointment (Term: January 2022 through December 2025)

Motion passed 4-0 to approve the reappointments of Gary Coates and Brian Trapnell to the Industrial Building Authority for terms of January 2022 through December 2025. Gaines/Dooley

- **Planning Commission**

- Jason Hamby- District 1 reappointment (Term: January 2022 through December 2022)
- Seth Stowers- District 1 Alternate reappointment (Term: January 2022 through December 2022)
- Tim Bennett- District 3 reappointment (Term: January 2022 through December 2022)
- Jean Maryanski- District 3 Alternate reappointment (Term: January 2022 through December 2022)

Motion passed 4-0 to approve the reappointment of the following to the Planning Commission for terms of January 2022 through December 2022: Jason Hamby, District 1; Seth Stowers, District 1 Alternate; Tim Bennett, District 3; and Jean Maryanski, District 3 Alternate. Dooley/Satterfield

Consideration of 2022 Board of Commissioners Vice Chair Appointment

Motion passed 4-0 to approve the reappointment of District 4 Commissioner Emory Dooley as the 2022 Board of Commissioners Vice Chair. Gaines/Fausett

Family Connection 2022 Fiscal Agent Request

Motion passed 4-0 to approve a Family Connection 2022 Fiscal Agent Request. Fausett/Gaines

Contract #386-21 – Design Build Services for Two Artificial In-Filled Grass Surfaces Change Order

Motion passed 4-0 to approve Contract #386-21 – Design Build Services for Two Artificial In-Filled Grass Surfaces Change Order; to approve a not to exceed amount of \$369,061 for additional work required for the project. Funds will come from impact fees. Gaines/Satterfield

Title and Grade Change for Two Information Technology Employees

Motion passed 4-0 to approve a Title and Grade Change for Two Information Technology (IT) Employees; Will Shattuck will become assistant IT director and Cameron Burt will become senior network engineer, and pay grade adjustments totaling \$17,268.54 will come from General Fund's fund balance. Satterfield/Fausett

Updated Title VI Plan and Georgia Department of Transportation Drug and Alcohol Policy for 2022

Motion passed 4-0 to approve an Updated Title VI Plan and Georgia Department of Transportation Drug and Alcohol Policy for 2022. Dooley/Gaines

PUBLIC COMMENT:

None

ADJOURNMENT:

APPROVE:

ATTEST:

Billy Thurmond, Chairman

Kristen Cloud, County Clerk