

**DAWSON COUNTY BOARD OF COMMISSIONERS  
VOTING SESSION MINUTES – JUNE 17, 2021  
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM  
25 JUSTICE WAY, DAWSONVILLE, GEORGIA 30534  
IMMEDIATELY FOLLOWING THE 4:00 PM WORK SESSION**

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**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 Attorney Angela Davis; County Clerk Kristen Cloud; and interested citizens of Dawson County. County Manager David Headley was not present.

**INVOCATION:** Chairman Thurmond

**PLEDGE OF ALLEGIANCE:** Chairman Thurmond

**ANNOUNCEMENTS:**

Chairman Thurmond announced that, following COVID-19 pandemic restrictions implemented in 2020, the Board of Commissioners will return to its normal meeting schedule on July 1, 2021, with work sessions at 4 p.m. and voting sessions at 6 p.m. on the first and third Thursday each month.

**APPROVAL OF MINUTES:**

Motion passed 4-0 to approve the Minutes of the Work Session held on June 3, 2021. Satterfield/Gaines

Motion passed 4-0 to approve the Minutes of the Voting Session held on June 3, 2021. Dooley/Fausett

**APPROVAL OF AGENDA:**

Motion passed 4-0 to approve the agenda as presented. Fausett/Gaines

**PUBLIC COMMENT:**

None

**PUBLIC HEARINGS:**

*Comprehensive Plan (1<sup>st</sup> of 1 hearing)*

Chairman Thurmond opened the hearing by asking if there was anyone present who wished to be heard on the Comprehensive Plan and, hearing none, closed the hearing.

Motion passed 4-0 to approve the Comprehensive Plan. Fausett/Dooley

*Possible Extension of Existing Moratorium on the Acceptance for Approval of Final Subdivision Plats that Create New Roads (1<sup>st</sup> 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 and, hearing none, closed the hearing.

Motion passed 4-0 to approve, by way of a resolution, to extend for 60 days (until August 20, 2021) an Existing Moratorium on the Acceptance for Approval of Final Subdivision Plats that Create New Roads. Gaines/Dooley

**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 20-25 - Fall Leaf Residential requests to rezone TMP 085-016 from RSR (Residential Sub-Rural) to RS2 (Residential Suburban 2) for the purpose of developing a 120-residential-lot subdivision (Highway 9 South). (Tabled indefinitely from the February 18, 2021, Voting Session, at which time a first public hearing was held)

Planning & Development Director Jameson Kinley said the applicant has returned with a new site plan and a list of stipulations it is “willing to implement on this particular rezoning application.” Kinley said the project’s density originally was proposed at Residential Suburban 3 (RS3) and now it is “an RS2 product. The density went from 141 units down to 120, so that’s 2.16 units per acre down to around 1.8.” Kinley said the applicant added an amenities area, as well as walking trails and some additional buffers, to the “proposed conservation neighborhood.” Kinley said the Planning Commission recommended denial of the application.

Neal Hendee of Pointe Property Group, Norcross, Georgia, representing the applicant, said the property is 65 acres and that the revised site plan, which includes zoning conditions and fewer homes, attempts to address concerns of the previous application. He said the applicant wants to “ensure that the homes in this development are the high-quality homes that you prefer.” Hendee read aloud 15 proposed zoning conditions.

Chairman Thurmond opened the hearing by asking if there was anyone present who wished to speak either for or against the application.

The following spoke in favor of the application:

- Jimmy Holbrook, Dawsonville, Georgia

The following spoke in opposition of the application:

- Donald L. Brown, Dawsonville, Georgia
- Renee Livingstone, Dawsonville, Georgia
- Joey Bearden, Dawsonville, Georgia
- Larry Grant, Dawsonville, Georgia
- India Hawkins, Dawsonville Georgia
- Brenda J. Johnston, Dawsonville, Georgia
- Greg & Jill Brock, Dawsonville, Georgia, submitted a comment, which was read aloud by Chairman Thurmond.

Chairman Thurmond asked if there was anyone else present who wished to speak on the application and, hearing none, closed the hearing.

Motion passed 3-1 to deny ZA 20-25. Gaines/Fausett- Commissioner Satterfield opposed the motion

ZA 21-10 - Chip Green requests to rezone TMP 104-062 and 104-061 from CHB (Commercial Highway Business) to CHI (Commercial Highway Intensive) for the purpose of opening a landscape supply business (Highway 53 East and Gober Road).

Planning & Development Director Jameson Kinley said the applicant's business currently is at the "top of Gober Hill" and that he seeks to move his business to the "bottom of Gober Hill" in order to expand the business. Kinley said the property is located at the corner of Highway 53 East and Gober Road. There is a house located on one piece of the property and the other piece is "currently being operated as a business for selling these mobile storage units," said Kinley. Kinley noted the only staff concern relates to Highway 53 and receiving Georgia Department of Transportation approval. However, Kinley said the applicant plans to use Gober Road, and not Highway 53, as the entrance and exit to the business.

Civil engineer Corey Guthrie, Dawsonville, Georgia, representing the applicant, said the applicant plans to relocate his business in order to grow his business. The 2.73-acre property, which the applicant owns, must be rezoned to operate a landscape business, "which is pretty much exactly the same type of business that he has where he is at now," according to Guthrie. Guthrie added, "It's a low-intensity business from a land disturbance standpoint. He will have an approximately 900-square-foot office..." Guthrie said the applicant proposes a 100-foot additional pavement on Gober Road ... to be able to pull trucks off of 53 on a paved section. This would improve a county road and then apron into this landscape facility." An existing house on the property would be removed, said Guthrie.

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 21-10. Satterfield/Dooley

ZA 21-11 - Jim King requests to rezone 23.11 acres of TMP 114-033-005, 114-018, 114-033-001 and 114-046-001 from RA (Residential Agriculture) and CCB (Commercial Community Business) to CHB (Commercial Highway Business) for the purpose of building a retail/office/warehouse space.

Planning & Development Director Jameson Kinley said, due to an advertising error, Planning & Development staff requests ZA 21-11 be tabled for a month so "we can hear the residential multi-family portion along with the commercial portion. As you see in the site plan ... they pretty much join one another."

Kinley said the property currently is large and vacant with a dilapidated house on it. He said the applicant looks to "do retail, office, warehouse and general retail space out around the accompanying rezoning application for Residential Multi-Family." He said Planning & Development staff recommends both applications be heard together to ensure "interparcel connectivity between these different types of zoning classifications." Kinley said the county's Future Land Use map designates the area as CHB "so this is an appropriate zoning classification for this area." Kinley said there are "a few stipulations in the staff analysis that we would recommend putting on this rezoning request."

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 21-11 for one month (until July 15, 2021). Fausett/Satterfield

ZA 21-13 - Dawson County requests to rezone TMP 114-019 from RA (Residential Agriculture) to RMF (Residential Multi-Family) for the purpose of constructing 89 townhomes (Highway 53 and Hughes Court).

VR 21-09 - Dawson County requests to vary from the Dawson County Land Use Resolution Article III, Section 308 C.6.b. (Highway 53 and Hughes Court).

Planning & Development Director Jameson Kinley read aloud nine proposed stipulations.

County Attorney Davis said, “This is an issue that’s been before you for consideration for some time and before the Dawson County Superior Court in the form of a lawsuit, and this is something we have worked on in trying to make for a better project. Ultimately, we have entered into a settlement agreement that has resulted in us calling for this public hearing. It does not obligate you to approve the zoning or the conditions as presented by Jameson, but if you do approve the zoning as presented with these conditions then it will result in the settlement and a dismissal of this lawsuit, and then obligate the developer to complete the project according to the conditions that we approve.”

Chairman Thurmond opened the hearing by asking if there was anyone present who wished to speak either for or against the application.

The following spoke in favor of the application:

- Attorney Joshua Scoggins of Miles, Hansford & Tallant, Cumming, Georgia, representing the owner of the property, Dawson Forest Holdings

None spoke in opposition of the application.

Motion passed 4-0 to approve ZA 21-13 and VR 21-09 with the following stipulations:

1. The property shall be developed in general accordance with the conceptual site plan prepared by Alliance Engineering & Planning dated 02-01-2021 (“Site Plan”) unless otherwise approved by staff; however, the main entrance must be accessed from Beartooth Parkway and in substantially the same location shown on the Site Plan, the secondary “emergency” access must be from Highway 53 and in substantially the same location and connected to a cul-de-sac as shown on the Site Plan, and the final development shall include not less than the same number of “guest parking” spots as shown on the Site Plan;
2. The development shall be restricted to 89 townhomes with a minimum width of 24 feet;
3. The setbacks on each lot shall be at least 20 feet in the front, 20 feet in the rear and 0 feet on the sides with no less than 20 feet between buildings;
4. Each home in the development shall have not less than a two-car, enclosed garage;
5. The minimum heated floor area per dwelling unit shall be 1,600 square feet;
6. All utilities shall be underground;

7. The developer shall use a variety of techniques to avoid the monotonous appearance of identical homes. Such techniques may employ among others the use of differing front elevations, architectural styles, building exteriors, setbacks and other similar techniques to provide a more pleasing appearance to the subdivision. The front façades of the homes shall be a mixture of brick, stone or cement fiber material with the sides and rear the same of fiber cement siding;
8. There shall be a landscaped entrance with a monument-type sign; and
9. Development shall have covenants that require maintenance of the landscaped entrance area, open space and the amenity area. Membership in the homeowners association is mandatory for all owners of properties and all properties within the development shall be subject to the covenants.

Satterfield/Dooley

**NEW BUSINESS:**

*Consideration of Updated Extension Office Memorandum of Understanding*

Motion was made by Commissioner Fausett, and seconded by Commissioner Dooley, to approve an Updated Extension Office Memorandum of Understanding. Following discussion, Commissioner Fausett withdrew the motion and Commissioner Dooley seconded the withdrawal of the motion.

Motion passed 4-0 to approve an Updated Extension Office Memorandum of Understanding, contingent upon, and to the extent of, the county's approved budget funds for this purpose, and with the county's budget serving as the referenced "financial agreement." Gaines/Dooley

*Consideration of IFB #382-21 - Road Rehabilitation Project for Dawson County*

Motion passed 4-0 to approve IFB #382-21 - Road Rehabilitation Project for Dawson County; to accept the bids submitted and to award a contract to Blount Construction in the amount not to exceed \$2,406,569.08, utilizing Special Purpose Local Option Sales Tax (SPLOST) VI funds. Satterfield/Dooley

*Consideration of Board Appointments:*

- **EMS Advisory Council**
  - *Danny Thompson- reappointment (Term: July 2021 through June 2024)*

Motion passed 4-0 to reappoint Danny Thompson to the EMS Advisory Council for a term of July 2021 through June 2024. Dooley/Fausett

- **Library Board**
  - *Peter Thomas- reappointment (Term: July 2021 through June 2025)*
  - *Alexandria Williams- replacing Susan Roof (Term: July 2021 through June 2025)*

Motion passed 4-0 to reappoint Peter Thomas and appoint Alexandria Williams to the Library Board for terms of July 2021 through June 2025. Gaines/Dooley

**PUBLIC COMMENT:**

None

**ADJOURNMENT:**

**EXECUTIVE SESSION:**

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

Motion passed 4-0 to come out of Executive Session. Satterfield/Dooley

APPROVE:

ATTEST:

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Billy Thurmond, Chairman

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Kristen Cloud, County Clerk