

**DAWSON COUNTY BOARD OF COMMISSIONERS  
VOTING SESSION MINUTES – THURSDAY, FEBRUARY 16, 2023  
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 Seth Stowers, District 1; Commissioner Alexa Bruce, District 3; Commissioner Emory Dooley, District 4; Interim County Manager Vickie Neikirk; County Attorney Angela Davis; County Clerk Kristen Cloud; and interested citizens of Dawson County. District 2 Commissioner Chris Gaines was not present.

**INVOCATION AND PLEDGE OF ALLEGIANCE:** Chairman Thurmond

**ANNOUNCEMENTS:**

None

**APPROVAL OF MINUTES:**

Motion passed 3-0 to approve the Minutes of the Work Session held on February 2, 2023.  
Dooley/Stowers

Motion passed 3-0 to approve the Minutes of the Voting Session held on February 2, 2023.  
Bruce/Dooley

**APPROVAL OF AGENDA:**

Motion passed 3-0 to approve the agenda with the following change:

- Addition of New Business following the Public Hearing, to include:
  - Property Maintenance Ordinance Review
  - Vape Ordinance Review

**PUBLIC COMMENT:**

*The following spoke on a Property Maintenance Ordinance Review:*

Timothy Wimpey, Ellijay, Georgia, said, “I’d like to commend the Commission for going ahead with this ordinance. Some people will say ‘you don’t have a right to tell me what to do with my property.’ The honest answer is the Commission, under the ordinance, can but shouldn’t have to. Unfortunately, in some cases, it’s necessary for the Commission to pass an ordinance that for most people is common-sense compliance. Some people are against this ordinance. Most people in this county are clean, responsible citizens who take pride in their residence, their property and their county. Once the ordinance is made, the citizens will be grateful. Sometimes the right thing to do will not be the most popular. You shouldn’t have to tell people what to do but, when you look around and they’re not doing what they’re supposed to do, you have to.”

James Brewer, Dawsonville, Georgia, displayed several photos. He said, “I’m here in support of the Property Maintenance Ordinance. This is a significant ordinance for the improvement of Dawson County, especially south Dawson County. Enforcement of the ordinance benefits everyone in the county. It improves the health, safety and appeal of all the properties and communities involved. It raises the property value of those who are cited and their neighbors,

giving the county the ability to increase their taxes. Please do not succumb to the complaints of the people who have been cited by the Marshal's Office. This ordinance does not cite petty concerns on a property. It has to deal with structural deficits on the property, health concerns and safety for all the community. The Board should not overreact to complaints. The improvements are already taking place. You have a tool here to really improve Dawson County. Please support the enforcement and allow the Marshal to do their job."

Warren Long, Cumming, Georgia, said he is Tim Wimpey's real estate agent. "I've had [his property] under my ability to sell since 2018. I've had it with three different companies. I have been turned down by other agents and their clients because of the trash on the [neighboring] property and the run-down area around Lake Road and Wood Drive. There are abandoned homes that are now housing vermin, trash and a haven for meth addicts and heroin addicts to go in there. Kids go in there and vandalize things and break the windows. The property immediately to his left has one such home on it. It's a hazard to anyone that walks in there. So I implore you to listen to these fine people of Dawson County to let the Marshal do their job; remove these abandoned properties, clean these properties up. It'll make it a better place for everyone."

Nelson Payne, Dawsonville, Georgia, said, "...I clearly see this as overreach of the government to tell private citizens on their own property what they can and can't do that I pay taxes on. If I want to have a tractor or cars in my yard, which I do, that's what we're going to do. I can put it in a garage, but I don't have to. That's my right as a private citizen in a county I pay taxes to. For me, if you don't like what I have on my property, look the other way. Put up a privacy fence. Put up a Leland Cypress." He added, "...It's not the government's place to come on my property and tell me 'you can't have this because I deem it unreasonable or unfit or that it's junk.' One man's junk is another man's treasure. I'd rather see a rusty tractor in my yard than a house 20 feet from me. I hate subdivisions. I don't like HOAs. That's why I don't live in one." Payne said, "I live on my property and I do as I want to because that's my freedom as an American citizen and a taxpayer in the country, and I hope you'll do the common-sense thing and amend this."

Steven Youngblood, Dawsonville, Georgia, said he has lived in Dawson County for 35 years. "I don't have trash in my front yard," he said. "My front yard is clean. I keep my grass cut. I keep my stuff behind my house. I've got my grandpa's truck, got a couple of my dad's old trucks and the first vehicle I ever had. I understand the safety. There are some pretty trashy places, but my place is not piled-up junk in the front yard. My stuff is in the back yard. This ordinance is written like a very strict HOA rule book. I didn't move up here to live in an HOA. I've got 12 acres of land and, according to that ordinance, I can't have anything outside on that property."

Anton Demidov, Dawsonville, Georgia, said he purchased 15 acres of land in Dawsonville and it has three abandoned vehicles in the middle. [By the current ordinance] I will be fined and put in jail. To get them out, I need to hire a huge helicopter, which doesn't make sense." He cited issues and the need for clarification concerning several sections of the ordinance to include outdoor storage, vegetation and utility-related items.

Doris Adams, Dawsonville, Georgia, said she was neither for nor against the ordinance and has questions. "I've been in Dawson County since January 1981," she said. "I live on a small 35-acre farm. As a matter of fact, my house is .6 of a mile off the road. I don't even have road frontage. What I need to know is: does your house and property have to be seen from the road to be an

eyesore? Does somebody have to report you or do you have people that just drive around and look for people that are not in compliance? Is this the city too, or just the county? Will you get a certified letter first? It says something about piles of sand or gravel. If you live on a farm, you've got to have a little gravel to put in the holes in the driveway when they wear out. Masonry blocks? We've probably got a dozen for different things on the farm. Does my barn and my hay barn have to be locked?"

Michael Turner, Roswell, Georgia, said, "From a historical perspective, my family first moved here in 1815. I've got items from buildings that are that old on my property. I've got two vehicles across the street that are over 100 years old that are art objects in front of my grandmother's house. According to this regulation, those kinds of things are now going to be in violation. I would encourage you to maybe focus this on subdivisions that are less than one acre, because that's what it seems to be written for. ... Additionally, you've made this retroactive, so it took hundreds of years for this county to get in the situation it's got. You can't flip a light switch and make a change like this. Now moving forward, if that's going to be the rules, fine. Also fine is more effective to offer incentives. There are ways to go about this, to work collectively with property owners to get where you think we might need to be. Other communities offer incentives like that."

Michael Dewese, Cumming, Georgia, said he is a Vietnam veteran. He said, "I fought for this country and for freedom. The reason we want a piece of property is so we can own the thing - have dogs, cats, rabbits, whatever we want. ... But no, you guys say 'it's our property. We're going to tell you what to do, how to do it' and that's not going to happen in my country. I'm tired of it. Our government in Washington D.C., is doing the same thing and you're falling right behind them and you're trying to take our freedom away from us - our freedom to live and die."

Amanda Sheffield, Dawsonville, said, "... You stated you were going to make changes to the ordinance: what are your intentions for the changes that are going to happen? Are we, as citizens of Dawson County, going to get to know what those are before something is passed and someone shows up on our property and tells us what we can and cannot have?" She added, "... I feel like trash is one thing. I understand that is a safety hazard, but who gets to choose what's trash? How is that right for you to choose what you like or don't like that I've worked hard to have?" She mentioned an area of the ordinance that restricts living in an RV. "Times are tough," she said. "If somebody's living in an RV on somebody's property and they're not spilling waste, that's not really a safety hazard. So would it not be better for somebody to be able have a roof over their head instead of living on the street because they've hit a hard time? I think there's a lot of government overreach in this to tell somebody that you have a timeline and you get a letter on this date and you have three weeks to clean it up or pay a \$1,000 fine or go to jail on a misdemeanor. ... That is not right. That is not fair to anybody. Now, you may have something in your yard that I don't like. I don't pay your taxes. I don't pay your bills. If I don't like it, I'm not going to look at it. I think most people should feel that way and do feel that way. I don't understand how a board can pass a law that says it's OK for you to make a decision to tell me that I can't have something. We pay taxes, and we should have the right to keep what we want."

Jennifer Bowman, Dawsonville, Georgia, said she is a veteran. "I moved to Dawsonville because I am a country girl, through and through, and this is where I want to be," she said. "I've lived in Forsyth County and other places in Georgia and I wanted to be here because it's quiet, because it's country, because we still have the community in place. I know there are issues that definitely need

to be addressed here in the county. However, with this ordinance in place, it is a slippery slope. Part of the reason I purchased the property I did was due to the fact that some people like to live in a neighborhood where there are rules that are imposed on them so they don't have to make those decisions and that's great - for them. I am not one of those people. That's why I moved to Dawsonville and that's why I do not live in a subdivision with an HOA because I don't want those rules imposed. Period. I'm paying for the property. I am a law-abiding citizen. I do what I'm supposed to do. I pay my taxes, but I want the government to leave me alone." She added, "There are some things in the ordinance I agree with, but I think it needs to be revised."

*The following spoke on a Vape Ordinance Review:*

Aseem Khan Qureshi, Dawsonville, Georgia, said he is the owner of the Chevron Food Mart at 104 Highway 400 South. "I'm here to talk about the Vape Ordinance the county passed a few years back in regards to covering the glass case with a display before you sell it," he said. "There are a lot of things under the name 'vape.' He added, "We have vape products in the store that almost every store carries. There are some items, after 14 years in the county, that I personally don't want in the store, or in the county for that matter. We had the same problem in Forsyth County when I had my store in Forsyth County. Forsyth passed the same kind of ordinance. They outlawed/banned a few things that are really harmful and bad for the community, for the kids. I'm with it." Qureshi brought items to show the difference. "A lot of other gas stations sell the other stuff that I'm against too, but these are nicotine-based," he said, referring to items his store sells. "This is nothing, not even tobacco; these are nicotine. It's a flavor product." Pointing to items called Delta 8, Delta 9 and Delta 10, Qureshi said, "I will be at the front of the line to tell you to outlaw these from the county. That's what Forsyth County did."

### **PUBLIC HEARING:**

*Extension of an Existing Moratorium on the Acceptance of Residential Rezoning Applications (1st of 1 hearing)*

Chairman Thurmond opened the hearing by asking if there was anyone present who wished to be heard on an Extension of an Existing Moratorium on the Acceptance of Residential Rezoning Applications and, hearing none, closed the hearing.

Motion passed 3-0 to approve, by way of a resolution, an Extension of an Existing Moratorium on the Acceptance of Residential Rezoning Applications until May 18, 2023. Dooley/Stowers

### **NEW BUSINESS:**

*Consideration of Property Maintenance Ordinance Review*

Motion passed 3-0 to execute a temporary moratorium concerning a Property Maintenance Ordinance until May 18, 2023, and pause the enforcement of the Property Maintenance Ordinance and any related or similar provision in the Litter Control and Solid Waste Management Ordinance. The purpose of the moratorium is to study the ordinances to be sure that the county is meeting its goals without any unintended or harmful consequences to the citizens. Any pending notices of potential violations issued by the Marshal's Office in January 2023 will be paused as well and no enforcement of currently pending matters will continue during this temporary moratorium. Dooley/Stowers

Consideration of Vape Ordinance Review

Motion passed 3-0 to table a Vape Ordinance Review until the March 2, 2023, Work Session.  
Bruce/Dooley

**PUBLIC COMMENT:**

Jim King, Dawsonville, Georgia, said, “We are on the design team for the new 9-1-1 center, which was originally scheduled to be constructed on 53 West, within the city limits, just outside of town. We are a subcontractor to the architect. We had a meeting a week ago and, during that meeting, [the issue of utilities] was brought to our attention. We did some preliminary due diligence and the utilities are not on the site. There’s a 2-inch water line in front of the site, but there’s a 12-inch water line. There is power and internet service about 900 feet from the site, so we’re going to have to extend all those utilities to the site. We came up with the idea of possibly looking at the Fire Station 2 site for relocation of the 9-1-1 center. That site has water; it even has sewer. There’s no sewer on [the Highway 53 West] site. There’d have to be a septic tank, so it seems like this would be a big savings for the county to move it to the Fire Station 2 site because all the utilities are there.” King added, “I did volunteer, free of charge, to look at the Fire Station 2 site to see if the 9-1-1 center and the parking and everything would fit on it, and it does look like it would. I think it’s worth further due diligence if the county wants to move in that direction.”

Michael Turner, Rowell, Georgia, praised Planning & Development Director Sharon Farrell “for the work she has done to date on multiple meetings about the development standards.” He said, “That’s the kind of community service and county employees that we need in this county.”

**ADJOURNMENT:**

**EXECUTIVE SESSION:**

Motion passed 3-0 to enter into Executive Session to discuss litigation and personnel.  
Dooley/Bruce

Motion passed 3-0 to come out of Executive Session. Dooley Stowers

APPROVE:

ATTEST:

\_\_\_\_\_  
Billy Thurmond, Chairman

\_\_\_\_\_  
Kristen Cloud, County Clerk