



**PAULDING COUNTY BOARD OF COMMISSIONERS
BOARD MEETING MINUTES
August 08, 2023**

Watson Government Complex
Second Floor – Board of Commissioners Meeting Room

CALL TO ORDER: David L. Carmichael, Chairman

INVOCATION & PLEDGE: Virginia Galloway, Commissioner Post III

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 July 25, 2023 Work Session Minutes, July 25, 2023 Board Meeting Minutes, and the July 25, 2023 Public Hearing Minutes for 9:00 am and 6:30 pm:*
 Brian Stover made a motion to adopt the July 25, 2023 Work Session Minutes, July 25, 2023 Board Meeting Minutes, and the July 25, 2023 Public Hearing Minutes for 9:00 am and 6:30 pm. Seconded by Sandy Kaecher. 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: None

REPORTS FROM COMMITTEES & DEPARTMENTS: None

PUBLIC PARTICIPATION ON AGENDA ITEMS:

Thomas Ray spoke to the Board regarding zoning application 2023-07-SUP.

Joel Larkin spoke regarding Zoning Application 2023-14-Z. Mr. Larkin asked that the Board table the application in order to give the applicant the opportunity to meet with neighbors to address concerns.

CONSENT AGENDA: Chairman Carmichael made a motion to approve the Chairman read the following consent agenda item:

- 2. *Approval of the dedication of 13.671 sf (0.314ac) of new sanitary sewer easement area to Paulding County to maintain the sanitary sewer and transfer of 11,230 sf (0.258 ac) of abandoned sanitary sewer easement to ADC Hiram, LLC.* (Attachment "A")

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

OLD BUSINESS:

- 3. *Development Agreement name change for Bickers Construction, Inc. to Bremen Ventures, LLC and Paulding County for a developer funded \$956,000 capital contribution for the Hwy 120 Booster Station Upgrade:*

Keith Dunn made a motion to approve a Development Agreement name change for Bickers Construction, Inc. to Bremen Ventures, LLC and Paulding County for a developer funded \$956,000 capital contribution for the Hwy 120 Booster Station Upgrade. Located in Post 1. 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 Water System Department)

3. **Reclassify the listed surplus items for disposal through donation to the Georgia Public Safety Training Center:**
 Sandy Kaecher made a motion to reclassify the listed surplus items for disposal through donation to the Georgia Public Safety Training Center, seconded by Brian Stover. Voting Year: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Virginia Galloway, Post IV Brian Stover.

Surplus Items			
Department	Item Name	Make/Model	Serial Number
Sheriff	Unit 2	2005 Ford CV	2FAFP71W25X146576
Sheriff	Unit P-1	2011 Ford CV	2FABP7BV5BX155773
Sheriff	Unity P-33	2008 Ford CV	2FAFP71V28X172090
Sheriff	Unit P-48	2008 Ford CV	2FAFP71VX8X170006
Sheriff	Unit P-64	2010 Ford CV	2FABP7BV4AX129020

NEW BUSINESS:

5. **Resolution 23-16 adopting the County M & O Millage Rate at 4.22 mills:**
 Virginia Galloway made a motion to adopt Resolution 23-16 adopting the County M & O Millage Rate at 4.22 Mills, seconded by Sandy Kaecher. Voting Year: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Virginia Galloway, Post IV Brian Stover. (Attachment “B”)

6. **Resolution 23-17 adopting the Debt Services Millage Rate at 1.20 mills:**
 Brian Stover made a motion to adopt Resolution 23-17 adopting the Debt Services Millage Rate at 1.20 mills, seconded by Keith Dunn. Voting Year: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Virginia Galloway, Post IV Brian Stover. (Attachment “C”)

7. **Resolution 23-18 adopting the Fire Tax Millage Rate at 2.3 mills:**
 Chairman Carmichael made a motion to adopt Resolution 23-18 adopting the Fire Tax Millage Rate at 2.3 mills, seconded by Virginia Galloway. Voting Year: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Virginia Galloway, Post IV Brian Stover. (Attachment “D”)

8. **Resolution 23-19 adopting the County School Tax Millage Rate at 17.675:**
 Brian Stover made a motion to adopt Resolution 23-19 adopting the County School Tax Millage Rate at 17.675 mills, seconded by Sandy Kaecher. Voting Year: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Virginia Galloway, Post IV Brian Stover. (Attachment “E”)

9. **Resolution 23-20 authorizing the Tax Commissioner to retain a 2.09% fee for the collection of School Tax:**
 Brian Stover made a motion to adopt Resolution 23-20 authorizing the Tax Commissioner to retain a 2.09% fee for the collection of School Tax, seconded by Keith Dunn. Voting Year: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Virginia Galloway, Post IV Brian Stover. (Attachment “F”)

10. **Award to Kendall supply, Inc. a Contract for construction services to install a Sensus Base Station in an amount not to exceed \$65,000.00 from the Renewal and Extension Fund:**
 Sandy Kaecher made a motion to approve an award to Kendall Supply, Inc. a Contract for construction services to install a Sensus Base Station in an amount not to exceed \$65,000.00 from the Renewal and Extension Fund. This project is located in Post 2, seconded by Virginia Galloway. Voting Year: 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. **Development Agreement between AMH Development Georgia GC TRS, LLC and Paulding County for a developer funded force main design and installation from the Cadillac Lift Station to the Coppermine WRF:**
 Chairman Carmichael made a motion to approve a Development Agreement between AMH Development Georgia GC TRS, LLC and Paulding County for a developer funded force main design and installation from the Cadillac Lift Station to the Coppermine WRF. Located in Post 1, seconded by Keith Dunn. Voting Year: 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)

12. **Adopt the Fiscal Year 2023 Budget:**

Brian Stover made a motion to adopt the Fiscal Year 2024 Budget, seconded by Virginia Galloway. Voting Year: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Virginia Galloway, Post IV Brian Stover. (Attachment “G”)

13. Ordinance 23-08 adopting amendments to Chapter 14 of the Code of Ordinances Regarding the Tethering of Animals and Spay/Neuter Requirements for Classified Dogs:

Sandy Kaecher made a motion to adopt amendments to Chapter 14 of the Code of Ordinances Regarding the Tethering of Animals and Spay/Neuter Requirements for Classified Dogs, seconded by Keith Dunn. Voting Year: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Virginia Galloway, Post IV Brian Stover. (Attachment “H”)

14. Resolution 23-21 confirming Executive Session for the purpose of Real Estate:

Chairman Carmichael made a motion to adopt Resolution 23-21 confirming Executive Session for the purpose of Real Estate, seconded by Brian Stover. Voting Year: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Virginia Galloway, Post IV Brian Stover. (Attachment “I”)

**PLANNING COMMISSION RECOMMENDATIONS
From July 25, 2023**

15. 2023-14-Z: Keith Dunn made a motion to deny application by **DADA REAL ESTATE, INC.** requesting to rezone 3.325 acres (two existing tracts) from B-1 (General Business District) to B-2 (Highway Business District) to develop a 5,000 square-foot convenience store with 2,500 square-feet of attached retail space. Property is located in Land Lots 1178, 1179, 1198 and 1199; District 3; Section 3; along the east side of Dallas-Acworth Highway and north of Bobo and Due West Roads (4800 & 4842 Dallas-Acworth Highway). POST 1. Seconded by Virginia Galloway. Voting Year: 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 to provide a traffic impact study for the development and coordinate with Paulding County DOT on methodology and parameters of the study.
2. Owner/Developer agrees access to the development shall be determined during the plan review process.
3. Owner/Developer agrees that any right-in/right-out driveway shall be a minimum distance of 330 ft. separation from next adjacent intersection, measured from radius to radius.
4. Owner/Developer to provide 10 ft. right-of-way along Dallas-Acworth Highway, along frontage of property.

16. 2023-20-Z: Keith Dunn made a motion to approve with four (4) stipulations application by **CHRIS COCHRAN**, requesting to rezone 1.43 acres from PRD (Planned Residential Development District) to B-2 (Highway Business District) for the purpose of developing a 5,100 sq. ft. convenience store. Property is located in Land Lots 543 & 544; District 3; Section 3; on the south side of Seven Hills Connector, west side of Kaydells Place. POST 1. Seconded by Chairman Carmichael. Voting Year: Chairman Carmichael, Post I Keith Dunn, Post II Sandy Kaecher, Post III Virginia Galloway. Abstaining: Post IV Brian Stover.

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

1. 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.
2. Owner/Developer agrees access to the development shall be determined during the plan review process.
3. Owner/Developer agrees that any right-in/right-out driveway shall be a minimum distance of 330 ft. separation from next adjacent intersection, measured from radius to radius.
4. Owner/Developer to donate sufficient right-of-way along property frontage to accommodate a 60 ft. right-of-way along Kaydells Place (30 ft. from centerline).

17. 2023-21-Z: Brian Stover made a motion to approve application by DANE CLYDE SNELLING & CYNTHIA LOUISE BAILEY, TRUSTEES, requesting to rezone 1 acre from A-1 (Agricultural District) to R-2 (Suburban Residential District) for the purposes of gifting an existing home and to a family member. Property is located in Land Lots 762 & 763; District 3; Section 3; north of Parker Rd, 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)

18. 2023-22-Z: Virginia Galloway made a motion to deny, seconded by Brian Stover the motion failed for the lack of a vote. Virginia Galloway made a motion to withdraw her motion to deny. Sandy Kaecher made a motion to table until the August 22, 2023, the motion failed for the lack of a second. Application by SAMEE BHAMANI / SABEEN BHAMANI, requesting to rezone 1.46 acres from B-2 (Highway Business District) to NB (Neighborhood Business District) for the proposed development of a small-retail convenience center with a gasoline dispensing facility. Property is located in Land Lot 101; District 1; Section 3; on the north side of Ridge Road and west side of Vaughn Road. (4281 Ridge Road). POST 3. Virginia Galloway made a motion to deny, seconded by Brian Stover. Voting Yea: Post I Keith Dunn, Post III Virginia Galloway, Post IV Brian Stover. Voting Against: Chairman Carmichael, Post II Sandy Kaecher

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

1. 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.
2. Owner/Developer agrees to provide a 25 ft. right-of-way miter at the intersection of Vaughn Road and Ridge Road.
3. Owner/Developer agrees to provide 60 ft. right-of-way along Vaughn Road (30 ft. from each side of centerline of the road).
4. Owner/Developer agrees to provide 120 ft. right-of-way along Ridge Road, (60 ft. from each side of centerline of road).
5. Owner/Developer agrees to no access/entrance on Vaughn Road.
6. Owner/Developer agrees to no Coin Operated Amusement Machines (COAM's).
7. Owner/Developer agrees the hours of operation is 5:00 am to 11:00 pm.

Variance Request by Applicant

8. Variance to reduce the required 25 ft. buffer along the eastern most property line to 15 ft. to allow the location of a stormwater detention pond.

19. 2023-07-SUP: Sandy Kaecher made a motion to approve with five (5) stipulations application by THOMAS RAY, requesting a Special Use Permit to relocate current pawn shop business located at 3393 Villa Rica Hwy to 7033 Villa Rica Hwy under the new business name of New Georgia Pawn Shop. Property is zoned B-2 (Highway Business) District and located in Land Lot 1292; District 2; Section 3; new proposed site is located along the corner of Nebo Road and Highway 61. 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.

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

1. Owner/Applicant agrees approval of this SUP is not transferable to another owner other than the current applicant.
2. Owner/Applicant agrees all applicable federal, state, and local regulations for a pawn shop business to be obtained prior to business license issuance.
3. Owner/Developer agrees access to the development shall be determined during the plan review process.
4. Owner/Developer agrees to work with Paulding County DOT on providing a 60 ft. right-of-way along their property frontage on Jack Weldon Drive (30 ft. from centerline).
5. Variance to reduce the rear building setback line from the required 40 ft. to 30 ft.

Variance Request by Applicant

CONCLUSION OF REGULAR BUSINESS

PUBLIC PARTICIPATION ON NON-AGENDA ITEMS: None

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