

**DAWSON COUNTY BOARD OF COMMISSIONERS
VOTING SESSION MINUTES – AUGUST 19, 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. Fausett/Gaines

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 Aaron Meyer; County Clerk Kristen Cloud; and interested citizens of Dawson County.

INVOCATION: Chairman Thurmond

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 5, 2021. Satterfield/Dooley

Motion passed 4-0 to approve the Minutes of the Voting Session held on August 5, 2021. Fausett/Gaines

APPROVAL OF AGENDA:

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

- Addition of Nos. 8 and 9 under New Business:
 - Uses of American Rescue Plan Funding
 - Letters of Support for Grant Funding on Behalf of Ellijay Telephone Company, Etowah Water & Sewer Authority, and Windstream-Kinetic

Fausett/Gaines

PUBLIC COMMENT:

None

PUBLIC HEARINGS:

Possible Extension of Existing Moratorium on the Acceptance for Approval of Final Subdivision Plats that Create New Roads (1st of 1 hearing)

Chairman Thurmond opened the hearing by asking if there was anyone present who wished to be heard on a Possible Extension of an Existing Moratorium on the Acceptance for Approval of Final Subdivision Plats that Create New Roads.

The following spoke on a Possible Extension of an Existing Moratorium on the Acceptance for Approval of Final Subdivision Plats that Create New Roads:

- Mike Turner, Roswell, Georgia, said he objects to extending the moratorium. “You are holding property owners hostage with this moratorium, and I think you need to go ahead and close it so people can record their plats and get their business done,” said Turner.

Chairman Thurmond asked if there was anyone else present who wished to speak on a Possible Extension of an Existing Moratorium on the Acceptance for Approval of Final Subdivision Plats that Create New Roads and, hearing none, closed the hearing.

Motion passed 4-0 to approve to extend for 45 days (until October 3, 2021) an Existing Moratorium on the Acceptance for Approval of Final Subdivision Plats that Create New Roads. Gaines/Fausett

Timber Harvest Ordinance Update (1st of 1 hearing)

Chairman Thurmond opened the hearing by asking if there was anyone present who wished to be heard on a Timber Harvest Ordinance Update.

The following spoke on a Timber Harvest Ordinance Update:

- Mike Turner, Roswell, Georgia, said he owns several thousand acres in Dawson County. “I’ve got timber property, and I read your regulation,” he said. “I think you need to have some clarification in that about how you plan and intend to identify road damage. It’s very arbitrary the way you’ve got it laid out. That road could be damaged by a school bus, a tractor trailer bringing something to a restaurant or the supermarket or anything else. How are you going to know and identify that the timber hauler damaged that road?” Turner added, “The other thing I object to is that the property owners pay taxes in this county. We pay for the roads just like everybody else but it seems like we’re being singled out because we’re harvesting our timber that we don’t get anything for anyway, and you tax on top of our property taxes.”

Chairman Thurmond asked if there was anyone else present who wished to speak on a Timber Harvest Ordinance Update and, hearing none, closed the hearing.

Motion passed 4-0 to approve the Timber Harvest Ordinance Update. Satterfield/Dooley

Capital Improvements Element Annual Update (1st of 1 hearing)

Chairman Thurmond opened the hearing by asking if there was anyone present who wished to be heard on a Capital Improvements Element Annual Update and, hearing none, closed the hearing.

Motion passed 4-0 to approve a Capital Improvements Element Annual Update – to include a letter of transmittal to the Georgia Department of Community Affairs and a resolution. Gaines/Dooley

Georgia 400 and Highway 53 Corridor Guidelines (2nd of 2 hearings; 1st hearing was held at the August 17, 2021, Planning Commission Meeting)

Planning & Development Director Jameson Kinley said the Georgia 400 and Highway 53 Corridor Guidelines update began in 2019 and has involved collaboration among county staff, committees, stakeholders and citizens.

Dr. Lynn Patterson of Three Points Planning presented a PowerPoint presentation concerning the Georgia 400 and Highway 53 Corridor Guidelines project.

Chairman Thurmond opened the hearing by asking if there was anyone present who wished to be heard on the Georgia 400 and Highway 53 Corridor Guidelines.

The following spoke on the Georgia 400 and Highway 53 Corridor Guidelines:

- David Turner, Dawsonville, Georgia, said he has lived in Dawson County for 65 years. He said he has not spoken to the Planning & Development director. “I think me and my family are the largest landowners on 53 Highway,” he said. Turner added, “I like the countryside. The people that come up here, come up here because they love it. Then they want to change it. I don’t want change. If they don’t like it, the road goes out as fast as it comes in. ... We hire somebody to come up here and tell us how they want it here in the country, but they can’t even fix the problems they got down there. This is a disgrace to the people of this county, and you want people like that to come up here and tell us that we need big buildings that are ugly. Before you all make a decision like this, I think you need a lot of input from the property owners and the home owners of this county.”
- Julie Turner, Roswell, Georgia, asked if anyone could “explain the required notification process by which the county has to notify landowners when you are making these sorts of plans...on our personal property.” She said her family is one of the largest property owners in the county “and no doubt pays a large part of the taxes. No one in our family was notified about this, nor were we invited to participate in any of the meetings that have taken place before this.” She added, “...We own 600 acres on 53. I feel like we should have some say-so in the decision. We find it offensive and frustrating to hear and look at plans that other people make for our property who do not own our land and who do not pay our taxes.”
- Mark Byrd, Dawsonville, Georgia, said he has been in the county for 68 years. “My business has been there 20 years, and I should’ve gotten a letter on this,” he said. “[Lynn Patterson] said something about sidewalks - that would be like killing people in Chicago. You have trees down at the shopping center; you can’t even see the turn at the Walmart. I was there yesterday and almost got hit because the trees are so low and big.” Byrd questioned why the corridor guidelines process began “in 2019 during the pandemic.”
- Paul Mincey, Dawsonville, Georgia, said he has “been doing business here for a long time. As far as my business and any new buildings I want to build, I want to make it real attractive. But I don’t want someone coming and saying, ‘oh, this window has to be an extra two inches’ or something like that. One of the great things about this area is the rural lifestyle. If I wanted to live like Johns Creek, I’d move to Johns Creek.”

- Jimmy Hamby, Dawsonville, Georgia, said, “We were approaching the overlay as a health issue - keeping things healthy for the people going in and buying tires. This thing has seemed to have grown into a whole lot more than a health issue. Is any of this that has just been talked about tonight healthy? The reason I’m here is because a resident called me and asked if I would come. I think we need to think really hard about getting in people’s yards, and that’s what we are doing. You all can decide how a building needs to look and what goes out in front of it without having any of these ordinances.”
- Grady Turner, Dawsonville, Georgia, said he is a property owner. “I was not contacted, and what bothered me is when the gentleman got up and spoke and said they contacted large property owners. They didn’t contact the largest one on 53. Seems to me, the larger property owners should’ve been contacted but they weren’t.” Turner added, “There are two things that bother me about this proposal. One is setting a percentage of 40 percent windows. Windows are more expensive than walls. When you put that kind of restriction on a building, you are making the construction cost go way up.” He said he also has a problem with the Planning & Development director “having some discretion.” He said, “You can’t carry the rule book in your head. And discretion means today I want this and tomorrow I want that. You can’t build with that kind of a rule. The rules must be in black and white so there is no discretion, because discretion is arbitrary.”
- Mike Turner, Roswell, Georgia, said he received no notification concerning the corridor guidelines update and said he has a problem with that. “This lady [Lynn Patterson] talked about limiting grading. We are in the mountains. We got topography. We have to do grading to get big enough flat spots so we can put a house. That adds costs. We have building codes, and those codes tell us how we build our structures and how they need to be done so we can live in them. We have energy codes, and it tells us how to build our buildings so they are efficient. They specifically talk about how we limit the windows. I hope we don’t get to the point where this county is telling me what kind of door knob I have to put on my house. The other thing is the cost involved in doing this. Now we are adding another layer of approval and costs. I saw the pictures and those are high-dollar homes, and that is not Dawson County. As a property owner I should have a say-so in my property, and I object to this overlay zone and I object to my property being in it. ... I would respectfully ask this group to take the Turner property out of this overlay.”

Chairman Thurmond asked if there was anyone else present who wished to speak on the Georgia 400 and Highway 53 Corridor Guidelines and, hearing none, closed the hearing.

Motion passed 4-0 to table indefinitely the Georgia 400 and 53 Corridor Guidelines. Gaines/Dooley

ZONING:

ZA 21-14 - Jim King requests to rezone TMP 113-044 from CHB (Commercial Highway Business) to CIR (Commercial Industrial Restricted) for the purpose of developing an office warehouse.

VR 21-10 - Jim King requests to vary from the Dawson County Land Use Resolution Article IV Section 400 A with a front setback reduction.

VR 21-11 - Jim King requests to vary from the Dawson County Land Use Resolution Article VI Section 607.1.A for a reduction in the minimum parking requirements.

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.

Planning & Development Director Jameson Kinley said the applicant requests to rezone in order to develop a warehouse space on 9.15 acres located approximately one mile north of Highway 53 on Lumpkin Campground Road North. He said the applicant requests “a reduction of the setback from 60 to 40 feet and at the cost of dedicating 20 feet of additional right of way to Lumpkin Campground. The proposed development does not generate public traffic but employees only.” Kinley added, “They are asking for a reduction of the minimum parking spaces from one to every 500 square feet to one to every 2,000 square feet.” He noted that “this is an appropriate use for this area and commercial industrial up and down the 400 Corridor. They will have to meet all the 400 Corridor guidelines as currently stated at the time.”

Applicant Jim King said his client plans to build a warehouse building to serve one existing business in Dawson County that is expanding and in need of storage space. In addition to the zoning request, King said two variances also are requested. “We are dedicating 20 feet of right of way along the entire frontage on Lumpkin Campground Road. There is an existing 80 feet there.” He added, “We are adding a lane along the frontage of our property with the curb and gutter. We are adding additional safety measures.” King noted that “there are other properties that are closer to the road, so we think that it is justified and, because we are pushing our parking to the back of the building, we are sliding our building forward, pushing the loading zones so that they are not facing the road.”

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.

Commissioner Satterfield announced that he would abstain from any vote concerning ZA 21-14 and VR 21-10 and VR 21-11.

Motion passed 3-1 to approve ZA 21-14 and VR 21-10 and VR 21-11. Fausett/Gaines-Commissioner Satterfield abstained

NEW BUSINESS:

Consideration of Request for Sheriff's Office Staffing Recruitment and Retention Funding

Motion passed 4-0 to approve the use American Rescue Plan funding to provide premium pay to 104 Sheriff's officers, \$3 per hour at a cost of \$767,606; 14 E9-1-1 employees, \$2 per hour at a cost of \$65,607; 28 full-time firefighters/EMTs and eight part-time firefighters/EMTs, \$2 per hour at a cost of \$176,382 and \$11,246, respectively; and 17 Public Works employees, \$2 per hour at a cost of \$70,720; and to “roll in” the cost of previous increases for paramedics approved in April 2021 at a cost of \$238,067, plus \$2 per hour med unit pay at a cost of \$75,593 – effective beginning with the pay period beginning September 4, 2021. Satterfield/Gaines

Consideration of 2021 Charity Boot Drives

Motion passed 4-0 to approve the 2021 Charity Boot Drives and to allow the county's Emergency Services director to make changes to the boot drive schedule as needed. Gaines/Dooley

Consideration of Rural Fire Defense Agreement and Memorandum of Understanding with Georgia Forestry Commission

Motion passed 4-0 to approve a Rural Fire Defense Agreement and Memorandum of Understanding with Georgia Forestry Commission. Fausett/Satterfield

Consideration of IFB #384-21 - Culverts Renovation Project for Dawson County

Motion passed 4-0 to approve IFB #384-21 - Culverts Renovation Project for Dawson County; to accept the bids submitted for Tasks 1A and Task 2; to reject bids submitted for Tasks 1B and Task 3; to award a contract to Townley Construction Company, not to exceed the amount of \$109,031 to perform Tasks 1A and 2; and to utilize Special Purpose Local Option Sales Tax VI funds for this project. Satterfield/Gaines

Consideration of Request for Additional Funding for Legal Costs

Motion passed 4-0 to approve a Request for Additional Funding for Legal Costs; \$250,000 will come from the General Fund's fund balance. Gaines/Fausett

Consideration of Special Purpose Local Option Sales Tax VI Overage Allocation

Motion passed 4-0 to table a Special Purpose Local Option Sales Tax VI Overage Allocation until after the county's budgeting process for FY 2022. Gaines/Satterfield

Consideration to Move Forward to a Public Hearing for a Hotel-Motel Tax Ordinance Update

Motion passed 4-0 to Move Forward to a Public Hearing for a Hotel-Motel Tax Ordinance Update. Dooley/Fausett

Consideration of Uses of American Rescue Plan Funding

Motion passed 4-0 to allocate any remainder of American Rescue Plan funding to COVID-19 relief and other premium pay. Satterfield/Dooley

Consideration of Letters of Support for Grant Funding on Behalf of Ellijay Telephone Company, Etowah Water & Sewer Authority, and Windstream-Kinetic

Motion passed 4-0 to approve to allow the chairman to sign and send Letters of Support for Grant Funding on Behalf of Ellijay Telephone Company, Etowah Water & Sewer Authority, and Windstream-Kinetic. Fausett/Gaines

PUBLIC COMMENT:

Mike Turner, Roswell, Georgia, said, "You stimulated me with your broad proposal for the pay, and I thought of an idea that I've done in other areas. One of the ways to [create] solidity in your service workers, firemen, policemen, teachers is to have low-cost housing for them. We call it workforce housing. We have done that in other areas, and I don't know if this county has ever investigated that - but that would be a great venture for you to look at because, if a deputy sheriff lives here in Dawsonville, he's not going to think too much about driving 40 miles to somewhere else to work. He might even work for a dollar less. Same way with everybody else. It's just something to look at and, if you can cut back costs, you might have houses for a reasonable price for those folks. It would be a win-win."

ADJOURNMENT:

APPROVE:

ATTEST:

Billy Thurmond, Chairman

Kristen Cloud, County Clerk