



**PAULDING COUNTY BOARD OF COMMISSIONERS
BOARD MEETING MINUTES
October 27, 2020**

Watson Government Complex
Second Floor – Board of Commissioners Meeting Room



CALL TO ORDER: David L. Carmichael, Chairman

**INVOCATION &
PLEDGE:**

County Attorney Jayson Phillips

PRESENT:

David L. Carmichael, Chairman; Ron Davis, Post I; Sandy Kaecher, Post II; Chuck Hart, Post III; Brian Stover, Post IV; Jayson Phillips, County Attorney; Frank Baker, County Administrator; Rebecca Merideth, County Clerk

MINUTES:

1. The October 13, 2020 Work Session Minutes and the October 13, 2020 Board Meeting Minutes were available for review.

Ron Davis made a motion to adopt the October 13, 2020, Work Session Minutes and October 13, 2020, Board Meeting Minutes, seconded by Sandy Kaecher. Voting Yea: Chairman Carmichael, Post I Ron Davis, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.

ANNOUNCEMENTS: None

INVITED GUESTS: None

BID AWARDS:

2. Award the purchase of a roller to Yancey Brothers, in the amount of \$58,689:

Brian Stover made a motion to approve the purchase of a Roller to Yancey Brothers, in the amount of \$58,689.00, seconded by Chuck Hart. Voting Yea: Chairman Carmichael, Post I Ron Davis, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.

3. Award the FY2020 Detention Pond Mowing and Maintenance Project, Project Number PR-POND-2020 to the low bidder, Tri Scapes, in the amount of \$53,750.00:

Sandy Kaecher made a motion to approve the FY2020 Detention Pond Mowing and Maintenance Project, Project Number PR-POND-2020 to the low bidder, Tri Scapes, in the amount of \$53,750.00, seconded by Chuck Hart. Voting Yea: Chairman Carmichael, Post I Ron Davis, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.

4. Award the Dallas Acworth Highway at Frey Road and Mt. Tabor Church Road, Project Number PR-IMP-CR710-(65)(32), to the low bidder, Bartow Paving, in the amount of \$2,951,575.76. SPLOST funds will be used for this project:

Ron Davis made a motion to approve the Dallas Acworth Highway at Frey Road and Mt. Tabor Church Road, Project Number PR-IMP-CR710-(65)(32), to the low bidder, Bartow Paving, in the amount of \$2,951,575.76, seconded by Brian Stover. Voting Yea: Chairman Carmichael, Post I Ron Davis, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.

5. Award the Courthouse Low Voltage Cable Replacement Project to the lowest bidder, Net Planner in the amount of \$79,874.50:

Sandy Kaecher made a motion to approve the Courthouse Low Voltage Cable Replacement Project to the lowest bidder, Net Planner in the amount of \$79,874.50, seconded by Brian Stover. Voting Yea: Chairman Carmichael, Post I Ron Davis, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.

REPORTS FROM COMMITTEES & DEPARTMENTS: None

PUBLIC PARTICIPATION ON AGENDA ITEMS:

CONSENT AGENDA: Chuck Hart made a motion to approve the following consent agenda items:

- 6. Adopt Community Development job classification for Stormwater Engineer.**

7. *Declare the following item listed as surplus and approve the disposal through auction or trade:*

<u>Department</u>	<u>Item Name</u>	<u>Make/Model</u>	<u>Serial Number</u>
Community Development	Truck Unit 406	2005 Ford Explorer	1FMZU72K55UB08290

8. *Authorize the Chairman to sign agreement with Greystone Power Corporation Utility Easement to service the Bennett Road Lift Station.* (See Attachment "A")
9. *Authorize the Chairman to sign agreement for Greystone Power Corporation Utility Easement to service Fire Station #12 Wayside Lane.* (See Attachment "B")

Seconded by Brian Stover. Voting Yea: Chairman Carmichael, Post I Ron Davis, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.

OLD BUSINESS:

10. *Resolution 20-38 ratifying the Settlement Agreement in the case of Anthony A. Cooper, Jr., vs. Paulding County, Georgia.* (Tabled from the October 13, 2020 Board Meeting):

Ron Davis made a motion to approve Resolution 20-38 ratifying the Settlement Agreement in the case of Anthony A. Cooper, Jr., vs. Paulding County, Georgia. (Tabled from the October 13, 2020 Board Meeting), seconded by Sandy Kaecher. Voting Yea: Chairman Carmichael, Post I Ron Davis, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover. (See Attachment "C")

11. *Resolution 20-39 abandoning a portion of the County Road known as Smith Road A/K/A County Road 286.* (Tabled from the October 13, 2020 Board Meeting):

Ron Davis made a motion to approve Resolution 20-39 abandoning a portion of the County Road known as Smith Road A/K/A County Road 286. (Tabled from the October 13, 2020 Board Meeting), seconded by Sandy Kaecher. Voting Yea: Post I Ron Davis, Post II Sandy Kaecher, Post III Chuck Hart. Voting Nay: Chairman Carmichael, Post IV Brian Stover. (See Attachment "D")

NEW BUSINESS:

12. *Amend Asphalt Contract I, with Bartow Paving to add asphalt paving for ten (10) streets in The Georgian subdivision.* Post II:

Brian Stover made a motion to approve amending the Asphalt Contract I, with Bartow Paving to add asphalt paving for ten (10) streets in The Georgian subdivision, Post II, seconded by Sandy Kaecher. Voting Yea: Chairman Carmichael, Post I Ron Davis, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover. (On file in the Transportation Department)

13. *Amend Asphalt Contract II, with CW Matthews Contracting Company Inc. to add asphalt paving for six (6) streets in the Stonewood Creek Subdivision.* Post IV:

Brian Stover made a motion to approve amending the Asphalt Contract II, with CW Matthews Contracting Company Inc. to add asphalt paving for six (6) streets in the Stonewood Creek Subdivision, Post IV, seconded by Chuck Hart. Voting Yea: Chairman Carmichael, Post I Ron Davis, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover. (On file in the Transportation Department)

14. *Project funding allotment increase in the amount of \$165,000., for the completion of the 2020 Asphalt Contract III, with CW Matthews Contracting Company Inc.:*

Ron Davis made a motion to approve a project funding allotment increase in the amount of \$165,000., for the completion of the 2020 Asphalt Contract III, with CW Matthews Contracting Company Inc., seconded by Sandy Kaecher. Voting Yea: Chairman Carmichael, Post I Ron Davis, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover. (On file in the Transportation Department)

15. *Authorize the Chairman to enter into an agreement with the Atlanta Regional Commission to secure funding for the Comprehensive Transportation Plan update, in the amount of \$625,000 with the County providing \$125,000 in match funds. SPLOST funds will be used for this project:*

Chairman Carmichael made a motion to enter into an Agreement with the Atlanta Regional Commission to secure funding for the Comprehensive Transportation Plan update, in the amount of \$625,000 with the County providing \$125,000 in match funds, seconded by Chuck Hart. Voting Yea: Chairman Carmichael, Post I Ron Davis, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover. (See Attachment "E")

16. 5-year Joint Funding Agreement for Water Resource Investigations with the U.S. Geological Survey for monitoring flow and water quality in Richland Creek, in the total amount of \$307,650:

Brian Stover made a motion to approve a 5-year Joint Funding Agreement for Water Resource Investigations with the U.S. Geological Survey for monitoring flow and water quality in Richland Creek, in the total amount of \$307,650.00, seconded by Sandy Kaecher. Voting Yea: Chairman Carmichael, Post I Ron Davis, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover. (On File in the Water System Department)

17. Resolution 20-40 confirming Executive Session for the purposes of Real Estate.

Ron Davis made a motion to approve Resolution 20-40 confirming Executive Session for the purposes of Real Estate, seconded by Sandy Kaecher. Voting Yea: Chairman Carmichael, Post I Ron Davis, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover. (See Attachment "F")

18. Sales Contract for the Purchase of approximately 202 acres of property adjoining Richland Creek Reservoir from Wells Fargo Bank for the price of \$1,010,000 and to authorize the Chairman to execute the necessary documents related there to.

Brian Stover made a motion to approve Sales Contract for the Purchase of approximately 202 acres of property adjoining Richland Creek Reservoir from Wells Fargo Bank for the price of \$1,010,000 and to authorize the Chairman to execute the necessary documents related there to, seconded by Sandy Kaecher. Voting Yea: Chairman Carmichael, Post I Ron Davis, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover. (See Attachment "G")

ITEMS FROM THE 2:00 PM PLANNING & ZONING COMMISSION:

2020-18-Z:

Chuck Hart made a motion to approve with the three (3) listed stipulations, application by JAMES LOSSICK TRUSTEE, requesting to rezone approximately 7.278 acres from B-1 (General Business) District to R-2 (Suburban Residential) District for residential uses. The property is located in Land Lots 1071 & 1072; District 2; Section 3; on the east side of Villa Rica Highway (SR 61) and north side of Jane Harris Road. (5035 Villa Rica Highway). POST 3

RECOMMENDATION BY THE PLANNING COMMISSION: APPROVAL (6-0-1).

1. Owner/Developer shall provide a 20-foot R.O.W. way miter at both corners of the intersection of Jane Harris Road and State Route 61. (All prior zoning conditions no longer apply)
2. Owner/Developer acknowledges property is in the mandatory Sweetwater Sewer Service Basin and dividing property into more than three (3) lots will trigger certain requirements be met from the Intergovernmental Wastewater Treatment Agreement for the Sweetwater Creek Basin between Paulding County, Georgia and Cobb County, Georgia dated July 17, 2007.
3. Owner/Developer acknowledges that sewer availability is not expressly implied as a result of zoning.

Seconded by Ron Davis. Yea: Chairman Carmichael, Post I Ron Davis, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.

2020-19-Z:

Chuck Hart made a motion to approve application by MARGARET RHODES, requesting to rezone 14.72 acres from R-2 (Suburban Residential) District to A-1 (Agricultural) District for use as a riding stable. Existing barn will be used to house horses. Property is located in Land Lot 758; District 2; Section 3; west of Metromont Road and east of Arnold Lane. (370 Angham Road). POST 3

RECOMMENDATION BY THE PLANNING COMMISSION: APPROVAL (6-0-1).

Seconded by Brian Stover. Yea: Chairman Carmichael, Post I Ron Davis, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.

2020-20-Z:

Ron Davis made a motion to approve, with the five (5) listed stipulations, application by JOEL L. LARKIN ON BEHALF OF HIRAM FIRST BAPTIST CHURCH, INC., requesting to rezone 30.01 acres from PRD (Planned Residential Development) District to R-2 (Suburban Residential) District to unify the zoning of this property with the current church property as well as to facilitate the expansion of the existing church uses. Applicant would also like to remove the conditions presently applicable to the PRD zoning. Property is located in Land Lots 764 and 821; District 2; Section 3; on the north side of Hiram Sudie Road, east of New Harmony Church Road (4211 Hiram-Sudie Road).
POST 1

RECOMMENDATION BY THE PLANNING COMMISSION: APPROVAL (6-0-1).

1. Owner/Developer agrees to provide 60 foot of R.O.W along Travis Lane, (30' from each side of centerline of the road).
2. Owner/Developer agrees to provide 60 foot of R.O.W along New Harmony Church Road, (30' from each side of centerline of the road).
3. Owner/Developer agrees access to the development shall be determined during plan review process.
4. Owner/Developer agrees that driveway access onto Travis Lane will be gated and used for overflow parking/events only.
5. Owner/Developer agrees to provide sufficient area for County to construct a County standard cul-de-sac at the end of Calm Waters Avenue.

Seconded by Brian Stover. Yea: Chairman Carmichael, Post I Ron Davis, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.

2020-21-Z:

Ron Davis made a motion to approve, with the two (2) stipulations, application by JOEL L. LARKIN ON BEHALF OF LENNY OLIM, requesting to rezone 2.662 acres from B-1 (General Business) District (0.944 acres) and B-2 (Highway Business) District (1.718 acres) to B-2 (Business Highway) District to unify the zoning and obtain a special use permit to allow the applicant to rebuild a burned down self-storage structure. Property is located in Land Lots 1249 & 1250; District 3; Section 3; east side of Bobo Road; west side of Hosiery Mill Road and south of Dallas Acworth Highway. (143 Hosiery Mill Road) POST 1. Seconded by Sandy Kaecher, the Commission continue to discuss this item.

RECOMMENDATION BY THE PLANNING COMMISSION: APPROVAL (6-0-1).

Brian Stover stated he would like to have an added stipulation stating
“the Owner/Developer agrees that Board of Commissioner approval is required prior to building any new self-storage buildings on the former B-1 tract.”

Ron Davis amended his motion to include the stipulation read by Brian Stover.

County Attorney, Jayson Phillips, clarified that Commissioner Davis has made a motion to amend his existing motion to add an additional stipulation stating that the Owner/Developer agrees that Board of Commissioner approval is required prior to building any new self-storage buildings on the former B-1 tract. He stated that upon a second, the motion would be amended.

Chairman Carmichael asked for a second on the amended motion. Brian Stover made a second. Yea: Chairman Carmichael, Post I Ron Davis, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.

County Attorney, Jayson Phillips, stated that at this point, Commissioner Davis' original motion has been amended from two (2) stipulations to three (3) stipulations. That motion is now pending for any discussion and ultimately a vote.

1. Owner/Developer agrees no billboards will be located on the site.
2. Owner/Developer agrees access to remain unchanged from existing access today for development.

3. Owner/Developer agrees that Board of Commissioner approval is required prior to building any new self-storage buildings on the former B-1 tract.

Yea: Chairman Carmichael, Post I Ron Davis, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.

2020-09-SUP:

Chris Robinson stated that the new stipulation from the previous agenda item would need to be added to this item.

Ron Davis made a motion to approve, with the one (1) added stipulation from the previous agenda item, application by JOEL L. LARKIN ON BEHALF OF LENNY OLIM, requesting a Special Use Permit on 2.662 acres to make the property conforming to current applicable zoning requirements and to allow the applicant to rebuild a burned self-storage building. Property is located in Land Lots 1249 & 1250; District 3; Section 3; east side of Bobo Road; west side of Hosier Mill Road and south of Dallas Acworth Highway. (143 Hosier Mill Road) POST 1

RECOMMENDATION BY THE PLANNING COMMISSION: APPROVAL (6-0-1).

County Attorney, Jayson Phillips, clarified that Commissioner Davis' motion is to approve the SUP with the one additional stipulation from the previous agenda item.

1. Owner/Developer agrees that Board of Commissioner approval is required prior to building any new self-storage buildings on the former B-1 tract.

Seconded by Sandy Kaecher. Yea: Chairman Carmichael, Post I Ron Davis, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.

Zoning Ordinance Text Amendment

Brian Stover made a motion to approve Ordinance 20-11, Paulding County Zoning Ordinance (2003 as amended) Text Amendment: The amendment is in regards to Article VIII, Section M, to include "Brewery" as a Special Exception Use, and other provisions relating to the addition of the use. (See Attachment H)

RECOMMENDATION: APPROVAL (6-0-1).

TO ADOPT ORDINANCE 20-11

Seconded by Ron Davis. Yea: Chairman Carmichael, Post I Ron Davis, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.

CONCLUSION OF REGULAR BUSINESS

EXECUTIVE SESSION: None

PUBLIC PARTICIPATION ON NON-AGENDA ITEMS: None

Chairman Carmichael asked if there were any comments or announcements. He asked Mr. Baker to make an announcement regarding Red Ribbon Week.

Frank Baker, County Administrator, stated that Red Ribbon Week is one of the longest running campaigns in the United States for drug prevention. Red Candles have been placed in the 2nd and 3rd story windows in honor of Red Ribbon Week. He wanted to thank Drug-Free Paulding and Christina Kelly, Deputy 911 Director, for the idea.

Commissioner Davis announced that voting is open and urged everyone to vote.


Sandy Kaecher stated that Deidra and her staff have done an excellent job. Compared to other counties and their issues, Paulding County is blessed to have Deidra.

Chairman Carmichael announced that he would cheer-on Sandy as she speaks at the Empowering Women Meeting tomorrow.

Commissioner Hart wanted to thank the staff hard work.

Commissioner Stover announced that the Town of Ynot in the Burnt Hickory Community will display crosses recognizing all of the fallen veterans of Paulding County on November 10, 2020 and November 11, 2020 from 9:00 am until dusk. The display will be located at 586 Benson Road, which is the entrance to the Town of Ynot.

ADJOURNMENT: Ron Davis made a motion to adjourn, seconded by Brian Stover. Voting Yea: Chairman Carmichael, Post I Ron Davis, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.


Rebecca Merideth, County Clerk


David L. Carmichael, Chairman