



**PAULDING COUNTY BOARD OF COMMISSIONERS
BOARD MEETING MINUTES
December 13, 2022**

Watson Government Complex
Second Floor – Board of Commissioners Meeting Room

CALL TO ORDER: David L. Carmichael, Chairman

INVOCATION: Jayson Phillips, County Attorney

COLORS: East Paulding High School JROTC

PRESENT: David L. Carmichael, Chairman; Keith Dunn, Post I; 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 November 10, 2022 Work Session Minutes and the November 10, 2022 Board Meeting Minutes:*

Sandy Kaecher made a motion to adopt the November 10, 2022 Work Session Minutes and the November 10, 2022 Board Meeting Minutes, seconded by Keith Dunn. 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. *Graves Road Sidewalk Project to the low bidder, Hasbun Construction, LLC, in the amount of \$274,062.07. Funded by SPLOST, located in Post 4:*

Brian Stover made a motion to award the Graves Road Sidewalk Project to the low bidder, Hasbun Construction, LLC, in the amount of \$274,062.07. Funded by SPLOST, located in 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. (On file in the Transportation Department)

3. *Transfer Station Hauling Contract to the lowest responsible bidder, Capital Waste Services in the amount of \$49.97 per ton:*

Brian Stover made a motion to award the Transfer Station Hauling Contract to the lowest responsible bidder, Capital Waste Services in the amount of \$49.97 per ton, seconded by Sandy Kaecher. 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)

4. *Taser Purchase to Axon Enterprise, Inc. in the amount of \$641,795.63. SPLOST funds will be used for this purchase over a five-year period:*

Virginia Galloway made a motion to award the Taser Purchase to Axon Enterprise, Inc. in the amount of \$641,795.63. SPLOST funds will be used for this purchase over a five-year period, 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 Finance Office)

REPORTS FROM COMMITTEES & DEPARTMENTS: None

PUBLIC PARTICIPATION ON AGENDA ITEMS:

Johnathan Jones Re: spoke in regards to the three (3) applications he is representing today.

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

5. *Adopt the Paulding County Board of Commissioners Proposed Regular Meeting Schedule for the 2023 Calendar year.* (On file in the Clerk's Office)
 6. *Adopt the proposed application and public hearing dates for the Planning Commission, the Zoning Board of Appeals, the Stream Buffer Development Waiver Review Committee and the Development Waiver Review Committee for the 2023 Calendar year.* (On file in the Clerk's Office)
 7. *Approve the proposed Transfer Station Designated Holiday Schedule for the 2023 Calendar year.*
 8. *Authorize the Chairman to enter into a Development Agreement with Cedarcrest Station (GA) Owner II LLC, in the amount of \$82,550.00 for participation in mitigation to address traffic concerns on Cedarcrest Road. Located in Post 4.* (On file in the Transportation Department)
 9. *Authorize the Chairman to approve the transfer of 9,599.07 sf (0.22 ac) of Right of Way and 2,243.15 sf (0.051 ac) of Permanent Easement to GDOT for PI#621720, for a purchase price of \$800.00. Located in Post 1.* (On file in the Transportation Department)
 10. *Approve the Sheriff's Office request to surplus the plaque from the previous Paulding County Sheriff's Office and Detention Center location at 25 Industrial Way North, Dallas, GA 30132.*
 11. *Approve the Sheriff's Office request to surplus/retire K-9 Bikkel from his Police Canine duties to live out the rest of his days with his current handler, Sgt. Rickey Waters.*
 12. *Authorize the County Manager to engage Southeastern Resource Group, Inc. to provide Consulting Services.* (On file in the Clerk's Office)
 13. *Authorize the Chairman to enter into an Agreement with Tax Specialist of GA to research and submit documents requesting a sales tax refund from the Georgia Department of Revenue for eligible wastewater or drinking water treatment projects.* (On file in the Water Department)
 14. *Authorize the Chairman to accept Grant Number K23-8-016 to provide additional surveillance within the Drug Court in the amount of \$24,960.00 with a required match of \$3,404.00. The Grant period is from 1/1/2023 through 6/30/2023.* (On file in the Finance Department)
 15. *Authorize the Chairman to accept Grant Number K23-8-017 to provide additional surveillance within the Mental Health Court in the amount of \$11,400.00 with a required match of \$1,555.00. The Grant period is from 1/1/2023 through 6/30/2023.* (On file in the Finance Department)
 16. *Authorize the Chairman to sign all documents necessary to execute the Grant Agreement with the Environmental Protection Agency regarding the reimbursement for the Water Shed Property at the Reservoir.* (On file in the Finance Department)
 17. *Authorize the Chairman to accept the proposal from Rafielis to update the Water and Sewer Financial Model in the amount of \$54,900.00.* (On file in the Finance Department)
- Seconded by Keith Dunn. 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:**
18. *Resolution 22-40 supporting the project to provide lighting and markings to make 500 feet of existing concrete pavement usable as additional runway to bring the total runway length to 6005 feet at the Paulding Northwest Atlanta Airport. Located in Post 2:*
Sandy Kaecher made a motion to adopt Resolution 22-40 supporting the project to provide lighting and markings to make 500 feet of existing concrete pavement usable as additional runway to bring the total runway length to 6005 feet at the Paulding Northwest Atlanta Airport. 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.
(Attachment "A")

19. Ordinance 22-15 an Ordinance adopting the Paulding County Department of Transportation Right of Way Engineering Qualification Manual and amending the Development Regulations to codify said manual:

Virginia Galloway made a motion to adopt Ordinance 22-15 an Ordinance adopting the Paulding County Department of Transportation Right of Way Engineering Qualification Manual and amending the Development Regulations to codify said manual, 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")

20. Ordinance 22-16 an Ordinance amending provision regarding the Parking of Vehicles on County-Owned Property:

Brian Stover made a motion to adopt Ordinance 22-16 an Ordinance amending provision regarding the Parking of Vehicles on County-Owned Property, 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 "C")

21. Increase of the Transfer Station Gate Rate from \$55/ton to \$75/ton effective January 1, 2023:

Brian Stover made a motion to approve the increase of the Transfer Station Gate Rate from \$55/ton to \$75/ton effective January 1, 2023, 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 Clerk's Office)

22. Notice to Proceed with the Northeast Loop Transmission Main Project and approve the Guaranteed Maximum Price not to exceed \$14,190,000.00. ARPA funds will be used for this project which is located in Post 1 and 4:

Keith Dunn made a motion to authorize a Notice to Proceed with the Northeast Loop Transmission Main Project and approve the Guaranteed Maximum Price not to exceed \$14,190,000.00. ARPA funds will be used for this project which is located in Post 1 and 4, 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 Transportation Department)

23. Supplemental Agreement with Transystems, Inc. in the amount of \$589,456.38 for Preliminary Engineering Design Services for the Cedarcrest Road Widening Project, from Harmony Grove Church Road to the Cobb County Line. Funding through SPLOST, located in Post 4:

Brian Stover made a motion to authorize the Chairman to enter into a Supplemental Agreement with Transystems, Inc. in the amount of \$589,456.38 for Preliminary Engineering Design Services for the Cedarcrest Road Widening Project, from Harmony Grove Church Road to the Cobb County Line. Funding through SPLOST, located in Post 4, 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 Transportation Department)

24. Application for the GDOT FY2023 Local Maintenance and Improvement Grant (LMIG) in the amount of \$1,996,083.90 and the required 30% match funds of \$598,825.17. General Funds will be used for the required match:

Virginia Galloway made a motion to authorize the Chairman to approve and execute the application for the GDOT FY2023 Local Maintenance and Improvement Grant (LMIG) in the amount of \$1,996,083.90 and the required 30% match funds of \$598,825.17. General Funds will be used for the required match, seconded by Sandy Kaecher. Voting Yea: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Virginia Galloway, Post IV Brian Stover. (On file in the Transportation Department)

25. Change Order #2 for Magnum Construction in the amount of \$43,860.60 for removal of additional unsuitable soils and stone installation as recommended by Nova at Mulberry Rock Park. SPLOST funds will be used for this Change Order, located in Post 2:

Sandy Kaecher made a motion to authorize approval of Change Order #2 for Magnum Construction in the amount of \$43,860.60 for removal of additional unsuitable soils and stone installation as recommended by Nova at Mulberry Rock Park. SPLOST funds will be used for this Change Order, 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 Parks and Recreation Department)

26. Resolution 22-41 confirming Executive Session for the purposes of Pending and Potential

Litigation:

Chairman Carmichael made a motion to adopt Resolution 22-41 confirming Executive Session for the purposes of Pending and Potential Litigation, 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")

27. Change Order in the amount of \$86,975.00 to Riversand Incorporated regarding Sediment and Erosion Mitigation at Brown's Lake:

Brian Stover made a motion to authorize a Change Order in the amount of \$86,975.00 to Riversand Incorporated regarding Sediment and Erosion Mitigation at Brown's Lake, 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 Water System Department)

ITEMS FROM THE NOVEMBER 29, 2022 PLANNING COMMISSION MEETING

28. Ordinance 22-14 Text Amendment Amending Title 1: Administration, Title 2: Zoning, Title 4: Signs, and Title 5: Telecommunications of the Unified Development Ordinance for Paulding County, Georgia (UDO) and for other purposes:

Brian Stover made a motion to adopt Ordinance 22-14 Text Amendment Amending Title 1: Administration, Title 2: Zoning, Title 4: Signs, and Title 5: Telecommunications of the Unified Development Ordinance for Paulding County, Georgia (UDO) and for other purposes, 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")

29. 2022-06-SUP: Virginia Galloway made a motion to approve with seven (7) stipulations application by SOLID WATER HOLDINGS, LLC requesting a Special Use Permit to develop a self-storage facility behind a proposed retail building. Property is zoned B-2 (Highway Business) District and is located in Land Lot 851; District 2; Section 3; east side of Villa Rica Hwy (SR 61), south of Hiram-Studie Road (SR 120 Conn); property address is 3363 Villa Rica Highway. POST 3, 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 (6-0-1)

1. Owner/Developer agrees the development of the site is subject to the original zoning stipulations for rezoning application 2013-15-Z. (Attached)
2. Owner/Developer agrees to no rental parking spaces.
3. 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.
4. Owner/Developer agrees the self-storage buildings will be screened from Villa Rica Highway with minimum 40 ft. landscaped buffer. (to be included in landscape plan)
5. Owner/Developer acknowledges this property is within the mandatory Sweetwater Sewer Service Basin and any new development of the property will be subject to the Intergovernmental Wastewater Treatment Agreement for the Sweetwater Creek Basin between Paulding County, Georgia and Cobb County, Georgia dated July 17, 2007. This includes provisions for dry sewer for the project and payment of commercial tap fees.
6. Owner/Developer agrees to relocate water mains out from under proposed asphalt paving, including acceleration/deceleration lanes, if road widening is required.
7. Owner/Developer agrees to have access to Hwy 61 limited to right turn-in and right turn-out to the property.

30. 2022-25-Z: Virginia Galloway made a motion to approve with four (4) stipulations application by ELITE ENGINEERING, requesting to rezone 0.634 acres from R-2 (Suburban Residential) District to I-2 (Heavy Industrial) District to develop a commercial truck parking center. Property is located in Land Lot 743; District 19; Section 2; proposed site is located east of Reynolds Road,

Hiram Georgia. (299 Reynolds Road), POST 3, seconded by Brian Stover. 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 (6-0-1).

1. Owner/Developer agrees that all lighting will be boxed/shielded.
2. Owner/Developer agrees access to the development shall be determined during the plan review process.
3. Owner/Developer acknowledges this property is within the mandatory Coppermine Sewer Service Basin.
4. Owner/Developer agrees to relocate water mains out from under proposed asphalt paving, including acceleration/deceleration lanes, if road widening is required.

31. 2022-07-SUP: Virginia Galloway made a motion to approve with five (5) stipulations application by ELITE ENGINEERING, requesting a Special Use Permit in concurrence with the 2022-25-Z rezoning to develop a commercial truck parking center. Property is .68 acres and is located in Land Lot 743; District 19; Section 2; proposed site is located east of Reynolds Road, Hiram Georgia. (299 Reynolds Road), POST 3, seconded by Brian Stover. 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 (6-0-1).

1. Owner/Developer agrees to all lighting will be boxed/shielded.
2. Owner/Developer agrees access shall be determined during the plan review process.
3. Owner/Developer acknowledges this property is within the mandatory Coppermine Sewer Service Basin.
4. Owner/Developer acknowledges that sewer availability is not expressly implied as a result of zoning.
5. Owner/Developer agrees to relocate water mains out from under proposed asphalt paving, including acceleration/deceleration lanes, if road widening is required.

32. 2022-26-Z: Sandy Kaecher made a motion to approve with twelve (12) stipulations application by ELITE ENGINEERING, requesting to rezone 47.99 acres from R-2 (Suburban Residential) District to R-3 (Sewered Suburban Residential) District in order to develop a 74 single-family lot subdivision. Property is located in Land Lot 512 & 569; District 2; Section 3; project site is located on the south side of Monroe Cole Rd, west of Cole Lake Rd. 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.

RECOMMENDATION FROM THE PLANNING COMMISSION: APPROVAL (4-3-0).

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 shall be responsible for the placement and upkeep of common 4" tape to identify both the road frontage 75ft. permanent buffer, the 50ft. permanent perimeter buffer, 75ft. stream bank buffer, and all areas reserved as green/open space. This shall apply during active periods of land disturbance. Buffer areas deficient and/or inadequate must be identified by the required landscaping plan and submitted for Planning & Zoning approval prior to construction plan approval.
3. 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.

4. Owner/Developer agrees the proposed single-family residential subdivision development will not be a Residential Build-to-Rent Community.
5. Owner/Developer agrees access to the development shall be determined during the plan review process.
6. Owner/Developer agrees to donate sufficient right-of-way along property frontage to accommodate a 60' right-of-way along Monroe Cole Road (30' from centerline).
7. Owner/Developer agrees to coordinate with property owner(s) located at address 511 Monroe Cole Road and parcel 151.1.3.004.0000 regarding development access (i.e. right-of-way needs for construction of a right turn lane and a left turn lane, sight distance needs, and relocation of driveway for 511 Monroe Cole Road so that it is not within the deceleration lane)
8. 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.
9. Owner/Developer agrees to enter into a Development Agreement with PCDOT for off-site roadway improvements making a voluntary contribution of \$1,000/lot, which equates to \$74,000.00 for 74 proposed lots to participate in the improvements of roadway projects along and adjacent to Cole Lake Road.
10. Owner/Developer acknowledges this property is serviced by Paulding County Water and has sanitary sewer service from the City of Dallas.
11. Owner/Developer acknowledges that sewer availability is not expressly implied as a result of zoning.
12. Owner/Developer agrees to relocate water mains out from under proposed asphalt paving, including acceleration/deceleration lanes and/or turn lanes, if road widening is required.

33. **2022-30-Z:** Brian Stover made a motion to approve with the original thirteen (13) stipulations, excluding stipulation fourteen (14) application by ELITE ENGINEERING, requesting to rezone 9.981 acres from R-2 (Suburban Residential) District to B-1 (General Business) District (6.181 acres) & B-2 (Highway Business) District (3.8 acres) for a convenience store, office and retail development, and a proposed climate-controlled storage facility. Property is located in Land Lots 403, 461 & 462; District 3; Section 3; east side of Cedarcrest Road, north of Westbrook Creek Road. Proposed project site address is 2586 Cedarcrest Road. POST 4, seconded by Keith Dunn. Voiting 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 (5-0-2).

1. Owner/Development agrees access to the development shall be determined during the plan review process.
2. Owner/Developer agrees to provide required right of way and easements along Cedarcrest Road property frontage as per current plans for PI 0013700.
3. Owner/Developer agrees to setback project improvements for PI 0013700, Cedarcrest Road Widening Project.
4. Owner/Developer agrees to provide required right-of-way and easements along the new corridor for the Harmony Grove Church Road Extension Project.

5. Owner/Developer agrees to setback project improvements for the Harmony Grove Church Road Extension Project.
6. Owner/Developer agrees any full access driveway shall be a minimum distance of 660', measured from radius to radius, from the intersection of Cedarcrest Road.
7. Owner/Developer agrees any right-in/right-out driveway shall be a minimum distance of 330', measured from radius to radius, from Cedarcrest Road.
8. Owner/Developer agrees to meet the requirements of the Corridor Overlay District including Cedarcrest Road and the new access road. Building construction plans will be submitted through the Paulding County Architectural Review Process. All buildings/structures including the climate controlled self-storage building shall be four (4) sided brick on all exterior walls.
9. Owner/Developer agrees to provide a traffic impact study for the master development and coordinate with Paulding County DOT on methodology and parameters of study.
10. Owner/Developer has the option of entering into a Development Agreement with PCDOT to address property access, roadway construction, and right-of-way/property acquisition.
11. Owner/Developer acknowledges this property is within the mandatory Pumpkinvine Sewer Service Basin.
12. Owner/Developer acknowledges that sewer availability is not expressly implied as a result of zoning.
13. Owner/Developer agrees to relocate water mains out from under proposed asphalt paving, including acceleration/deceleration lanes, if road widening is required.
- ~~14. Owner/Developer agrees to not have coin operated amusement machines (COAMs).~~
34. **2022-08-SUP:** Brian Stover made a motion to approve application by ELITE ENGINEERING, requesting a Special Use Permit in concurrence with the B-2 (Highway Business District) rezoning 2022-30-Z for a proposed climate-controlled storage facility. Property is 3.8 acres in size and located in Land Lots 403, 461 & 462; District 3; Section 3; east of Cedarcrest Road and north of Westbrook Creek Road. Proposed project site address is 2586 Cedarcrest Road. 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 (5-0-2).

CONCLUSION OF REGULAR BUSINESS

PUBLIC PARTICIPATION ON NON-AGENDA ITEMS: None

Chairman Carmichael asked the Commissioners if they had any comments or announcements
Commissioner Stover wished everyone a Merry Christmas and a Happy New Year.

Commissioner Kaecher asked for prayer for past Commissioner Tommie Graham and congratulated K-p Bikle on his retirement.

Chairman Carmichael stated the liked that there is time to evaluate and discuss the Planning and Zoning applications and stipulations between meetings now that they are not heard and voted on the same day.

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