



**PAULDING COUNTY BOARD OF COMMISSIONERS
BOARD MEETING MINUTES
January 26, 2021**

Watson Government Complex
Second Floor – Board of Commissioners Meeting Room

CALL TO ORDER: David L. Carmichael, Chairman

**INVOCATION
& PLEDGE:** Commissioner Keith Dunn, Post I

PRESENT: David L. Carmichael, Chairman; Keith Dunn, Post I; Sandy Kaecher, Post II; Chuck Hart, Post III; Brian Stover, Post IV; Tom Cable, County Attorney; Frank Baker, County Administrator; Rebecca Merideth, County Clerk

MINUTES:

1. Brian Stover made a motion to adopt the January 12, 2021, Work Session and Board Meeting Minutes were available for review, seconded by Chuck Hart. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.

ANNOUNCEMENTS: None

INVITED GUESTS: None

BID AWARDS:

2. Purchase of a track loader to the lowest bidder, L & N Supply, in the amount of \$67,334.00:
Sandy Kaecher made a motion to approve the purchase of a track loader to the lowest bidder, L & N Supply, in the amount of \$67,334.00, seconded by Brian Stover. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover. (On file in the Finance Department)

3. Purchase of materials to provide installation of the Seven Hills Connector Water Main in the amount of \$464,779.70:
Brian Stover made a motion to approve the purchase of materials to provide installation of the Seven Hills connector Water Main in the amount of \$464,779.70, seconded by Sandy Kaecher. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover. (On file in the Water System Department)

4. Flow monitoring services for Pumpkinvine and Coppermine Sewer Treatment Plants to ADS Environmental Services in the amount of \$285,334.00:
Chuck Hart made a motion to award the flow monitoring services for Pumpkinvine and Coppermine Sewer Treatment Plants to ADS Environmental Services in the amount of \$285,334.00, seconded by Keith Dunn. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover. (On file in the Water System Department)

REPORTS FROM COMMITTEES & DEPARTMENTS: None

PUBLIC PARTICIPATION ON AGENDA ITEMS: Citizens spoke before the Planning Commission Items:

Jeannie Hunt Re: 2021-03-Z stated her concerns with the application and asked for a specific number of homes and is concerned about the impact on the roads and schools

Jonathan Jones Re: Mandatory Sewer vs Local Building.

Debra Sever Re: 2021-03-Z stated her concerns with the application.

Tim Murphy Re: 2021-03-Z stated his concerns with the application and the traffic this many houses would bring. He further stated that he was not notified and found out through at social media post.

Commissioner Stover addressed Mr. Murphy's concerns and stated that Ms. Sever was appoint to serve on the Planning and Zoning commission because she lives in the Seven Hills District. He further stated that he hoped the notices were posted properly.

Chairman Carmichael asked Rebecca Merideth and Ann Lippmann to explain the posting process.

Rebecca Merideth, BOC Executive Assistant and County Clerk, stated the agendas for each meeting are posted the Friday before the meeting to the County website, and at the meeting location. The backup material for the agenda items of each meeting are available to the public upon request.

Ann Lippmann, Community Development Director, explained the process of how Community Development notifies the public of their meetings.

Emily Jeffries Re: 2021-03-Z shared her concerns of overcrowding at the schools and traffic on Seven Hills. She also addressed her concerns regarding rental property.

Simon Bloom Re: 2021-03-Z he stated he had no comments but would answer any questions the Board had.

Commissioner Kaeher wanted to make sure that the audience was aware that the land is zoned R-2 already and could have 710 homes built on it today without coming before the Board for approval. She further stated that the developer is working with the School District by providing land and is also working to help with road improvement and sewer.

Greg Randolph Re: 2021-04-Z stated his concerns regarding not being able to sell this property.

Chairman Carmichael reminded Mr. Randolph that this zoning application was not on today's agenda.

Stephen Corno Re: 2021-03-Z Ask to have rental percentages set at a lower number.

Ben Houston was on the list but declined to speak.

Lorrie Martin Re: 2021-03-Z was on the list but declined to speak

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

5. *Adopt Elections job classification for a full time Elections Clerk.*
6. *Adopt Resolution 21-01 approving the waiver of certain penalties and interest by the Paulding County Tax Commissioner. (See Attachment "A")*
7. *Authorize the Chairman to sign a Quit Claim Deed to transfer the right of way currently owned by Paulding County Board of Commissioners, and any associated drainage easements for the Justice Center Drive project, to the City of Dallas. (See Attachment "B")*
8. *Appoint John Grant to serve on the Recreation Board as the representative for Post II, the Board is a five-year term beginning January 1, 2021 and expiring on December 31, 2025.*
9. *Reappoint Michael Craton to the Water Sewer Advisory Board as the Post II representative, with a one-year term beginning January 1, 2021 and expiring on December 31, 2021.*

Seconded by . Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaeher, Post III Chuck Hart, Post IV Brian Stover.

OLD BUSINESS: None

NEW BUSINESS:

10. *Extend the existing Contract Services Agreement for the Paulding County Kiosk Program for one-year:*

Chuck Hart made a motion to approve the option to extend the existing Contract Services Agreement for the Paulding County Kiosk Program for one-year, seconded by Chairman

Carmichael. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover. (On file in the County Clerk's Office)

11. Project funding allotment increase in the amount of \$30,000.00, for the completion of the Costco Drive Project, Project Number PR-IMP(034)-(1):

Keith Dunn made a motion to approve a project funding allotment increase in the amount of \$30,000.00 for the completion of the Costco Drive Project, Project Number PR-IMP(034)-(1), seconded by Sandy Kaecher. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover. (On file in the Transportation Department)

12. Change Order No.9 for CMAR Services for the RCR Water Treatment Plant, Etowah River Pump Station, and Reservoir Pump Station to extend PC Construction's contract final completion date to March 31, 2021:

Brian Stover made a motion to approve Change Order No. 9 for CMAR Services for the RCR Water Treatment Plant, Etowah River Pump Station, and Reservoir Pump Station to extend PC construction's Contract final completion date to March 31, 2021, seconded by Chuck Hart. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover. (On file in the Water System Department)

13. Agreement with Kelly Landscapes Management, Inc. for the Roadside Right-of-Way Turf Maintenance Services Contract in the amount of \$168,597.65. The contract provides for finish mowing, string trimming, edging and litter pickup of approximately 66 acres (10.5 acres of median and 55.43 acres of roadside shoulders) on various County roads:

Brian Stover made a motion to approve the Chairman to enter into an Agreement with Kelly Landscapes Management, Inc. for the Roadside Right-of-Way Turf Maintenance Services Contract in the amount of \$168,597.65. The Contract provides for finish mowing, string trimming, edging and litter pickup of approximately 66 acres (10.5 acres of median and 55.43 acres of roadside shoulders) on various County roads, seconded by Keith Dunn. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover. (On file in the Transpiration Department)

14. Approve a Development Agreement with North Paulding Development, LLC for construction of a water main along a portion of Seven Hills Connector:

Chairman Carmichael made a motion to approve a Development Agreement with North Paulding Development LLC for construction of a water main along a portion of Seven Hills Connector, seconded by Sandy Kaecher. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover. (On file in the Transportation Department)

15. Resolution 21-02 confirming Executive Session for the purposes of Real Estate and personnel.

Brian Stover made a motion to adopt Resolution 20-02 confirming Executive Session for the purposes of Real Estate and Personnel, seconded by Chuck Hart. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover. (See Attachment "C")

ITEMS FROM THE 2:00 PM PLANNING COMMISSION MEETING

2020-22-Z: Sandy Kaecher made a motion to approve with two (2) stipulations application by **ZACHARY & LINDSY SHUMOSKI**, requesting to rezone 5.513 acres from R-2 (Suburban Residential) District to A-1 (Agricultural) District for agricultural purposes. Property is located in Land Lot 854; District 2; Section 3; at 405 Paulding Blvd. POST 2. Seconded by. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.

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

1. Owner/Applicant agrees to no swine facilities, structures or uses on the property.
2. Owner/Applicant agrees to a maximum of five (5) goats on the property.

2021-02-Z: Chuck Hart made a motion to approve application by **LORRIE MARTIN**, requesting to rezone 21 acres from PRD (Planned Residential Development) District to R-2 (Suburban Residential) District to return property to conforming zoning requirements. Property is located in Land Lot 606; District 2; Section 3; located near the corner of Watts Rd and Coppermine Rd. POST

- 3 Seconded by Chairman Carmichael. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.

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

2021-03-Z: Brian Stover made a motion to approve with nine (9) stipulations application by **SIMON H. BLOOM**, requesting to rezone approximately 355.2 acres of R-2 (Suburban Residential) District to MPR (Master Planned Residential) District for a planned community development with a density of 2 units per acre, and a maximum of 710 lots. Property is located in Land Lots 669-701, 740, 773, 812, 845, and 884-886; District 3; Section 3; located West of Gullledge Road and Seven Hills Boulevard. POST 4 Seconded by Sandy Kaecher. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.

RECOMMENDATION FROM THE PLANNING COMMISSION: APPROVAL (5-1-1).

1. Owner/Developer agrees to follow terms contained in the development agreement dated June 26, 2020.
2. Owner/Developer agrees access to the development shall be determined during the plan review process.
3. Owner/Developer agrees roadway section(s) and associated geometrics to be determined during plan review process.
4. Owner/Developer shall be responsible for incorporating horizontal traffic calming practices. All practices shall be approved by the Paulding County Department of Transportation and designed in accordance with the Institute of Transportation Engineers (ITE) Manual for Traffic Calming.
5. Owner/Developer acknowledges this development is within the mandatory Pumpkinvine Sewer Service Basin.
6. Owner/Developer acknowledges that sewer availability is not expressly implied as a result of zoning.
7. Owner/Developer acknowledges that sewer availability is the subject of a development agreement with Paulding County dated November 12, 2019.
8. Owner/Developer agrees to provide notification to the School System at the time a pod has been sold.
9. Owner/Developer agrees to restrict up to 50% of the proposed homes as rental. This will be enforced by the Homeowners Association through the required protective covenants.

2021-05-Z: Brian Stover made a motion to approve with twelve (12) stipulations application by **ELITE ENGINEERING** requesting to rezone 32.80 acres from R-2 (Suburban Residential) to R-2 With Sewer (Sewered Suburban Residential) for the proposed development of a 63 lot single-family subdivision. Property is located in Land Lots 53 and 52; District 2; Section 3; located on the west side of Dallas-Acworth Highway and south of Industrial Boulevard North. POST 4 Seconded by Chuck Hart. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Chuck Hart, Post IV Brian Stover.

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

1. Owner/Developer shall submit detailed landscaping plans prepared by a registered design professional for entrances, amenity, and required buffer areas for review/approval by the Planning and Zoning Division during the Plan Review Process.
2. Owner/Developer agrees to increase the required 25 ft. undisturbed/planted buffer along the perimeter of the development to 40 ft. where the development adjoins industrial zoned properties.
3. Owner/Developer acknowledges all amenity areas, detention area lots, lift station lots, easements, parking areas, and buildings may not be accounted for as greenspace areas.

4. Owner/Developer agrees to provide an archaeological investigation study for historical and archaeological significance of the site that will be prepared by an archaeological consultant which meets the Secretary of the Interior's Professional Qualification Standards.
5. Owner/Developer agrees access to the development shall be determined during the plan review process.
6. Owner/Developer agrees to a donation of property to accommodate a 120 ft. R.O.W., which would be 60 feet from the centerline of Dallas-Acworth Hwy.
7. Owner/Developer shall provide 10' of additional permanent easement along Dallas-Acworth Highway.
8. Owner/Developer agrees to provide a traffic impact study for this development. The traffic impact study will include existing and base year (fully built out year) build and no build analysis, and design year (base year plus 10 years) build and no build analysis. Study parameters and assumptions to be agreed on by Paulding County DOT.
9. Owner/Developer shall be responsible for incorporating horizontal traffic calming practices. All practices shall be approved by the Paulding County Department of Transportation and designed in accordance with the Institute of Transportation Engineers (ITE) Manual for Traffic Calming.
10. Owner/Developer acknowledges sewer service is through the city of Dallas.
11. Owner/Developer agrees to relocate water mains outside acceleration/deceleration lanes, if required.
12. Owner/Developer agrees all dwelling units will meet the following design standards:
 - (a) Building Design.

All dwelling units including attached two-car garages or carports architectural design elements described below as approved by the Planning and Zoning Division.
 - (b) Building materials. Dwellings constructed in the Low Density Quality Residential Development District shall be subject to the following requirements.
1. Building materials for exterior walls are limited to the following: brick, stone, cement board siding, and glass. Vinyl components – not horizontal siding may be permitted for aesthetic purposes.
2. Building materials for roofs may be one of the following:
 - a. Architecturally textured composition shingles.
 - b. Slate shingles.
 - c. Standing seam metal roof approved by the Director of Community Development.
3. Flat roofs (pitch less than 1:12) shall not be permitted on any building roof consisting of more than 200 sq. ft. in area.

CONCLUSION OF REGULAR BUSINESS

Chairman Carmichael asked the Board if they had any comments.

Commissioner Hart stated he feel people need to be more tolerant, He stated that the County is growing and the BOC is here to help control it.

Commissioner Dunn announced that Costco received their Certificate of Occupancy today. The fueling station is open for business and the Grand Opening is March 11, 2021.

Chairman Carmichael thanked the Law Firm of Talley Richardson and Cable for the work they provide the County.

Mr. Tom Cable, County Attorney, stated it was an honor and privilege to serve the County.

Commissioner Stover stated that he has seen a lot of litter while driving around the County. He wants people to have pride in the county and to refrain from littering.

EXECUTIVE SESSION: None

PUBLIC PARTICIPATION ON NON-AGENDA ITEMS: None

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



Rebecca Merideth, County Clerk

David L. Carmichael, Chairman