

**PAULDING COUNTY BOARD OF COMMISSIONERS
AUGUST 27, 2019
BOARD MEETING MINUTES**

CALL TO ORDER: David L. Carmichael, Chairman

INVOCATION: Angelia Farries, Sr. Administrative Assistant

PLEDGE: Presentation of Colors by Boy Scout Troop 27

PRESENT: David L. Carmichael, Chairman; Ron Davis, 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: Ron Davis made a motion to adopt the August 13, 2019, Work Session Minutes, and the August 13, 2019, Board Meeting Minutes, seconded by Sandy Kaecher; motion carried unanimously.

ANNOUNCEMENTS: None

INVITED GUESTS: None

BID AWARDS:

Award the construction contract for the Ridge Road, Cohran Store Road and Bob Hunton Road Roundabout Project to the lowest, responsive bidder, Bartow Paving, in the amount of \$1,894,934.11. (Post 2 & 3):

Chuck Hart made a motion to award the construction contract for the Ridge Road, Cohran Store Road and Bob Hunton Road Roundabout Project to the lowest, responsive bidder, Bartow Paving, in the amount of \$1,894,934.11. (Post 2 & 3), seconded by Sandy Kaecher; motion carried unanimously. (On file in the Finance Department)

Award the purchase of stream mitigation credits required for the Richland Creek Reservoir Project up to 30,597.4 stream credits. (Post 4):

Brian Stover made a motion to award the purchase of stream mitigation credits required for the Richland Creek Reservoir Project up to 30,597.4 stream credits. (Post 4), seconded by Chuck Hart; motion carried unanimously. (On file in the Finance Department)

Award the contract for timber harvesting associated with the Richland Creek Reservoir Project to the lowest responsive bidder, Triple J Logging, in the amount of \$1,202,884. (Post 4):

Brian Stover made a motion to award the contract for timber harvesting associated with the Richland Creek Reservoir Project to the lowest responsive bidder, Triple J Logging, in the amount of \$1,202,884. (Post 4), seconded by Ron Davis; motion carried unanimously. (On file in the Finance Department)

Award the construction contract for the Hangar 1 Renovation at the Paulding Airport to the lowest responsive and responsible bidder Striker Contracting, LLC in the amount of \$329,329.00. (Post 2):

Sandy Kaecher made a motion to award the construction contract for the Hangar 1 Renovation at the Paulding Airport to the lowest responsive and responsible bidder Striker Contracting, LLC in the amount of \$329,329.00. (Post 2), seconded by Brian Stover; motion carried unanimously. (On file in the Finance Department)

REPORTS FROM COMMITTEES & DEPARTMENTS: None

PUBLIC PARTICIPATION ON AGENDA ITEMS:

CONSENT AGENDA: Ron Davis made a motion to approve the two (2) consent agenda items:

1. Adopt Ordinance 19-04 amending Ordinance 70-53, approving speed limits, and approving the use of speed detection devices on certain county roads. (See Attachment "A")
2. Adopt Resolution 19-25 a Resolution of Paulding County, Georgia supporting the 2020 Census. (See Attachment "B")

Seconded by Chuck Hart; motion carried unanimously.

OLD BUSINESS:

Resolution 19-24 confirming Executive Session at the August 13, 2019 2:00 pm Board of Commissioners Meeting for the purpose of Pending and Potential Litigation:

Brian Stover made a motion to adopt Resolution 19-24 confirming Executive Session at the August 13, 2019 2:00 pm Board of Commissioners Meeting for the purpose of Pending and Potential Litigation, seconded by Chairman Carmichael; motion carried unanimously. (See Attachment "C")

NEW BUSINESS:

Rezoning Case 2007-04-Z. (Post 3):

Chuck Hart made a motion to approve with 22 stipulations Rezoning Case 2007-04-Z. (Post 3), seconded by Sandy Kaecher; motion carried four (4) for and one (1) against (Ron Davis)

2007-04-Z: Application by **SEVENTH AND JUNIPER, LLC** to rezone approximately 73.10 acres from Suburban Residential District and Agricultural District to Planned Residential District with Commercial Component (Planned Residential Development ~ 54.8 acres with ~ General Business District ~18.30 acres) for a 176 lot single-family residential development and retail development and daycare. Property is located in Land Lots 1096, 1136, 1137, 1168 and 1169; District 2, Section 3; west side of Dallas Nebo, north and south of Nebo Road and the east side of Dallas Nebo Road; north of Nebo Road.

RECOMMENDATION: APPROVAL (4-0-2) with the following amended stipulations:

1. Owner/Developer agrees that 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.
2. Owner/Developer shall submit detailed landscaping plans prepared by a registered landscape architect for entrance, amenity, and required buffer areas for review/approval by the Planning and Zoning Division prior to the submittal of a final plat for Phase I and meet all Highway Corridor Overlay District requirements.
3. Owner/Developer agrees that if the application is approved and the planned development at any time exceeds the mixed-use threshold, the project must be submitted to the Georgia Department of Community Affairs, Georgia Regional Transportation Authority, and Coosa Valley Regional Development Center as a DRI.
4. This development is not anticipated by the Master Sewer Study at this time. The Master Sewer Study shows sewer service to this area between 2010 and 2015. It also shows that sewer service is to be to the Sweetwater Outfall Line.
5. The sewer tap fees associated with this project will be based upon the agreement to provide sewer service to the Sweetwater Creek Basin between Paulding County BOC and Cobb County BOC.
6. Owner/Developer to provide report showing 1,000 gpm fire flow to all fire hydrants within 300 ft. of all buildings in the entire development and an analysis showing developments impact on the water system.
7. Owner/Developer agrees to install Invensys "radio read" master meter or approved equal for the commercial development, and install Invensys "radio read" meters or approved equal for the residential portion.
8. Owner/Developer agrees to relocate all existing water and sewer infrastructure out from under A/D lanes, if required.
9. Owner/Developer agrees to install a manhole and donate a 20' wide permanent easement to the proposed property lines for all major drainage features to the north, east, south and west, as applicable. Specific locations to be determined during the plan review process. Infrastructure shall be sized to serve the entire basin.

10. Owner/Developer agrees to provide a master water and sewer plan under separate cover prior to preliminary plat approval for the residential and construction plan approval for the commercial, including analysis of all existing infrastructure. Improvements may be required.
11. Owner/Developer acknowledges that sewer availability is not expressly implied as a result of zoning.
12. Owner/Developer agrees to install a minimum 1,500 gallon outside grease trap on all restaurants and food preparatory establishments.
13. Owner/Developer acknowledges that no building permits will be issued until such time the off-site infrastructure to be used to convey this development's wastewater to Paulding County's treatment facilities has been constructed, inspected and accepted.
14. Owner/Developer agrees that any lift station built for the proposed development will be sized for the basin and shall contain Flygt pumps or approved equal, an on-site generator, an on-site electrical hoist, and a black vinyl coated fence with black vinyl slats. The lift station will be located above the 100-year flood plain on a 75' by 75' level graded pad. Lift station site to be dedicated fee simple to Paulding County at the time of final plat. Compatible SCADA monitoring shall be provided. Force main will be Class 350 Ductile Iron Pipe.
15. Owner/Developer agrees to dedicate all sanitary sewer easements to Paulding County prior to obtaining a final plat.
16. Owner/Developer shall donate sufficient right of way and easements as per Project: CTIP-467-2(2)(3) Dallas Nebo Road and Nebo Road Intersection Improvement Project.
17. Owner/Developer shall donate additional right of way to provide for a minimum of 120 feet along Dallas Nebo Road and Nebo Road (60 feet from centerline) and twenty feet of permanent easement for slopes, drainage and utilities beyond the limits of the above project.
18. The final location and design of access shall be determined during the plan review process.
19. Owner/Developer shall provide interparcel access to be determined during the plan review process.

Voluntary stipulations added by applicant:

20. Owner/Developer has voluntarily agreed to donate \$500 per lot to the Paulding County School System at the time of final platting.
21. Owner/Developer agrees to construct an 8-foot privacy fence on the Leggett property where it adjoins the applicant's property; install a County water meter on the Leggett property and plant three rows of six feet staggered Leyland Cypress trees on the applicant's property where it adjoins the Leggett property.
22. Owner/Developer agrees to construct an eight-foot privacy fence on the Krupnick property where it adjoins the applicant's property. .

Resolution 19-26 approving deannexation of tax parcel 140.3.2.002.0000. (Post 1):

Ron Davis made a motion to adopt Resolution 19-26 approving deannexation of tax parcel 140.3.2.002.0000. (Post 1), seconded by Chuck Hart; motion carried unanimously. (See Attachment "D")

Adopt revision to Civil Service Rules, Chapter IV, Recruitment and Selection, Section 7, "Employment of Relatives":

Chuck Hart made a motion to adopt revision to Civil Service Rules, Chapter IV, Recruitment and Selection, Section 7, "Employment of Relatives", seconded by Brian Stover; motion carried three (3) for and two (2) against (Chairman Carmichael and Ron Davis) (On file in the Human Resources Department)

Approve issuing a notice to proceed with the East Hiram Sewer Improvement Project to John D. Stephens and approve the 30% Guaranteed Maximum Price not to exceed \$9,181,364.50. (Post 3):

Chuck Hart made a motion to approve issuing a notice to proceed with the East Hiram Sewer Improvement Project to John D. Stephens and approve the 30% Guaranteed Maximum Price not to exceed \$9,181,364.50. (Post 3), seconded by Ron Davis; motion carried unanimously. (On file in the Transportation Department)

Approve the amendment to the scope of services with Tetra Tech, Inc. for the Coppermine WRF Treatment Capacity Expansion Project to include Reuse Pump Station Upgrades and Equipment Tax Incentives Assistance at a total cost of \$35,800. (Post 3):

Ron Davis made a motion to approve the amendment to the scope of services with Tetra Tech, Inc. for the Coppermine WRF Treatment Capacity Expansion Project to include Reuse Pump Station Upgrades and Equipment Tax Incentives Assistance at a total cost of \$35,800. (Post 3), seconded by Brian Stover; motion carried unanimously. (On file in the Water Systems Department)

Purchase Kubota Membranes on Quotation Number 081419-1-BEC-RO (Attached) in the amount of \$546,980.00, for the replacement of existing membranes at the County's Wastewater Treatment Plants:

Brian Stover made a motion to purchase Kubota Membranes on Quotation Number 081419-1-BEC-RO (Attached) in the amount of \$546,980.00, for the replacement of existing membranes at the County's Wastewater Treatment Plants, seconded by Ron Davis; motion carried unanimously. (On file in the Water Systems Department)

Resolution 19-27 requesting that the Federal Aviation Administration release approximately 2.964 acres from Federal Obligations for the purpose of constructing the New Aviation Academy:

Sandy Kaecher made a motion to adopt Resolution 19-27 requesting that the Federal Aviation Administration release approximately 2.964 acres from Federal Obligations for the purpose of constructing the New Aviation Academy, seconded by Brian Stover; motion carried unanimously. (See Attachment "E")

Resolution 19-28 confirming Executive Session for the purposes of Pending and Potential Litigation:

Ron Davis made a motion to adopt Resolution 19-28 confirming Executive Session for the purposes of Pending and Potential Litigation, seconded by Sandy Kaecher; motion carried unanimously. (See Attachment "F")

**ITEMS FROM THE PAULDING COUNTY
PLANNING COMMISSION**

Ron Davis made a motion to approve with five stipulations **2019-13-Z**: Application by **JONATHAN JONES** to rezone approximately 16.265 acres from R-2 (Suburban Residential) to R-55 (Active Adult Residential Zoning District) for age-restricted subdivision development. Property is located in Land Lot 1265; District 3; Section 3; on the west side of Mt. Tabor Church Road, west of Holland Road. POST 1, seconded by Chuck Hart; motion carried unanimously.

RECOMMENDATION: APPROVAL (6-0-1) with the following stipulations:

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. 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.
2. Owner/Developer agrees left and right turn lanes shall be determined, based upon results of a traffic study.
3. Owner/Developer acknowledges this development is within the mandatory Coppermine Sewer Service Basin.

4. Owner/Developer acknowledges sewer availability is not expressly implied as a result of zoning.
5. Owner/Developer agrees to provide a water and sewer plan prior to construction plan approval including analysis of existing infrastructure. Improvements may be required.

Ron Davis made a motion to approve **2019-14-Z**: Application by **AJAIB SINGH** to rezone approximately 0.115 acres from R-4 ((Multi-Family Non Fee Simple (Rental) Residential District)) to B-1 (General Business) to annex into City of Hiram and combine to adjoining 0.454-acre tract to the east, which is zoned B-1 (General Business) in the City of Hiram. Property is located in Land Lots 386, 387, 406, and 407; District 2; Section 3; on the north side of Atlanta Highway, east of Cobbler Cove Drive. POST 1, seconded by Sandy Kaecher; motion carried unanimously.

RECOMMENDATION: APPROVAL (6-0-1) with the following stipulations: NONE

Chuck Hart made a motion to approve **2019-10-SUP**: Application by **TOWERCOM V, LLC** for a Special Use Permit on approximately 45.68 acres for 195-foot (199 with appurtenances) monopole wireless communications facility. Property is located in Land Lot 1034; District 19; Section 2; east side of Cleburne Parkway, east of Bennett Road. POST 3, seconded by Brian Stover; motion carried unanimously.

RECOMMENDATION: APPROVAL (6-0-1) with the following stipulations: NONE

Sandy Kaecher made a motion approve **2019-11-SUP**: Application by **RICHARD M. MAYO** for a Special Use Permit on approximately 35.0 acres for wedding/reception venue. Property is located in Land Lots 927 and 964; District 19; Section 3; north side of Buchanan Circle, east of Old Yorkville Road. POST 2, seconded by Brian Stover; motion carried unanimously.

RECOMMENDATION: APPROVAL (5-1-1) with the following stipulations:

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 wedding/reception business.
3. Owner/Applicant agrees the development and construction of the event center is subject to the County's Plan Review Process include site and building development.
4. Owner/Applicant agrees any expansion and/or addition of new buildings / facilities would require an amended Special Use Permit.
5. Owner/Applicant agrees to low or boxed/shielded out-side lighting.
6. Owner/Applicant agrees to a 100 ft. buffer (per site plan).
7. Owner/Applicant agrees to a maximum of 4 events per month with hours of operation during the day time (8 am to 11 pm).

Chuck Hart made a motion to approve with four amended stipulations **2019-02-LUP**: Application by **FRANKIE WILLINGHAM** for a Land Use Permit on approximately 17.9227 acres for shop for landscape company and storage area for hardwood trees, fruit trees and shrubs. Property is located in Land Lot 1138; District 2; Section 3; south side of Nebo Road, west of Dallas Nebo Road. POST 3, seconded by Ron Davis; motion carried unanimously.

RECOMMENDATION: APPROVAL (6-0-1) with the following stipulations:

1. Owner/Applicant agrees approval of this LUP is not transferable to another owner other than the current property owner/applicant.
2. Owner/Applicant agrees to maintain a 25 ft. buffer along the Nebo Road southern and eastern property lines for screening purposes.

3. Owner/Developer shall build a 32' wide commercial driveway on Nebo Road with 50' Radius.
4. Owner/Developer agrees that there will be no commercial access from Clarice Road.

Chuck Hart made a motion to approve **2019-03-LUP**: Application by **JONATHAN D. ROBBINS** for a Land Use Permit renewal on approximately 1.995 acres for part time fire arm repair business in an accessory structure. Property is located in Land Lots 227 and 232; District 18; Section 2; south side of Sleepy Hollow Road, on an easement, east of Ralston Road (1004 Sleepy Hollow Road). POST 3, seconded by Sandy Kaecher; motion carried unanimously.

RECOMMENDATION: APPROVAL (6-0-1) with the following stipulations: NONE

Ron Davis made a motion to approve with three stipulations **2019-04-LUP**: Application by **ROBERT COFIELD** for a Land Use Permit renewal on approximately 8.93 acres for restoration of older hot rods and classic automobiles in an accessory structure. Property is located in Land Lot 889; District 2; Section 3; northwest side of Rich Davis Road, south of Hiram Sudie Road (594 Rich Davis Road). POST 1, seconded by Sandy Kaecher; motion carried unanimously.

RECOMMENDATION: APPROVAL (6-0-1) with the following stipulations:

1. Owner/Applicant agrees approval of this LUP is not transferable to another owner other than the current property owner/applicant.
2. Owner/Applicant agrees to limit material deliveries to the site to a maximum of two (2) per day with the delivery vehicle being no larger than a double-axle van/box truck. (Tractor-trailers are prohibited).
3. Owner/Applicant agrees to no outside storage of vehicles.

CONCLUSION OF REGULAR BUSINESS

PUBLIC PARTICIPATION ON NON-AGENDA ITEMS: None

EXECUTIVE SESSION: None

ADJOURNMENT: Ron Davis made a motion to adjourn, seconded by Sandy Kaecher; motion carried unanimously.

Rebecca Merideth, County Clerk

David L. Carmichael, Chairman