



**PAULDING COUNTY BOARD OF COMMISSIONERS  
BOARD MEETING MINUTES  
September 12, 2023**

**Watson Government Complex  
Second Floor – Board of Commissioners Meeting Room**

**CALL TO ORDER:**

David L. Carmichael, Chairman

**INVOCATION:**

David Carmichael, Chairman

**PLEDGE:**

Presentation of Colors by Hiram High School JROTC

**PRESENT:**

David L. Carmichael, Chairman; Keith Dunn, Post 1; Sandy Kaecher, Post II; Virginia Galloway, Post III; Brian Stover, Post IV; Jayson Phillips, County Attorney; Frank Baker, County Manager; Rebecca Merideth, County Clerk.

**MINUTES:**

- 1. The August 22, 2023 Work Session Minutes and the August 22, 2023 Board Meeting Minutes:**  
Sandy Kaecher made a motion to adopt the August 22, 2023 Work Session Minutes and the August 22, 2023 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:**

- 2. Action to approve the purchase of an F-450 from Hardy Chevrolet in the amount of \$52,578 for the DOT Sign Department:**

Keith Dunn made a motion to approve the purchase of an F-450 from Hardy Chevrolet in the amount of \$52,578 for the DOT Sign Department, 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)

**REPORTS FROM COMMITTEES & DEPARTMENTS:** None

**PUBLIC PARTICIPATION ON AGENDA ITEMS:**

**Mr. Charles Watkins** spoke before the Board regarding item 12; 2023-15-Z. Mr. Watkins stated his opposition for approval of this rezoning.

**Ms. Elaine Murrin** spoke before the Board regarding item 12; 2023-15-Z stating reasons for her opposition for approval of this rezoning.

**Mr. Maurice Donegan** spoke before the Board regarding item 12; 2023-15-Z. Mr. Donegan stated several reasons for his opposition for approval of this rezoning.

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

- 3. Adopt Fire Department Job Classification for: Support Services Maintenance Technician.**
- 4. Adopt Fire Department Job Classification for: SCBA Technician.**
- 5. Adopt Fire Department Job Classification for: Support Services Division Chief.**
- 6. Declare the following items listed as surplus, and approve their disposal through auction or trade:**



Surplus Items			
Department	Item Name	Make/Model	Serial Number
Fleet Maintenance	Unit 312	1996 Ford F-350	1FDKF37F2TEA41235
Fleet Maintenance	Unit 308	1994 Chev Kodiak	1GBM7HJXRJ114540
Fleet Maintenance	Flat Bed	1994 Flatbed	n/a
IBA	2004 Chev Impala		2G0WF55K549446987
Fleet Maintenance	22-Transmission cores		
Fleet Maintenance	12- 6.0 Engine Cores		
Fire Dept	Unit 490	2006 Trailer	T1045014
Fire Dept	Unit 543	1996 Trailer	F402742
Water/Sewer	Unit 714	2007 Ford F250	1FTSF21P87EB43483
Water/Sewer	Unit 217	2003 Mustang Exc	AD000452
Water/Sewer	Unit 746	Rainbow Pump	9664
Sheriff	Unit P-70	2014 Chev Caprice	6GN3NS5U25EL936892
Sheriff	Unit P-16	2015 Chev Caprice	6GN3NS5U23FL121219
Sheriff	Unit S-111	2005 Ford Expedition	1FMPU165X5LA48246
Senior Center	Unit 766	2012 Ford Goshen	1FDE4FS0CDA91291

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:**

7. *Ordinance 23-09 amending the development regulations for Paulding County, Georgia amending Article 4.1.1 Review of Plats and Plans required and repealing in its entirety Article 3.3.3 ROW Engineering Qualification Manual:*

Chairman Carmichael made a motion to adopt Ordinance 23-09 amending the development regulations for Paulding County, Georgia amending Article 4.1.1 Review of Plats and Plans required and repealing in its entirety Article 3.3.3 ROW Engineering Qualification Manual. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Virginia Galloway, Post IV Brian Stover. (Attachment “A”)

8. *Ordinance 23-10 amending various Ordinances of the official Paulding County Code to reflect the Elimination of Writs of Certiorari under State Law, the creation of Petitions for Review, and to update certain Ordinances to include references to the Paulding County State Court:*

Sandy Kaecher made a motion to adopt Ordinance 23-10 amending various Ordinances of the official Paulding County Code to reflect the Elimination of Writs of Certiorari under State Law, the creation of Petitions for Review, and to update certain Ordinances to include references to the Paulding County State Court, seconded by Keith Dunn. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Virginia Galloway, Post IV Brian Stover. (Attachment “B”)

9. *Approve the Fiscal Year 2023 Budget Amendments:*

Brian Stover made a motion to approve the Fiscal Year 2023 Budget Amendments, seconded by Keith Dunn. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Virginia Galloway, Post IV Brian Stover. (Attachment “C”)

10. *Resolution 23-26 authorizing the filing of an application with the Georgia Department of Transportation and the United States Department of Transportation, for a Grant for public transportation assistance under Section 5311 of the Federal Transit Laws under Chapter 53 of Title 49 of the United States Code:*

Virginia Galloway made a motion to adopt Resolution 23-26 authorizing the filing of an application with the Georgia Department of Transportation and the United States Department of Transportation, for a Grant for public transportation assistance under Section 5311 of the Federal Transit Laws under Chapter 53 of Title 49 of the United States Code, 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 “D”)



**11. Resolution 23-27 confirming Executive Session for the purpose of Real Estate:**

Chairman Carmichael made a motion to adopt Resolution 23-27 confirming Executive Session for the purpose of Real Estate, seconded by Keith Dunn. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Virginia Galloway, Post IV Brian Stover. (Attachment "E")

**PLANNING COMMISSION MEETING  
AUGUST 22, 2023 RECOMMENDATIONS**

**12. 2023-15-Z:** Brian Stover made a motion to table until October 10, 2023 2:00 pm Board of Commissioners meeting, application by ELITE ENGINEERING requesting to rezone two parcels totaling 9.265 acres from R-2 (Suburban Residential District) to B-2 (Highway Business District) to develop a convenience store with fuel pumps. Property is located in Land Lot 980; District 3, Section 3; at the northwest corner of Frey Road and Dallas-Acworth Highway. Site address is 6467 & 6525 Dallas Acworth Hwy. POST 4, 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 (4-2-1).

1. Owner/Developer agrees any future commercial uses excluding the proposed convenience store and attached tenant spaces will be subject to Board of Commissioner approval through the site plan amendment process.
2. Owner/Developer shall incorporate Project Limits and Impacts of Paulding County DOT project PR-IMP-CR710-(65)(32) into the development plans and utilize that information for development design.
3. Owner/Developer shall coordinate with Paulding County DOT (PDOT) and Construction Contractor on PR-IMP-CR710-(65)(32).
4. Owner/Developer agrees to provide a 130 foot right of way along their property frontage on Dallas-Acworth Highway (65' from centerline).
5. Owner/Developer agrees to provide 10 foot permanent easement along their frontage of Dallas-Acworth Highway.
6. Owner/Developer agrees to provide a 66 foot right of way along their property frontage on Frey Road (33' from centerline).
7. Owner/Developer agrees access to the development along both Dallas-Acworth Highway and Frey Road shall be determined during the plan review process utilizing, but not limited to the required Traffic Impact Study and the Corridor Overlay District requirements.
8. Owner/Developer agrees to provide a traffic impact study for the development and coordinate with Paulding County DOT on methodology and parameters of the study.
9. Owner/Developer agrees to increase the required 40 foot buffer adjacent to residential zoned properties to 100 foot.

**13. 2023-11-Z:** Keith Dunn made a motion to approve with four (4) stipulations application by HIGHLANDS RESIDENTIAL requesting to rezone 23.1619 acres from R-2 (Suburban Residential District) and B-2 (Highway Business District) to R-55 (Active Adult Residential District) (21.3 acres) and B-2 (Highway Business District) (1.5 acres) for a proposed commercial/retail development along the frontage of Charles Hardy Parkway (SR 120) and a 105-unit independent living retirement community within the rear portion of the site. Property is located in Land Lots 145 & 152; District 19; Section 2; southeast side of Charles Hardy Parkway, east of Citizens Square Road. Project site addresses are: 4036, 4068, 4070 & 4072 Charles Hardy Parkway. POST 1, seconded by Sandy Kaecher.

**Commissioner Galloway** asked if 105 of these are independent living, or is it something different than apartments because they are 2 story.

**Chris Robinson**, Planning and Zoning Director stated this is an R-55, out of the total of 105, 27 are units within a building which could be considered apartments.

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

RECOMMENDATION FROM PLANNING COMMISSION: APPROVAL (4-2-1).

1. Owner/Developer agrees to no billboard signs within the B-2 portion of the development.
2. Owner/Developer agrees to no auto repair or sales businesses within the B-2 portion of the property.
3. Owner/Developer agrees access to the development shall be determined during the plan review process.

Recommended Staff Stipulation:

4. Owner/Developer agrees to include a clause in the individual lease agreements for residential units within the proposed Senior Living Development in order to meet 42 U.S.C. Section 3607, (b)(2)(c) of the Fair Housing Act.

**CONCLUSION OF REGULAR BUSINESS**

**PUBLIC PARTICIPATION ON NON-AGENDA ITEMS: None**

**Chairman Carmichael** asked the Commissioners if they had any announcements or comments.

**Commissioner Carmichael** asked everyone to keep Will Lyons, IT Director in their prayers for a speedy recovery from surgery he had last week.

**Commissioner Galloway** announced she will be having a Town Hall meeting with Representative Kimberly New on October 3, 2023 beginning at 5:00 pm.

**Frank Baker, County Manager** announced the 6<sup>th</sup> Annual Rides for Wishes event on October 7, 2023. All proceeds go to the “Make a Wish Foundation” and the money raised in Paulding will go to wishes from Paulding Children.

**EXECUTIVE SESSION: None**

**ADJOURNMENT:** Virginia Galloway made a motion to adjourn seconded by Chairman Carmichael. 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