



**PAULDING COUNTY BOARD OF COMMISSIONERS  
BOARD MEETING MINUTES  
August 23, 2022**

Watson Government Complex  
Second Floor – Board of Commissioners Meeting Room

**CALL TO ORDER:** David L. Carmichael, Chairman

**INVOCATION & PLEDGE:** Jayson Phillips, County Attorney

**PRESENT:** David L. Carmichael, Chairman; Keith Dunn, Post I; Sandy Kaecher, Post II (via phone); Virginia Galloway, Post III; Brian Stover, Post IV; Jayson Phillips, County Attorney; Frank Baker, County Manager; Rebecca Merideth, County Clerk

**MINUTES:**

- The August 9, 2022 Work Session Minutes and the August 9, 2022 Board Meeting Minutes:* Brian Stover made a motion to adopt the August 9, 2022 Work Session Minutes and the August 9, 2022 Board Meeting Minutes, seconded by Virginia Galloway. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Virginia Galloway, Post IV Brian Stover.

**ANNOUNCEMENTS:** None

**INVITED GUESTS:** None

**BID AWARDS:**

- Award the purchase of two Ford Transit 150 Vans to the lowest bidder, Hardy Family Ford in the amount of \$66,677.64 each, SPLOST funds will be used for the purchases:*  
Discuss action to award the purchase of two Ford Transit 150 Vans to the lowest bidder, Hardy Family Ford in the amount of \$66,677.64 each, SPLOST funds will be used for the purchases. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Virginia Galloway, Post IV Brian Stover. (On file in the Finance Department)

**REPORTS FROM COMMITTEES & DEPARTMENTS:** None

**PUBLIC PARTICIPATION ON AGENDA ITEMS:**

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

- Approve and confirm the reappointments of Pat Rakestraw, Jody Palmer, Katie Anderson, Kim Freedman, and the new appointment of Gail Crew to the Paulding County Library Board of Trustees for a three-year term ending June 30, 2025.*

- Adopt the Solicitor General's job classification for Legal Assistant.*

- Declare the following items listed as surplus, and approve their disposal through auction or trade:*

Surplus Items		
<u>Department</u>	<u>Item Name</u>	<u>Serial Number</u>
Sheriff	Unit 49	2FAFP71W35X134419
Sheriff	Unit P-9	2FAFP71V58X170012
Sheriff	Unit P-18	6GIMK5U26CL660207
Sheriff	Unit P-23	2FABP7BV1AX129010
Sheriff	Unit P-25	2FAFP71WX7X134534
Sheriff	Unit P-39	2FABP7BV8AX129022
Sheriff	Unit P-59	2FAFP71W87X134533

Sheriff	Unit S-79	2005 Ford Crown Vic	2FAFP71W85X146582
Sheriff	Unit S-82	2007 Ford Crown Vic	2FAFP71W17X134535
Sheriff	Unit S-121	2013 Smart Car	WMEEJ3BA2DK689982

Seconded by Sandy Kaecher. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Virginia Galloway, Post IV Brian Stover.

**OLD BUSINESS:** None

**NEW BUSINESS:**

6. *Letter to the Georgia Department of Audits appealing the results and conclusions from the 2021 Sales Ratio Study and authorizing the Board of Tax Assessors to act as the County's representative therein:*

Brian Stover made a motion to authorize the Chairman to execute a letter to the Georgia Department of Audits appealing the results and conclusions from the 2021 Sales Ratio Study and authorizing the Board of Tax Assessors to act as the County's representative therein. Seconded by Keith Dunn. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Virginia Galloway, Post IV Brian Stover. (On file in the County Clerk's Office)

7. *Sanitary Sewer Line Improvements and Existing Sewer Line Tests Project, located at the Paulding County Airport, to Southern Pipe & Grading, LLC in the amount of \$1,834,703.10. ARPA funds will be used for the project, located in Post 2:*

Sandy Kaecher made a motion to approve the Sanitary Sewer Line Improvements and Existing Sewer Line Tests Project, located at the Paulding County Airport, to Southern Pipe & Grading, LLC in the amount of \$1,834,703.10. ARPA funds will be used for the project, located in Post 2. Seconded by Virginia Galloway. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Virginia Galloway, Post IV Brian Stover. (On file in the Finance Department)

8. *Holt Consulting Company, LLC to provide Construction Phase Services for the sanitary sewer line improvements and existing sanitary sewer line testing at the Paulding County Airport, in the approximate amount of \$157,400.00. ARPA funds will be used, located in Post 2:*

Sandy Kaecher made a motion to approve Holt Consulting Company, LLC to provide Construction Phase Services for the sanitary sewer line improvements and existing sanitary sewer line testing at the Paulding County Airport, in the approximate amount of \$157,400.00. ARPA funds will be used, located in Post 2. Seconded by Brian Stover. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Virginia Galloway, Post IV Brian Stover. (On file in the Finance Department)

9. *Resolution 22-33 authorizing condemnation of a tract of land for the construction, operation, and maintenance of a public sewer line comprised of 500.50 square feet of Permanent Sewer Easement and 2,163 square feet of Temporary Construction Easement, being Tax Parcel No. 141.1.2.007.0000, 2nd District, 3rd Section of Paulding County, Georgia by the Declaration of Taking Method pursuant to the provisions of O.C.G.A. §§ 22-3-140 and 32-3-4:*

Keith Dunn made a motion to adopt Resolution 22-33 authorizing condemnation of a tract of land for the construction, operation, and maintenance of a public sewer line comprised of 500.50 square feet of Permanent Sewer Easement and 2,163 square feet of Temporary Construction Easement, being Tax Parcel No. 141.1.2.007.0000, 2nd District, 3rd Section of Paulding County, Georgia by the Declaration of Taking Method pursuant to the provisions of O.C.G.A. §§ 22-3-140 and 32-3-4. Seconded by Virginia Galloway. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Virginia Galloway, Post IV Brian Stover. (Attachment "A")

10. *Coppermine WRF Membrane Expansion Project Contract Amendment Number 3 for construction management and additional services during construction, to Tetra Tech in an amount not to exceed \$713,056.00. ARPA funds will be used for this project, located in Post 3.*
- Virginia Galloway made a motion to approve the Coppermine WRF Membrane Expansion Project Contract Amendment Number 3 for construction management and additional services during construction, to Tetra Tech in an amount not to exceed \$713,056.00. ARPA funds will be used for this project, located in Post 3. Seconded by Chairman Carmichael. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Virginia Galloway, Post IV Brian Stover. (On file in the Water System Department)

**11. Ordinance 22-12 Amending Article 1.6.7 of the Development Regulations of Paulding County, Georgia regarding the Maximum Number of Residential Dwelling Units with only one street access:**

Virginia Galloway made a motion to adopt Ordinance 22-12 Amending Article 1.6.7 of the Development Regulations of Paulding County, Georgia regarding the Maximum Number of Residential Dwelling Units with only one street access. Seconded by Sandy Kaecher. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Virginia Galloway, Post IV Brian Stover. (Attachment “B”)

**12. Ordinance 22-11 Enacting a New Section 62-38 of the Official Code of Paulding County, Georgia regarding Utility Accommodations in Rights-Of-Way:**

Keith Dunn made a motion to adopt Ordinance 22-11 Enacting a New Section 62-38 of the Official Code of Paulding County, Georgia regarding Utility Accommodations in Rights-Of-Way. Seconded by Brian Stover. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Virginia Galloway, Post IV Brian Stover. (Attachment “C”)

**13. Resolution 22-34 confirming Executive Session for the purpose of Pending Litigation and Real Estate:**

Chairman Carmichael made a motion to adopt Resolution 22-34 confirming Executive Session for the purpose of Pending Litigation and Real Estate. Seconded by Virginia Galloway. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Virginia Galloway, Post IV Brian Stover. (Attachment “D”)

**Items from the August 23, 2022 Planning Commission.**

**14. 2022-01-Z:** Sandy Kaecher made a motion to approve Application by RICHARD BUTLER C/O HEIRS OF BUTLER ESTATE; requesting to rezone 0.74 acres from A-1 (Agricultural) District to R-2 (Suburban Residential) District, consisting of one single-family home and to sell the family estate. Property is located in Land Lot 622; District 1; Section 3; property address is 2725 Marshall Fuller Road. POST 2. Seconded by Keith Dunn. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Virginia Galloway, Post IV Brian Stover.

**15. 2022-22-Z:** Brian Stover made a motion to approve with 10 listed stipulations Application by 219 JET, LLC / YAHUI LIU; requesting to rezone approximately 29.099 acres from R-2 (Suburban Residential) District & PRD (Planned Residential Development) District to R-3 (Sewered Suburban Residential) District to develop a subdivision of approximately 34 single-family detached homes. Property is located in Land Lots 542 & 543; District 3; Section 2; project site is located west side of Dallas Acworth Hwy, south of Stonewood Creek Drive. POST 4. Second by Chairman Carmichael. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Virginia Galloway, Post IV Brian Stover.

RECOMMENDATION FROM THE PLANNING COMMISSION: DENIAL (4-1-1).

(Staff Recommendations)

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 public access to county maintained detention/retention areas located on the site shall not be permitted. Design of such facilities shall incorporate measures to ensure public safety. This stipulation will not apply to privately owned and maintained detention/retention areas.
3. Owner/Developer agrees to a 75 ft. undisturbed buffer along Dallas-Acworth Highway. (Measured 145 ft. from the centerline of Dallas-Acworth Highway, with an allowance for one driveway within the buffer. – Applicant Request)
4. Owner/Developer agrees access to the development shall be determined during the plan review process.
5. Owner/Developer agrees to coordinate with the Georgia Department of Transportation (GDOT) on proposed widening of SR 92 (Hiram Acworth Highway).

6. Owner/Developer shall be responsible for incorporating horizontal traffic calming practices within the development, if required by PCDOT. 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.
7. Owner/Developer agrees to discuss with the Paulding County School System if an emergency access would be desired from Russom Elementary School to this development.
8. Owner/Developer acknowledges this development is in the mandatory Pumpkinvine Sewer Service Basin.
9. Owner/Developer acknowledges that sewer availability is not expressly implied as a result of zoning.
10. Owner/Developer agrees to relocate water lines out from under any proposed acceleration/deceleration lanes if required.
16. **2022-23-Z:** Virginia Galloway made a motion to approve with the 8 listed stipulations and adding a 9th stipulation. Application by HARKAMAL SINGH GREWAL; requesting to rezone four parcels totaling approximately 39.75 acres from R-2 (Suburban Residential) District and B-1 (General Business) District to B-2 (Highway Business) District for the construction of a gas distribution retail center. Property is located in Land Lots 968 & 969; District 2; Section 3; on the southwest corner of the intersection of Hiram-Douglasville Highway (SR 92) and Bill Carruth Parkway. POST 3. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Virginia Galloway, Post IV Brian Stover.

RECOMMENDATION FROM THE PLANNING COMMISSION: APPROVAL (5-0-1).

1. Owner/Developer agrees no billboard signs will be located on the site/property.
2. Owner/Developer agrees access to the development shall be determined during the plan review process.
3. Owner/Developer agrees to coordinate with the Georgia Department of Transportation (GDOT) on proposed widening of SR 92 (Hiram Acworth Highway).
4. Owner/Developer agrees to provide a traffic impact study for this development. Study parameters and assumptions to be agreed on by Paulding County DOT.
5. Owner/Developer acknowledges the property is in the mandatory Coppermine Sewer Service Basin.
6. Owner/Developer acknowledges that sewer availability is not expressly implied as a result of zoning.
7. Owner/Developer agrees to relocate water lines out from under any proposed acceleration/deceleration lanes if required.
8. Owner/Developer agrees to no overnight parking on the premises.
9. Owner/Developer agrees to no operations of coin machines on property. (**Added Stipulation**)

**17. 2022-04-SUP:** Brian Stover made a motion to approve with the 4 listed stipulations Application by MICHAEL WHITMAN / WHITMAN PROPERTIES, LLC; requesting a Special Use Permit to construct a parking lot for a storage facility of large trucks. Property is located in Land Lot 19; District 2; Section 3; located on the south side of Industrial Boulevard North, west of Dallas-Acworth Highway. POST 4. Seconded by Virginia Galloway. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Virginia Galloway, Post IV Brian Stover.

RECOMMENDATION FROM THE PLANNING COMMISSION: APPROVAL (5-0-1).

1. Owner/Developer agrees to provide an updated traffic impact study for this site and the overall development. Study parameters and assumptions to be agreed on by Paulding County DOT.

2. Owner/Developer acknowledges the property is in the City of Dallas Sewer Service Area.
3. Owner/Developer acknowledges that sewer availability is not expressly implied as a result of zoning.
4. Owner/Developer agrees to relocate water lines out from under any proposed acceleration/deceleration lanes if required.

**18. 2022-05-SUP:** Virginia Galloway made a motion to approve with the listed 14 stipulations Application by WHITAKER INVESTMENTS, LLC / WHITAKER W. SMITH; requesting a Special Use Permit for the purposes of developing a gravel truck, trailer and container storage facility. Property is located in Land Lots 605 & 620; District 2; Section 3; on the northeast corner of the intersection of Thompson Road and Coppermine Road. POST 3.

*Virginia Galloway withdrew her motion to approve with the 14 listed stipulations.*

*Virginia Galloway made a motion to approve with the listed 14 stipulation with an additional stipulation for a total of 15. Seconded by Sandy Kaecher. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Virginia Galloway, Post IV Brian Stover.*

RECOMMENDATION FROM THE PLANNING COMMISSION: APPROVAL (4-1-1).

1. Owner/Developer agrees access to the development shall be determined during the plan review process.
2. Owner/Developer agrees to provide a traffic impact study for this development. Study parameters and assumptions to be agreed on by Paulding County DOT.
3. Owner/Developer agrees to donate sufficient right of way along property frontage to accommodate a 70' right of way along Thompson Road (35' from centerline).
4. Owner/Developer agrees to donate sufficient right of way along property frontage to accommodate a 70' right of way along Coppermine Road (35' from centerline).
5. Owner/Developer agrees to donate sufficient right of way for a 40' miter at the intersection of Thompson and Coppermine Roads.
6. Owner/Developer acknowledges the property is in the mandatory Coppermine Sewer Service Basin.
7. Owner/Developer acknowledges that sewer availability is not expressly implied as a result of zoning.
8. Owner/Developer agrees to relocate water lines out from under any proposed acceleration/deceleration lanes if required.
9. Owner/Developer agrees to a 75 ft. natural buffer along the frontages of Thompson Road and Coppermine Road.
10. Owner/Developer agrees that any container storage will be limited to a maximum height of thirty-five feet (35 ft.).
11. Owner/Developer agrees to the hours of operation of 24 hours a day, seven (7) days a week.
12. Owner/Developer agrees to no storage of hazardous materials on the property.
13. Owner/Developer agrees to provide an office with restroom facilities.
14. Owner/Developer agrees to allow the Paulding County Fire Marshal access to all "Bill of Lading" documents and site inspections.
15. Owner/Developer agrees there will be no overnight parking of trucks on the Property unless those trucks are owned by the property owner or owned by the tenant. The intent hereof being to prohibit overnight single user pay-by-space truck parking. **(Added Stipulation)**

**19. 2022-24-Z:** Brian Stover made a motion to approve with the 3 listed stipulations Application by CAMRAM SADI & PEYMANEH SADI; requesting to rezone a one acre property from B-1

(General Business) District back to R-2 (Suburban Residential) District for zoning compliance with surrounding residential areas. Property is located in Land Lots 1249; District 3; Section 3; on the north side of Chester Harris Road, west of Dallas-Acworth Highway. (156 Chester Harris Drive). POST 4. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Virginia Galloway, Post IV Brian Stover. Seconded by Keith Dunn. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Virginia Galloway, Post IV Brian Stover.

RECOMMENDATION FROM THE PLANNING COMMISSION: APPROVAL (5-0-1).

1. Owner/Developer shall donate an additional five (5) foot of R.O.W along the entire frontage of Chester Harris Road, to provide a 50 foot R.O.W.
2. Owner/Developer acknowledges the property is in the mandatory Pumpkinvine Sewer Service Basin.
3. Owner/Developer acknowledges that sewer availability is not expressly implied as a result of zoning.

### CONCLUSION OF REGULAR BUSINESS

#### PUBLIC PARTICIPATION ON NON-AGENDA ITEMS:

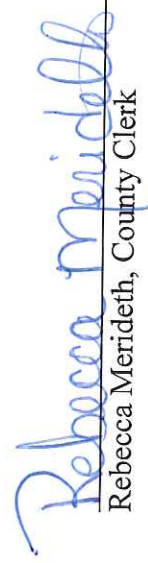
Ms. Kawana Walker spoke to the Commissioners regarding youth initiatives and programs in Paulding. Ms. Walker address her concerns regarding the Paulding County Boys and Girls Club closing.

Ms. Filecia Tatum spoke to the Commissioners regarding youth programs for Paulding County Boys and Girls Club and her concerns of the Club closing.

Ms. Latoya Robertson spoke to the Commissioners regarding community outreach for the Paulding County Boys & Girls Club, and her concerns with the Club closing.

**EXECUTIVE SESSION:** None

**ADJOURNMENT:** Brian Stover made a motion to adjourn, seconded by Virginia Galloway. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Virginia Galloway, Post IV Brian Stover.

  
Rebecca Merideth, County Clerk

  
David L. Carmichael, Chairman