



**PAULDING COUNTY BOARD OF COMMISSIONERS  
BOARD MEETING MINUTES  
JANUARY 28, 2020**

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

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

**INVOCATION:** Commissioner Chuck Hart

**PLEDGE:** Presentation of Colors by Scouts BSA Troop 773G and are chartered by 773 Scouter's Association

**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

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**MINUTES:** Sandy Kaecher made a motion to adopt the January 14, 2020, Work Session Minutes, and the January 14, 2020, Board Meeting Minutes, seconded by Brian Stover; motion carried unanimously.

**ANNOUNCEMENTS:**  
Chairman Carmichael announced the upcoming Ground Breaking Ceremony for the Costco wholesale.

**INVITED GUESTS:** None

**BID AWARDS:** None

**REPORTS FROM COMMITTEES & DEPARTMENTS:** None

**PUBLIC PARTICIPATION ON AGENDA ITEMS:** None

**CONSENT AGENDA:** Ron Davis made a motion to approve the following consent agenda items:

1. Adopt Water System Job Classifications for 1) Maintenance Team Leader and 2) Maintenance Mechanic.
2. Approve a Memorandum of Understanding/Indefeasible Right of Use with Greystone Power. (See Attachment "A")
3. Authorize Parker Fiber to make connections to Greystone Power's fiber with an amount not to exceed \$50,000. (On file in the Water System Department)
4. Declare items listed as surplus, and approve their disposal through auction or trade:

| <u>Department</u> | <u>Item Name</u> | <u>Make/Model</u> | <u>Serial Number</u> |
|-------------------|------------------|-------------------|----------------------|
| Environmental     | Unit 350         | 1999 Ford Ranger  | 1FTYR10C0XPB97620    |
| Health            |                  |                   |                      |

Seconded by Sandy Kaecher; motion carried unanimously.

**OLD BUSINESS:** None

**NEW BUSINESS:**

5. ***Resolution 20-03 approving property exchange and the granting and accepting of easements with Naturewalk Development Company, Inc., and authorizing Settlement and Release of Claims:***  
Brian Stover made a motion to adopt Resolution 20-03 approving property exchange and the granting and accepting of easements with Naturewalk Development Company, Inc., and authorizing Settlement and Release of Claims. Seconded by Chuck Hart; motion carried unanimously. (See Attachment "B")

**6. *Adopt Ordinance 20-01 an Ordinance amending Section 62-63 (a) (b) (c) regarding the Unlawful Use of a County Road:***

Ron Davis made a motion to adopt Ordinance 20-01 an Ordinance amending Section 62-63 (a) (b) (c) regarding the Unlawful Use of a County Road. Seconded by Chairman Carmichael; motion carried unanimously. (See Attachment "C")

**7. *Contract with Musco Lighting at a price not to exceed \$177,500 for the lighting of the multipurpose field at Burnt Hickory Park. This will be funded through SPLOST.***

Chuck Hart made a motion to approve the awarding of a Contract with Musco Lighting at a price not to exceed \$177,500 for the lighting of the multipurpose field at Burnt Hickory Park. This will be funded through SPLOST. Seconded by Brian Stover; motion carried unanimously. (On file in the Parks and Recreation Department)

**8. *Contract extension on the Phase 2 Finished Water Transmission Main Project for Garney Construction:***

Brian Stover made a motion to approve a non-compensatory Contract extension on the Phase 2 Finished Water Transmission Main Project for Garney Construction. Seconded by Sandy Kaecher; motion carried unanimously. (On file in the Water Systems Department)

**9. *Agreement with Kelly Landscapes Management, Inc. for the roadside Right-of-Way Turf Maintenance Services Contract in the amount of \$168,615.40. The Contract provides for finish mowing, string trimming, edging and litter pickup of approximately 66 acres (10.5 acres of median and 55.44 acres of roadside shoulders) on various County Roads:***

Brian Stover made a motion to approve the Chairman to enter into an Agreement with Kelly Landscapes Management, Inc. for the roadside Right-of-Way Turf Maintenance Services Contract in the amount of \$168,615.40. The Contract provides for finish mowing, string trimming, edging and litter pickup of approximately 66 acres (10.5 acres of median and 55.44 acres of roadside shoulders) on various County Roads. Seconded by Sandy Kaecher; motion carried unanimously. (On file in the Transportation Department)

**10. *Agreement with Yellowstone Landscape for the FY2020 Countywide Shoulder Maintenance Services Contract, in the amount of \$872,313.00. The Contract provides multiple cycles for mowing, trimming and litter pick up on 523 miles of County Roads and 21 miles on four lane State Highways:***

Ron Davis made a motion to approve the Chairman to enter into an Agreement with Yellowstone Landscape for the FY2020 Countywide Shoulder Maintenance Services Contract, in the amount of \$872,313.00. The Contract provides multiple cycles for mowing, trimming and litter pick up on 523 miles of County Roads and 21 miles on four lane State Highways. Seconded by Sandy Kaecher; motion carried unanimously. (On file in the Transportation Department)

**11. *Contract with Southeastern Engineers in the amount of \$98,500.99 for preliminary engineering design services for the Ridge Road widening Project from SR 92 to Laird Road:***

Chuck Hart made a motion to authorize the Chairman to enter into a Contract with Southeastern Engineers in the amount of \$98,500.99 for preliminary engineering design services for the Ridge Road Widening Project from SR 92 to Laird Road. Seconded by Ron Davis; motion carried unanimously. (On file in the Transportation Department)

**12. *Resolution 20-04 confirming Executive Session for the purposes of Real Estate, Personnel, and Pending and Potential Litigation:***

Ron Davis made a motion to adopt Resolution 20-04 confirming Executive Session for the purposes of Real Estate, Personnel, and Pending and Potential Litigation. Seconded by Chairman Carmichael; motion carried unanimously. (See Attachment "D")

**ITEMS FROM THE PAULDING COUNTY  
PLANNING COMMISSION**

**2019-01-TAA:**

Chuck Hart made a motion to approve with amendment changes **2019-01-TAA** Application by WINTERGREEN DEVELOPMENT for text amendment to Zoning Ordinance Article VIII, Section V "R-55" (Active Adult Residential District) Subsection (4) b as it relates to double-car garages for single-family detached and attached cottage dwellings. Seconded by Sandy Kaecher; motion carried three (3) for and two (2) against (Ron Davis and Brian Stover)

RECOMMENDATION BY THE PLANNING COMMISSION: DENIAL (3-2-1).

Paulding County Zoning Ordinance (2003 as amended) – Article VIII, Section V, Active Adult Residential District, (4) Architectural and Landscape Standards:

(b) All Single family detached and attached cottage dwellings shall contain an attached garage. A minimum of two parking spaces per unit is required. The parking spaces must be in the driveway or the garage. Dwellings over 1,400 square feet must have a double-car garage. Dwellings 1,400 square feet or less may have a single-car garage. No more than thirty (30) percent of the dwellings in a subdivision may have a single-car garage.

**2019-24-Z:**

Ron Davis made a motion to approve with five (5) listed stipulations **2019-24-Z** Application by W. REED KONIGSMARK to rezone approximately 52.2 acres from R-2 (Suburban Residential District) to R-55 (Active Adult Residential District) for a 135 lot age restricted single-family residential development. Property is located in Land Lots 224, 294, and 295; District 19; Section 2; on the south side of Poplar Road, west of Clearwater Court. POST 1. Seconded by Sandy Kaecher; motion carried four (4) for and one (1) against (Brian Stover)

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

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 access to the development shall be determined during the plan review process.
3. Owner/Developer shall be responsible for incorporating traffic calming practices. 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.
4. Owner/Developer acknowledges this development is within the mandatory Coppermine Sewer Service Basin.
5. Owner/Developer acknowledges that sewer availability is not expressly implied as a result of zoning.

**2019-27-Z:**

Ron Davis made a motion to approve with five (5) listed stipulations **2019-27-Z** Application by HIGHLANDS RESIDENTIAL, LLC to rezone approximately 1.26 acres from R-2 (Suburban Residential) District to R-55 (Active Adult Residential) District for six (6) age-restricted attached single-family residential units. Property is located in Land Lot 388; District 2; Section 3; on the west side of Charles Hardy Parkway (SR 120), across from Village Boulevard. POST 1. Seconded by Chairman Carmichael; motion carried four (4) for and one (1) against (Brian Stover)

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

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 access to the development shall be determined during the plan review process.
3. Owner/Developer acknowledges this development 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 acknowledges Paulding County does not guarantee water service above an elevation of 1130 MSL.

**2020-01-Z:**

Brian Stover made a motion to approve with six (6) listed stipulations **2020-01-Z** Application by FORESTAR (USA) REAL ESTATE GROUP, INC. to rezone approximately 13.08 acres from R-2 (Suburban Residential) District to R-2 with Sewer (Suburban Residential with Sewer) District for 17 single-family residential lots. Property is located in Land Lot 463; District 3; Section 3 on the eastern end of Westbrook Creek Road and north of Seven Hills Connector. POST 4. Seconded by Chuck Hart; motion carried unanimously.

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

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 access to the development shall be determined during the plan review process.
3. Owner/Developer shall be responsible for incorporating traffic calming practices. 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.
4. Owner/Developer agrees to work with Paulding County DOT for the donation of R/W for the Westbrook Creek Connector Road.
5. Owner/Developer acknowledges this development is within the mandatory Pumpkinvine Sewer Service Basin.
6. Owner/Developer acknowledges that sewer availability is not expressly implied as a result of zoning.

**2020-02-Z:**

Chuck Hart made a motion to approve with four (4) listed stipulations **2020-02-Z** Application by SCOBBS, LLC / ASHUTOS RAO to rezone approximately 5.10 acres from R-2 (Suburban Residential) District to B-1 (General Business) District for the development of a three-story medical office building. Property is located in Land Lot 531; District 2; Section 3; on the west side of Bill Carruth Highway, south of Jimmy Lee Smith Parkway (US 278). POST 3. Seconded by Ron Davis; motion carried unanimously.

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

1. Owner/Developer agrees access to the development shall be determined during the plan review process.
2. Owner/Developer acknowledges that this development is in the mandatory Coppermine Sewer Service Basin.
3. Owner/Developer acknowledges that sewer availability is not expressly implied as a result of zoning.
4. Owner/Developer acknowledges Paulding County Water System does not guarantee water service above an elevation of 1130 MSL.

**CONCLUSION OF REGULAR BUSINESS**

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

**EXECUTIVE SESSION:** None

**ADJOURNMENT:** Ron Davis made a motion to adjourn, seconded by Brian Stover; motion carried unanimously.

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Rebecca Merideth, County Clerk

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David L. Carmichael, Chairman