

**DAWSON COUNTY BOARD OF COMMISSIONERS
VOTING SESSION MINUTES – OCTOBER 15, 2020
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM
25 JUSTICE WAY, DAWSONVILLE, GEORGIA 30534
IMMEDIATELY FOLLOWING THE 4:00 PM WORK SESSION**

ROLL CALL: Those present were Chairman Billy Thurmond; Commissioner Sharon Fausett, District 1; Commissioner Chris Gaines, District 2; Commissioner Tim Satterfield, District 3; Commissioner Julie Hughes Nix, District 4; County Manager David Headley; County Attorney Angela Davis; 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 October 1, 2020. Nix/Gaines

Motion passed 4-0 to approve the Minutes of the Voting Session held on October 1, 2020. Fausett/Satterfield

Motion passed 4-0 to approve the Minutes of the Special Called Meeting held on October 8, 2020. Satterfield/Fausett

APPROVAL OF AGENDA:

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

- Addition of Nos. 1 through 5 under New Business:
 - Acceptance of Victims of Crime Act Grant for FY 2021
 - Request for Increased Funding for Legal Fees for FY 2020
 - Board Appointment:
 - Library Board
 - Karmen Pharris- replacing David Jordan (October 2020 through June 2024)
 - First Amendment to Lease Agreement with Etowah Valley Sporting Clays Park
 - Ratification of River Bend Road Emergency Repair Request

PUBLIC COMMENT:

None

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 20-09 - Eagle Commercial LLC requests to rezone TMP 094-022-001 from RSR (Residential Sub-Rural) to RMF (Residential Multifamily) for the purpose of bringing existing structures into zoning compliance (Highway 53 East and Gravitt Drive).

Planning & Development Zoning Specialist Harmony Gee said the applicant looks to bring a grandfathered, non-conforming-use property into zoning compliance. She said the applicant does not plan to build additional structures and only wishes to bring the property into zoning compliance, “protecting them in the event of something catastrophic happening for insurance purposes.” The property was developed in 1980, prior to zoning in the county. The property was purchased about a year ago. Gee said improvements and repairs have been made in that time, and the applicant has increased occupancy - from five units to all 12 units being filled. Gee said the Planning Commission recommends approval of the application.

Applicant Rex Gravitt of Eagle Commercial said, “...All we’re trying to do is bring it into compliance with your zoning that’s here now. We’re not trying to add any more units or anything.” He said occupancy is full since the property was purchased. He said the property now has new roofs, upgraded plumbing and electrical, new carpet and paint and “a lot of cosmetic stuff.” He added, “And then we actually re-did the road and the parking lot – it had deteriorated. The sidewalks – we had to do some work on the sidewalks; there was some cracking, hazards...”

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 20-09. Fausett/Satterfield

ZA 20-10 - Athena Reynolds requests to rezone TMP 040-009 from RA (Residential Agriculture) to RSRMM (Residential Sub-Rural Manufactured Moved) for the purpose of subdividing the parcel to build a primary residence (Cowart Road).

Planning & Development Zoning Specialist Harmony Gee said the parcel’s “been owned by Miss Reynolds’ mother for over 30 years, and the existing mobile home on the property is in need of major repairs. Miss Reynolds does not wish to tie up 5 acres into a home loan. She states she isn’t sure whether she’d be approved for a traditional mortgage, which is why she’s seeking a classification of RSRMM.” Gee said the applicant also has two siblings and wants the property to be divided equally amongst them, “and currently that’s not possible with the existing zoning classification.” Gee, who noted the parcel is 12.78 acres, said the Planning Commission recommends approval of the application.

Michael Wright, representing the applicant, said, “What we’d like to do is tear the single-wide down and put a home on it. That’s basically what we want to do.”

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 20-10. Satterfield/Fausett

ZA 20-11 - Cameron Koch requests to rezone TMP 076-040 from RA (Residential Agriculture) to RSR (Residential Sub-Rural) for the purpose of subdividing the parcel to build a primary residence (Kelly Bridge Road).

Planning & Development Zoning Specialist Harmony Gee said the applicant seeks to rezone the property so he can build a residence that's going to be possibly 2,400 square feet in size. "This parcel is a portion of a larger tract that has been for sale for several months by the current owner," said Gee. "The portion that Mr. Koch is looking to purchase is vacant." Gee said the Planning Commission recommends approval of the application.

Applicant Cameron Koch said he and his wife "would like to buy the stated piece of property and put just a single-family home on it. There's a dilapidated barn and a garage on it. We're going to keep it – at least the garage. It's in good condition, and then the barn – I'll have a contractor look at it and tell me if it's salvageable or not."

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 20-11. Gaines/Satterfield

ZA 20-12 - Heather Hensley requests to rezone TMP 033-016-001 from RA (Residential Agriculture) to RAC (Residential Agriculture Corrective) for the purpose of bringing a deeded subdivided parcel into compliance to build a primary residence (Afton Road).

Planning and Development Zoning Specialist Harmony Gee said the applicant is the first "to take advantage of our newly-created zoning classification RAC. She is looking to parcel off parts of a larger tract for her primary residence, to bring it into zoning compliance. The land was purchased in 2002 by the applicant's family, and the portion she is seeking to rezone was deeded in July of 2020." Gee said the Planning Commission recommends approval of the application.

Applicant Heather Hensley said, "We're trying to rezone to build a single-family home. We're just getting into that corrective thing."

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 20-12. Nix/Gaines

ZA 20-13 - Mitchell Mullins requests to rezone TMP 037-026-006 from RA (Residential Agriculture) to RAC (Residential Agriculture Corrective) for the purpose of bringing a deeded, subdivided parcel into compliance to build a primary residence (Cownt Road).

Planning & Development Zoning Specialist Harmony Gee said the applicant seeks to rezone "the 2.04 acres located off Cownt Road...for the purpose of having a plat recorded to enable him to build his primary residence." She said the applicant purchased the property in 2018 with the intent to build at a later date; a survey was completed but was not recorded at that time. The applicant needs "to get that plat recorded so that he can build and come into zoning compliance," said Gee, adding that the Planning Commission recommends approval of the application.

Applicant Mitchell Mullins said, "I'm here to request permission to build a house. It's got houses on each side of it that are equally facing forward, and they're sitting on 2 acres."

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 20-13. Satterfield/Nix

ZA 20-14 - Miles, Hansford & Tallant requests to rezone TMP 115-001 from RA (Residential Agriculture) to CIR (Commercial Industrial Restricted) for the purpose of constructing an office space with a warehouse (Carlisle Road).

Planning & Development Zoning Specialist Harmony Gee said, “Miles, Hansford & Tallant on behalf of Litefighter Properties seeks to rezone 15.027 acres located off of Carlisle Road” for the purpose of developing an office warehouse space approximately 94,000 square feet in size. She said the western portion of the property was zoned CIR in 1998, “which would allow this use. The applicant is seeking to expand on the existing zoning.”

The applicant was not present.

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 table ZA 20-14 until the November 5, 2020, Voting Session. Gaines/Satterfield

UNFINISHED BUSINESS:

Consideration of Professional Exemption and Budget Increase Request for Production of Schedules and Tables for Rural and Urban Properties (Tabled from the October 1, 2020, Voting Session)

Motion passed 4-0 to approve a budget increase for the Tax Assessor’s Office in the amount of \$39,500 – funds will come from General Fund Contingency; and to approve a professional agreement exemption and contract with McCormick Solutions for the production of schedules and tables for rural and urban properties. Nix/Fausett

Consideration of Appeal by Victory Media Group LLC of the denial of an application for a sign permit (70’) at 33 Lumpkin Campground Road South (Permit # 14944)

Motion passed 4-0 to affirm the decision of Dawson County Planning & Development department staff to deny an application from Victory Media Group LLC for a sign permit (70’) at 33 Lumpkin Campground Road South (Permit # 14944) because the Dawson County Sign Ordinance is constitutional, all procedures related to the consideration of the application were properly followed, and the application fails to comply with the Dawson County Sign Ordinance - such that the application was properly denied. Gaines/Satterfield

Consideration of Appeal by Victory Media Group LLC of the denial of an application for a sign permit (15’) at 33 Lumpkin Campground Road South (Permit # 14945)

Motion passed 4-0 to affirm the decision of Dawson County Planning & Development department staff to deny an application from Victory Media Group LLC for a sign permit (15’) at 33 Lumpkin Campground Road South (Permit # 14945) because the Dawson County Sign Ordinance is constitutional, all procedures related to the consideration of the application were

properly followed, and the application fails to comply with the Dawson County Sign Ordinance - such that the application was properly denied. Gaines/Fausett

Consideration of Appeal by Victory Media Group LLC of the denial of an application for a sign permit (70') at 41 Big Horn Drive (Permit #14946)

Motion passed 4-0 to affirm the decision of Dawson County Planning & Development department staff to deny an application from Victory Media Group LLC for a sign permit (70') at 41 Big Horn Drive (Permit #14946) because the Dawson County Sign Ordinance is constitutional, all procedures related to the consideration of the application were properly followed, and the application fails to comply with the Dawson County Sign Ordinance - such that the application was properly denied. Gaines/Nix

Consideration of Appeal by Victory Media Group LLC of the denial of an application for a sign permit (15') at 41 Big Horn Drive (Permit #14947)

Motion passed 4-0 to affirm the decision of Dawson County Planning & Development department staff to deny an application from Victory Media Group LLC for a sign permit (15') at 41 Big Horn Drive (Permit #14947) because the Dawson County Sign Ordinance is constitutional, all procedures related to the consideration of the application were properly followed, and the application fails to comply with the Dawson County Sign Ordinance - such that the application was properly denied. Gaines/Satterfield

Consideration of Appeal by Victory Media Group LLC of the denial of an application for a sign permit (70') at 46 Blue Ridge Parkway (Permit # 14948)

Motion passed 4-0 to affirm the decision of Dawson County Planning & Development department staff to deny an application from Victory Media Group LLC for a sign permit (70') at 46 Blue Ridge Parkway (Permit # 14948) because the Dawson County Sign Ordinance is constitutional, all procedures related to the consideration of the application were properly followed, and the application fails to comply with the Dawson County Sign Ordinance - such that the application was properly denied. Gaines/Fausett

Consideration of Appeal by Victory Media Group LLC of the denial of an application for a sign permit (70') at 18 Blue Ridge Overlook (Permit # 15002)

Motion passed 4-0 to affirm the decision of Dawson County Planning & Development department staff to deny an application from Victory Media Group LLC for a sign permit (70') at 18 Blue Ridge Overlook (Permit # 15002) because the Dawson County Sign Ordinance is constitutional, all procedures related to the consideration of the application were properly followed, and the application fails to comply with the Dawson County Sign Ordinance - such that the application was properly denied. Gaines/Nix

Consideration of Appeal by Victory Media Group LLC of the denial of an application for a sign permit (70') at 40 War Hill Park Road (Permit # 15005)

Motion passed 4-0 to affirm the decision of Dawson County Planning & Development department staff to deny an application from Victory Media Group LLC for a sign permit (70') at 40 War Hill Park Road (Permit # 15005) because the Dawson County Sign Ordinance is constitutional, all procedures related to the consideration of the application were properly followed, and the application fails to comply with the Dawson County Sign Ordinance - such that the application was properly denied. Gaines/Satterfield

Consideration of Appeal by Action Outdoor Advertising II, LLC of the denial of an application for a sign permit (70') at 1322 Hwy 400 North (Permit # 14939)

Motion passed 4-0 to affirm the decision of Dawson County Planning & Development department staff to deny an application from Action Outdoor Advertising II, LLC for a sign permit (70') at 1322 Hwy 400 North (Permit # 14939) because the Dawson County Sign Ordinance is constitutional, all procedures related to the consideration of the application were properly followed, and the application fails to comply with the Dawson County Sign Ordinance - such that the application was properly denied. Gaines/Fausett

Consideration of Appeal by Action Outdoor Advertising II, LLC of the denial of an application for a sign permit (70') at 391 Quill Drive (Permit # 14940)

Motion passed 4-0 to affirm the decision of Dawson County Planning & Development department staff to deny an application from Action Outdoor Advertising II, LLC for a sign permit (70') at 391 Quill Drive (Permit # 14940) because the Dawson County Sign Ordinance is constitutional, all procedures related to the consideration of the application were properly followed, and the application fails to comply with the Dawson County Sign Ordinance - such that the application was properly denied. Gaines/Nix

Consideration of Appeal by Action Outdoor Advertising II, LLC of the denial of an application for a sign permit (70') at 3862 Dawson Forest Road East (Permit # 14941)

Motion passed 4-0 to affirm the decision of Dawson County Planning & Development department staff to deny an application from Action Outdoor Advertising II, LLC for a sign permit (70') at 3862 Dawson Forest Road East (Permit # 14941) because the Dawson County Sign Ordinance is constitutional, all procedures related to the consideration of the application were properly followed, and the application fails to comply with the Dawson County Sign Ordinance - such that the application was properly denied. Gaines/Satterfield

Consideration of Appeal by Action Outdoor Advertising II, LLC of the denial of an application for a sign permit (70') at Grant Road & Ga 400 (northwest corner) (Permit # 14942)

Motion passed 4-0 to affirm the decision of Dawson County Planning & Development department staff to deny an application from Action Outdoor Advertising II, LLC for a sign permit (70') at Grant Road & Ga 400 (northwest corner) (Permit # 14942) because the Dawson County Sign Ordinance is constitutional, all procedures related to the consideration of the application were properly followed, and the application fails to comply with the Dawson County Sign Ordinance - such that the application was properly denied. Gaines/Fausett

Consideration of Appeal by Action Outdoor Advertising II, LLC of the denial of an application for a sign permit (70') at West side of Ga 400 385' north of Grant Road (Permit # 14943)

Motion passed 4-0 to affirm the decision of Dawson County Planning & Development department staff to deny an application from Action Outdoor Advertising II, LLC for a sign permit (70') at West side of Ga 400 385' north of Grant Road (Permit # 14943) because the Dawson County Sign Ordinance is constitutional, all procedures related to the consideration of the application were properly followed, and the application fails to comply with the Dawson County Sign Ordinance - such that the application was properly denied. Gaines/Satterfield

NEW BUSINESS:

Consideration of Acceptance of Victims of Crime Act Grant for FY 2021

Motion passed 4-0 to approve the Acceptance of the Victims of Crime Act Grant for FY 2021. Fausett/Gaines

Consideration of Request for Increased Funding for Legal Fees for FY 2020

Motion passed 4-0 to approve the Request for Increased Funding for Legal Fees for FY 2020 in the amount of \$150,000; funds will come from General Fund's fund balance. Satterfield/Fausett

Consideration of Board Appointment:

- *Library Board*

- *Karmen Pharris- replacing David Jordan (October 2020 through June 2024)*

Motion passed 4-0 to approve the appointment of Karmen Pharris to the Library Board for a term of October 2020 through June 2024. Nix/Fausett

Consideration of First Amendment to Lease Agreement with Etowah Valley Sporting Clays Park

Motion passed 4-0 to approve the First Amendment to Lease Agreement with Etowah Valley Sporting Clays Park. Gaines/Satterfield

Ratification of River Bend Road Emergency Repair Request

Motion passed 4-0 to ratify the River Bend Road Emergency Repair Request in the amount of \$50,000; funds will come from SPLOST VII Fund Balance. Fausett/Nix

PUBLIC COMMENT:

None

ADJOURNMENT:

EXECUTIVE SESSION:

Motion passed 4-0 to enter into Executive Session to discuss litigation. Nix/Gaines

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

APPROVE:

ATTEST:

Billy Thurmond, Chairman

Kristen Cloud, County Clerk