

Regular Meeting Minutes - January 5, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES - THURSDAY, JANUARY 5, 2006

Dawson County Courthouse - 6:00 p.m.

ROLL CALL: Those present were Chairman Berg; Commissioner Saling, District 1; Commissioner Craft, District 2; Commissioner King, District 3; Commissioner Julie Hughes Nix, District 4; County Attorney Homans; County Manager Anderson; Interim County Clerk Clement and interested citizens of Dawson County, Georgia.

OPENING PRESENTATION: Drug Court – Judge Girardeau

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Chairman Berg

ANNOUNCEMENTS:

APPROVAL OF MINUTES:

Motion passed unanimously to approve Minutes of Regular Commission Meeting held on December 15, 2005. Saling/Nix

Chairman Berg explained the need for a motion to amend the agenda to be able to hear Old Business before Public Hearings.

Motion passed unanimously to amend the agenda to hear Old Business before Public Hearings.
King/Saling

OLD BUSINESS:

Election Process for District Commissioners

Chairman Berg stated that the Election Process for District Commissioners had previously been heard at the 12-15-05 meeting at which Mr. King had been absent. Two Public Hearings are necessary to discuss the verbiage on a referendum to address the voting procedure concerning district commissioners being elected by district as opposed to county wide which is currently in effect.

Motion passed unanimously to move forward with two Public Hearings on the issue of election by district. Saling/Craft

PUBLIC HEARINGS:

Fines for False Alarms (1st Hearing)

Chairman Berg announced that this was the first public hearing for Fines for False Alarms and asked if anyone wished to speak on the issue and seeing none closed the first public hearing on Fines for False Alarms.

County Attorney Homans asked Commissioners to review the draft for Fines for False Alarms with special attention to the appeal process for citations.

Road Abandonment Dianne Circle (1st Hearing)

Chairman Berg opened the floor to anyone wishing to speak on the Road Abandonment of Dianne Circle. Christopher Willis, attorney for the property owners, came forward and explained that there was a twenty foot strip of land between two properties that was set out by the county as an access road in 1967. To date, this strip of land has never been utilized by the county and is overgrown by brush. Chairman Berg asked if anyone else wished to speak on this public hearing and seeing none, closed the hearing for the Road Abandonment of Dianne Circle.

Commissioner King asked if it had been determined whether Dianne Circle was used by the fire department for access to the lake. County Manager Anderson will ascertain the information from the fire department and will have a written response from the fire department to present at the Board of Commissioners Work Session on 01-12-06.

Election Process for District Commissioners (1st Hearing)

Chairman Berg opened the floor for discussion of the 1st public hearing for the Election Process for District Commissioners and hearing closed the floor. The 2nd public hearing for the Election Process for District Commissioners will be heard at the Regular Meeting of the Board of Commissioners on 01-19-06.

NEW BUSINESS:

Beer & Wine License – Silver City Citgo

County Attorney Homans explained that this is a package sales for beer and wine. Silver City Citgo is requesting conditional approval: exception to the residency requirement and the 6 month of operation requirement before obtaining beer and wine license. The state background check has been completed but the federal background check has yet to be returned. Chairman Berg asked about the distance a business that sells packaged beer and wine needs to be from churches. County Attorney Homans read the Ordinance which states that the business could not be located any closer than 500 feet from church buildings or schools.

Johnny Ariemma, landlord of Silver City Citgo, came forward and explained that the location of the business was more than 1000 yards from any church buildings or schools and a map was submitted in the paper work showing this.

Commissioner Saling questioned the applicant, Mr. Sued Shaffiuddin, about not being a U.S. citizen or a Legal Alien. County Attorney Homans explained that it was not necessary under the package sales ordinance to be a permanent U.S. citizen but that Mr. Shaffiuddin is here as a Legal Alien temporarily until his application for permanent residency is approved. Commissioner Saling asked the applicant if he currently held a green card to which the applicants response was no. Chairman Berg asked Mr. Shaffiuddin when he thought he might receive his green card. He explained that he had applied for a green card in 1998. Mr. Shaffiuddin informed the board that he currently had four different businesses in different counties with his name on the liquor licenses. Johnny Ariemma stated that he would apply for the liquor license in his name if this would help the board approve the application from Silver City Citgo.

Commissioner Nix questioned County Attorney Homans about section 4 of the Alcohol Ordinance which states that a business should be in continuous operation for a period of six months prior to the issuance of the license. Homans stated that the Board of Commissioners would have to grant an acceptance to

this part of the ordinance. The applicant usually provides a bond or certified check for \$1,500 that would be held until food sales are confirmed to be sufficient to abide by the ordinance.

Commissioner Saling motioned to table the beer and wine license for Silver City Citgo for a period of six months.

Motion dies for lack of a second.

Motion passed unanimously to table the beer and wine license for Silver City Citgo for a period of six months. King/Saling

Six Special Event Alcohol Licenses – Chamber of Commerce

Attorney Homans read the dates of the six special events proposed by the Chamber of Commerce and pointed out that they required a license for beer and wine by the drink.

Motion passed unanimously to approve the six special event alcohol licenses for the Chamber of Commerce as submitted. Saling/Craft

Commissioners' Salary Report

Chairman Berg reported that Ann Williams and the Commissioner's Salary Committee had presented the results of their study at the BOC work session on 12-22-05. Commissioner Saling requested that the language be change on page 4 under "Meeting Fees" to make clear that it is for meetings above our normal two work sessions and two regular meetings per month. Chairman Berg requested that in addition to the \$100 to be paid to Commissioners who complete the basic courses provided by ACCG, the additional \$100 dollars suggested in the report should be given to Commissioners who complete the advanced courses.

Motion passed to move forward with three public hearings on the Dawson County Compensation Package. Saling/Craft Commissioner King opposed.

Kitchen Food Services Bid

Chairman Berg explained that ABL had submitted the low bid for Kitchen Food Service.

Motion passed unanimously to approve the bid for Kitchen Food Services as submitted by ABL. Nix/Craft

Structure Separation and Commercial Sprinkler System Ordinances

Chairman Berg explained that this was discussed at a previous work session and should be ready to move forward with the Ordinances.

Motion passed unanimously to adopt the Structure Separation and Commercial Sprinkler System Ordinances as submitted by the County Fire Marshall. Saling/Craft

County Attorney Homans will advertise for two public hearings on Structure Separation and Commercial Sprinkler Ordinances.

Georgia Trend Advertising

Chairman Berg explained that Georgia Trend Magazine three years ago did a spread on Dawson County and advertising was purchased by the county at that time. Georgia Trend has secured six different organizations from Dawson County who have committed to purchasing advertising on a two page spread. The different groups are; Chamber of Commerce/Tourism, Lanier Tech, EWSA, City of Dawsonville, BOE and the Development Authority. If the board chooses to advertise with Georgia Trend the cost of the ad would be \$1893.00.

Motion passed unanimously to approve the \$1893.00 to be a participant of 1 of 7 in the Georgia Trend Magazine promotion. Saling/King

Vice Chairman for 2006

Chairman Berg stated that the position of vice chairman was a yearly appointment and suggested since Commissioner Saling had yet to have the honor of being vice chairman, he would be an excellent candidate.

Motion passed unanimously to appoint Commissioner Bill Saling as Vice Chairman of the Board of Commissioners for the 2006 term. Nix/Craft

Appointments for Development Authority Board and Industrial Authority Board

Chairman Berg pointed out that 1 four year term on the Development Authority Board and 3 six year terms on the Industrial Authority Board had expired. Lake Gibson, Chairman of the Development Authority and Linda Williams, Executive Director of the Development Authority recommended the following people: Dr. Jerry Ashcroft, Dan Tennant and Gary Pichon for the Industrial Authority Board and Dr. Jerry Ashcroft for the Development Authority Board.

Motion passed unanimously to adopt the recommendations from the Development Authority to appoint Dr. Jerry Ashcroft, Dan Tennant and Gary Pichon to the Development Authority Board for the term of four years and Dr. Jerry Ashcroft to the Industrial Authority Board for a six year term. Saling/Nix

Dawson County Manager, County Clerk and County Attorney Contracts

Chairman Berg explained that the appointment of Dawson County Manager, County Clerk and County Attorney was done on a yearly basis and would be discussed in closed session.

PUBLIC COMMENT (5 minute limit)

Hugh Stowers presented Interim County Clerk Clement with a document that is attached to these minutes. Mr. Stowers also voiced concerns about roads and the pending negotiations between EWSA and the BOC.

Motion passed unanimously to go into Executive Session to discuss land acquisition, legal and personnel. Sling/Nix

Motion passed unanimously to come out of Executive Session. King/Saling

Motion passed unanimously to approve the contract of County Manager for a period on one year. Saling/King

Motion passed unanimously to approve the contract of County Attorney for the period of one year.
King/Craft

ADJOURNMENT:

Motion passed unanimously to adjourn the meeting. King/Saling

APPROVE: ATTEST:

Mike Berg, Chairman Tammy Clement, Interim County Clerk

Work Session Minutes - January 12, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

WORK SESSION MINUTES – THURSDAY JANUARY 12, 2006

Rock Creek Park Meeting Room – 4:00 p.m.

1. Parks & Rec Field Improvement Bid – James Tolbert/Lisa Henson

This item to be placed on the Regular Meeting Agenda – 01/19/06

2. Road Abandonment Dianne Circle – Tim Satterfield

This item to be placed on the Regular Meeting Agenda – 01/19/06

3. Drug Courts – Lowayne Craig

This item to be placed on the Regular Meeting Agenda – 01/19/06

4. Financial Strategies – Lowayne Craig/Duane Schlereth, C.P.A.

This item postponed until Work Session on 01/26/06

5. Jail Committee Report – Phil Anderson

General Marine Leasing to be placed on the Regular Meeting Agenda – 01/19/06

6. House Bill 962 Annexation

This item to be placed on the Regular Meeting Agenda – 01/19/06

7. Qualifying Fees – Mike Berg

This item to be placed on the Regular Meeting Agenda – 01/19/06

8 County Manager Report

9. County Attorney Report

Subdivision Road Widths to be placed on the Work Session Agenda on 01/26/06

Commissioners' Salary and Structure Separation & Commercial Sprinkler System Ordinances to be placed on the Regular Meeting Agenda – 02/02/06

Regular Meeting Minutes - January 19, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES - THURSDAY, JANUARY 19, 2006

Dawson County Courthouse - 6:00 p.m.

ROLL CALL: Those present were Chairman Berg; Commissioner Saling, District 1; Commissioner Craft, District 2; Commissioner King, District 3; Commissioner Julie Hughes Nix, District 4; County Attorney Homans; County Manager Anderson; County Clerk Clement and interested citizens of Dawson County, Georgia.

OPENING PRESENTATION: Humane Society and Animal Shelter – Dr. Mills

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Chairman Berg

ANNOUNCEMENTS: Chairman Berg welcomed Boy Scouts Rob Agan and Casey McGinnis who were attending the meeting to complete their badge on Communication.

Chairman Berg complemented the progress of the new Code Enforcement Officer Randy Branson for cleaning up the signs on the 400 corridor.

Dawson County Board of Commissioners will be hosting the Community Forum Tuesday, January 24, 2006, at the Rock Creek Community Room. The public is invited to attend this forum.

APPROVAL OF MINUTES:

Motion passed unanimously to approve Minutes of Regular Commission Meeting held on January 5, 2006. Saling/Craft

Chairman Berg announced that if anyone had contributed more than \$250 to the campaign for public office and wished to speak they will have to fill out a form which will be made available to them. Under

normal program, ten minutes will be given to those who wish to speak in favor of or opposition to with some redirect, time permitting

ZONING:

ZA 05-25: Wallace Group has made a request to rezone 25.21 acres of TMP 62-10 from RA (Residential Agricultural) to RPCD (Residential Planned Comprehensive Development) in order to develop a 21 – lot development. This is a phase of a subdivision that is also located in Forsyth County. Application includes VR 05-33, variance to 100-acre minimum requirement for RPCD zoning. Location: Nicholson Road

Planning Staff & Planning Commission recommended Denial for both rezone and variance

Chairman Berg read the zoning for ZA 05-25 and reported that the applicant had asked for a postponement of ZA 05-25 to be able to meet with the Health Board to clear up issues of lot size for septic tanks. They met with the Health Board last week and the Health Board approved the lot size submitted by the applicant. Chairman Berg explained that the request for postponement was not advertised even though the request was before the Board of Commissioners in an appropriate amount of time. The applicant was present at the meeting and the Board agreed to hear the zoning.

Chairman Berg asked if the applicant wished to address the Board. Russ Wallace came forward and explained that the bulk of the proposed subdivision was located in Forsyth County and had been approved by their board. Mr. Wallace is asking for the Dawson County Board of Commissioners to approve the same lot sizes that are in the Forsyth portion of the subdivision.

Kelly Stowers stated that River Manor Subdivision has 97 acres located in Forsyth County with only 25 acres located in Dawson County. The only access into the subdivision would be in Forsyth County and they would be in charge of the water system. The development has met the density requirement and also the 40% open space set forth by the Dawson County Land Use Resolution. They do not meet the 100 contiguous acres in Dawson County. Commissioner Saling questioned the fact that when two counties were sharing one property whose regulations should be followed. Attorney Homans explained that each county would enforce their own regulations. Commissioner King stated that the applicant would have to meet the regulations for Dawson County for the portion of property that lies in the county. Commissioner Saling pointed out that the reason the county approved the contiguous 100 acres was to insure against spot subdivisions and the applicant does have over 100 contiguous acres but it is just located in two different counties. Chairman Berg explained that if the zoning was approved by the board then the issue of the variance of 100 contiguous acres would have to be addressed. Berg was concerned that the people who would be living in the Dawson County portion of the subdivision and were paying taxes to Dawson County would not have access to Dawson County and would be receiving services from Forsyth County. Commissioner King believed one of the main issues would be schooling for the residents living in the portion of the subdivision in Dawson County. The school buses would have to travel a great distance just to service a few children. The applicant has not looked into the issue of

schooling for the residents in the subdivision but is not opposed to working with the two schooling governments.

Chairman Berg asked if anyone wished to speak in favor of or opposition to ZA 05-25. Bill Luper came forward to speak in opposition stating that he owned property just north of the development. Mr. Luper was very concerned about child safety. He has a stream on his property and knows this would be a place children would likely visit. Mr. Luper wanted to know what kind of buffers would be between his property and the subdivision. Zoning Administrator Cindy England explained that there were no set buffers in the ordinance but they do have in the files a RA adjacency which protects the RA owners against complaints from people moving into subdivisions.

Commissioner Saling asked the applicant to address the issue of buffers. Kyle Bowen explained that they were following Forsyth's requirements on buffering for subdivisions. There would be a 25 foot external buffer and an additional 25 foot set back from the rear of the house. Because of the topography of the property it would be impractical to install a fence around the subdivision.

Motion passed unanimously to approve ZA 05-25 with the condition that an intergovernmental agreement can be reached so that children in the Dawson County area of the subdivision will attend Forsyth County Schools. King/Saling

Motion passed unanimously to approve VR 05-33 with the condition that an intergovernmental agreement can be reached so that the children in the Dawson County area of the subdivision will attend Forsyth County Schools. King/Saling

ZA 05-20: Rowland Development Co. has made a request to rezone 26.92 acres of TMP 118-8 Split from RPCD (Residential Planned Comprehensive Development) to R3 (Residential Multi-Family) in order to develop an 80-lot/unit development. Location: Henry Grady Road

Planning Staff recommended Approval with stipulations & Planning Commission recommended Denial

Chairman Berg read the zoning for ZA 05-20 and explained that it had been incorrectly advertised as RPCD when 20 acres should have been RA to R3 and 6 acres should be RPCD to R3. Commissioner Saling questioned whether the rezoning from RA to R3 would be in compliance with the future land use plan. Zoning Administrator England explained that the proposed rezoning was not in compliance with the future land use plan. Saling questioned the fact that the zoning should actually be two separate issues since they are trying to take away 6 acres of an already approved site specific plan.

Commissioner Saling motioned to table ZA 05-20-and ZA 05-21 to be heard on February 16, 2006 and to direct the Planning Department to put together a packet for the Planning Commission to address both issues of the 6 acres withdrawal from the site specific plan and the rezoning from RA to R3. After some discussion, it was decided that the Board of Commissioners would be unable to table these zonings because they are specific to RPCD to R3. Commissioner Saling withdrew his motion.

Chairman Berg asked if anyone was present to speak in favor of or opposition to ZA 05-20. Hearing no one, Chairman Berg closed the public hearing.

Motion passed unanimously to deny ZA 05-20. Saling/Craft

Motion passed unanimously to allow Rowland Development Company to reapply for zoning consideration in a 30 day period. Saling/King

ZA 05-21:

Chestatee Development has made a request to revise the RPCD master development plan to allow 26.92 acres split (Reference ZA 05-20). TMP 118-8 Split, Location: Hwy. 400 N Henry Grady Road & Dogwood Way

Planning Staff recommended Approval with stipulations & Planning Commission recommended Denial

Chairman Berg read the zoning for ZA 05-21 and asked if the applicant was present to address the Board. Bill Blalock came forward as a representative of Chestatee Development. He explained that they are asking for the removal of 6.1 acres from the master plan so that the 6.1 acres could be sold. Blalock stated that a letter had been delivered to the Commissioners from Brian Ferris with commitments designed to bring resolution to some of the objections that were voiced last month. Brian Dunkel explained that they had been trying to correct the issue of 26.92 acres versus 6.1 acres but it continues to be stated as 26.92. All they stated on the application was a master plan revision to remove a portion of the property from RPCD zoning to RA. Mr. Blalock stated that only minor changes had been made to the master plan in 2001 dealing with the amenities. Commissioner Nix asked if the owners had a copy of the letter from Brian Ferris that was sent to the Board of Commissioners. Mr. Blalock stated that they had not given the home owners at Chestatee a copy of the letter. Chairman Berg read the following:

1. When approved, the revised master plan has added 3.7 +/- acres to the main amenity to replace the 1.2 +/- acres which were originally shown for the East Harbor Amenity area.
2. We will add two (2) unlighted tennis courts prior to recording of the fiftieth (50th) additional lot within the development. At this time we would anticipate this by 1st quarter 2007.

3. The value of all the east Harbor amenities was budgeted at \$100,000. In addition to the two (2) unlighted tennis courts we will commit to a minimum budget of \$110,000 to construct these same amenities (lap pool, single tennis court, and bathroom) or other amenities, as determined by the Chestatee Homeowner Association Advisory Committee (CHOAAC). An agreement and time frame for initiating the construction of these additions will be consummated prior to the recording of the fiftieth (50th) additional lot in the development.
4. If no consensus agreement can be reached regarding the amenity components we will agree to escrow \$110,000, in favor of the Chestatee HOA for their use after the association is turned over to the homeowners. The escrow would be established and funded prior to the recording of the one hundredth (100th) additional lot in the development.
5. The area identified as the main amenity area will be noted as open space on the revised master plan and no other (non-amenity) uses will be allowed.
6. All open space areas will be deeded to the Chestatee HOA prior to the turnover of the association to the homeowners.

These commitments are being made relative to zoning application ZA 05-20 and ZA 05-21 as a stipulation to a favorable approval, at the January 19, 2006 Board of Commissioners meeting, of both applications.

We hope this proposal will finally eliminate any and all doubt of our continuing commitment to the Chestatee community. Thank you for your consideration of this proposal and please do not hesitate to call if you have any questions.

Chairman Berg asked if anyone wished to speak in favor of ZA 05-21 and Dick Bergen came forward. Mr. Bergen suggested that architecturally multi family units would be the best use of the land adjoining the Chestatee Golf Club and the financial impact would be negligible. The list of changes from the original master plan are 5 common property deletions, 3 amenities deleted or possibly delayed, 4 amenities added, and 4 examples of increased residential density and these changes do warrant a revision to the master plan. Mr. Bergen commented that there were two areas of concern one being that the developer needs to plat and record common areas and whether the lakeside pavilion is a common area or belonging to the proposed Bed and Breakfast.

Bruce Long stated that he was in favor of the revision of the master plan with highlights on the \$110,000. He would also like to see that the open space on the plan remain.

Chairman Berg asked if anyone wished to speak in opposition to ZA 05-21. Kathleen Mango questioned the zoning application submitted by Chestatee Development with regards to the acreage being rezoned

and the land lots that are part of that acreage. Ms. Mango stated that according to the RPCD requirements, revisions to improve an RPCD plan shall require an additional review and approval from the Planning Commission before any work is started. Ms. Mango has concerns regarding the timeline in which proposed amenities should be available and the value of her home in which she has invested a considerable amount of money.

Betsy Conner voiced concerns about the master plan that has changed from the original master plan homeowners received. Ms. Conner believes for the public hearing of ZA 05-21 to be fair the original master plan should be produced because things are changing and happening at the last minute that the homeowners do not agree with.

Dan Tennant stated that there is a lot of confusion surrounding Chestatee Development; what is the master plan, what is the revised plan, what was agreed to and what has transpired since? Mr. Tennant is very concerned about the R3 issue and the future land use plan and stated that the only compelling reason the Board of Commissioners has to vote for ZA 05-21 is because they were asked to.

Mr. Dunkel answered some of the questions brought up before the Board. They have re-platted some neighborhoods but they far exceed the 30% requirement of open space, the turn over date is fifteen years, and the Bed and Breakfast are has not yet been planned. The application for rezoning was filled out with advisement from Dawson County Planning Staff. The letter from Mr. Ferris provides a timeline on the promised amenities with the stipulation that if they are unable to reach an agreement \$110,000 will be put in escrow in favor of the Chestatee HOA for their use after the association is turned over to the homeowners. Mr. Dunkel states that they have tried their best to be available to answer all questions asked by homeowners.

Chairman Berg thanked Chestatee Development for producing a master plan and for the letter of explanation even though it was provided at the eleventh hour. Berg pointed out that instead of asking for a rezoning Chestatee Development is actually asking to separate a portion of their property and letting it revert back to RA. Chairman Berg questioned Mr. Dunkel about the 6.1 acres not being covered by the covenants. Mr. Dunkel explained that since no subdivision or improvements have been made to this portion of property it was not subject to the covenants.

Chairman Berg opened discussion to Board Members. Commissioner King stated that he believed that the Board needed time to study the master plan before any decisions could be made. Commissioner Saling asked for a clearly defined explanation of what the Board of Commissioners were being asked to do. County Attorney Homans explained that the applicant is asking for a revision to the master plan and the homeowners are asking for the Board of Commissioners to also address the other revisions that have been made to the master plan that have not come before the Board. Chairman Berg stated that part of the problem is with the write up of the zoning district itself because it talks about significant

changes but does not specify what a significant change is. The amenity package is shown on the master plan but has never been addressed and the homeowners believe that the 6.1 acres is a significant change and that there has been a significant change with the amenities also.

Motion passed unanimously to table ZA 05-21 for thirty days. King/Craft

PUBLIC HEARINGS:

Fines for False Alarms (1st Hearing)

Chairman Berg explained that this was the second hearing for Fines for False Alarms and opened the floor for comment.

Motion passed unanimously to adopt the ordinance for Fines for False Alarms as prepared and submitted. Saling/King

Road Abandonment Dianne Circle (1st Hearing)

Chairman Berg asked if anyone was present and wished to speak on the Road Abandonment of Dianne Circle. Christopher Willis came forward as the attorney for the petitioners. Attorney Willis stated that at the last meeting a question of whether the fire department needed access to Dianne Circle had come up. The fire department reported that they did not need access but the road department does need access to drainage pipes located underneath Dianne Circle.

Public Works Director Randy Bowen explained that drainage for a large area of Dianne Circle and Dogwood Lane empties into the existing easement area and the pipes are located thirty foot from the right of way. In order for the road department to do routine maintenance they require fifty foot of easement area twenty foot wide away from the roadway. Commissioner King explained that this easement would allow no public access only access for the Dawson County Government.

Chris Anderson stated that he and fellow petitioner Linda Holzworth had no problem allowing access to Dawson County Government.

Motion passed unanimously to approve the abandonment of Dianne Circle with easement at Dogwood Lane and Dianne Circle in favor of a drainage easement meeting the same width requirements and extending from the road fifty foot from the right of way. King/Saling

Election Process for District Commissioners (1st Hearing)

Chairman Berg announced that this was the second hearing for the Election Process for District Commissioners and that the purpose of the hearing was whether or not the Election Process should be placed on the ballot as a referendum. Chairman Berg read a letter he had received from Jack Conway, Chairman of Forsyth County Board of Commissioners, advocating post elections for both Forsyth and Dawson County. Chairman Berg opened the floor for discussion.

Arlene McClure brought to the Board her experience in DeKalb County. Commissioners in DeKalb are elected by posts and tend to listen and respond only to the people in their post. Ms. McClure feels changing the voting system to districts would cause a division of the County and wouldn't be of best service to the citizens of Dawson County.

Fred Youngman feels that voting by posts tends to open the door to special issues and he would like to see people retain their ability to vote for all the Commissioners and not just a section.

Terry Tragesser questioned Commissioner Saling about why he brought the issue of the Election Process before the public. Commissioner Saling explained the reason this was brought before the public was to give them the opportunity to decide whether or not to put it on the ballot as a referendum. Commissioner Saling feels it is a critical time in the development of Dawson County and wanted to give the people discourse as the population grows in the 400 corridor. He wants to be sure the citizens in district one have a voice in elections. Ms. Tragesser has seen elections both ways and when elections were by posts the decisions were dominated by one district. Ms. Tragesser likes the way the election process is in Dawson County and would like for it to remain that way for the time being.

Jan Grimes understand the pros and cons of voting both ways in the election process. Mr. Grimes is in favor of giving voters the opportunity to make their own decisions with a referendum.

Judy Baer enjoys having five members of the Dawson County Board that will listen to her concerns and give her five different view points.

George David stated that the election process is something that has been looked into over the years. Mr. David believes Commissioners should be working as a benefit of the entire county as opposed to just the districts they represent.

Chairman Berg closed the public hearing on the Election Process for District Commissioners and opened the discussion to the Board.

Commissioner Saling commented that this was a good exercise and had achieved what he had hoped for – public interest and public input.

Motion passed unanimously to deny adding the Election Process for District Commissioners as a referendum. Nix/King

Chairman Berg explained the need for a motion to amend the agenda to include Old Business.

Motion passed unanimously to amend the agenda to include Old Business. King/Saling

OLD BUSINESS:

County Attorney Homans stated that the Commissioners had before them an Intergovernmental Agreement between the Dawson County Board of Commissioners and the City of Dawsonville. Homans called attention to item one which has been changed to leave the fire station under the City's control for sixty days with joint use for the following thirty days. Two more exhibits will be added to the agreement; exhibit B, 2nd and 3rd Streets which will be part of the purchase and exhibit C, Tucker Avenue encroachment.

Chairman Berg explained that the fire station will be used as a staging area for building the jail with parking in front of the fire station for people visiting the jail. After the jail is complete the fire station will be demolished to create additional parking. Berg wanted to inform everyone that \$147,015 was a great deal of money for a piece of road but because of the total cost of the jail project he recommends moving forward.

Motion passed unanimously to adopt and approve the Intergovernmental Agreement as submitted to acquire the necessary property from the City of Dawsonville. Saling/Nix

NEW BUSINESS:

Parks & Rec Field Improvement Bid

Commissioner King stated he was very disappointed that brand new fields have to be improved at almost \$40,000.

Motion passed unanimously to approve the \$39,250 for field improvements with one condition that the County Attorney look through the contracts specifically to see if we can be recompensed for the work that needs to be done. King/Craft

Chairman Berg reported that this was a sole bid for \$39,250 from Athletic Turf Inc.

Drug Courts

Chairman Berg stated that given the volume of information about Drug Courts, he believes it needs to be studied at a greater depth before any decisions can be made. Finance Director Lowayne Craig will be meeting with Michael Devine with the court system in Hall County to start working through the process of finding out what the exact financial impact will be.

Motion passed unanimously to table Drug Courts. Nix/Craft

General Marine Leasing

Chairman Berg explained that this was the relocation of the jail pods with the request to approve the addition of \$31,292 to the Detention 2006 budget from fund balance carry over from the 2005 budget. Commissioner Saling pointed out that General Marine Leasing, along with being the sole source contract, they are the owner of the blue pods and the best choice to do the relocation.

Motion passed unanimously to approve the addition of \$31,292 to the Detention 2006 budget to fund the relocation of the blue pods. Saling/Craft

BOE Request to Purchase Property

Chairman Berg gave a brief background on the BOE request to purchase property at Hwy. 9 and Dawson Forest Road for the purpose of building an elementary school. This area of land is located next to Riverside Middle School and leased by Dawson County from Etowah Water and Sewer Authority. In anticipation of property sale by the BOC and EWSA, the BOC asked Metro Land Appraisers to appraise the property and other property in this general area. Metro Land Appraisers appraised the property at \$43,000 an acre without the additional six acres that would be land locked in the back. Chairman Berg has had discussions with the past BOE Chairman Roger Slaton, Superintendent Michael Lupo, and current Chairman Will Wade about the property. They discussed the true value of the property, what the property would bring on the open market and what properties in that general area were selling for. The BOE suggested a second appraisal should be done based on the fact that the school board had done core samples out at the property. Chairman Wade asked the BOC to look at the property without sewer capabilities but given the length of time Metro Appraiser is unable to accommodate this request. Metro Appraisers did say you could look at the surrounding properties and what they sold for without the sewer capabilities and those properties have sold from \$19,000 to \$26,000 an acre.

Commissioner King stated that he didn't understand why the Board would look at the property with no sewer available, when there is sewer available. Chairman Berg said there was no sewer currently on this property. Berg pointed out the BOE wanted to pay around \$10,000 per acre if their construction cost were over ten million and \$12,000 an acre if their costs were under ten million. EWSA has already agreed to sell the property at \$8,000 an acre. The School Board will be paying for this land with E-LOST dollars, sale tax dollars that anyone coming into our county are able to contribute. Dawson County is paying the financing on this property with property tax dollars which comes only from property owners in Dawson County.

Commissioner King explained that the County would like to sell this property and get out of debt, but we would need to get fair market value to recover what we owe and the interest that has been paid over the years. His preference would be to sell the land for what it was actually worth.

Commissioner Saling would like to sell the property to liquidate the County's debt but not at a discount price three times below the market value.

Motion passed unanimously to reject the offer submitted by the Board of Education for either \$10,000 or \$12,000 an acre for property that appraised at \$43,000 an acre. Saling/Craft

House Bill 962 Annexation

Chairman Berg informed everyone of the Annexation Meeting that was held a few weeks ago with ACCG in which they talked about the issue of annexation. ACCG has suggested supporting House Bill 962 that speaks of equaling the playing field on annexation.

Motion passed unanimously to approve House Bill 962 Annexation to be forwarded to the House and Senate. Nix/King

Qualifying Fees

Chairman Berg stated that the qualifying fees for 2006 must be set for the next election.

Motion passed unanimously to approve the qualifying fees for the 2006 elections. King/Craft

Chairman Berg read the qualifying fees; County Commissioner District #1 \$158.55, County Commissioner District #3 \$158.55, Board of Education District #3 \$36.00 and Board of Education At Large \$36.00.

Ratification of County Clerk

Motion passed unanimously to ratify the county clerk as Ms. Clement. Craft/King

PUBLIC COMMENT (5 minute limit)

Hugh Stowers asked for permission to move this public comment up to the next Commissioner's meeting.

Motion passed unanimously to meet in Executive Session for personnel and legal issues. Saling/Craft

ADJOURNMENT:

Motion passed unanimously to adjourn the meeting. King/Saling

APPROVE: ATTEST:

Mike Berg, Chairman Tammy Clement, County Clerk

Work Session Minutes - January 26, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

WORK SESSION MINUTES – THURSDAY JANUARY 26, 2006

Rock Creek Park Meeting Room – 4:00 p.m.

1. Planning and Development F-15 Bids – Cindy England

This item to be placed on the Regular Meeting Agenda – 02/02/06

2. Etowah Sporting Clays – Julie Hughes Nix

This item to be placed on the Regular Meeting Agenda – 02/02/06

3. Impact Fess Methodology – Bill Ross

This item to be placed on the Regular Meeting Agenda – 02/02/06

4. Airport Justification Study

5. Subdivision Road Widths – Tim Satterfield

This item delayed for further study.

6. Structure Separation and Commercial Sprinkler System Ordinances – Tim Satterfield/Joey Homans

This item to be placed on the Regular Meeting Agenda – 02/02/06 and 02/16/06

7. Commissioners' Salary Report – Joey Homans

This item to be placed on the Regular Meeting Agenda – 02/02/06 and 02/16/06

8 Stream Credits

This item to be placed on the Regular Meeting Agenda – 02/02/06

9. Sale of Property – Highway 9 & Dawson Forest Road

This item to be placed on the Regular Meeting Agenda – 02/02/06

10. Ratification of voting sessions at Rock Creek

This item to be placed on the Regular Meeting Agenda – 02/02/06

11. Chestatee Procedural Issues

Rowland Development Company ZA 06-01

This item to be placed on the Planning Commission Meeting Agenda – 02/21/06

Rowland Development Company Filing Fees

This item to be placed on the Regular Meeting Agenda – 02/02/06

12. County Manager Report

13. County Attorney Report

Regular Meeting Minutes - February 2, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES - THURSDAY, FEBRUARY 2, 2006

Dawson County Courthouse - 6:00 p.m.

ROLL CALL: Those present were Chairman Berg; Commissioner Saling, District 1; Commissioner Craft, District 2; Commissioner King, District 3; Commissioner Julie Hughes Nix, District 4; County Attorney Homans; County Manager Anderson; County Clerk Clement and interested citizens of Dawson County, Georgia.

OPENING PRESENTATION: Safe Kids – Tony Wooten

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Chairman Berg

ANNOUNCEMENTS:

Chairman Berg announced that February is Heart Health for Women month. February 3, 2006 is designated as the day to wear red to show your support of this very important issue of Heart Health for Women.

Chairman Berg and Commissioner Saling attended the Town Hall meeting at McKee's Chapel along with around seventy five concerned citizens of Dawson County. Berg commended Commissioner Saling for the job well done in organizing and the way in which he handled the meeting.

APPROVAL OF MINUTES:

Motion passed unanimously to approve Minutes of Regular Commission Meeting held on January 19, 2006. Saling/Craft

PUBLIC HEARINGS:

Commissioner's Salary (1st Hearing)

Chairman Berg stated that this was the first hearing of the Commissioner's Compensation. Commissioner's Compensation had been advertised in the paper and discussed at the Board of Commissioner's Work Session. Chairman Berg asked if anyone wished to speak on Commissioner's Compensation and seeing none closed the first hearing on Commissioner's Compensation.

Structure Separation and Commercial Sprinkler System Ordinances (1st Hearing)

Chairman Berg announced that this was the first hearing of Structure Separation and Commercial Sprinkler System Ordinance and asked if anyone wished to speak on this ordinance. Hearing no one, Chairman Berg closed the first hearing on Structure Separation and Commercial Sprinkler System.

OLD BUSINESS:

NEW BUSINESS:

Chairman Berg asked for a motion to amend the agenda to include Relocation of Sanitary Sewer and Water Line Bid for the blue pods.

Motion passed unanimously to amend the agenda to include the Relocation of Sanitary Sewer and Water Line Bid. King/Nix

Beer & Wine License – Silver City Citgo

County Attorney Homans explained that there was an application submitted by Silver City Citgo for beer and wine license previously on January 5, 2006. That applicant has withdrawn his application and the owner, John Ariemma, has now filed the application. Mr. Ariemma meets the requirements that we have received so far but the State and Federal background checks are still pending. The building is still under construction and will have to meet the requirements of the Planning Department and building inspections. The alcohol ordinance does allow the Board of Commissioners to grant this request with the filing of a bond in the amount of \$1,500.00 to insure that a sufficient amount of food is sold as a part of the retail sales.

Commissioner Saling asked the applicant when they anticipated having the certificate of occupancy. Mr. Ariemma explained that due to rain there had been several setbacks but anticipated having it completed by the middle of March. Mr. Ariemma stated that he believed the store would have at least between fifty five and sixty thousand dollars a month in grocery sales to comply with the alcohol ordinance. He feels it would be a complete hardship to open the store without the beer and wine license.

Motion passed by majority to approve conditionally the beer and wine license for Silver City Citgo pending the complete approval from the Planning Department for certificate of occupancy and full compliance with the county's ordinances. Saling/Craft King/Nix opposed. Chairman Berg's affirmative vote broke the tie.

Planning & Development F-150 Bid/Resolution for Financing

Zoning Administrator Cindy England addressed the Board requesting approval of the Ford F-150 low bid from Allan Vigil Ford and the low financing of 4.07% from BB & T.

Motion passed unanimously to approve the low bidder Allan Vigil Ford and the resolution for financing through BB & T at 4.07%. King/Craft

Etowah Sporting Clays

County Manager Phil Anderson explained that Merck & Hill, sound consultants, would start their sound measurements this weekend. Merck & Hill have done preliminary coordination with the home owners and Richard Becker, who runs Etowah Sporting Clays. Anderson believes that it will take most of February to collect data and then it will have to be analyzed and put into a report. Chairman Berg explained that the sites where the sound will be analyzed have been chosen by both Mr. Becker and the home owners in the area. Commissioner Saling stated that logging has occurred in that area and may have contributed to the noise level. Saling wants to take a look at the overall area to be sure that all people who might be affected are covered in the sound study.

Commissioner Nix moved to place a moratorium on Etowah Sporting Clays until the results of the sound testing have been completed. King

Chairman Berg opened the discussion to the Board and explained that an emergency moratorium could be placed on Etowah Sporting Clays until they had chance to have a public hearing with Mr. Becker,

home owners and anyone else interested in the issue. This moratorium would be in effect until the public hearing which would determine how long to continue the moratorium until the results of the testing have been completed.

County Attorney Homans explained that in the contract with Mr. Becker under paragraph #8 and #15, Mr. Becker is in default of the contract and he is entitled to fifteen days notice to make an effort to cure that default. Homans stated that a hearing should be scheduled as soon as possible and he had spoken with counsel from EWSA and their next meeting will be held on February 13, 2006. Since both the Board of Commissioners and EWSA is the lessor in the contract with Mr. Becker, they should both be present at the hearing.

Commissioner Saling stated that he is concerned about the legal position of county if we default on the contract with Mr. Becker with no more basis other than people voicing their concerns over the loudness of the range. His preference would be to amend the motion to have the public hearing first and then make a decision whether there are enough facts to warrant an emergency moratorium.

Commissioner Craft agrees with Commissioner Saling and believes that we should hear from both the home owners and Mr. Becker before he would be able to make an informed decision.

Commissioner Nix explained that the Board had been dealing with complaints against Etowah Sporting Clays since November of 2005 and because no decision has yet been made this would warrant an emergency moratorium.

Saling/Craft opposed the motion to place a moratorium on Etowah Sporting Clays. Chairman Berg's vote in favor of the moratorium broke the tie.

Impact Fees Methodology

County Manager Anderson explained that we have received a capital improvement element and this issue should be placed on the BOC work session on February 9, 2006.

Motion passed unanimously to remove Impact Fees Methodology from the agenda. King/Craft

Stream Credits

County Manager Anderson stated that at the last BOC work session the Board had discussed a range of \$40 to \$80 a credit. After looking at the issue further, Anderson recommends taking Stream Credits back to a work session to get more information from our consultants who will meet with us and discuss what is causing the variation in costs.

Commissioner King questioned the fact that someone could come in now and buy the credits at \$40. Chairman Berg explained that we could do it on a case by case basis where the consultant would speak to the Board before selling the credits.

Motion passed unanimously to address the value of the stream bank credits at the Board of Commissioners next work session and effective immediately, the sale of any stream bank credits would be on a case by case basis. Saling/King

Sale of Property – Highway 9 & Dawson Forest Road

Chairman Berg explained that the sale of property at Highway 9 & Dawson Forest Road had been discussed earlier. The Board is now looking for the best way to sell the 268 acres located south of Etowah River. It was suggested that the Development Authority would be one option for selling the property. The sale of the property would need to be discussed with Etowah Water and Sewer Authority.

Commissioner Craft asked about the appraised value of the property. County Attorney Homans stated that the 238 acres of land located south of the Etowah River appraised at \$9,900,000.00.

Motion passed unanimously to request that the Etowah Water and Sewer Authority move forward with the Board of Commissioners to transfer the responsibility of marketing 238 acres of land south of the Etowah River at the highest possible price with presentation to both bodies for a potential sale. Saling/Draft

Commissioner Craft pointed out that if we manage to sell the property at market value it will have a tremendous effect on our taxes and we can pay the debt owed on the property.

Ratification of Voting Sessions at Rock Creek

Chairman Berg explained that the issue being voted on would be moving the two voting sessions that are currently held at the courthouse to the Rock Creek Community Room. Questions about parking and room capacity were addressed – plenty of room for parking and room capacity of 238 was only slightly less than the courthouse.

Motion passed by majority to relocate the Board of Commissioners Voting Session to the Rock Creek Community Room. King/Craft Nix opposed.

The Board of Commissioners meeting on Thursday, March 2, 2006 will be at the Rock Creek Community Room.

Rowland Development Company Filing Fees

Chairman Berg explained that Rowland Development Company had applied for a new zoning that included four variances. Zoning Administrator Cindy England supplied the following amounts for the zoning and variances: zoning fee \$500 and each variance fee \$300. Commissioner King was asked by the applicant about the zoning. The applicant felt like he was under the guidance of the Planning and Development Department when filling out his application.

Motion passed unanimously to waive the fee for the rezoning but charge for the variances. King/Saling

Relocation of Sanitary Sewer and Water Line Service Bid

County Manager Anderson called the Board's attention to a separate handout that showed a list of general contractors and plumbing contractors who were contacted and provided information regarding the Invitation to Bid for the Relocation of Sanitary Sewer and Water Line Service. After contacting seventeen different contractors and conducting a pre-bid conference, the County received one bid for the Relocation of Sanitary Sewer and Water Line Service. Anderson feels the county needs to move forward as soon as possible so not to delay construction of the jail and recommends the sole bid from Townley Construction.

Motion passed unanimously to approve the bid from Townley Construction in the amount of \$44,695.00 to accomplish the relocation of plumbing service for the blue pods. Saling/Nix

PUBLIC COMMENT (5 minute limit)

Hugh Stowers presented County Clerk Clement with a document that is attached to these minutes.

Motion passed unanimously to go into Executive Session for personnel issues. Saling/Nix

ADJOURNMENT:

APPROVE: ATTEST:

Mike Berg, Chairman Tammy Clement, County Clerk

Work Session Minutes - February 9, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

WORK SESSION MINUTES – THURSDAY February 9, 2006

Rock Creek Park Meeting Room – 4:00 p.m.

1. EMS Billing Service Agreement – Lanier Swafford

This item to be placed on the Regular Meeting Agenda – 02/16/06

2. EMS SCBA Bids – Scott Wallace

This item to be placed on the Regular Meeting Agenda – 02/16/06

3. Sheriff's Office Ford F-150 Bid – Kevin Tanner/Greg Rowan

This item to be placed on the Regular Meeting Agenda – 02/16/06

4. Capital Improvement Element – Phil Anderson

This item to be placed on the Regular Meeting Agenda – 02/16/06

5. Stream Credits – Mark Nelson

This item to be placed on the Regular Meeting Agenda – 02/16/06

6. Approval of Resolution to Dedicate DC Park Gym – James Tolbert

This item to be placed on the Regular Meeting Agenda – 02/16/06

7. County Manager Report

8. County Attorney Report

Added to the Agenda:

9. DC Sheriff's Sanitary Sewer Gravity Service Line Bids

This item to be placed on the Regular Meeting Agenda – 02/16/06

10. Drug Courts

This item to be placed on the Regular Meeting Agenda – 02/16/06

Regular Meeting Minutes - February 16, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES – THURSDAY, FEBRUARY 16, 2006

_____ Dawson County Courthouse – 6:00 p.m. _____

ROLL CALL: Those present were Chairman Berg; Commissioner Saling, District 1; Commissioner Craft, District 2; Commissioner King, District 3; Commissioner Nix, District 4; County Attorney Homans; County Manager Anderson; County Clerk Clement and interested citizens of Dawson County.

OPENING PRESENTATION: Rock Creek Facilities – Lisa Henson

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Chairman Berg

ANNOUNCEMENTS:

Chairman Berg invited all present to attend the annual observance of Arbor Day at Rock Creek Park where the Dawson County Tree Preservation Committee will be planting a tree in honor of Arbor Day.

APPROVAL OF MINUTES:

Motion passed unanimously to approve the minutes from the Regular Meeting held on February 2, 2006. King/Saling

Chairman Berg requested an amendment be made to the agenda to hear Etowah Sporting Clays and ZA 05-21 Chestatee Development before continuing with the regular order of the agenda.

Motion passed unanimously to amend the agenda to hear Etowah Sporting Clays and ZA 05-21 Chestatee Development before continuing with the regular order of the agenda. Saling/Craft

PUBLIC HEARING:

Etowah Sporting Clays

Chairman Berg stated that what would be heard would be those in favor of and those opposed to the moratorium placed on Etowah Sporting Clays. The only issue to be discussed was the contract between Dawson County and Etowah Sporting Clays and not the 2nd Amendment Right to Bear Arms.

County Manager Phil Anderson brought the Board up to date on the progress of Merck & Hill, sound consultants for the county. Representatives from both the home owners and the gun club met with the sound consultant to conduct a coordination meeting for initial sound testing. Some testing was done on Sunday, February 12, 2006 but conditions were not optimum. Additional testing will be done this weekend and the data will be analyzed by Merck & Hill with the results being available to the Board in three to four weeks.

Chairman Berg asked if anyone wished to speak in favor of continuing the moratorium on Etowah Sporting Clays. Stroud Stacey, an attorney for three of the home owners who live on Tara Drive, came forward and stated that his clients had lived there long before the gun club was opened. His clients have a vested interest in the peace and quiet of the area. They expected the growth of the area to be consistent with what already existed – a residential and agriculture designation under the land use plan of Dawson County. Mr. Stacey believes the noise is totally disruptive and makes conversations difficult when shots are being fired. Mr. Stacey requested that the Board continue the moratorium until such time that the sound test is completed and all parties involved have a chance to get together and craft a solution to the noise problem.

Todd Carter was upset that the issue of the 2nd Amendment Rights was mentioned in regards to the Etowah Sporting Clays when it was clearly just an issue of noise. Mr. Carter stated that this was not a hunting issue or a shooting issue but an issue of people having their rights infringed upon.

Charles Ahrendt submitted his comments in writing and had Commissioner Nix read them to the Board. Those comments are submitted as an attachment to these minutes.

Gregory Herron stated that the noise at his home was a nuisance and an injunction, if necessary, would be what people would have to file. Mr. Herron referred to House Bill 1586 which states the property should not be used for any kind of a private or corporate benefit for income.

George David stated that continuous shooting is a nuisance if it is close to a person's home.

Chairman Berg closed the floor to people speaking in favor of the moratorium and opened it to people who opposed the moratorium. Dr. Reagan Haas live close to the gun range and has not found any annoying noise and welcomes the gun club and the position they are taking in educating the youth in the county on gun use. Dr. Haas would like to see the BOC honor the contract with Mr. Becker.

Bill Goode stated that Mr. Becker went through a long and tedious legal process to get the gun club up and running and continues to work with home owners and the county to alleviate the noise problem. Mr. Goode believes that the gun club will be a great benefit to the county. A contract was signed by the county and Mr. Becker and that contract should be honored and Mr. Becker should be allowed to reopen his gun club.

Matthew Dominick, representing Etowah Sporting Clays, spoke about the degree to which the Commission and the community had in coming up with the lease with Mr. Becker. Etowah Valley Sporting Clays has spent tens of thousands of dollars in grading work and in facilities built on the property. This facility is unique and open to the public to promote the safe use of shot guns. Mr. Becker is willing to work with the Commissioners and the community on noise control.

Steve Burch understands the importance of the Etowah Valley Sporting Clays facility. He believes that this is a wonderful place for the gun club.

Chairman Berg closed the floor and opened discussion to the Board.

Commissioner Saling asked County Attorney Homans to explain the contract issue and the legal basis to constitute a moratorium and what flexibility the Board has concerning the contract with Etowah Sporting Clays. County Attorney Homans informed the Board that in the contract in paragraph eight it states that the premises would be used for the purpose of a gun club but not to be used in any manner to create a nuisance. Homans stated that the Board would have to decide based upon the contract language whether Mr. Becker is in breach of the contract.

Commissioner Nix questioned Homans about House Bill 1586. Homans said that House Bill 1586 was created to allow for sale tax exemptions and should have no relevance to this issue. If Etowah Water and Sewer made a profit those profits would be put back into the water and sewer operation.

Chairman Berg was concerned that there were not enough shooters this past Sunday to conduct a fair evaluation of the noise. County Manager Anderson explained that they planned to have more of a

control on testing as they move forward this next weekend with more shooters available for the sound testing. Commissioner Saling asked if it was possible to get a preliminary report on the results of Sundays testing. Anderson stated that he had spoken with the sound consultant and he was still analyzing the information to see what additional data was necessary to complete the study. The consultant needs about three days of data collection in order to have sufficient data to offer an analysis.

Chairman Berg questioned Mr. Becker as to the amount of people necessary to complete the testing. Mr. Becker feels that the gun club needs to be open to conduct a fair noise testing with twelve people shooting. Commissioner Saling would like to see the maximum number of people shooting for the sound testing. Commissioner Craft asked Mr. Becker to get the right amount of people to show up to get the study finished so it can be determined whether the noise level is a nuisance or not by the sound consultant. Mr. Becker agreed to do whatever was necessary to expedite the sound testing.

Motion was made to continue with the moratorium and arrange for twelve people to be present and shooting for the sound testing by Merck & Hill. Nix/King 2nd the motion for discussion.

Discussion followed the motion concerning whether to allow the range to be open only for testing or whether to allow the range to open until results of the sound testing have been presented to the Board.

Motion dies due to opposition with only Commissioner Nix voting in favor of the moratorium.

Motion passed by majority to expedite the testing process with the County Manager working with Mr. Becker to make sure the required amount of people are available to do the testing as soon as possible and have an interim report as soon as the data is valid and that this be accomplished no later than two weeks for the testing and to allow the business to continue until the results from the testing are brought before the Board. Saling/King Commissioner Nix opposed.

ZONING:

Chairman Berg announced that if anyone had contributed more than \$250 to the campaign for public office and wished to speak they will have to fill out a form which will be made available to them. Under normal program, ten minutes will be given to those who wish to speak in favor of or opposition to with some redirect, time permitting.

ZA 05-21: Chestatee Development has made a request to revise the RPCD master Development plan to allow 26.92 acre split (Reference ZA 05-20). TMP 118-8 Split, Location: Hwy. 400N, Henry Grady Road & Dogwood Way

Planning Staff Recommended Approval With Stipulations and Planning Commission Recommended Denial

Chairman Berg read zoning ZA 05-21 and asked if the applicant was present to speak. Bill Blalock stated that when the Board first heard ZA 05-21 it was along with the zoning request by Rowland Development. Chestatee Development would like to move forward with their zoning request independent of the Rowland request but the amenities that were offered in lieu of both applications being approved have been removed. The request is to remove 6.1 acres from the Chestatee master plan.

Chairman Berg asked if there was anyone who wished to speak in favor of ZA 05-21 and hearing no one asked if anyone wished to speak in opposition. Lawana Dimmerling came forward and spoke of the planned Bed and Breakfast that is located close to her home. The original plans called for a three or four bedroom B&B but the developer got approval from the EPD for a twenty room B&B. Ms. Dimmerling believes that the Board should look at the promises made to home owners in Chestatee before allowing the developers to take away the 6.1 acres.

Dan Tennant stated that there was an original master plan for Chestatee Development that was approved in 1997. Many deviations have taken place in that master plan. Because of the request to remove the 6.1 acres the home owners have come before the Board to have the master plan reinstated as it should be before any further actions are taken. Removing 6.1 acres from the master plan takes away a buffer from the property and takes money out of the Home Owners Association.

Kathleen Mango stated that they were there because an absentee developer has decided that he could financially benefit from a change in the Chestatee master plan. Ms. Mango does not want the removal of 6.1 acres because when home owners purchased their homes it was based on an approved RPCD master plan with the 6.1 acres included. The values of their homes will be lessened by the removal of 6.1 acres and the quality of the golf course will be degraded. Ms. Mango requests that the Board deny the withdrawal of 6.1 acres and also asked the BOC to require the developer to plat all the common areas, define the open areas and give specificity to the amenity areas.

Chairman Berg closed the floor and made it known that the Board had received numerous letters and e-mails concerning the Chestatee Development. Chairman Berg also mentioned a letter he received from the Chestatee Home Owners Advisory Committee who recommended approval of the Chestatee master plan.

Commissioner Saling, along with Commissioner King, was a member of the Board in 2003 when changes to the Chestatee master plan were reviewed. It appears that a multitude of changes have occurred to the plan, to the concept and to locations on the master plan. Saling is of the opinion that the Board is not dealing with someone in good faith and even though the Board is only being asked to deal with the removal of 6.1 acres he believes that it is incumbent on the relationship with the Board as we've moved through this process.

Bradley Dunkel stated that they were only asking for the removal of 6.1 acres and nothing else. He believes that they have tried to supply the Board and home owners with the facts. Mr. Dunkel believes there will be no negative impact on the golf course or that the removal will affect the value of homes at Chestatee.

Commissioner Saling asked Mr. Dunkel about the B&B and the requested change to a twenty room facility. Mr. Dunkel was not aware of any document concerning a twenty room B&B. Saling pointed out that RPCD was not a commercial component and that a three bedroom facility was quite different from a twenty room facility that would be construed as a commercial business.

Bill Blalock stated that the Bed and Breakfast was not the issue being discussed and the only issue was the 6.1 acres being removed from the master plan. Mr. Blalock's understanding, from Chestatee Development, was that every change to the master plan was dealt with through Dawson County Planning Department. There is no evidence that the removal of the 6.1 acres will devalue anyone's home or the golf course.

Commissioner King addressed the changes that have been made to the Chestatee master plan stating that changes to RPCD required approval by the Board and changes have been made without this approval.

Motion passed unanimously to deny zoning request ZA 05-21 and that no changes be allowed to the Chestatee master plan until the current development has been brought into compliance with the previously approved master plan, specifically the development of the deleted amenity area consisting of a pool, cabana, tennis courts and associated parking. Furthermore, the aforementioned amenity area or its equivalent must be constructed prior to the next final plat being recorded. King/Nix

NEW BUSINESS:

Resolution to Dedicate DC Park Gymnasium

Chairman Berg introduced Mr. Lloyd Crane, a life long resident of Dawson County and a park director for almost twenty years from 1974 to 1993. Mr. Crane had a lot to do with the gym being built at the Dawson County Park and the Park Board voted and would like to name the gym after Mr. Crane. Chairman Berg read the Resolution supporting the naming of the Dawson County Park Gymnasium the Lloyd Crane Center.

Motion passed unanimously to approve the Resolution supporting the naming of the Dawson County Park Gymnasium the Lloyd Crane Center. King/Nix

ZONING:

ZA 05-27: Heard Properties, LLC has made a request to rezone 40 acres of TMP 59-8 from RA (Residential Agriculture) to R1 (Residential Single Family Restricted) in order to develop a 13-lot subdivision.

Location: Kelly Bridge Road

Planning Staff and Planning Commission Recommended Approval with Stipulations

Chairman Berg read ZA 05-27 and asked if the applicant was present to speak to the Board. Hugh Heard came forward and explained that he would like to create residential housing. Loriane McGahaw, real estate agent, explained that they were asking for a rezoning from RA to R1. She feels that this development would protect the investments of the home owners in the area.

Chairman Berg asked if anyone wished to speak in favor of or opposition to ZA 05-27. Greg Hicks came forward to speak in opposition to the proposed zoning. Mr. Hicks would like to oppose this rezoning because there are no written or adopted zonings that are in existence for the Long Range Future Use Plan for Dawson County. His other objection was that the applicant has included approximately 3.54 acres of property owned by him and his wife in the site plan that has been submitted. Mr. Hicks presented the Board with a survey and site plan that showed his property.

Chairman Berg requested the applicant to address the issue of the land belonging to Mr. Hicks. Mr. Heard explained that they had the land surveyed again this week. Berg questioned whether the Planning Commission had seen the new survey and Mr. Heard stated that they had not been shown the new survey.

Charlotte Alexander came forward to speak in favor of ZA 05-27. She is a co-owner and explained that this was the first time that they had heard of the issue of some of the property in their survey belonging to Mr. Hicks.

Motion passed unanimously to deny ZA 05-27. Saling/Nix

Motion passed unanimously to waive the one year waiting period and allow the applicant to reapply immediately. King/Saling

ZA 05-28: Southeast Towers has made a request for a Conditional Use for Cellular Tower on a 5.3921 acre tract; TMP 58-20.01: Zoned RA, Location: next to 4880 Hwy. 53 West (Shared Drive), includes also VR 05-36, Variance to tower separation requirements.

Planning Staff and Planning Commission Recommended Approval with Stipulations

Chairman Berg read the zoning request for ZA 05-28 and asked if the applicant was present to speak. Carolyn Hartwig with Southeast Towers asked the Board to approve the zoning request for a conditional use cellular tower. Ms. Hartwig explained the proposed site and landscaping to be provided by Southeast Towers. This cellular tower would fill the current dead space on Highway 53.

Chairman Berg asked if anyone wished to speak in favor of or opposition to ZA 05-28. No one came forward.

Motion passed unanimously to approve ZA 05-28 with the stipulations set forth by the Planning Commission and Planning Staff: Fencing shall be green vinyl coated chain link, appropriate landscaping plans shall be submitted with development plans as per section 407.1 and tower shall be galvanized finish or painted with non-reflective paint as per section 407.1. Craft/Saling

ZA 05-29: Glenda Garrett has made a request to rezone 1 acre of TMP 107-68 & 69.2 from R1 (Residential Single Family Restricted) to R2 (Residential Single Family) in order to replace old mobile home with a moved in house. Location: 4511 Red Rider Road

Planning Staff and Planning Commission Recommended Approval with Stipulations

Chairman Berg Read the zoning request for ZA 05-29 and asked if the applicant was present. Glenda Garrett came forward to request approval of ZA 05-29.

Chairman Berg asked if anyone wished to speak in favor of or opposition to ZA 05-29 and hearing no one closed the hearing.

Motion passed unanimously to approve ZA 05-29 with the stipulation set forth by Planning Commission and Planning Staff: Applicant will meet with and follow Public Works Directors instructions on how to locate home with minimal impact to roads and road right of ways. Nix/Saling

ZA 05-26: Piedmont Properties, Inc. has made a request to rezone 30.358 acres of TMP 107-78.03 from RA (Residential Agriculture) to CHB (Commercial Highway Business) in order to develop a mixed use of shopping center, retail shop and out parcels. Location: GA 400 South & Whitmire Drive

Planning Staff and Planning Commission Recommended Approval with Stipulations

Chairman Berg read the zoning request for ZA 05-26 and asked if the applicant was present to speak. Mr. Marvin Isenburg came forward and explained to the Board his plans to develop a shopping area with an oral commitment from Belks to become a part of the center.

Discussion followed concerning the impact on traffic and a pond located in the center of the proposed development. Commissioner King advised Mr. Isenburg that it would be necessary to address the issue of the pond, inter-parcel and return to the Board with a site specific plan for approval.

Motion passed unanimously to table the request for zoning ZA 05-26 until the next Board Meeting with zoning issues being heard. King/Saling

ZA 06-01: Rowland Development Co. has made a request to rezone 20+/- acres of TMP 118-8 Split from RA (Residential Agricultural) to RPCD (Residential Planned Comprehensive Development) and has also requested an RPCD site plan approval for an overall development with 40 duplexes. Applicants request also includes VR 06-02, variance to section 308.C of the RPCD Requirement in Dawson County Land Use resolution. Request is to vary from requirements of 100 acres to 26.92 acres, allow density at 3 units per acre instead of 1 unit per acre, reduce open space requirements to 25% from 40% and offer no amenity package. Location: Henry Grady Road, Land Lots 16 & 36 District 13 South Section.

Planning Commission will hear ZA 06-01 on 02/21/06 and BOC will hear ZA 06-01 on 03/16/06

PUBLIC HEARINGS:

Commissioner's Salary (2nd Hearing)

Chairman Berg stated that this was the second hearing for Commissioner's Salary and asked if anyone wished to speak in favor of or opposition to Commissioner's Salary. Hearing no one, Chairman Berg closed the floor.

Commissioner Saling stressed the fact that the additional salary for meetings were for special called meetings and not for work sessions and the regular meetings that the Commissioners attend. Chairman Berg also noted that there would be an additional increase in salary after a Commissioner had completed the advanced courses and received certification from the ACCG.

Motion passed by majority to approve the draft resolution of the Commissioner's Compensation Package with the two modifications. Saling/Nix Commissioner King opposed.

Chairman Berg introduced Ann Williams and Lake Gibson and complimented them on the excellent job they had done in researching and compiling information on the study of Commissioner's Compensation.

Commercial Sprinkler System Ordinances (2nd Hearing)

Chairman Berg announced that this was the second hearing on Commercial Sprinkler System Ordinances and asked if anyone wished to be heard. Val Dodson spoke to the Board about her concerns with the language of the ordinance and how it was somewhat confusing. Ms. Dodson was concerned about exactly what would be considered a group home.

Fire Marshall Tim Satterfield explained that the sprinkler ordinance was intended for multi family structures, meaning eight or more units and would also include licensed facilities.

Motion passed unanimously to approve the Commercial Sprinkler System Ordinance as prepared. Saling/Craft

OLD BUSINESS:

Stream Credits

County Manager Anderson explained that Stream Credits had been discussed at a previous work session and the Board had been advised that they could set a price range from \$40 to \$80 a credit.

Motion passed unanimously to establish a cost of \$70 per stream credit. Saling/Nix

Drug Courts

Chairman Berg stated that the Board had discussed in work sessions the advantages of establishing a Drug Court for Dawson County and Finance Director Lowayne Craig had submitted a financial statement showing the impact on the budget for Dawson County.

Motion passed by majority to approve the funding for the Drug and DUI Court. Nix/King Commissioner Saling opposed.

NEW BUSINESS:

EMS Billing Service Agreement

EMD Director Billy Thurmond recommended EMS Consultants be approved for the EMS Billing Service Agreement.

Motion passed unanimously to award the EMS Billing Service Agreement to EMS Consultants, LTD. Saling/Craft

FIRE SCBA BIDS

EMD Director Billy Thurmond explained that SCBA is the self contained breathing apparatus that firemen use when entering a burning structure. The equipment is to be purchased as part of FEMA Fire Grant awarded by the federal government.

Motion passed unanimously to accept the low bid from Dawson Associates, Inc. for the purchase of SCBA. Nix/Craft

Sheriff's Office Ford F-150 Bids/Resolution for Financing

Two bids were received that met the qualification set forth by the Sheriff's Office and the low bidder was Jacky Jones Ford.

Motion passed unanimously to approve the low bidder Jacky Jones Ford and the Resolution for Financing with BB&T. Saling/Craft

DC Sheriff's Sanitary Sewer Gravity Service Line Bids

County Manager Anderson requested that the DC Sheriff's Sanitary Sewer Service Line Bids be moved to the next work session for further discussion.

Motion passed unanimously to move the DC Sheriff's Sanitary Sewer Gravity Service Line Bids to the next Board of Commissioner's Work Session on February 23, 2006. Saling/Craft

Capital Improvement Elements

Chairman Berg introduced Bill Ross, with Bill Ross and Associates. Mr. Ross informed the Board what they would be doing would be authorizing the Capital Improvement Elements to be forwarded to the RDC. It is then reviewed for sixty days by the state and its ultimate adoption is a prerequisite to adopting impact fees.

Motion passed unanimously to approve and authorize the forwarding of the Capital Improvement Elements to the RDC and further authorize the Chairman to sign the transmittal on the behalf of the Board. Saling/Craft

Commissioner King was concerned about the support of the Home Owners Association. Chairman Berg explained that he had made a presentation to the Home Owners Association elected body and went over impact fees and schedule. Mr. King had forgotten that impute was taken at planned meeting in 2004 and 2005 as required. Mr. Ross stated that he would never say that the Home Owners Association's support is essential but their participation is absolutely required.

PUBLIC COMMENT (5 minute limit)

Hugh Stowers

Mr. Stower's comments are submitted as an attachment to these minutes.

Motion passed unanimously to go into executive session for possible litigation and personnel issues.
King/Craft

ADJOURNMENT

Motion passed unanimously to adjourn. Saling/Craft

APPROVE: ATTEST:

Mike Berg, Chairman Tammy Y. Clement, Clerk

Work Session Minutes - February 23, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

WORK SESSION MINUTES – THURSDAY February 23, 2006

Rock Creek Park Community Room – 4:00 p.m.

ROLL CALL: Those present were Chairman Berg; Commissioner Saling, District 1; Commissioner Craft, District 2; Commissioner King, District 3; Commissioner Nix, District 4; County Attorney Homans; County Manager Anderson; County Clerk Clement and interested citizens of Dawson County, Georgia.

1. Etowah Sporting Clay Noise Testing Interim Report – Harold Merck

This item to be placed on the Work Session Agenda – 03/09/06

2. Fire Department High Pressure Breathing Air Filling System Bids – Scott Wallace

This item to be placed on the Regular Meeting Agenda – 03/02/06

3. Specification for Roads – Tim Satterfield/Randy Bowen

4. Ratification of 3 Year Option on Banking Services – Lowayne Craig

This item to be placed on the Regular Meeting Agenda – 03/02/06

5. Jail Funding Strategy – Lowayne Craig

This item to be placed on the Regular Meeting Agenda – 03/02/06

6. New Jail Sewer Alternatives – Phil Anderson

This item to be placed on the Regular Meeting Agenda – 03/02/06

7. Clark & Walters LLC Sewage Treatment Plant Stipulation – Mike Berg

This item to be placed on the Regular Meeting Agenda – 03/02/06

8. Chatahoochee/Chestatee Advisory Committee – Frank Craft

This item to be placed on the Regular Meeting Agenda – 03/02/06

9. BOE Gas Agreement

10. LOST Agreement

11. EWSA and BOC Board

This item to be placed on the Regular Meeting Agenda – 03/02/06

12. County Manager Report

Resolution for financing for Planning and Development Ford F-150 to be placed on the Regular Meeting Agenda – 03/02/06

13. County Attorney Report

Motion passed unanimously to go into executive session for personnel issues and possible litigation.
Saling/Craft

Regular Meeting Minutes - March 2, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES – THURSDAY, MARCH 2, 2006

Rock Creek Park Community Room – 6:00 p.m.

ROLL CALL: Those present were Chairman Berg; Commissioner Saling, District 1; Commissioner Craft, District 2; Commissioner King, District 3; Commissioner Nix, District 4; County Attorney Homans; County Manager Anderson; County Clerk Clement and interested citizens of Dawson County.

OPENING PRESENTATION: Chamber of Commerce – Linda Williams

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Chairman Berg

APPROVAL OF MINUTES:

Motion passed unanimously to approve the minutes from the Regular Meeting held on February 16, 2006. Saling/Craft

NEW BUSINESS:

Fire Department High Pressure Breathing Air Filling System

Fire Chief Scott Wallace explained that the High Pressure Breathing Air Filling System would be used for the purpose of refilling SCBA's, SCUBA bottles and both fixed and mobile cascade systems. The Filling System will be purchased as part of FEMA Fire Grant on a 95% Federal with a 5% local match. The local match of 5% will come from the Fire Departments 2006 budget account. Chief Wallace recommended the low bid from B&T Enterprises of \$20,300.00.

Motion passed unanimously to approve the low bid of \$20,300.00 from B&T Enterprises. Nix/Saling

Ratification of Three Year Option on Banking Services

Finance Director Lowayne Craig recommended the ratification of the third year option for United Community Banking Services at a fixed rate of 5.15% for all County accounts that are interest bearing.

Motion passed unanimously to ratify the three year banking option with United Community Banking Services at a fixed rate of 5.15%. Saling/Craft

New Jail Sewer Alternatives

Planning and Development Engineer David Headley addressed the Board and presented three options for the Jail Sewer System:

1. Upgrade current system with new grinder pumps, pumping through a 6-inch force main to a manhole that flows by gravity to the existing City of Dawsonville lift station located near the Goodson Pharmacy at a cost of \$528,000.00.
2. Upgrade current system with new grinder pumps, pumping through 6-inch force main past the existing City of Dawsonville lift station to a receiving manhole near the intersection of Academy Avenue and Georgia 53 at a cost of \$429,000.00.
3. Sanitary Sewer Gravity Line bid from Townley Construction at a cost of \$187,250.00.

Engineer Headley recommends accepting the bid from Townley Construction for \$187,250.00.

Commissioner King looked into the cost of upgrading a lift station and found the cost to be lower than those submitted by CH2M Hill but considering the difference in cost between upgrading and gravity line he would recommend proceeding with the sanitary gravity sewer line.

Motion passed unanimously to accept the Option 3 bid from Townley Construction to put in a sanitary gravity sewer line for \$187,250.00. Saling/Craft

Clark & Walters LLC Sewage Treatment Plant Stipulation

Chairman Berg explained that in the original zoning Clark & Walters would put in a package plant and Dawson County would become the trustee of that package station. EWSA is refusing water service unless they are the trustee of the package station. Chairman Berg recommends removing the stipulation that the package station be turned over to Dawson County so that Clark & Walters can move forward and get the water they need.

Motion passed unanimously to remove the stipulation requiring Dawson County to be the trustee of the package plant. Saling/King

Chattahoochee/Chestatee Advisory Committee

Chairman Berg stated that the Chattahoochee/Chestatee Advisory Committee needs two participants from Dawson County to be on their board and a membership fee of \$500 needs to be paid by the County. Charlie Tatum and Frank Craft were recommended to fill the two vacant positions.

Motion passed unanimously to appoint Charlie Tatum and Frank Craft to the Chattahoochee/Chestatee Advisory Committee and to approve the \$500 membership fee. Nix/King

EWSA and BOC Board

Chairman Berg read a letter addressed to the Etowah Water and Sewer Authority.

Motion passed unanimously to approve sending the letter to EWSA. King/Craft

Resolution for Financing for Planning and Development Ford F-150

Finance Director Lowayne Craig asked the board to approve the low financing of 4.21% from BB&T.

Motion passed unanimously to adopt the BB&T low rate of 4.21% to finance Planning and Development Ford F-150. Saling/Nix

Jail Funding Strategy

Chairman Berg explained that if the expense for the new jail exceeded the allotted SPLOST monies, additional monies would have to be found to complete the project. Three different options were offered to be considered:

1. The County may seek the lender with the best terms and request that ACCG approve such lender.
2. The County may retain an investment broker/banker to assist the County in obtaining the lowest rate possible and obtain approval from ACCG; we could submit a request for qualifications through advertising and then have the Board select the professional to work with us.
3. The Board could assign the matter of selecting a professional broker/banker to a committee that would then report back to the Board.
4. The Board could solicit bids for financing.

Commissioner Saling expressed concerns about not having a complete picture of the potential costs to the County. Saling also feels impact fees and recovering funds from rental fees could help with the expense of the jail.

County Manager Phil Anderson felt the best way is to have all the dollars available before you award the contract. The bids are good for 90 days and the Sheriff is interested in getting the work started as quickly as possible.

Motion passed unanimously to remove Jail Funding Strategy from the Agenda. Saling/Nix

Motion passed unanimously to go into Executive Session for legal and personnel issues. Craft/Saling

ADJOURNMENT:

Motion passed unanimously to adjourn the meeting. Craft/Saling

APPROVE: ATTEST:

Mike Berg, Chairman Tammy Clement, County Clerk

Work Session Minutes - March 9, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

WORK SESSION MINUTES – THURSDAY March 9, 2006

Rock Creek Park Community Room – 4:00 p.m.

ROLL CALL: Those present were Chairman Berg; Commissioner Saling, District 1; Commissioner Craft, District 2; Commissioner King, District 3; Commissioner Nix, District 4; County Attorney Homans; County Manager Anderson; County Clerk Clement and interested citizens of Dawson County, Georgia.

1. GIS/Tax Parcel – Faith Jones

This item to be placed on the Work Session Agenda – 03/23/06

2. Etowah Sporting Clays Noise Testing Interim Report – Harold Merck

This item to be placed on the Regular Meeting Agenda – 03/16/06

3. Business Retention and Expansion Process Resolution – Linda Williams

This item to be placed on the Regular Meeting Agenda – 03/16/06

4. Tax Assessor's Truck Bids/Resolution for Financing – Dawn Pruett/Jill Rathe

This item to be placed on the Regular Meeting Agenda – 03/16/06

5. Jail Bids – John Eisenlau, HOK

This item to be placed on the Regular Meeting Agenda – 03/16/06

6. Big Box Ordinance – Jim King

This item to be placed on the Work Session Agenda – 03/23/06

7. Sawnee EMC Proposal – Randy Bowen

This item to be placed on the Regular Meeting Agenda – 03/16/06

8. Public Defenders Office – Lowayne Craig/Joey Homans

This item to be placed on the Regular Meeting Agenda – 03/16/06

9. Kiwanis Club 10K & 5K Event

This item to be placed on the Regular Meeting Agenda – 03/16/06

10. County Manager Report

Purchase Card Program to be placed on the Work Session Agenda – 03/23/06

11. County Attorney Report

International Fire Code 2003 Addition with Georgia Amendments to be placed on the Regular Meeting Agenda – 03/16/06

Structure Separation to be placed on the Regular Meeting Agenda – 03/16/06

Motion passed unanimously to go into Executive Session for legal and personnel issues. Saling/Craft

Regular Meeting Minutes - March 16, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES – THURSDAY, MARCH 16, 2006

Rock Creek Park Community Room – 6:00 p.m.

ROLL CALL: Those present were Chairman Berg; Commissioner Saling, District 1; Commissioner Craft, District 2; Commissioner King, District 3; Commissioner Nix, District 4; County Attorney Homans; Acting County Manager Thurmond; County Clerk Clement and interested citizens of Dawson County.

OPENING PRESENTATION: Relay For Life – Rena Pendley

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Chairman Berg

ANNOUNCEMENTS:

Chairman Berg announced that ESD Director Billy Thurmond was filling in for County Manager Phil Anderson and Lynn Tully, Planning Director, had returned from maternity leave. Chairman Berg also had a special announcement; Governor Sonny Perdue will be visiting Dawson County on May 12, 2006.

APPROVAL OF MINUTES:

Motion passed unanimously to approve the minutes from the Regular Meeting held on March 2, 2006.
Saling/King

Motion passed unanimously to amend the agenda to hear Old Business first. Saling/King

OLD BUSINESS:

Etowah Sporting Clays

Chairman Berg stated that the public hearing on Etowah Sporting Clays had been heard previously and what would be discussed is the additional information supplied by the sound consultants Merck & Hill. Chairman Berg read the following letter from Merck & Hill dated March 15, 2006:

Based on the measured levels (80+ dBA Peak and up to 20+ dBA Peak above background ambient conditions) from the Etowah sport clay club at various residential locations, it is clear that shooting at the range can pose a significant noise impact at certain residential locations during times when multiple shooters are using the range simultaneously.

Given the greater likelihood that multiple shooters would use the club during weekends and pleasant weather conditions when residents are more likely to be outdoors, makes the noise impact more noticeable and, hence, generally more objectionable. The likelihood of continuous range usage for several hours during a weekend day would also add to the significance of the impact.

Based on these factors and without further noise reduction methods (e.g. shooting screens), it is very probable that the gun noise impact from the range would be annoying to persons of normal sensitivity and, hence, could be considered a nuisance.

Motion passed unanimously to immediately notify Etowah Valley Sporting Clays Park, LLC, in accordance with paragraph #15 of the Lease Agreement dated April 21, 2005, that Etowah Valley Sporting Clays Park, LLC is in default of paragraph #8 of the Lease Agreement by using the premises in a manner to create a nuisance. The sound test conducted by Merck & Hill Consultants, Inc. makes it clear that the noise from the shooting at the sporting clay park is a nuisance to individuals who reside near the park.
Nix/Saling

Motion passed by majority to immediately notify Etowah Valley Sporting Clays, LLC, that in accordance with paragraph #22 of the Lease Agreement dated April 21, 2005, that the Lease Agreement shall terminate at the close of 2006 and will not be renewed pursuant to paragraph #22 of the Lease.
Nix/Craft

Commissioner Saling opposed the motion stating that he would like to allow Mr. Becker to explore different outdoor options that would not cause a nuisance.

ZONING:

Chairman Berg announced that if anyone had contributed more than \$250 to the campaign for public office and wished to speak they will have to fill out a form which will be made available to them. Under normal program, ten minutes will be given to those who wish to speak in favor of or opposition to with some redirect, time permitting.

ZA 05-26: Piedmont Properties, Inc. has made a request to rezone 30.358 acres of TMP 107-78.03 from RA (Residential Agricultural) to CHB (Commercial Highway Business) in order to develop a mixed use of shopping center, retail shop and out parcels. Location: GA. 400 South & Whitmire Drive

Planning Staff and Planning Commission Recommended Approval

with Stipulations

Chairman Berg read the zoning for ZA 05-26 and asked if the applicant was present to speak to the Board. Marvin Isenburg came forward and explained that they had addressed several issues of concern; stream buffers, inter-parcel access and road improvements.

Commissioner Saling questioned whether the applicant had addressed the issue of water and sewer with Etowah Water and Sewer Authority. Mr. Isenburg stated that he would be meeting with EWSA on Friday, March 17, 2006 to discuss access to water and sewer.

Chairman Berg opened the floor to anyone wishing to speak in favor of or opposition to ZA 05-26 and hearing no one closed the floor.

Commissioner King stated that changes had been made to the site plan to address issues concerning the pond and the frontage road.

Zoning Administrator Cindy England spoke to Board asking them to be sure to include the stipulations from Planning Staff and Planning Commission as part of their motion.

Motion passed unanimously to approve ZA 05-26 with the following stipulations from Planning:

1. Parking spaces capped at 950 and show some possible pervious pavers to be approved at the time of construction by Planning staff and director.

If parking spaces are not capped then this matter should no be approved until DRI study is complete. The application shall be tabled until DRI is completed.

2. No office space permitted without further approval of both the Planning Commission Board and the Board of Commissioners in the form of a rezone to the appropriate zoning classification.

3. The Dawson County Tree Ordinance and the Georgia 400 Corridor Guidelines be adhered to.

4. Georgia DOT approval be completed prior to any development with Dawson County.

5. If any “big box” tenants occupy/purchase and develop within development then seasonal sales be defined and limited in time and scope on the site with some type of “soft” screening, i.e. landscaping or other barriers to be approved at time of development by Planning staff and director.

6. The development would be required to tie in to the existing public sewer per the current County policy.

And with the following additional stipulations:

A) Architectural elevations and site plan showing compliance with these conditions must be submitted to the Board of Commissioners for review and approval.

B) Architecture

1) All building facades visible from public streets shall consist predominately of traditional brick or stacked stone. Stucco, Split-face block, and other materials may be used as accent materials but not to exceed 40% of the surface area. Plain concrete, concrete masonry units, or metal siding shall not be used where readily visible. Alternative materials/solutions may be accepted provided that it can be demonstrated that exceptional architectural detail has been utilized to create an appearance superior to that achieved by this condition.

2) Buildings must have pitched roofs; or parapet walls and cornices provided they give the appearance of an articulating or pitched roof. Other architectural treatments may be used provided they achieve similar results.

3) All mechanical equipment, utilities, flat roofs and roof mounted equipment shall be screened from view unless topography prohibits.

4) Building entry areas of single business buildings and the primary tenants of multi-business buildings shall express greater and more distinct architectural detail than other portions of the building.

5) The primary building material and building components of all structures shall be earth tones (not primary colors or bright colors), except for accent features like awnings.

6) Architectural elements such as varying depth and parapet height, changes in material and color, facade offsets, columns, arcades, arches, and other ornamentation should be incorporated to break up the monotony of a single-plane facade and provide character to the structure. These elements shall occur at intervals not to exceed 20 percent of the length of the facade.

C) Landscaping

1) Where possible, earthen berms in combination with plantings shall be used within the landscape strips and islands to screen parking areas from public streets

2) A 20-foot landscape strip shall be provided along all public right-of-way frontages. Non-ornamental shade trees such as oaks or maples, a minimum 3-inch in caliper, shall be planted 40-feet on center the entire length of the landscape strips. The underlying areas shall be planted with shrubs, groundcover, or sod.

3) Parking islands shall be constructed one for every 30 cars and shall each be planted with trees meeting the same specifications stated above.

4) Up to 25% of the required parking spaces for any site may be reduced in width to not less than 8 feet and depth not less than 17 feet. These spaces shall be marked as small vehicle parking.

5) Outparcels, at a minimum, shall provide an eight-foot landscape strip on all sides planted with one tree meeting the above specifications for every 40 feet of perimeter.

6) Planting areas shall be provided between the front of the buildings and drives along no less than 50% of any visible facade.

D) Vehicular Access

1) Inter-parcel access shall be provided.

2) Access to GA 400 shall be limited to that shown on the site plan dated March 15, 2006.

3) Whitmire Road, along the frontage of this tract, and the access road shown on the site plan must be constructed and/or improved to Dawson County Road specifications.

E) Lighting

1) Outdoor lighting shall be contained in cut-off luminaries and shall be directed downward and in toward the property to avoid intrusion on adjacent properties and public roads.

F) Site Design

- 1) Dumpsters shall be placed in the least visible location, typically the rear, and shall be enclosed by opaque walls and gates to match the primary building materials.
- 2) All utilities shall be underground, if possible from utility companies.
- 3) Detention ponds shall incorporate vegetative screening where visible from public roads.
- 4) No buffer required along the south and west property lines.
- 5) The site plan shall, in general, follow the site plan dated March 15, 2006 revised as needed to comply with the GA 400 overlay district. King/Saling

ZA 05-30: ZA 05-30: Don Stephens has made a request to rezone 3-5 acres of TMP 113-31 & 32 Split from R2 (Residential Single Family) to CCB (Commercial Community Business) in order to expand his building supply companies supply yard. Location: 5711 Hwy. 53 East

Planning Staff and Planning Commission Recommended Approval with Stipulations

Chairman Berg read the zoning application ZA 05-30 and asked if the applicant was present to speak to the Board. Ben Trail came forward representing the applicant. Mr. Trail explained that the applicant wished to rezone a five acre tract of land to CCB to be able to store supplies such as lumber.

Commissioner King asked if the applicant would be willing to bring Stephens Road up to County standards. Mr. Trail stated that there would be a fence between the property and Stephens Road and there would be no access to the lumber company from Stephens Road. Commissioner King explained that he had heard from citizens living on the road and they were going to try to have Dawson County abandon Stephens Road. Edna Stephens stated that she would be willing to abandon her part Stephens Road. Commissioner King was very concerned about Stephens Road and the complaints he had been receiving about it.

Chairman Berg asked if anyone wished to speak in favor of or opposition to ZA 05-30 and hearing no one closed the floor.

Motion passed unanimously to approve ZA 05-30 with the following stipulation from Planning Staff and Planning Commission; Area shown on the site plan with some type of "soft" screening, i.e. landscaping or other barriers to be approved by Planning Staff. Saling/Craft

PUBLIC HEARINGS:

Capital Improvement Elements

Bill Ross, from Ross and Associates, spoke to the Board explaining that Capital Improvement Elements is a step toward the adoption of Impact Fees. There are two basic components to Impact fees; CIE which lists projects available for Impact Fee funding and the Impact Fee Ordinance which establishes how much the fees would be. Mr. Ross explained that what they were asking for was approval to forward the CIE transmittal to the State for review.

Chairman Berg opened the public hearing for anyone wishing to speak on Capital Improvement Elements and hearing no one closed the hearing.

Motion passed unanimously to approve forwarding the Capital Improvement Element to the RDC for review. Saling/Craft

Structure Separation

County Attorney Joey explained that the Structure Separation Ordinance would require a structure that is built fifteen feet or less from a lot line be constructed of a noncombustible material or have a fire resistance of one hour or less.

Fire Marshall Tim Satterfield told the Board he had spoken with the Dawson County Home Builders Association and the DCA and both groups had approved the ordinance.

Commissioner Saling pointed out that the Board was not looking for approval from the Home Builders or DCA only looking for comments and observations.

Chairman Berg asked whether anyone wished to speak on the Structure Separation and Ed Jester informed the Board that he agreed that something needs to be done and the public needs to be kept informed about the Structure Separation Ordinance.

Chairman Berg closed the hearing and stated there would be another public hearing on Structure Separation April 6, 2006.

International Fire Code 2003 Addition with Georgia Amendments

County Attorney Homans explained that the Board had adopted this code in 2001 and the State has asked that we approve the 2003 code without the appendixes.

Fire Marshall Satterfield stated that the State has made it mandatory to adopt the 2003 version of the International Fire Code. Satterfield answered questions about road widths that are included in the International Fire Code and informed the Board that we would have to adopt the minimum road widths.

Chairman Berg asked if anyone wished to speak on the International Fire Code 2003 Addition and hearing no one closed the first hearing on the subject.

NEW BUSINESS:

Business Retention and Expansion Process Resolution

Chairman Berg explained that Linda Williams had spoken to the Board at the last work session about the Business Retention and Expansion Process Resolution.

Motion passed unanimously to approve the Business Retention and Expansion Process Resolution.
Nix/Saling

Tax Assessor's Truck Bids/Resolution for Financing

Motion passed unanimously to approve the resolution for financing through BB&T at 4.23% for the Tax Assessor's Truck. Saling/Craft

Motion passed unanimously to approve the bid submitted by Megal Chevrolet for the purchase of the Tax Assessor's Truck. Nix/Craft

Jail Bids

Planning Engineer David Headley asked the Board to approve the bid of \$15,495,000 from Manhattan Construction.

Motion passed unanimously to approve the recommendation of Manhattan Construction to be the primary contractor for the new jail in Dawson County. Saling/Craft

Jail Funding

Roger Murray spoke to the Board about possible funding for the new jail. After evaluating bank loans and public offerings, Mr. Murray found that it would be better to procure a bank loan. Mr. Murray received responses from four different banks:

United Community Bank 5.74%

RBC Centura Bank 4.26%

Wachovia Bank 4.72%

Bank of America 4.27%

Mr. Murray stated that these rates were good only until Friday, March 17, 2006.

Much discussion followed among the Board with some concerns about whether the bids were qualified bids, if they had time to make an informed decision, would the rates change much if a decision was not made immediately, to move forward with funding from within the states or outside and if the County has anyone with the expertise to move forward without outside help.

Roger Murray recommended that the Board move forward with a bank loan with a pre-pay option and decide whether or not to accept one of the bids he had solicited.

Motion passed unanimously to direct the County's Financing Department to pursue bank financing for approximately six million dollars outstanding for the new jail. Saling/King

Motion passed by majority to accept the bid from Bank of America at 4.27% with a pre-payment option. Saling/Craft Commissioner King and Commissioner Nix opposed the motion. Chairman Berg's vote in favor of the motion broke the tie.

Sawnee EMC Proposal

Chairman Berg explained that the Sawnee EMC proposal for \$15,107 is for the relocation of a utility pole at Dawson Forest and Lumpkin Campground to facilitate the proposed roundabout.

Commissioner Saling questioned Public Works Director Randy Bowen about the intersection of Highway 53 and Lumpkin Campground. Mr. Bowen reported that he had spoken with the GDOT District Engineer Russell McMurray and they have agreed to build a left turn bay and signal at no cost to the County if the County can get adequate right of way.

Commissioner Craft told the Board that the property in question has been purchased and the new owners have agreed to work with the County in obtaining enough right of way to construct a left turn bay.

Motion passed unanimously to authorize Sawnee EMC to relocate the utility pole at a cost of \$15,107.
Saling/Craft

Mr. Bowen is to move forward getting written acknowledgement from the GDOT stating they will build a left turn bay at Highway 53 and Lumpkin Campground at no cost to the County.

Public Defender's Office

Chairman Berg explained that the Public Defender's Office had presented a contract agreement to the Board that matched the County's proposed budget.

County Attorney Homans explained to the Board the modifications that he had made to the Indigent Defense Services Agreement.

Motion passed unanimously to approve the Indigent Defense Service Agreement with the modifications made by the County Attorney. King/Nix

Kiwanis Club 10K & 5K Event

Chairman Berg stated that the Kiwanis 10K & 5K run would be on May 6, 2006 and the Kiwanis have asked for approval to proceed with this event. The only suggestion added to the resolution would be for the City of Dawsonville to provide proper signage for the race.

Sheriff Billy Carlisle explained that proper signage is needed to warn motorists of the race so they could take the necessary precautions.

Motion passed unanimously to issue the permit for the Kiwanis Club 10K & 5 K Event and to have the City place the proper signage. Nix/Saling

Motion passed unanimously to go into Executive Session for legal issues. Craft/Saling

ADJOURNMENT:

Motion passed unanimously to adjourn the meeting.

APPROVE: ATTEST:

Mike Berg, Chairman Tammy Clement, County Clerk

Work Session Minutes - March 23, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

WORK SESSION MINUTES – THURSDAY March 23, 2006

Rock Creek Park Community Room – 4:00 p.m.

ROLL CALL: Those present were Chairman Berg; Commissioner Saling, District 1; Commissioner Craft, District 2; Commissioner King, District 3; Commissioner Nix, District 4; County Attorney Homans; County Manager Anderson; County Clerk Clement and interested citizens of Dawson County, Georgia.

1. Inmate Medical Bids – Kevin Tanner

This item to be placed on the Regular Meeting Agenda – 04/06/06

2. Flagship and GMRDC – Lynn Tully

This item to be placed on the Regular Meeting Agenda – 04/06/06

3. Amendment to SPLOST IV 2006 Budget – Lowayne Craig

This item to be placed on the Regular Meeting Agenda – 04/06/06

4. Lake Lanier Shore Clean-Up – Lowayne Craig

This item to be placed on the Regular Meeting Agenda – 04/06/06

5. NDO Contract – Lowayne Craig

This item to be placed on the Regular Meeting Agenda – 04/06/06

6. Dell Conner Construction of Julian Farm Road – Randy Bowen

This item to be placed on the Regular Meeting Agenda – 04/06/06

7. FEMA Fire Act Grant Application Approval – Billy Thurmond/Scott Wallace

This item to be placed on the Regular Meeting Agenda – 04/06/06

8. Big Box Ordinance – Jim King

This item to be placed on the Work Session Agenda – 04/13/06

9. Transportation Enhancement Grant for City of Dawsonville – Mike Berg

This item to be placed on the Regular Meeting Agenda – 04/06/06

10. Library Board/ BOC Meeting – Mike Berg

Meeting to be held 03/30/06 – letter sent to Roy Coleman

11. County Manager Report

12. County Attorney Report

Package Sales/Winery

This item to be placed on the Work Session Agenda – 04/13/06

Market and Sale of 268+ acres belonging to EWSA

This item to be placed on the Regular Meeting Agenda – 04/06/06

Motion passed unanimously to go into Executive Session for legal issues. King/Nix

Called Meeting Minutes - March 30, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

CALLED MEETING MINUTES – THURSDAY, MARCH 30, 2006

Rock Creek Park Community Room – 4:00 p.m.

ROLL CALL: Those present were Chairman Berg; Commissioner Saling, District 1; Commissioner Craft, District 2; Commissioner King, District 3; Commissioner Nix, District 4; County Attorney Homans; County Manager Anderson; County Clerk Clement and interested citizens of Dawson County.

Motion passed unanimously to go into Executive Session for legal issues. King/Saling

Motion passed unanimously to come out of Executive Session. Craft/Nix

APPROVE: ATTEST:

Mike Berg, Chairman Tammy Clement, County Clerk

Regular Meeting Minutes - April 6, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES – THURSDAY, APRIL 6, 2006

Rock Creek Park Community Room – 6:00 p.m.

ROLL CALL: Those present were Chairman Berg; Commissioner Saling, District 1; Commissioner Craft, District 2; Commissioner Nix, District 4; County Attorney Homans; County Manager Anderson; County Clerk Clement and interested citizens of Dawson County. District 3 Commissioner King was absent.

OPENING PRESENTATION: Dawson County Woman’s Club – Ann Bosworth

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Chairman Berg

ANNOUNCEMENT:

Chairman Berg welcomed Charles Duncan back to Dawson County.

APPROVAL OF MINUTES:

Motion passed unanimously to approve the minutes from the Regular Meeting held on March 16, 2006 as submitted. Saling/Craft

Motion passed unanimously to approve the minutes from the Called Meeting held on March 23, 2006 as submitted. Saling/Craft

PUBLIC HEARINGS:

Structure Separation (2nd Public Hearing)

Fire Marshall Tim Satterfield informed the Board that he had spoken with the Builders Association and they endorsed the Structure Separation Ordinance.

Chairman Berg opened the hearing on Structure Separation and seeing no one closed the hearing.

Motion passed unanimously to adopt the Structure Separation Ordinance as submitted. Saling/Craft

International Fire Code 2003 Addition with Georgia Amendments (2nd Public Hearing)

Fire Marshall Satterfield addressed the International Fire Code 2003 Addition with Georgia Amendments explaining that in Section III; a portion is left blank to facilitate information gathered at the site of a fire.

Chairman Berg opened the hearing on International Fire Code 2003 and seeing no one closed the hearing.

Motion passed unanimously to adopt the International Fire Code 2003 Addition with Georgia Amendments. Saling/Craft

OLD BUSINESS:

Market and Sale of 268+ acres belonging to EWSA

Chairman Berg stated that the sale of 268 acres belonging to EWSA had been discussed in the past with a vote to move forward allowing the Development Authority to sell the property. A letter was sent to the Etowah Water and Sewer Authority Board with this request. A response was received from EWSA Board stating they would like to wait a few months and discuss the sale of the property in greater length. Subsequent conversations with Linda Townley, Chair of EWSA Board, suggested that EWSA would like to handle the sale of the property.

Commissioner Bill Saling stated that he had no problem with who sold the property as long as it was sold in a timely manner, marketed on a national basis. Commissioner Saling recommends a joint meeting between both Boards to discuss how the property will be sold.

Motion passed unanimously to move forward with the sale of the 268 acres belonging to EWSA.
Saling/Nix

NEW BUSINESS:

Inmate Medical Bids

Chairman Berg noted that Major Kevin Tanner had made a recommendation of accepting the bid for medical services provided by Southeastern Service Group.

Motion passed unanimously to approve Southeastern Service Group bid of \$212, 963.11. Nix/Craft

GIS RFP

Planning Director Lynn Tully stated that there were four parts to the GIS RFP; clean up of the current data base, parcel update, perform data conversions and ongoing maintenance. The funding for this would come out of Professional Services.

Commissioner Saling stated that he was uncomfortable with out sourcing and would like to see it kept in-house with an analyst. Chairman Berg explained that going forward with the GIS RFP will show the costs involved in getting a consultant verses going with an in-house person.

Motion passed unanimously to move forward with the four part requests for proposals in order to get the necessary information to make a judgment on GIS. Saling/Craft

Amendment to SPLOST IV 2006 Budget

Finance Director Lowayne Craig requested approval to amend the SPLOST IV Capital Budget to reflect increased collection rate for projects that are not pre-funded. This would allow Emergency Services and the Road Department to proceed with approved SPLOST IV projects in 2006 rather than wait until 2007 or 2008.

Motion passed unanimously to approve SPLOST IV Amendment to increase the ESA and Road Department budgets for 2006. Nix/Saling

Lake Lanier Shore Clean-Up

Finance Director Craig stated that the BOC had received a bill from Nick Martin Enterprises for \$1,352.25 for Lake Lanier cleanup. Chairman Berg explained that the Board had voted last year to help fund the Lake Lanier Cleanup in the form of \$1,000 of in-kind services. Chairman Berg recommended paying the bill due to the confusion and make sure that next year they understand that the service provided will be in-kind. Commissioner Saling stated the Board agreed to \$1,000 of in-kind services and paying the bill would open a terrible precedent.

Commissioner Saling stated that there was no confusion on the part of the Dawson County Board of Commissioners when they approved the \$1,000 of in-kind service.

Motion passed by majority to approve the payment of \$1,352.52 to Nick Martin for the Lake Lanier Shore Clean-up due to the confusion of services that were to be provided by the County. Nix/Craft

Chairman Berg voted for the motion. Commissioner Saling opposed.

NDO Contract

Finance Director Craig explained that the NDO Contract was to add one administrative position. Chairman Berg added that the NDO Contract should have been approved last year.

County Attorney Homans pointed out that in part 2 of the contract a mistake had been made in the dates of the contract.

Motion passed unanimously to approve the NDO Contract. Nix/Saling

FEMA Fire Grant Application Approval

Emergency Service Director Billy Thurmond and Fire Chief Tim Satterfield discussed the benefits of obtaining an aerial apparatus fire truck. The FEMA Grant is a 95% federal 5% local match grant with the County's cost being \$26,250.00.

Motion passed unanimously to approve the FEMA Fire Grant Application. Nix/Craft

Transportation Enhancement Grant for City of Dawsonville

Chairman Berg explained that the City of Dawsonville had requested \$162,000 from SPLOST to match monies for a T-Grant that will provide sidewalks in the City. The BOC had agreed to provide the City with \$500,000 at the end of SPLOST. Commissioner Saling noted that the City of Dawsonville was included in the SPLOST for \$500,000 to be funded when all the other projects were paid. Commissioner Saling is very opposed to giving the City the money early. Commissioner Frank Craft was a City Council member when the SPLOST money was being discussed and it was very plain when the City would receive their money.

Motion passed by majority to deny releasing monies early to provide funding for the Transportation Enhancement Grant for the City of Dawsonville sidewalks. Saling/Craft Chairman Berg voted to deny early release of funds. Commissioner Nix opposed the motion.

Annexation of additional 3.67 acres James & Peggy Kent

County Attorney Homans explained that the annexation of 3.67 acres was to be added to an already approved annexation. This approval was contingent on the City providing a deceleration lane and a left-turn lane on Perimeter Road. The City will provide the deceleration lane but believes that GDOT should provide the left-turn lane.

Motion passed unanimously to delete the requirement of a left-turn lane and approve the annexation of 3.67 acres. Saling/Nix

Motion passed unanimously to go into Executive Session for legal issues.

Craft/Saling

ADJOURNMENT:

Motion passed unanimously to adjourn the meeting. Craft/Saling

APPROVE: ATTEST:

Mike Berg, Chairman Tammy Clement, County Clerk

Called Meeting Minutes - April 10, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

CALLED MEETING MINUTES – MONDAY APRIL 10, 2006

United Community Bank Gilleland Room – 3:30 p.m.

ROLL CALL: Those present were Chairman Berg; Commissioner Saling, District 1; Commissioner King, District 3; Commissioner Nix, District 4; County Attorney Homans; County Clerk Clement, Etowah Water and Sewer Authority Board and interested citizens of Dawson County. Commissioner Craft, District 2 and County Manager Anderson were absent.

Market and Sale of 268+ acres belonging to EWSA

The Dawson County Board of Commissioners met with Etowah Water and Sewer Authority Board to discuss the best possible way to market and sell 268+ acres belonging to EWSA. Discussion followed on whether to enlist the help of a national commercial broker or a local broker, whether to market the land as residential, commercial or industrial and whether the Dawson County School System was still interested in obtaining part of the land. Both Boards agreed to market the entire tract and identify a preference for potential purchasers to include a donation of land for a school site within their master plan.

Etowah Water and Sewer Authority Board and the Dawson County Board of Commissioners agreed to form a subcommittee to work on a RFP to bring back to both Boards for approval.

Motion passed unanimously to appoint Commissioner Bill Saling as a representative of the BOC to serve with EWSA representative to form a RFP to market the 268+ acres through a broker. King/Saling

Motion passed unanimously to adjourn the meeting. Saling/Nix

APPROVE: ATTEST:

Mike Berg, Chairman Tammy Clement, County Clerk

Work Session Minutes - April 13, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

WORK SESSION MINUTES – THURSDAY April 13, 2006

Rock Creek Park Community Room – 4:00 p.m.

ROLL CALL: Those present were Chairman Berg; Commissioner Saling, District 1; Commissioner Craft, District 2; Commissioner King, District 3; Commissioner Nix, District 4; County Attorney Homans; County Manager Anderson; County Clerk Clement and interested citizens of Dawson County, Georgia.

1. Bulletproof Vest Grant – Kevin Tanner

This item to be placed on the Regular Meeting Agenda – 04/20/06

2. EMS Billing – Billy Thurmond

This item to be placed on the Regular Meeting Agendas – 05/04/06 & 05/18/06

3. Hazardous Waste Trust Fund Application Resolution -

This item to be placed on the Regular Meeting Agenda – 04/20/06

4. Dump Truck For Road Department – State Contract

Advertisement to be placed for Requests for proposals

5. Big Box

This item to be placed on the Regular Meeting Agendas – 05/04/06 & 05/18/06

6. Jail Materials Testing Consultant Proposals

This item to be placed on the Regular Meeting Agenda – 04/20/06

7. Liquor Package Sales and Winery

Package Stores

This item to be placed on the Regular Meeting Agenda – 04/20/06

Farm Wineries

This item to be placed on the Regular Meeting Agenda – 04/20/06

Amendments to Liquor by the Drink Ordinance

This item to be placed on the Regular Meeting Agenda – 04/20/06

8. Intergovernmental Agreement for Julian Farm Road

This item to be placed on the Regular Meeting Agenda – 04/20/06

9. Family Connection Shared Receivables

This item to be placed on the Regular Meeting Agenda – 04/20/06

10. Tree Ordinance

To be decided by variances

11. County Manager Report

12. County Attorney Report

Motion passed unanimously to go into Executive Session for legal issues. Saling/Craft

Motion passed unanimously to come out of Executive Session. Saling/Nix

Regular Meeting Minutes - April, 20, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES – THURSDAY, APRIL 20, 2006

Rock Creek Park Community Room – 6:00 p.m.

ROLL CALL: Those present were Chairman Berg; Commissioner Saling, District 1; Commissioner Craft, District 2; Commissioner King, District 3; County Attorney Homans; County Manager Anderson; County Clerk Clement and interested citizens of Dawson County. District 4 Commissioner Nix was absent.

OPENING PRESENTATION: Dawson County Board of Education – Neil Harrison

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Chairman Berg

ANNOUNCEMENT:

Chairman Berg stated that Forsyth County had asked the Core of Engineers to lease twelve parks in Forsyth County and War Hill Park in Dawson County to them. The Core of Engineers turned down their offer.

Chairman Berg announced that Commissioner Bill Saling would be celebrating his birthday on Sunday the 23rd.

Chairman Berg asked the Board to amend the agenda to include Child Abuse Prevention Month Proclamation and proposed RFP for the property owned by EWSA and leased by Dawson County.

Motion passed unanimously to amend the agenda to include Child Abuse Prevention Month Proclamation and proposed RFP. Saling/Craft

APPROVAL OF MINUTES:

Motion passed unanimously to approve the minutes from the Regular Meeting held on April 6, 2006 as submitted. Saling/Craft

Motion passed unanimously to adopt the minutes from the Called Meeting held on April 10, 2006 as submitted. Saling/Craft

ZONING:

Chairman Berg announced that if anyone had contributed more than \$250 to the campaign for public office and wished to speak they will have to fill out a form which will be made available to them. Under normal program, ten minutes will be given to those who wish to speak in favor of or opposition to with some redirect, time permitting.

ZA 06-02: Helen Hamryka has made a Permissive Use Request to operate a Horse Riding Stable/Camp/Boarding Facility of 70 acres. TMP: 70-24&03: RA Location: 683 Duck Thurmond Road

Planning Staff & Planning Commission Recommended Approval

Chairman Berg read the zoning for ZA 06-02 and asked if the applicant was present to speak to the Board. Helen Hamryka came forward and explained that this was a small private farm with her family and her parents residing on the property. Ms. Hamryka stated that a few friends boarded horses and also came to ride on the farm and she wanted to become incorporated to be able to obtain liability insurance and workers compensation insurance.

Chairman Berg asked if anyone wished to speak in favor of ZA 06-02. Bryon Hudson, who lives next door to Ms. Hamryka, stated that he had no problem with what Ms. Hamryka was proposing.

Dr. Sam Orner, Ms. Hamryka's father, stated that he was a semi-retired horse veterinarian and the people who would be using the farm are personal friends.

Chairman Berg asked if anyone wished to speak in opposition and seeing no one closed the floor.

Motion passed unanimously to approve zoning request ZA 06-02 as submitted by the Planning Department. Saling/Craft

ZA 06-03: Corners request has been withdrawn.

ZA 06-04: Loyal Wilson has made a request to rezone 2 acres of TMP 76-44 from RA (Residential Agriculture) to R2 (Residential Single Family) in order to place a mobile home for single-family dwelling. (One lot already has mobile home and is grandfathered) Location: 5629 Kelly Bridge Road

Planning Staff & Planning Commission Recommended Approval

Chairman Berg read the zoning for ZA 06-04 and asked if the applicant was present to speak to the Board. Loyal Wilson came forward explaining that he wished to place a mobile home for a single family on the two acres. Planning Staff clarified that this would bring existing mobile home in to conformance and would allow a new mobile home on the new parcel as the site plan shows two lots.

Chairman Berg asked if anyone wished to speak either for or against the request and hearing no one closed the floor.

Motion passed unanimously to approve ZA 06-04 as presented by Planning Department. Saling/Craft

ZA 06-05: Jerome Mersberger has made a request to rezone 1.5 acres to TMP 114-02 from CIR to COI to construct medical facility for emergent care and healthcare offices. Location is the old Fisherman's Net building behind Captain D's. Address: 91 Nordson Overlook

Planning Staff & Planning Commission Recommended Approval

Chairman Berg read the zoning request for ZA 06-05 and asked if the applicant was present to speak to the Board. Dr. Jerome Mersberger stated that he wished to build an urgent care facility. Dr. Mersberger plans to build a three story structure with a sprinkler system installed.

Chairman Berg asked if anyone wished to speak either for or against the request and hearing no one closed the floor.

Motion passed unanimously to approve ZA 06-05 as presented by Planning Department. King/Saling

PUBLIC HEARINGS:

Financing of Administrative Office for the New Jail

County Attorney Homans explained that this public hearing was for the packets that will be part of the closing to be held on April 28, 2006 for the New Jail.

Chairman Berg asked if anyone wished to speak about the financing for the Administrative Offices for the New Jail and seeing none declared the hearing closed.

Commissioner Bill Saling asked for clarification about the pre-payment option. Attorney Homans explained that according to the contract Dawson County would not be subject to any pre-payment penalties.

Motion passed by majority to approve the financing package that has been defined through Bank of America. Saling/Craft

Chairman Berg voted for the motion. Commissioner King opposed the motion.

NEW BUSINESS:

Bulletproof Vest Grant

Chairman Berg explained that the bulletproof vest grant was presented to the Board at the work session.

Motion passed unanimously to approve the bulletproof vest grant as submitted at the work session. Saling/Craft

Hazardous Waste Trust Fund Application Resolution

Motion passed unanimously to approve the Hazardous Waste Trust Fund Application Resolution discussed at the Board of Commissioner's work session. Saling/Craft

Jail Materials Testing Consultant Proposals

Engineer David Headley stated that in February he had advertised and requested interested firms to submit qualifications for materials testing. Three qualified proposals were submitted and Headley requested the Board award the jail materials testing contract to United Consulting.

Motion passed unanimously to approve the proposal as submitted by United Consulting for the new jail materials testing project. Saling/Craft

Intergovernmental Agreement for Julian Farm Road

County Attorney Homans presented the Board with the intergovernmental agreement with Forsyth County.

Chairman Berg read the following Inter-Governmental Agreement Between Dawson County, Georgia and Forsyth County, Georgia to Provide Road Maintenance – Julian Farm Road:

WHEREAS, a portion of Julian Farm Road lies in Dawson County, Georgia; and,

WHEREAS, a portion of Julian Farm Road lies in Forsyth County, Georgia; and,

WHEREAS, access to Julian Farm Road is gained from War Hill Park Road, which is located entirely in Dawson County, Georgia; and,

WHEREAS, the owner of certain property in Forsyth County intends to establish, construct and build Julian Farm Road as a paved road from War Hill Park Road in Dawson County and Forsyth County, which will render the road maintenance cost effective for both Dawson County and Forsyth County if access to Julian Farm Road is readily available; and,

WHEREAS, access to Julian Farm Road is readily available to workers of Dawson County government through War Hill Park Road.

NOW, THEREFORE, the parties hereto hereby consent and agree as follow:

1. Dawson County shall provide road maintenance services for Julian Farm Road for the portion of Julian Farm Road on the attached plat, which is incorporated herein by reference, whether such portion is in Dawson County or Forsyth County.

2. Forsyth County shall provide all other government services for areas served by Julian Farm Road in Forsyth County.

3. The initial term of this agreement shall be June 1, 2006 through May 31, 2007. This agreement shall automatically renew for the following year and for those years subsequent to any such renewal unless notice of intent to terminate this Agreement without further obligation or penalty is provided within ninety (90) days of the date of termination. The Agreement shall terminate immediately and absolutely at such time as appropriated and otherwise unobligated funds are no longer available to satisfy the obligations of Dawson County under the term of this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement and have affixed their seals to this Agreement this 20th day of April, 2006.

Motion passed unanimously to approve the Intergovernmental Agreement drafted for Julian Farm Road.
Saling/Craft

Family Connection Shared Receivables

Chairman Berg explained that Family Connection Shared Receivables would be a shared cost responsibility between Dawson County Board of Commissioners, Dawson County Board of Education and the City of Dawsonville thus allowing Family Connections to continue to operate during the ongoing investigation. Dawson County Board of Commissioners and Dawson County Board of Education would each contribute \$7,000 and the City of Dawsonville would contribute \$2,000. This would be considered a no interest loan and as soon as Family Connection receives monies back all parties would be reimbursed for their contributions. County Attorney Homans has a contract that will be signed after he changes the reimbursement date to the end of the year. Commissioner Bill Saling clarified that this was a bridge loan to cover Family Connections out of pocket costs until insurance money is recovered from the carrier.

Motion passed unanimously to support the bridge loan in the amount of \$7,000 to cover the receivables for Family Connection, Saling/Craft

Package Stores, Farm Wineries and Amendments to the Liquor by the Drink Ordinance

Chairman Berg asked that the full Board be present before a decision is made on whether to place Package Stores on the agenda for Public Hearings. Package Stores would be placed on the November ballot as a referendum if motion to place it on the ballot is passed by the Board.

Motion passed unanimously to table Package Stores, Farm Wineries and Amendments to the Liquor by the Drink Ordinance until the second voting session in May. Saling/Craft

Child Abuse Prevention Month Proclamation

Chairman Berg read the following Child Abuse Prevention Month Proclamation:

WHEREAS, child abuse is a community problem and finding solutions depends on involvement among people throughout the community;

WHEREAS, statistics of children who are abused and neglected increase each year;

WHEREAS, the effects of child abuse are felt by whole communities, and need to be addressed by the entire community;

WHEREAS, effective child abuse prevention programs succeed because of partnerships created among social service agencies, schools, religious organizations, law enforcement agencies, and the business community;

WHEREAS, youth-serving prevention programs offer positive alternatives for young people and encourage youth to develop strong ties to their community;

WHEREAS, all citizens should become more aware of child abuse and its prevention within the community, and become involved in supporting parents to raise their children in a safe, nurturing environment;

NOW, therefore, I, Mike Berg, Chairman Dawson County Board of Commissioners, do hereby proclaim April as Child Abuse prevention Month in Dawson County and call upon all citizens, community agencies, religious organizations, medical facilities, and businesses to increase their participation in our efforts to prevent child abuse, thereby strengthening the community in which we live.

Motion passed unanimously to adopt the resolution for Child Abuse Prevention Month Proclamation. Saling/Craft

RFP for 268+ acres belonging to EWSA

Commissioner Bill Saling explained that he had met with Kim Cornelison to discuss putting together a request for qualifications for selecting a commercial broker. The County and EWSA had received an unsolicited bid for the 268+ acres. According to law, the property has to go through a public auction or

be advertised for thirty days before any offers could be considered. Commissioner Saling recommended advertising the property for the required thirty days and see if we receive any response.

Motion passed unanimously to go into Executive Session for legal and personnel issues. Saling/Craft

ADJOURNMENT:

Motion passed unanimously to adjourn the meeting. Saling/Craft

APPROVE: ATTEST:

Mike Berg, Chairman Tammy Clement, County Clerk

Work Session Minutes - April 27, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

WORK SESSION MINUTES – THURSDAY April 27, 2006

Rock Creek Park Community Room – 4:00 p.m.

ROLL CALL: Those present were Chairman Berg; Commissioner Saling, District 1; Commissioner Craft, District 2; Commissioner King, District 3; Commissioner Nix, District 4; County Attorney Homans; County Manager Anderson; County Clerk Clement and interested citizens of Dawson County, Georgia.

1. Approval/Authorization of FY 2007 Family Connection Grants/Dawson County Continuing as Fiscal Agent – Daniel Goode

This item to be placed on the Regular Meeting Agenda – 05/04/06

2. Standby AE Services RFQ – Phil Anderson

Advertisement to be placed for Requests for Qualifications.

3. Transfer Station – Phil Anderson

This item to be placed on the Regular Meeting Agenda – 05/04/06

4. 2005 General Fund Amended Budget to Actual – Lowayne Craig

This item to be placed on the Regular Meeting Agenda – 05/04/06

5. Boot Drive Fund Raiser – Billy Thurmond

This item to be placed on the Regular Meeting Agenda – 05/04/06

6. Inmate Food Service Contract – Kevin Tanner/Joey Homans

This item to be placed on the Regular Meeting Agenda – 05/04/06

7. Inmate Medical Contract – Kevin Tanner/Joey Homans

This item to be placed on the Regular Meeting Agenda – 05/04/06

8. K-9 Task Grant – Kevin Tanner

This item to be placed on the Regular Meeting Agenda – 05/04/06

9. Contract with Manhattan for Jail – David Headley/Phil Anderson

This item to be placed on the Regular Meeting Agenda – 05/04/06

Materials Testing Contract – Phil Anderson

This item to be placed on the Regular Meeting Agenda – 05/04/06

10. Polling Place Improvements for Fire Station – Mike Berg

This item to be placed on the Regular Meeting Agenda – 05/04/06

11. County Manager Report

12. County Attorney Report

Motion passed unanimously to go into Executive Session for legal issues. Saling/Craft

Motion passed unanimously to come out of Executive Session.

Regular Meeting Minutes - May 4, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES – THURSDAY, MAY 4, 2006

Rock Creek Park Community Room – 6:00 p.m.

ROLL CALL: Those present were Chairman Berg; Commissioner Craft, District 2; Commissioner King, District 3; Commissioner Nix, District 4; County Attorney Homans; County Manager Anderson; County Clerk Clement and interested citizens of Dawson County. District 1 Commissioner Saling was absent.

OPENING PRESENTATION: Dawson County Foster/Adoptive Family – Jennifer Seigler

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Chairman Berg

ANNOUNCEMENT:

Chairman Berg announced that Art in the Park would be held this weekend at the City Municipal Complex.

APPROVAL OF MINUTES:

Motion passed unanimously to approve the minutes from the Regular Meeting held on April 20, 2006 as submitted. Nix/Craft

Chairman Berg asked the Board to amend the agenda to hear Fee Waiver for Lumpkin Campground Church earlier than scheduled.

Motion passed unanimously to amend the agenda to hear Fee Waiver for Lumpkin Campground Church at the beginning of new business. King/Craft

ZONING:

Chairman Berg announced that if anyone had contributed more than \$250 to the campaign for public office and wished to speak they will have to fill out a form which will be made available to them. Under normal program, ten minutes will be given to those who wish to speak in favor of or opposition to with some redirect, time permitting.

VR 06-05: Bobby Staggs, Foothills Construction o.b.o. Paul Siorios has made a variance request from section 307.C2.A of the Dawson County Land Use Resolution in order to reduce front setback by 10 feet to allow construction to remain 30 feet from the property line instead of the 40 feet required. Specific to the garage. TMP: 67-48 Split: Zoned RA; Location: Robert Gibby Road, Permit #R-12-05-1956

Planning Staff & Planning Commission Recommended Approval with Fine of \$106.12

Appealed Action: Planning Commission Approved on March 21, 2006 with a \$911.50 Fine

Chairman Berg read the zoning for VR 06-05 and explained that this was an appeal of a zoning variance decision. Chairman Berg invited the appellant to speak to the Board. David Burroughs, attorney for the appellant Ellen Harrison, came forward and stated that this appeal involved a garage that is at least ten feet over the setback area. Mr. Burroughs passed out several exhibits for the Commissioners to examine and stated that the original plans for the Siorios' house included a two car garage that would have been in compliance with Dawson County's Land Use Resolution. Mr. Burroughs submitted a letter from Mike Miller, a realtor for seven years and also a former Planning and Zoning Chairman, that stated the property value of the homes on Robert Gibby Road would decrease in value anywhere between \$10,000 to \$35,000 each because of the location of the third bay of the garage on Mr. Siorios' property.

Ronnie Camp spoke in favor of the appeal citing the \$10,000 cost to the home owners because of the encroachment and the snaggle tooth look of the neighborhood as his reasons for supporting the appeal.

Neil Harrison feels that Mr. Siorios should be made to conform to the ordinance and should not be allowed to construct the garage which could devalue the surrounding homes by \$10,000.

Chairman Berg asked if anyone not in favor of the appeal wished to speak to the Board. Matthew Dominic, attorney for the home owner Paul Siorios, came forward and explained that the violation of the variance was not knowingly done. Mr. Dominic went through the sequence of events leading up to this hearing and the steps Mr. Siorios took in trying to construct his home. After the variance was approved by the Planning Commission Mr. Siorios incurred great expense to the structure that the variance applied to. Mr. Dominic stated that there is no evidence of a negative impact on property value on Robert Gibby Road due to the construction of a third bay to Mr. Siorios' garage.

Paul Siorios spoke of the money spent after the variance was approved on March 21, 2006 by the Dawson County Planning Commission. Mr. Siorios obtained signatures from most of the home owners on Robert Gibby Road supporting the approval of VR 06-05. The estimated cost of removing and rebuilding the portion of the garage that is located in the setback area is around \$22,220.00.

Mr. Baty, who lives on Robert Gibby Road, denied the claim that he said that the slab for the garage was too close to the road.

County Attorney Joey Homans clarified that calls concerning the setback were made to the Planning and Developing Department and not to the County Commission.

Chairman Berg closed the floor and opened the discussion to the Board. A lengthy discussion followed on surveys, site plans and footings. Planning Director Lynn Tully explained that a site plan is not required on property more than an acre in size. Tully stated that when the stop work order was issued the property owner was notified that they could continue the drying in at their own risk.

Commissioner Jim King stated that variances were always very difficult. The survey does show the boundaries of the track and the setback and allowing the structure to remain would devalue the adjacent property and violates county code.

Motion passed unanimously to overturn the ruling by the Planning Commission and deny VR 06-05.
King/Nix

PUBLIC HEARINGS:

EMS Billing

Chairman Berg announced that EMS Billing did not get publicized and it would be necessary to move it to the Board of Commissioners meeting on May 18, 2006.

Big Box Ordinance

Chairman Berg stated that this was the first hearing of the Big Box Ordinance. Big Box Ordinance applies to developments over 75,000 square feet. Chairman Berg opened the floor to anyone wishing to speak on the Big Box Ordinance and seeing none closed the floor on the first hearing.

NEW BUSINESS:

Fee Waiver for Lumpkin Campground Church

Chairman Berg stated that there has been some vandalism at the Lumpkin Campground Church and members of the church would like to construct a care takers house to protect the property. Since the church is a historical place they would like to have the fee of \$110 waived.

Motion passed unanimously to waive the fees for Lumpkin Campground Church. King/Craft

Beer & Wine License – Wal-Mart Stores

County Attorney Homans explained that the background checks and the construction of Wal-Mart have not been completed. Wal-Mart requests that Robin Forbis, located at their main office in Arkansas, be listed as the registered agent in charge of alcohol compliance in all their stores. Dennis Dickison, the local manager, will be available in case there is an issue with the beer & wine licensing.

Motion passed unanimously to approve the Beer & Wine License for Wal-Mart contingent upon the state and federal background check, Wal-Mart successfully obtaining a CO and also waiver of the six month waiting period. King/Nix

Approval/Authorization of FY 2007 Family Connection Grants/Dawson County Continuing as Fiscal Agent

Chairman Berg explained that this had been presented to the Board at the last work session.

Motion passed unanimously to approve the FY 2007 Family Connection Grants and approve Dawson County continuing as the fiscal agent for Family Connection. Nix/Craft

Transfer Station

County Manager Phil Anderson summarized the recommendations by the staff:

Solid Waste Hauling – proceed with an invitation to bid for the hauling of solid waste and metal and compare bids received with the cost of a used semi-tractor and two 120 cubic yard, top loading trailers.

Hours of Operation – reduce days to Monday, Friday and Saturday with hours from 7:00 a.m. to 4:45 p.m.

Staffing – one full-time and two part-time employees.

Tipping Fees – no increase.

The objective is to provide solid waste service to Dawson County citizens at cost.

Chairman Berg stated that what the Board was being asked to vote on was whether to move forward with a RFP for hauling services.

Commissioner Frank Craft had employees at the Transfer Station count the number of vehicles and survey individuals who visited the Transfer Station this past week. Saturday was the high traffic day with 233 vehicles and during the rest of the week there was anywhere from 68 to 80 vehicles each day. The majority of customers to the Transfer Station were from district #1.

Motion passed unanimously to move forward with a RFP for hauling services. Craft/King

2005 General Fund Amended Budget to Actual

Finance Director Lowayne Craig presented the final amendment for the 2005 budget.

Motion passed unanimously to approve the amended budget as submitted. Nix/Craft

Boot Drive Fund Raiser

Chairman Berg stated that the boot drive fund raiser had been discussed at the previous work session.

Motion passed unanimously to approve the boot drive fund raiser. Nix/Craft

Inmate Food Service Contract

Motion passed unanimously to approve the inmate food service contract with ABL Management, Inc. Craft/Nix

Inmate Medical Contract

Motion passed unanimously to approve the inmate medical contract with Southeastern Service Group, Inc. as discussed at the work session. Craft/King

K-9 Task Grant

Motion passed unanimously to approve the K-9 Task Grant as presented at the work session. Craft/King

Contract with Manhattan for Jail

County Manager Phil Anderson stated that this was the finalized contract for the new jail with Manhattan Construction. The contract has been reviewed by HOK, Manhattan Construction and legal council. Commissioner Jim King questioned whether this vote also included financing for the new jail and Chairman Berg confirmed that this contract was for construction only.

Motion passed unanimously to approve the contract with Manhattan Construction. Nix/Craft

Material Testing Contract

County Manager Anderson noted that the only change from the contract presented at the work session was in paragraph #26 stating that any venue for litigation would be heard in the Superior Court in Dawson County.

Motion passed unanimously to approve the contract with United Consulting as discussed in the work session with the change to paragraph #26. Craft/Nix

Polling Place Improvements for Fire Station

Chairman Berg pointed out that the polling place improvements for fire station #6 would only be a temporary fix and Facilities Director Maynard Waters would be responsible for implementing the improvements. The working estimate for the improvements is \$1,100.

Motion passed unanimously to approve polling place improvements for fire station #6. Nix/Craft

Motion passed unanimously to go into Executive Session for personnel issues. King/Nix

ADJOURNMENT:

Motion passed unanimously to adjourn the meeting. Craft/Nix

APPROVE: ATTEST:

Mike Berg, Chairman Tammy Clement, County Clerk

Work Session Minutes - May 11, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

WORK SESSION MINUTES – THURSDAY MAY 11, 2006

Rock Creek Park Community Room – 4:00 p.m.

ROLL CALL: Those present were Chairman Berg; Commissioner Saling, District 1; Commissioner Craft, District 2; Commissioner Nix, District 4; County Attorney Homans; County Manager Anderson; County Clerk Clement and interested citizens of Dawson County, Georgia. District 3 Commissioner King was absent.

1. Impact Fees and CIE – Lynn Tully

This item to be placed on the Regular Meeting Agenda – 06-01/06 & 06/15/06

2. GIS Proposal – Lynn Tully

This item to be placed on the Regular Meeting Agenda – 05/18/06

3. Kiosk Signs – Lynn Tully

This item to be placed on the Regular Meeting Agenda – 05/18/06

4. Approval to Close Bank Accounts – Lowayne Craig

This item to be placed on the Regular Meeting Agenda – 05/18/06

5. Package Liquor Sales/Farm Wineries/Ordinance Amendments – Joey Homans

These items to be placed on the Regular Meeting Agenda – 05/18/06

6. County Manager Report

7. County Attorney Report

Sale of 268+ Acres belonging to EWSA

This item to be placed on the Regular Meeting Agenda – 05/18/06

Motion passed unanimously to go into Executive Session for legal issues. Saling/Craft

Motion passed unanimously to come out of Executive Session. Saling/Nix

Regular Meeting Minutes - May 18, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES – THURSDAY, MAY 18, 2006

Rock Creek Park Community Room – 6:00 p.m.

ROLL CALL: Those present were Chairman Berg; Commissioner Saling, District 1; Commissioner Craft, District 2; Commissioner King, District 3; Commissioner Nix, District 4; County Attorney Homans; County Manager Anderson; County Clerk Clement and interested citizens of Dawson County.

OPENING PRESENTATION: YMCA Program – Jeremy Austin

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Chairman Berg

Sale of 238+ Acres belonging to EWSA

Chairman Berg welcomed Etowah Water & Sewer Authority Board members Herb Burnsed, Kim Cornelison and Chairman Linda Townley to the Board of Commissioners meeting. Commissioner Bill Saling and Kim Cornelison presented the internet website, designed by Gerry Sommers of SiteRider Communications, featuring the sale of land located on Dawson Forest Road and Highway 9. Advertising of the 238+ acres will begin next Wednesday and continue for four weeks in the Wall Street Journal, The Atlanta Journal and the Dawson News and Advertiser. E-mails will also be sent to developers who might have an interest in the property. A matrix will be in place to evaluate the bids received for the property with the following criteria: value of the offer, willingness to work with the Board of Education and the intended use of the property.

ANNOUNCEMENTS:

Commissioner Frank Craft reported that the County Manager, Public Works Director and the GDOT are in the process of getting left hand turn lanes at the intersection of Highway 53 and Lumpkin Campground Road.

Chairman Berg, Commissioner Bill Saling, Commissioner Jim King and County Manager Phil Anderson attended the 2006 Water Summit in Atlanta on May 15, 2006.

Georgia Transmission meetings were held at the Rock Creek Conference Room and were attended by Chairman Berg, Commissioner Saling, Commissioner King and County Manager Anderson.

The Georgia Department of Transportation will hold their STIP meeting on June 16, 2006 in the Board of Commissioners conference room.

APPROVAL OF MINUTES:

Motion passed unanimously to approve the minutes from the Regular Meeting held on May 4, 2006 as submitted. Saling/Nix

ZONING:

Chairman Berg announced that if anyone had contributed more than \$250 to the campaign for public office and wished to speak they will have to fill out a form which will be made available to them. Under normal program, ten minutes will be given to those who wish to speak in favor of or opposition to with some redirect, time permitting.

ZA 06-06: Heard Properties, LLC has made a request to rezone 40 acres of TMP 59-8 from RA (Residential Agricultural) to R1 (Residential Single Family Restricted) in order to develop a 13-lot subdivision.

Location: Kelly Bridge Road

Planning Staff & Planning Commission Recommended Approval with stipulations.

Chairman Berg read the zoning for ZA 06-06. Planning Director Lynn Tully stated that the applicant is requesting a zoning change from RA to R1 to develop a 13 lot subdivision. The Planning Staff & Planning Commission recommended approval with stipulations.

Chairman Berg asked if the applicant was present and wished to speak to the Board. Hugh Heard explained that the land had been surveyed and the plans included 13 lots three acres each.

Chairman Berg asked if anyone wished to speak in favor of or opposition to ZA 06-06. Greg Hicks came forward objecting to the rezoning on the basis that the current land use plan requires lots to be 5 acres and believes that reducing the size of the lots would be detrimental and reduce the value of the surrounding properties.

George David stated that most of the property in the area is agricultural and feels that the county should support the larger tracks of land.

Chairman Berg closed the floor and opened the discussion among the board members. Commissioner Saling stated that two years were spent on the future land use plan that had been approved by the board and by the state. The area in question was publicly discussed and approved for three acre lots.

Motion passed by majority to approved ZA 06-06 with the stipulations provided by the Planning Commission and Planning Department. Saling/Craft Commissioner Nix opposed.

PUBLIC HEARINGS:

EMS Billing

Chairman Berg announced that this was the first public hearing on EMS billing. County Attorney Joey Homans explained that the new consultant recommended increasing the fees for the following five items: BLS Emergency, ALS Level 1 Emergency, ALS Level 2 Emergency, Miles and Standby Services.

Chairman Berg asked if anyone wished to speak on EMS Billing and seeing none closed the first public hearing.

Big Box Ordinance

Chairman Berg stated that this was the second public hearing on the Big Box Ordinance. County Attorney Homans explained that the Fire Marshall had pointed that language might be needed to state that the owner would be responsible for maintaining all fire suppression systems.

Commissioner Saling stated that under Outdoor Lighting he would like to take out "except for light sources used for single family dwellings.

Chairman Berg added one more public hearing to be able to present the revised ordinance to the Development Authority and the Home Builders Association.

OLD BUSINESS:

Sale of 238+ Acres belonging to EWSA

Commissioner Saling reported that the costs for advertising the 238+ acres will be \$1,300 for the website, \$1,400 for four weeks in the Atlanta Journal and \$4,700 for four weeks in the Wall Street Journal. These costs will be backed out as legitimate marketing costs at the time of the sale.

Package Liquor Sales

Chairman Berg explained the purpose of Package Liquor Sales was to determine whether to have a public hearing for a referendum. Commissioner Saling stated that the public should have input on package stores to let their views be heard.

Motion passed unanimously to conduct two public hearings on the feasibility of putting a referendum on the November ballot to allow voters to decide whether they want a package liquor store in Dawson County. Saling/Craft

Farm Wineries

Chairman Berg stated that the public hearings for Farm Wineries would be for an ordinance change.

Motion passed unanimously to have two public hearings on the viability of changing the ordinance to allow Farm Wineries the ability to sell wine at their location. Saling/Craft

Liquor Ordinance

Chairman Berg explained that the public hearings for Liquor Ordinance would be an internal operational change. County Attorney Homans stated that it would be an administrative change that would allow the County Manager to approve a transfer of license upon compliance.

Motion passed unanimously to move forward with two public hearings to consider administrative changes to the current liquor ordinance. Saling/Craft

NEW BUSINESS:

Beer & Wine License – Dawson Forest Grocery

County Attorney Homans explained that Michael Robison had reopened Dawson Forest Grocery and he is asking for a package liquor sales license of beer and wine. The federal and state background check on Mr. Robison is still pending but he has passed the Georgia criminal history check. Mr. Robison has agreed to post the required bond to insure that he will have sufficient food sales.

Motion passed unanimously to approve the Beer & Wine License for Dawson Forest Grocery pending the final receipt of the necessary state and federal background checks. Saling/Craft

GIS Proposal & Kiosk Signs

Chairman Berg announced that the Board was not ready to discuss the GIS Proposal or Kiosk Signs. County Attorney Homans is working on the contracts for GIS and Kiosk Signs and will bring them before the Board at the next work session.

Approval to Close Bank Account

Chairman Berg stated that the Finance Department is trying to reduce the number of county bank accounts.

Motion passed unanimously to close the bank account for the Transfer Station. Nix/King

District 3 Planning & Zoning Alternate

Commissioner King stated that he would like to make the appointment of Todd Tomlin as the district 4 alternate on the Planning and Zoning Board.

Motion passed unanimously to appoint Tom Tomlin as the district 4 alternate on the Planning and Zoning Board. King/Nix

Commissioner Saling stated that he would like to see about getting the terms of the different board members in sync with the time of service of the district commissioner that appoints that position.

Motion passed unanimously to go into Executive Session for personnel and legal issues. Saling/Craft

ADJOURNMENT:

Motion passed unanimously to adjourn the meeting. Saling/Craft

APPROVE: ATTEST:

Mike Berg, Chairman Tammy Clement, County Clerk

Work Session Minutes - May 25, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

WORK SESSION MINUTES – THURSDAY MAY 25, 2006

Rock Creek Park Community Room – 4:00 p.m.

1. Internet Auctions of Government Surplus Items – Terry Bazzoon

This item to be placed on the Regular Meeting Agenda - 06/01/06

2. After Action Review of Fires – Scott Wallace

This item to be placed on the Work Session Agenda – 06/08/06

3. 53 Corridor Plans (character area) – Lynn Tully

This item to be placed on the Work Session Agenda – 06/08/06

4. Georgia 400 Guidelines Update (character area) – Lynn Tully

This item to be placed on the Work Session Agenda – 06/08/06

5. GIS Proposal – Lynn Tully/Joey Homans

This item to be placed on the Regular Meeting Agenda - 06/01/06

6. Kiosk Signs – Lynn Tully/Joey Homans

This item to be placed on the Regular Meeting Agenda - 06/01/06

7. Dawson-Lumpkin-White Counties Joint Development Authority – Phil Anderson

This item to be placed on the Regular Meeting Agenda - 06/01/06

8. Transfer Station hauling Bid Results – Randy Bowen

This item to be placed on the Regular Meeting Agenda - 06/01/06

9. Dawsonville Community Vision Comment Form – Lynn Tully

This item to be placed on the Regular Meeting Agenda - 06/01/06

10. County Manager Report

11. County Attorney Report

Motion passed unanimously to go into Executive Session for legal issues. Saling/Craft

Motion passed unanimously to come out of Executive Session. Saling/King

Regular Meeting Minutes - June 1, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES – THURSDAY, JUNE 1, 2006

Rock Creek Park Community Room – 6:00 p.m.

ROLL CALL: Those present were Chairman Berg; Commissioner Saling, District 1; Commissioner Craft, District 2; Commissioner King, District 3; County Attorney Homans; County Manager Anderson; County Clerk Clement and interested citizens of Dawson County. District 4 Commissioner Nix was absent.

OPENING PRESENTATION: Kare for Kids – Doris Cook

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Chairman Berg

ANNOUNCEMENTS:

Chairman Berg recognized Charlie Auvermann as the new Economic Development Director of the Development Authority whose responsibilities will include bringing low infrastructure high tax business to the County. Mr. Auvermann has a wealth of experience and is a great addition to the Development Authority.

Chairman Berg announced the appointment of Nancy Stites to the position of director of Family Connection. Ms. Stites has previously worked at Family Connections in book keeping and has been working there temporarily in the absence of a director. Ms. Stites stated that she was very happy to be back at Family Connections and appreciated the support that Family Connections has received since she's been back.

Chairman Berg read a notice of public meeting regarding objections to annexations. The meeting on annexations will be held on June 7, 2006, beginning at 9:00 a.m. in the meeting room of the Rock Creek Sports Complex. Lake Gibson will be representing the County, Mark Byrd will represent the City and one non-resident of Dawson County who is a land use planning professional will also be present. Attorneys for both the City and County will be attending the meeting.

APPROVAL OF MINUTES:

Motion passed unanimously to adopt the minutes from the Regular Meeting held on May 18, 2006 as submitted. Saling/King

PUBLIC HEARINGS:

EMS Billing

ESD Director Billy Thurmond explained that the EMS Ordinance would change the billing rates and would bring them in line with the Medicare fee schedule.

Chairman Berg opened the hearing for public comment and hearing none closed the second hearing on EMS Billing.

Motion passed unanimously to adopt the EMS Billing proposal submitted by ESD Director Billy Thurmond. Saling/Craft

Big Box Ordinance

Chairman Berg announced that this was the third hearing on Big Box Ordinance due to changes that needed to be made to the ordinance. Commissioner Jim King asked the Board to table the Big Box Ordinance because the ordinance no longer appeared to be a Big Box Ordinance but more of a maintenance and lighting ordinance. Commissioner King stated that he would like to take the ordinance back to a work session to discuss it at length and possibly incorporate it into existing ordinances.

Chairman Berg opened the hearing for public comment on the Big Box Ordinance and hearing none closed the hearing.

Chairman Berg remanded the Big Box Ordinance back to the Board of Commissioner's work session.

Impact Fees and CIE

Chairman Berg introduced Bill Ross from Ross & Associates who explained Impact Fees and CIE. Mr. Ross stated that this was the first of two public hearing that would allow the County to adopt impact fees. Two things must be in place before adopting an Impact Fee; capital improvement element and an ordinance that implements the impact fee program.

Chairman Berg opened the hearing for public comment and Mr. Mike Winsed requested reading materials on the Impact Fee proposal. Copies of the proposal will be made available at the next public hearing. Chairman Berg closed the hearing on the floor and opened the discussion to board members. Commissioner Saling questioned the amounts of the impact fees and where the funds would be allocated. Chairman Berg explained that the maximum amounts were listed in the draft ordinance and the board could choose to remand the issue back to a work session to discuss amounts and allocation after the ordinance is approved.

Chairman Berg closed the first hearing on Impact Fees and CIE.

OLD BUSINESS:

GIS Proposal

County Attorney Joey Homans addressed the changes that were made to the GIS contract and stated that the contract was now ready for approval.

Motion passed unanimously to adopt the professional service agreement with Smart Data Strategies for GIS services. King/Craft

Kiosk Signs

Planning Director Tully explained that changes made to the Kiosk Sign contract have been reviewed. Commissioner Saling questioned whether all the signs would be of equal size. Tully stated that the panels on the signs would be of equal size but there are two different sizes of signs to be used. Chairman Berg explained that the panels would be color coded to designate public information, destinations and subdivisions. Commissioner King was very concerned about the amount of signs that could be placed at each intersection. Tully stated that the contract clearly states if the County has a problem with the placement of a sign that sign would be removed within a twenty four hour time period. County Attorney Homans noted that there were minor wording changes needed to the contract.

Motion passed unanimously to accept the contract as submitted for the Kiosk Signs with the changes suggested by the County Attorney. Saling/Craft

Commissioner King asked that the minutes reflect that he approved the contract based on the fact that signs can be removed within a twenty four hour time period based on the County's discretion.

Sale of 238+ Acres

Commissioner Berg asked Purchasing Agent Jill Rathe to report on the progress of the sale of the 238+ acres owned by EWSA. Ms. Rathe stated that after the first week of advertisement we have had two hundred and five hits. Out of the two hundred and five hits there have been eight interested parties some of whom have toured the property with Planning Director Tully. The ads will run for two more weeks and in six weeks the bids will be due.

NEW BUSINESS:

Internet Auctions of Government Surplus Items

County Manager Phil Anderson explained that at the Board's work session GovDeals had presented a more cost effective way to deal with the County's surplus items. GovDeals would allow the County to sell their surplus items as they become available instead of waiting for surplus to accumulate and then having an auction. Commissioner King inquired if this was different from selling items on Ebay. Anderson stated that it was an online selling capability specifically for government surplus and GovDeals markets to people who often buy government surplus. When Dawson County sells a surplus item, the item will be picked up and paid for in Dawson County and GovDeals would then bill the County 7% of the transacted amount.

Motion passed unanimously to accept the proposal from GovDeals to market and sell surplus Dawson County property on their web-site. Saling/Craft

Dawson-Lumpkin-White Counties Joint Development Authority

Chairman Berg explained that the Board had already agreed to a Lumpkin-Dawson Joint Development Authority earlier and Lumpkin County has suggested that White County would also like to be included in

the joint development authority. Commissioner Saling stated that he would be more than happy to sign a joint development agreement with Lumpkin and White County if they took the lead and signed the agreement and then sent it to Dawson County. County Attorney Homans had some concerns about the resolution and asked that the Board members first review the resolution and make sure each County adopts the same resolution.

Chairman Berg removed Dawson-Lumpkin-White Counties Joint Development Authority from the Agenda.

Transfer Station Hauling Bid Results

County Manager Anderson stated that the County had received one bid for hauling at three hundred and sixty dollars per load which would amount to sixty thousand four hundred eighty dollars annually. An alternative to a private hauler would be to bring the operation in-house. A cost comparison was submitted by the Public Works Director Randy Bowen that showed that if the operation was brought in-house it would pay for itself within two years. Commissioner Saling asked that the Board consider allowing the one bidder, Bobby Wallace, to take over the operation of the Transfer Station. Chairman Berg explained that we had already advertised for bids to have a private company take over the Transfer Station and had received no bids in response. Commissioner Saling stated that he would like the Board to allow him to sit down with Bobby Wallace and talk to him about privatizing the Transfer Station.

Motion passed unanimously to table Transfer Station Hauling Bids for two weeks to allow Commissioner Bill Saling to speak with the sole bidder Bobby Wallace. King/Saling

Dawsonville Community Vision Comment Form

Planning Director Lynn Tully explained that the City of Dawsonville had changed their Dawsonville Community Vision Comment Form to reflect their vision for the City. Chairman Berg stated that the form had also been sent to individuals but the answers on this form were the County's perspective.

Motion passed unanimously to have the Board of Commissioners respond on behalf of the County to the Dawsonville Community Vision request form. Saling/Craft

Motion passed unanimously to go into Executive Session for personnel and legal issues. King/Craft

ADJOURNMENT:

Motion passed unanimously to adjourn the meeting.

APPROVE: ATTEST:

Mike Berg, Chairman Tammy Clement, County Clerk

Regular Meeting Minutes - June 15, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES – THURSDAY, JUNE 15, 2006

Rock Creek Park Community Room – 6:00 p.m.

ROLL CALL: Those present were Commissioner Saling, District 1; Commissioner Craft, District 2; Commissioner King, District 3; Commissioner Nix, District 4; County Manager Anderson; County Clerk Clement and interested citizens of Dawson County. Chairman Berg and County Attorney Homans were absent.

OPENING PRESENTATION: CERT – Charlie Vincent, Director

INVOCATION: Commissioner King

PLEDGE OF ALLEGIANCE: Vice-Chairman Saling

ANNOUNCEMENTS:

Vice-Chairman Saling announced that Chairman Berg and County Attorney Homans would not be able to attend the meeting.

Vice-Chairman Saling reported the results of the Citizens Review Panel concerning annexations into the city. The panel recommended the City of Dawsonville pay for all the infrastructure costs associated with the annexations.

Vice-Chairman Saling stated that Dawn Pruett, a long time county employee, had resigned from her position as tax assessor.

June 29, 2006 the Dawson County Board of Commissioners will be meeting at 9:00 a.m. at the Rock Creek Community Room to hear the budget requests from different department heads. The public is invited to attend this meeting.

APPROVAL OF MINUTES:

Motion passed unanimously to approve the minutes from the Regular Meeting held on June 1, 2006 as submitted. King/Craft

ZONING:

Vice-Chairman Saling announced that if anyone had contributed more than \$250 to the campaign for public office and wished to speak they will have to fill out a form which will be made available to them. Under normal program, ten minutes will be given to those who wish to speak in favor of or opposition to with some redirect, time permitting.

ZA 06-11: The Wallace Group has made a request to rezone 21 acres of TMP 106-70 from RA (Residential Agricultural) to CIR (Commercial Industrial Restricted) in order to develop an Industrial Office subdivision. Location: Grizzle Road

Planning Staff Recommended Approval with Stipulations and Planning Commission Recommended Denial.

Planning Director Lynn Tully reviewed the rezoning application for ZA 06-11 and stated that the Wallace Group had requested that 21 acres be rezoned to develop an Industrial Office subdivision. The Planning Commission made a motion to deny the rezoning and the Planning Staff recommended approval with the following stipulations:

1. Requiring architectural compatibility to the residential uses (similar to the GA 400 Guidelines).
2. Require 30' undisturbed buffers with an additional 15' landscaped buffers along the residential property lines.
3. Require water and sewer connections to the EWSA system.

Vice-Chairman Saling asked if the applicant wished to address the Board. Glenn Horne, developer/coordinator for the Wallace Group, explained that the Wallace Group is proposing to rezone 21 acres to CIR to develop 10 lots for business park application. Mr. Horne stated that the topography will create a large natural divide between the business park and the nearest residential area. Mr. Horne addressed different issues of concern including parking spaces, buffers, retention pond, left hand turn lane and increased traffic. The Wallace Group had taken costly concessions to try to work out the difficulties with the residential property owners on Grizzle Road.

Michael Hill, representing the estate of Mildred Gavins, spoke in favor of the proposed zoning change. Mr. Hill read a letter from Deborah Mills that stated she was trying to do the best for her family by selling the property. Ms. Mills feels that selling the property to the Wallace Group would be a win-win situation for both her family and the County.

Vice-Chairman Saling asked if anyone wished to speak in opposition to ZA 06-11. Wes Stalling, a resident of Valley Brook subdivision, came forward and presented a petition to the Board of Commissioners with signatures of residents on Grizzle Road who are against the rezoning ZA 06-11. Paula Glover, president of the Valley Brook Homeowners Association, gave a power point presentation that showed the many concerns of the residents of Grizzle Road. Some of the concerns were quality of life, ugly unfinished developments, industrial waste and noise pollution, inadequate buffer and setback, child safety, public safety, traffic control and the poor condition of Grizzle Road. The residential property owners of Grizzle Road requested the Dawson County Board of Commissioners to adhere to its mission of protecting citizens and preserving their quality of life by denying the rezoning of residential acreage on Grizzle Road for industrial use.

Richard Breitenesch explained the rezoning application to his small children and they thought it was a dumb idea to put an industrial park next to a person's home.

Jim Fields stated that Grizzle Road is not designed to handle a larger amount of traffic and is not suitable for this type of business. The curves on Grizzle Road are too sharp and you can't see around them and adding more traffic would only increase the danger.

Elliott Burton had lived in urban areas all his life and when he retired he was looking for an infrastructure that is needed to live a comfortable life. Mr. Burton picked the development on Grizzle Road primarily because of the way it was zoned at that time – agricultural and residential. He felt comfortable that he would be moving into a community that would remain that way. Mr. Burton feels that the Commissioners should respect the wishes of the homeowners on Grizzle Road that have moved there because of the residential classification.

Terry Barber lives on the rural area of Grizzle Road and was very concerned about the quality of life. Ms. Barber questions the fact that it is not known what kind of businesses could be moving into the industrial park and if there would be any air pollution or water pollution associated with the businesses.

After all citizens were heard Vice-Chairman Saling closed the floor to further public comment on zoning ZA 06-11 and opened discussion among the Board of Commissioners. Much discussion followed

concerning setbacks, erosion control, buffers, detention pond, land use plan and repaving Grizzle Road. Commissioner Nix stated that this was a very difficult decision to make but felt she had to do what she thought was best for the County.

Commissioner Nix made a motion to deny rezoning request ZA 06-11. Commissioner King seconded the motion. Motion died for lack of a quorum.

Commissioner Craft understood both sides of the issue but stated that the County needs more commercial business. Commissioner King stated that the land use plan should be used as a tool for planning and that Grizzle Road is primarily a residential street.

Vice-Chairman Saling clarified that what the Board was being asked to do was to change the classification of a piece of property that is currently classified as RA to CIR.

Commissioner Craft made a motion to approve the rezoning ZA 06-11 from RA to CIR with the following stipulations; 100 foot buffer, privacy fence, security entrance and a tree buffer between residential area and industrial. Motion died for lack of a second.

Motion passed unanimously to table ZA 06-11 until the Board of Commissioners regular meeting on July 6, 2006. King/Nix

PUBLIC HEARINGS:

Impact Fees and CIE

Vice-Chairman Saling stated that this was the second hearing on Impact Fees and asked if anyone wished to speak. Elmer Clark had several questions that he posed to Bill Ross of Ross & Associates; what did the impact fee study cost the county, would all new houses have to pay impact fees, have Ross & Associates ever recommended not having impact fees, was the county having problems funding the different items that impact fees would support and was there a guarantee that there would not be an increase in taxes. Mr. Ross stated the study cost the county around \$45,000 and that impact fees would transfer the burden to new people coming into the county. There are no guarantees that taxes would not increase with Impact Fees.

Terry Tragressor stated that she never knew a building association that loved Impact Fees. Ms. Tragressor supports Impact Fees and feels they are needed to fund the quality of life. Ms. Tragressor's

two concerns were the schedule of the fees and how the proposed fees line up with other counties. Vice-Chairman Saling stated that the fees would be revisited each year. Bill Ross explained that the maximum amount was listed on the Impact Fee Ordinance and the Board of Commissioners would decide the amount of the fees.

Bill Goode, member of the Home Owners Association, was not opposed to Impact Fees but wanted to make sure that it was calculated properly. Mr. Goode was also concerned that the City would not be part of the Impact Fees and that smaller Mom & Pop businesses would find it more difficult to move into Dawson County.

Paul Spicer questioned when Impact Fees would be collected. Mr. Ross explained that Impact Fees are collected at the time of permitting and Mr. Spicer suggested collecting the fees when a home is being purchased.

Travis Harngrove, attorney for the Home Builders Association, brought up a couple of points, one being that the County is currently operating at an excess capacity and what exactly are the County's goals in collecting the impact fee for the fire department. Vice-Chairman Saling explained that the goal for all of the services provided are to defer from having to take capital investments out of the general fund or SPLOST and to be able to transfer some of the responsibility to the new people moving into the county who enjoy the services provided by the county.

Mr. Harngrove would like to see the County have an actual goal written into the Impact Fees to be able to hold the County accountable for how the money is being spent. He feels that Impact Fees might have an effect on whether or not an industry moves into Dawson County.

Amy Reeves wanted to know how the \$2,051 fee was decided upon. Vice-Chairman Saling stated that the fees were based upon the County's projected growth with the level of service we have today and want for tomorrow.

Vice-Chairman Saling closed the second hearing of Impact Fees and stated that the Board could vote on Impact Fees or defer it back to a work session. Commissioner King feels that it would be possible to reduce taxes by having Impact Fees in Dawson County.

Motion passed unanimously to defer Impact Fees to the next Board of Commissioners work session.
King/Craft

Package Liquor Stores

Vice-Chairman Saling explained that the public hearing for Package Liquor Stores was to address the issue of putting a referendum of the November ballot to allow Package Liquor Stores in Dawson County. Saling opened the floor for public comment

Leo Shephard stated that he believed the Commissioners should vote for a referendum to allow the citizens of Dawson County to vote on whether they wanted Package Liquor Stores because of the tax revenue that would benefit the County.

Weldon Sheriff stated that he was against putting package liquor stores on the ballot. Mr. Sheriff believes that nothing good would come from a Package Liquor Store in Dawson County and he resented the fact that it was even being considered.

Vice-Chairman Saling asked if anyone else wished to speak and hearing none closed the first hearing on having a referendum to permit Package Liquor Stores in Dawson County.

Farm Wineries

Vice-Chairman Saling opened the hearing on Farm Wineries and asked if anyone wished to be heard. Glenn Ulmer stated that he had been attempting to open a farm winery in Dawson County. He believes that a farm winery would bring tourists into the area and would be a benefit to the County.

Vice-Chairman Saling asked if anyone else would like to speak on the issue of Farm Wineries and seeing none closed the floor.

Liquor Ordinance

Vice-Chairman Saling stated that there were two changes to be made to the liquor ordinance. County Manager Anderson explained that one of the changes would allow the County Manager to handle the transfer of license from one person to another. The other change is to amend sub-section 1 of section 10 of the Dawson County Alcohol by the Drink Ordinance to require a registered agent assume responsibility and meet all the requirements of the ordinance. Vice-Chairman Saling opened the floor for public comment.

Weldon Sheriff stated that he believed that the transfer of license from one person to another should be the responsibility of the Board of Commissioners and not that of the County Manager.

Vice-Chairman Saling asked if anyone else wished to speak and seeing none closed the first hearing on the Liquor Ordinance.

Community Assessment and Public Participation Program

Lee Walton from Mactec Engineering spoke to the Board about updating the County's Comprehensive Plan. The purpose of the Community Participation Program is to ensure that the Dawson County Comprehensive Plan reflects the full range of the community's values and desires. The Comprehensive Plan is required by the state and has to be updated by October 31, 2006. The community participation in the creation of the Community Vision and Future Land Use map provides the foundation for the Community Agenda of the Dawson County Comprehensive Plan 2006-2026. Dawson County will use that analysis of the public input to ensure that the Community Agenda reflects the vision of the community.

Commissioner Jim King read the resolution authorizing the transmittal of the Community Participation Plan and Community Assessment for the Dawson County Comprehensive Plan 2026.

Motion passed unanimously to approve the resolution for the Community Participation Plan and Community Assessment for the Dawson County Comprehensive Plan 2026. King/Nix

Solid Waste Management Plan

Darryl Webb from Advanced Environmental Management gave a brief overview of the Solid Waste Management Plan. The purpose of the plan is to provide adequate solid waste handling capability and capacity within Dawson County for at least ten years from the completion of the plan. The process to be followed includes compilation of data from government agencies, population data, waste composition to be approximated using State-provided data, waste generation rates and community input and governmental input to be used to determine needs and goals. Mr. Webb encouraged the community to provide input regarding the Solid Waste Management Plan.

OLD BUSINESS:

Dump Truck Bids

Public Works Director Randy Bowen explained that the County had received only one bid from Nalley Motor Trucks in the amount of \$95,987.00. County Manager Anderson stated that the dump truck would be SPLOST funded and recommended the Board move forward and purchase the 2006 model dump truck.

Motion passed unanimously to accept the bid from Nalley Motor Trucks in the amount of \$95,987.00.
Nix/King

NEW BUSINESS:

Drug Courts Grant Requests

John Hanson, Coordinator for DUI Courts, requested the Board to ratify the application process of Drug Court Grants that were mailed on June 4, 2006. These grants require no matching funds from the County.

Motion passed for the ratification of the grant applications for Drug Courts. King/Craft

Surplus Analog Bag Phones

Captain Keith Bishop explained to the Board that Emergency Services would like to donate three surplus analog bag phones to N.O.A. for emergency use for their clients.

Motion passed unanimously to donate the surplus analog phones to N.O.A. Nix/King

Standby Traffic, Transportation & Engineering RFQ's

County Manager Anderson stated that 24 firms had responded to the Standby Traffic, Transportation & Engineering RFQ's. A panel was formed to look at the firms' experience, staff qualifications, staff availability, references and fee schedules. The panel unanimously agreed on Street Smarts, Keck & Wood and Rindt McDuff. Contracts for the three firms have been reviewed by the County Attorney with a few suggested changes. Anderson recommended approval of the three firms with the changes set forth by the County Attorney.

Motion passed unanimously to award the Standby Traffic, Transportation & Engineering Services to Street Smarts, Keck & Wood and Rindt McDuff with the changes to the contracts recommended by the County Attorney. King/Nix

Standby Planning & AE Services

County Manager Anderson explained that a RFQ was issued for land planning, master planning, site planning, facilities design and cost aid estimating. The County received 26 proposals from qualified firms. Firms were chosen based on qualifications, experience, availability, references and fees charged. A panel was formed to review qualifications and based on the results the panel chose TSD Engineers, Mactec and Pond. A legal review of the contracts has not been completed and Anderson recommended completing the review before the Board takes action.

Motion passed unanimously to move Standby Planning & AE Services to the next voting session on July 6, 2006. King/Craft

Library Board Appointments

Vice-Chairman Saling announced four Library Board appointments; District 1, Jim Galvin; District 2, George Thompson; District 3, Roy Coleman and District 4, Pam Casarella.

Motion passed unanimously to appoint Jim Galvin, George Thompson, Roy Coleman and Pam Casarella to the Library Board. Nix/Craft

DFCS Board Appointment

Vice-Chairman Saling stated that Gene Gilleland's term on the DFCS Board was up and asked that the Board of Commissioners reappoint him to the DFCS Board.

Motion passed unanimously to reappoint Gene Gilleland to the DFCS Board. Nix/ Craft

Vice-Chairman Saling asked Purchasing Agent Jill Rathe to update the Board on the progress of the sale of the 238+ acres. Ms. Rathe reported that since the last time she had spoken to the Board the County had received an additional 250 hits on the web-site. A bid document has been added to the web-site to facilitate the bid process. Planning Director Tully has conducted two site visits to the property with interested parties.

ADJOURNMENT:

Motion passed unanimously to adjourn the meeting. Nix/Craft

APPROVE: ATTEST:

Mike Berg, Chairman Tammy Clement, County Clerk

Work Session Minutes - June 22, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

WORK SESSION MINUTES – THURSDAY JUNE 22, 2006

Rock Creek Park Community Room – 4:00 p.m.

1. Dawson – Lumpkin IGA Recycle Ops – Randy Bowen

This item to be placed on the Regular Meeting Agenda - 07/06/06

2. Speed Zone Ordinance – Randy Bowen

This item to be placed on the Work Session Agenda – 07/06/06

3. Impact Fees and CIE

This item to be placed on the Work Session Agenda – 07/06/06

4. Georgia 400 Guidelines Update (character area) – Lynn Tully

This item to be placed on the Work Session Agenda – 07/06/06

5. Commercial Lighting and Maintenance Ordinance – Lynn Tully

This item to be placed on the Regular Meeting Agenda - 07/06/06

6. Lumpkin – White – Dawson Joint Development Authority – Phil Anderson

This item to be placed on the Regular Meeting Agenda - 07/06/06 Received signed resolution from Lumpkin County 06/23/06

7. Georgia Mountains Community Services Board – Mike Berg

This item to be placed on the Regular Meeting Agenda - 07/06/06

8. 2007 – 2009 Budget – Mike Berg

This item to be placed on the Called Meeting Agenda - 06/29/06

2007-2009 Budget to be placed on the Regular Meeting Agenda 07/06/06, 07/13/06 and 07/20/06

9. County Manager Report

10. County Attorney Report

Transfer Station/Bobby Wallace – Bill Saling

This item to be placed on the Work Session Agenda – 07/13/06

Motion passed unanimously to go into Executive Session for legal issues. Saling/Craft

Motion passed unanimously to come out of Executive Session.

Regular Meeting Minutes - July 6, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES – THURSDAY, JULY 6, 2006

Rock Creek Park Community Room – 6:00 p.m.

ROLL CALL: Those present were Chairman Berg; Commissioner Saling, District 1; Commissioner Craft, District 2; Commissioner Nix, District 4; County Attorney Homans; Acting County Manager Thurmond; County Clerk Clement and interested citizens of Dawson County. District 3 Commissioner King was absent.

OPENING PRESENTATION: Lanier Tech Adult Learning Center – David Brown

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Chairman Berg

ANNOUNCEMENTS:

Chairman Berg announced that as the result of the year end payroll audit the Association of County Commissioners refunded \$4,157.00 to Dawson County. Dawson County has also received a wellness grant of \$2,500.00 from ACCG that will go toward promoting wellness among County employees.

Dawson County Chamber of Commerce did not receive a \$50,000.00 grant that had been applied for earlier.

ESD Director Billy Thurmond filled in as County Manager for Phil Anderson who was on vacation.

Commissioner Saling stated that bids for the 238+ acres will be closed on Friday, July 14, 2006 at 5:00 p.m. The bids will be opened Monday, July 17, 2006 at 10:00 a.m.

APPROVAL OF MINUTES:

Motion passed unanimously to approve the minutes from the Regular Meeting held on June 15, 2006.
Saling/Craft

Chairman Berg stated that the agenda needed to be amended to include appointment for the Health Board, letter of support for Abba House and resolution for the Hazardous Waste Trust Fund. These items will all be addressed under new business.

Motion passed unanimously to amend the agenda to include Health Board appointment, letter of support for Abba House and resolution for the Hazardous Waste Trust Fund. Nix/Saling

ZONING:

ZA 06-11: The Wallace Group has made a request to rezone 21 acres of TMP 106-70 from RA (Residential Agricultural) to CIR (Commercial Industrial Restricted) in order to develop an Industrial Office subdivision. Location: Grizzle Road

Planning Staff Recommended Approval with Stipulations and Planning Commission Recommended Denial.

Chairman Berg apologized for having to miss the public hearing for ZA 06-11 on 06-15-06 due to a family health issue. Due to the closing of the hearing on June 15, 2006, by temporary Chairman Saling discussion on ZA 06-11 will be held among Board members only without public participation unless a Board member has questions that need to be clarified. Commissioner Saling stressed that at the previous meeting he had allowed everyone who wished to be heard on ZA 06-11 the opportunity to speak. Chairman Berg stated that he had read the minutes, studied the power point presentation from the home owners and visited the proposed site. The land use plan and zoning ordinances should be used to guide the Boards decisions on zoning issues.

Chairman Berg read zoning ZA 06-11 and opened the discussion among Board members. Commissioner Saling stated that the County has spent considerable time and money on the land use plan. Public hearings were held to try to incorporate the vision that the public has for Dawson County into this plan.

Commissioner Nix thanked the residents and homeowners on Grizzle Road for their concern and the active part they have taken on this zoning issue. Nix was concerned about the developer having the

zoning approved with no stipulations if it went to the courts and wished to place the correct stipulations on this project to help maintain the quality of life for the homeowners on Grizzle Road.

Motion was made by Commissioner Nix to approve ZA 06-11 with the following stipulations:

1. Natural Forest Buffer of 80 feet to the rear of the property and 20 foot buffer planted with Leland Cyprus (except Lot 5 with natural forest buffer of 50 feet to the rear of the property and a 25 foot buffer planted with Leland Cyprus)
2. Set back 50 foot from 100 foot rear buffer (except Lot 5 set back 25 feet from 75 foot rear buffer)
3. 6 foot privacy fence along rear and sides (15 feet on each side) between Leland Cyprus and 50 foot setback except Lot 5 with a 25 foot setback
4. All lighting to point downward
5. No dumpsters on rear of property
6. Developer has recommended and county will accept a \$30,000 bond provided by Developer to assist the County in the improvement of Grizzle Road between said project and Lumpkin Campground Road
7. Developer has recommended and County will accept the developer installing a County standard turn lane to subject property on Grizzle Road heading west at property
8. Retention pond fenced
9. Any Gas hazardous Chemicals on property will be stored in air tight containers
10. County will install "no truck" sign past mini-warehouses before entrance to first subdivision
11. Parking spaces will be reduced 5% in accordance with allowable reduction by Planning Director

12. Retention pond will be built with water quality standards to hold water for longer period of time

13. Requiring architectural compatibility to the residential uses (similar to the GA 400 Guidelines)

Chairman Berg asked the developer, Taylor Wallace, if he agreed to the stipulations set forth by Commissioner Nix. Taylor Wallace did agree to all the stipulations.

Commissioner Saling asked Public Works Director Randy Bowen about the paving specifications on Grizzle Road. Bowen stated that Grizzle Road was built with a 6 inch base with an inch and half asphalt material. Commercial areas require 8 inches and Grizzle Road could be upgraded to meet those standards. Commissioner Saling stated that he wanted to be sure that Grizzle Road was brought up to County standards.

Motion passed unanimously to approve ZA 06-11 with the above stipulations. Nix/Craft

PUBLIC HEARINGS:

2007 – 2009 Budget

Chairman Berg opened the floor for anyone wishing to speak on the 2007–2009 County Budget. Ann Bosworth stated that she had read about increases in the County budget and would like to know how the increases would be funded. Chairman Berg stated that there were three primary areas from which the money will be coming; ad valorem (property taxes), sales tax and LOST. Copies of the budget and revenue were available at the entrance to the building. Chairman Berg asked if anyone else wished to speak on the 2007-2009 Budget and hearing none closed the 1st hearing.

Package Liquor Stores

Chairman Berg stated that this was the last hearing for Package Liquor Stores and opened the floor for anyone wishing to speak. Hearing none, Chairman Berg closed the floor and opened the discussion to the Board. Commissioner Saling recommended allowing the voters the opportunity to express their wishes on whether to have Package Liquor Stores in Dawson County.

Motion passed by majority to authorize the County Attorney to craft the necessary language to place on the November ballot the referendum to allow voters to approve Package Liquor Sales in Dawson County. Saling/Craft

Commissioner Nix voted to deny and Chairman Berg voted to approve moving forward with a referendum.

Farm Wineries

Chairman Berg opened the second hearing on Farm Wineries and asked if anyone would like to speak. Tom French had looked at the Farm Winery Ordinance and would like to see additional changes. County Attorney Homans stated that the proposed ordinance allowed Sunday sales only at the farm winery. Each farm winery is allowed five tasting rooms off site and Mr. French would like to see the ordinance changed to allow the off site tasting rooms to have Sunday Sales also.

Chairman Berg asked if anyone else wished to speak on Farm Wineries and hearing none closed the hearing. Much discussion followed among the Board members about the five tasting rooms, license fees and language of the ordinance.

Motion passed unanimously to remand Farm Wineries to the Board of Commissioners work session on July 13, 2006. Saling/Nix

Alcohol by the Drink The Ordinance

Chairman Berg opened the floor for anyone wishing to speak on the Liquor Ordinance and hearing none closed the floor. The changes to be made include allowing the County Manager to handle the transfer of license from one person to another, to approve special event alcohol licenses that allow 12 events per year per person, firm or corporation and requiring a registered agent to assume responsibility and meet all the requirements of the ordinance.

Motion passed unanimously to modify the current liquor ordinance with the necessary changes to allow the County Manager to execute the documents. Saling/Craft

OLD BUSINESS:

Standby Planning & AE Services

County Attorney Homans explained that he had made the necessary changes to the contracts that were submitted to the County.

Motion passed unanimously to approve conditionally the contracts for the Standby Planning and AE Services with the changes submitted by the County Attorney pending the receipt of the signed contracts from the contractors. Saling/Craft

Impact Fees

Chairman Berg announced that he had additional information about impact fees and would like to remand the issue back to a work session.

Motion passed unanimously to table the discussion on Impact Fees to the Board of Commissioners work session on July 13, 2006. Saling/Nix

Lumpkin-White-Dawson Joint Development Authority

Chairman Berg stated that signed resolutions have been received from both Lumpkin and White County.

Motion passed unanimously to sign the Joint Development Authority with Lumpkin and White County to facilitate economic development. Saling/Craft

NEW BUSINESS:

Dawson – Lumpkin IGA Recycle Ops

County Attorney Homans stated that he would like to review the contract before approval.

Motion passed unanimously to move Dawson-Lumpkin IGA Recycle Ops to the Board of Commissioners work session on July 13, 2006. Saling/Nix

Speed Zone Ordinance

Chairman Berg stated he would like to see the Speed Zone Ordinance be presented as a public hearing.

Motion passed unanimously to schedule two public hearings for Speed Zone Ordinance for July 20, 2006 and August 3, 2006. Saling/Nix

Georgia 400 Guidelines

Chairman Berg suggested moving the Georgia 400 Guidelines to a public hearing to amend the existing overlay district.

Motion passed unanimously to have public hearings to incorporate the Georgia 400 Guidelines into the existing overlay district. Saling/Nix

Commercial Lighting and Maintenance Ordinance

Chairman Berg explained that we would be adding this ordinance into an existing ordinance.

Motion passed unanimously to approve the Commercial Lighting and Maintenance Ordinance. Nix/Craft

Georgia Mountains Community Services Board

Chairman Berg stated that Joe Hirsch currently serves as a representative of the Board of Commissioners. The Georgia Mountains Community Services has reconstituted their Board due to House Bill 1223 and they have requested that BOC officially enter Mr. Hirsch's new term of office into the County Commission minutes.

Motion passed unanimously to approve Joe Hirsch for a two year term on the Georgia Mountains Community Services Board. Nix/Saling

Health Board Appointment

Chairman Berg announced that Dr. Daulton Todd had resigned from the Health Board. Chairman Berg recommended Dr. Larry Anderson to replace Dr. Todd on the Health Board.

Motion passed unanimously to approve Dr. Larry Anderson to fill the position on the Dawson County Health Board. Saling/Craft

Letter of Support for Abba House

Chairman Berg read the following letter of support:

We recognize the great need for long-term-residential help for women with addiction and mental health issues. The North Georgia Mountains are an expanding area of drug use, especially methamphetamine which is reaching epidemic proportions. According to SAMSHA statistics there are over 3000 women in Dawson and Forsyth counties with a critical need for care for drug related issues. Abba House, Inc. is the only residential center in either county that helps women and children with long-term care. This expansion as Abba House builds its new center from 15 to a capacity of over 50 is critically needed.

The Dawson County Board of Commissioners whole-heartedly support Abba House as it applies for a USDA Rural Development loan for a community facility. They are a vital element in the infrastructure that provides care for those that struggle with these issues in our county.

Motion passed unanimously to approve the letter of support for Abba House. Nix/Craft

Resolution for Hazardous Waste Trust Fund

Chairman Berg explained that a resolution needed to be passed so the County could receive \$85,479.69 from the Georgia Department of Natural Resources.

Motion passed unanimously to approve the resolution for the Hazardous Waste Trust Fund. Nix/Craft

PUBLIC COMMENT

Polly Seabolt spoke to the Board about her concerns about the future of Landrum Road. Chairman Berg directed Ms. Seabolt to discuss concerns with Public Works Director Randy Bowen.

Hugh Stowers read the following statement to the Board and audience:

Over the years we have had many people here in Dawson County do many wonderful things for the population in general.

One act of kindness was from Mr. Harold Hendrix. He owned all four corners of GA 400 & GA 53. He gave the ROW for GA 400 for the amount of \$1.00. His comment was, "Dawson County needed that road".

Many years later a small group of people took it upon themselves to present to the DOT their request to have this intersection named Joe Lane Cox Intersection. This was wrong. It should have been named Harold Hendrix Intersection.

Now, Mr. Alton Bruce, who is 83 years young did not know he was holding up the improvements of the intersection of Lumpkin Campground Road and GA 53 until I contacted him.

He stated to me he would be more than happy to sign any papers necessary to give the county permission to destroy the old home place where he was raised. He stated he had turned this over to his children and would get in contact with them as they had stated they wanted some items like the fireplace mantel, door knobs and etc.

Within a week Mr. Bruce called me and stated the property was under contract. He told me he had requested and received confirmation from the new owners they would cooperate with the county and DOT in whatever manner possible in order to obtain the best access to the property as they planned to develop it commercially.

I present to this BOC a request for this intersection to be named Alton Bruce Intersection.

ADJOURNMENT:

Motion passed unanimously to adjourn the meeting. Nix/Craft

APPROVE: ATTEST:

Mike Berg, Chairman Tammy Clement, County Clerk

Work Session Minutes - July 13, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

WORK SESSION MINUTES – THURSDAY JULY 13, 2006

Rock Creek Park Community Room – 4:00 p.m.

Those present were Chairman Berg; Commissioner Saling, District 1; Commissioner King, District 3; Commissioner Nix, District 4; County Attorney Homans; County Manager Anderson; County Clerk Clement and interested citizens of Dawson County. District 2 Commissioner Craft was absent.

Chairman Berg introduced House Representative Amos Amerson who was attending the Board of Commissioners work session.

1. 2007 -2009 Budget (2nd Hearing)

Chairman Berg opened the floor to persons wishing to speak on the 2nd hearing for the 2007 – 2009 Budget and seeing no one closed the floor.

Chairman Berg spoke to the Board about being partners with the Board of Education and Lanier Tech on the possibility of having a large Lanier Tech Campus on the same location that they are currently operating on now. Lanier Tech is looking for monetary contribution in some form. Chairman Berg asked for a motion to move forward and become partners with Lanier Tech Foundation and BOE to provide property for the enhancement of the college.

Motion passed unanimously to move forward with participating in the land acquisition in conjunction with the Dawson County Board of Education to secure property for the purposes of providing campus for Lanier Tech in Dawson County. Saling/Nix

Commissioner Saling asked about the City's participation. Chairman Berg explained that the City will be providing in-kind services with no financial contribution.

2. 2007 Capital Budget

This item to be placed on the Regular Meeting Agenda – 07/20/06

3. Transfer Station

This item to be placed on the Regular Meeting Agenda – 07/20/06

4. DOT Transit Grant

This item to be placed on the Regular Meeting Agenda – 07/20/06

5. Bid Results for Two EMS Truck Chassis

This item to be placed on the Regular Meeting Agenda – 07/20/06

6. Dawson – Lumpkin IGA Recycle Ops

This item to be placed on the Regular Meeting Agenda – 07/20/06

7. Impact Fees

This item to be placed on the Regular Meeting Agenda – 07/20/06

8. Citizens Review Panel

This item to be placed on the Regular Meeting Agenda – 07/20/06

9. Farm Wineries

This item to be placed on the Regular Meeting Agenda – 07/20/06

10. County Manager Report

11. County Attorney Report

Legacy Link Agreement

This item to be placed on the Regular Meeting Agenda – 07/20/06

Resolution for Taxes

This item to be placed on the Regular Meeting Agenda – 07/20/06

Motion passed unanimously to go into Executive Session for legal issues. Saling/Nix

Motion passed unanimously to come out of Executive Session.

APPROVE: ATTEST:

Mike Berg, Chairman Tammy Clement, County Clerk

Regular Meeting Minutes - July 20, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES – THURSDAY, JULY 20, 2006

Rock Creek Park Community Room – 6:00 p.m.

ROLL CALL: Those present were Chairman Berg; Commissioner Saling, District 1; Commissioner Craft, District 2; Commissioner King, District 3; Commissioner Nix, District 4; County Attorney Homans; County Manager Anderson; County Clerk Clement and interested citizens of Dawson County.

OPENING PRESENTATION: Abba House – Jim Sharp

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Chairman Berg

ANNOUNCEMENTS:

Chairman Berg recognized the newly elected Board members District 1 Commissioner Elect Gary Pichon and District 3 Commissioner Elect Mike Connor.

APPROVAL OF MINUTES:

Motion passed unanimously to approve the minutes from the Regular Meeting held on July 6, 2006.
Saling/Craft

Motion passed unanimously to approve the minutes from the Work Session held on July 13, 2006.
Saling/Craft

ZONING:

Chairman Berg announced that if anyone had contributed more than \$250 to the campaign for public office and wished to speak they will have to fill out a form which will be made available to them. Under normal program, ten minutes will be given to those who wish to speak in favor of or opposition to with some redirect, time permitting.

ZA 06-07: Terry Thurmond has made a request to rezone 5 acres of TMP 56-21 from RA (Residential Agricultural) to CRB (Commercial Rural Business) in order to construct convenience store. Location: 4822 Hwy. 53 West

Both Planning Staff and Planning Commission Recommended Denial

Chairman Berg read the zoning ZA 06-07 and asked if the applicant was present to speak to the Board. Terry Thurmond came forward and stated that he would like to build a convenience store in Sweetwater which would include a feed store, pawn shop, tool rental and gas station. Mr. Thurmond submitted a list of signatures that supported his request.

Chairman Berg asked if anyone wished to speak in favor of or opposition to ZA 06-07 and hearing none closed the floor and opened discussion to the Board. Commissioner Saling stated that he did support a convenience store and thought it was very appropriate to have a tool rental and gas station but he would not support the pawn shop.

Motion passed unanimously to approve ZA 06-07 with the stipulation that a pawn shop not be permitted in that location. Saling/King

ZA 06-09: Mark Crane has made a request to rezone 5.37 acres of TMP 106-55 from RA (Residential Agricultural) to CHB (Commercial Highway Business) in order to construct mini-storage units. Location: 2806 Dawson Forest Road

Both Planning Staff and Planning Commission Recommended Approval with Stipulations

Chairman Berg read the zoning request for ZA 06-09 and asked if the applicant wished to speak. Mark Crane stated that he would like to construct a mini-storage facility on four acres. Commissioner Saling asked if Mr. Crane had done any research on the need for additional mini-storage facilities in Dawson County. Mr. Crane had not done a study but feels with the growth in Dawson County more storage facilities will be needed and the current storage areas are 75% to 85% full.

Chairman Berg asked if anyone wished to speak in favor of or opposition to ZA 06-09 and seeing none closed the floor.

Commissioner Saling stated that the Dawson Forest area, which has water and sewer, would be a perfect place for offices and wanted the Board to be mindful of the fact that there are an over abundance of mini-storage facilities. Chairman Berg pointed out that there were 4 mini-storage facilities within a mile and half radius of the area and thought that there would be better uses for the property in that area.

Commissioner Saling motioned to deny ZA 06-09. Motion dies for lack of a second.

Commissioner Craft motioned to approve ZA 06-09 with the Planning Commissions stipulations. Commissioner King seconded the motion for discussion. The Board discussed the lighting, fencing, security issues and trying to specify hours of operation for a mini-storage facility.

Motion passed unanimously to withdraw the motion to approve ZA 06-09. Craft/King

Motion passed by majority to deny ZA 06-09. King/Saling Commissioner Craft voted against the denial.

ZA 06-10: PEC Development Corp. has made a request for RPCD site plan revision. TMP 107-13 zoned RPCD. Location: Harry Sosebee Road & Lumpkin Campground Road

Both Planning Staff and Planning Commission Recommended Approval with Stipulations

Planning Commission Recommendation will be made at 7-18-2006 Meeting

Chairman Berg read the zoning for ZA 06-10 and asked if the applicant wished to speak to the Board. George Butler, the attorney representing PEC Development, stated that this was a zoning that had been approved two years ago and now PEC Development proposes to remove 59 units from the master plan. PEC Development feels that this will have less of an environmental effect on Blackmills Creek. They have added some new conditions to protect the neighbors on the western end, Sandra and Rick Kritikos and their mother who this change would affect the most. PEC agrees to reduce the number of homes on the western end from 18 to 12 and to provide a 25 foot landscape buffer which shall be planted, bermed and/or fenced. Chairman Berg questioned the fact that there was only one entrance to the development. Paul Corley, PEC Development, stated that he was able to show interparcel access. Commissioner Saling stated that one of the primary concerns with the development was water and sewer and the plan does show a package plant. Mr. Corley stated that an application had been sent to

the EPD. Commissioner Saling was concerned about the capacity of the package plant and would like to see a plant that would serve more than just the subdivision.

Chairman Berg asked if anyone wished to speak in favor of or opposition to ZA 06-10. Sandra Kritikos wanted to make sure the minutes showed the stipulations of the 100 foot buffer, 12 homes at the western end and a 25 foot landscape buffer. Ms. Kritikos would also like to add the stipulation of no townhouses or quad homes be allowed on the western boundary line.

Motion passed unanimously to approve ZA 06-10 with the revised Planning Commission conditions as stated in the minutes dated July 18, 2006 and with the Planning Commissions recommendations with the following changes:

1. Development of the package plant to serve this and all adjacent developments and sized with the capacity to serve the basin and subject to County review and specifications offered by the applicant.

2. Appropriate deceleration lanes provided at the proposed residential entrance on Lumpkin Campground Road and a turn lane for the intersection of Harry Sosebee and Lumpkin Campground Road on Lumpkin Campground Road.

3. At the time of the development of the Commercial parcel a new traffic impact model to be completed for the entire plan with recommendations for improvements.

4. The Commercial parcel to be limited to no more than 25,000 sq. ft. as offered by the applicant.

5. All prior stipulations for zoning and those included in the May 16, 2006 letter are to be followed.

6. Provide stub streets for interconnectivity to undeveloped adjacent property including on the northern side of the development on both the east and west sides of the creek. Connecting shall be coordinated and agreed upon between both land owners and shall be constructed within that phase of development.

7. Development shall conform to all applicable items of the GA 400 Corridor Guidelines.

8. Development shall conform to all the requirements of the North Metro Water Planning District.

King/Nix

ZA 06-12: Vista Engineering o.b.o. First Citizens Bank has made a request to rezone 2 acres of TMP 115-120 from CHB (Commercial Highway Business) to COI (Commercial Office Institutional) in order to construct financial institution. Location: 70 Carlisle Road

Both Planning Staff and Planning Commission Recommended Approval with Stipulations

Chairman Berg stated that he had a financial interest in ZA 06-12 and removed himself from the zoning hearing.

Motion passed unanimously to allow Commissioner Saling to assume the chair position to hear zoning ZA 06-12. King/Nix

Planning Director Lynn Tully reviewed ZA 06-12 and stated that First Citizens Bank would be built on the location where Sweetland Structures currently resides. The Planning Commission recommended approval with stipulations.

Acting Chairman Saling asked if anyone wished to speak in favor of ZA 06-12. Steve Gooch, representing the Norton Agency and the First Citizens Bank, requested that the Board approve ZA 06-12.

Acting Chair Saling asked if anyone wished to speak in opposition to ZA 06-12 and hearing none closed the floor and opened the discussion to the Board. The Board discussed the tree ordinance, 400 Corridor Guidelines and the fact that the Chamber of Commerce would be building a Welcome Center behind the proposed bank.

Motion passed unanimously to approve ZA 06-12 with the following stipulations:

1. The property must adhere to the Dawson County Tree Ordinance.
2. The development must be in accordance with the GA 400 Guidelines.

3. Interparcel access must be provided.

4. The development must adhere to the Dawson County Sign Ordinance.

First Citizens Bank is also encouraged to help with the placement of signs for the Chamber of Commerce.
Nix/Craft

Motion passed unanimously to reappoint Chairman Berg to his position. King/Nix

ZA 06-13: Prudential Georgia Realty has made a request to rezone 2.372 acres of TMP 114-35 from CIR (Commercial Industrial Restricted) to COI (Commercial Office Institutional) in order to occupy existing building as real estate office space. Location: Nordson Overlook

Both Planning Staff and Planning Recommended Approval

Chairman Berg read zoning ZA 06-13 and asked if the applicant wished to speak to the Board. Robert Akin, representing Prudential Georgia Realty, asked that the Board approve ZA 06-13 so Prudential would be able to use the existing building as a real estate office.

Chairman Berg asked is anyone wished to speak in favor of ZA 06-13. Ben Terrill believes that the area in question should never have been zoned CIR and asked the Board to approve ZA 06-13.

Chairman Berg asked if anyone wished to speak in opposition to ZA 06-13 and hearing none closed public comment on ZA 06-13.

Motion passed unanimously to approve ZA 06-13. King/Craft

ZA 06-14: Steve Gooch & Arthur Siriani has made a request to rezone 2 acres of TMP 112-105 from RA (Residential Agricultural) to CHB (Commercial Highway Business) in order to relocate Sweetland Outdoor Décor. Location: 50 Grant Road

Both Planning Staff and Planning Commission Recommended Approval with Stipulations

Chairman Berg read zoning ZA 06-14 and asked if the applicant was present. Steve Gooch, representing the Norton Agency, stated that Arthur Siriani is asking for the rezoning on Grant Road to relocate his business Sweetland Structures. Mr. Gooch also requested the removal of the stipulation of site plan specific. Chairman Berg stated that the Board had received two letters requesting the removal of site plan specific stipulation.

Chairman Berg asked if anyone wished to speak in favor of zoning request ZA 06-14. Charlie Auvermann, director of the Development Authority, stated that this was an existing business in the County and they wish to move to another location within the County. It is a low impact business and conforms to the future land use plan.

Sheryl Fowler owns the property and feels like Mr. Siriani would be a good neighbor without high impact.

Chairman Berg asked if anyone wished to speak in opposition to ZA 06-14. Gil Meredith spoke as a representative of the church whose land is located by the proposed business. Mr. Meredith stated that they were not against the rezoning but would like to see that the zoning be site plan specific to protect the church from future uses of the property. They would like a fifty foot buffer on the north end, low lighting and would like to see that the west side remain undisturbed.

Chairman Berg closed the hearing on ZA 06-14 and opened the discussion to the Board. Commissioner Saling stated that he would not be in favor of making the property site plan specific. He feels that this would encumber future land owners. Commissioner King pointed out that the Georgia 400 Guidelines would control what type of businesses would be allowed on the site.

Motion passed unanimously to approve ZA 06-14 with the provisions from the Georgia 400 Guidelines.
King/Craft

ZA 06-15: Piedmont Properties has made a request to rezone 1 acre of TMP 107-76 from RA (Residential Agricultural) to CHB (Commercial Highway Business) in order to complete previous site plan ZA 05-26. Commercial mixed retail uses. Location: 358 Whitmire Drive

Both Planning Staff and Planning Commission Recommended Approval with Stipulations

Chairman Berg read the zoning request for ZA 06-15 and asked if the applicant wished to speak to the Board. Susan Holtzclaw, broker for Piedmont Properties, asked for the rezoning of one acre to complete

the previous site plan ZA 05-26. The one acre was not previously approved because it was not owned by Piedmont Properties.

Chairman Berg asked if anyone wished to speak in favor of or opposition to ZA 06-15 and hearing no one closed the floor.

Motion passed unanimously to approve ZA 06-15 to rezone 1 acre of TMP 107-76 from RA to CHB with the same conditions that applied to ZA 05-26. Craft/Saling

PUBLIC HEARINGS:

2007 – 2009 Budget

Chairman Berg opened the third public hearing for the 2007 – 2009 Budget and asked if anyone wished to speak. Joe Bosworth stated that from a resident's point of view the budget was not easy to understand. Mr. Bosworth felt that the 27% increase from last year's budget was huge. Mr. Bosworth recommended presenting the budget list changes on an individual basis and not having a miscellaneous category but have a surplus category instead.

Commissioner Saling informed Mr. Bosworth that the Board of Commissioners did have an eight hour budget hearing that was open to the public that documented all the increases in the County's budget.

Chairman Berg asked if anyone else wished to speak on the 2007 -2009 Budget and hearing none closed the third hearing on the Budget.

Chairman Berg stated that many hours had gone into the 2007 – 2009 Budget. Next year the budget presentation will be taped and available for the public to view.

Commissioner Saling stated that a big portion of the increases were because payroll and benefits were adjusted to bring them to a more competitive level. The fire department also added six additional firemen to enhance the department's presence in the 400 Corridor.

Motion passed unanimously to accept the recommendation to maintain the current millage rate of 8.138 mills. Saling/Nix

Motion passed unanimously to accept the 2007 general fund in the amount of \$23,645,700 and the Capital Budget presented at the Board of Commissioner's Work Session on 07-13-06 with grants, special revenue funds and the Solid Waste Enterprises. Saling/Nix

Speed Zone Ordinance

Chairman Berg opened the first hearing on the Speed Zone Ordinance. Dave Henderlighter asked if the speed zone on War Hill Park Road could be enforced in the courts after the speed zone ordinance passed. Chairman Berg explained that if the road is posted the Sheriff's Department would be able to enforce the speed limit.

Chairman Berg asked if anyone else wished to speak on the speed zone ordinance and seeing none closed the first hearing.

Commissioner Saling questioned Public Works Director Randy Bowen about who sets the speeds on the various roads. Bowen stated that a traffic investigation is done by a consultant that reviews the roads and establishes the speeds. Those speeds are forwarded to the Georgia Department of Transportation and they return them to the Board of Commissioners for their approval.

Georgia 400 Guidelines

Chairman Berg opened the first hearing on the Georgia 400 Guidelines and asked if anyone wished to speak. Hearing no one, Chairman Berg closed the first hearing on Georgia 400 Guidelines.

OLD BUSINESS:

Impact Fees

Commissioner Saling stated that impact fees have been a complex issue that has been studied in depth. Saling feels that what Ross and Associates have developed will serve the County well and is long overdue.

Motion passed by majority for the Board to adopt the Capital Improvements Element as submitted. Saling/Craft Commissioner King opposed the motion.

Motion passed by majority for the Board to adopt the Impact Fee Schedule as stated in the Development Impact Fee Ordinance. Saling/Craft Commissioner King opposed the motion.

Motion passed by majority for the Board to adopt the Development Impact Fee Ordinance as submitted and that such ordinance take effect on July 24, 2006. Saling/Craft Commissioner King and Commissioner Nix opposed the motion. Chairman Berg broke the tie and voted in favor of the motion.

Motion passed by majority for the Development Impact Fees to be collected in accord with Section 5.02 of the Development Impact Fee Ordinance. Saling/Craft Commissioner King opposed the motion.

Dawson – Lumpkin IGA Recycle Ops

Chairman Berg informed the group that this was an agreement between Lumpkin and Dawson County to recycle. The recycling process has already been started and has had a positive effect on Dawson County.

Motion passed unanimously to approve the Dawson - Lumpkin IGA Recycle Ops agreement. Saling/King

Farm Wineries

County Attorney Joey Homans explained that he had reworded the language in the Farm Winery Ordinance so only the Farm Winery location would be able to have Sunday sales. Homans also included in the ordinance that the winery could not be located any closer than 100 yards from churches, playgrounds, schools and alcoholic treatment facilities.

Motion passed unanimously to adopt the recommended language for the Farm Winery Ordinance to permit wine tasting in the County with the exception that it is not allowed on Sunday except for the Farm Winery location. Saling/King

Transfer Station

County Attorney Homans explained that he had prepared a Memorandum of Understanding for the operation of the Transfer Station.

Commissioner Saling moved to accept the three to six month pilot program to evaluate the feasibility of providing at no cost to the public trash and refuse service at the Transfer Station. Commissioner King seconded the motion for discussion.

Commissioner Saling clarified that he believes that the Transfer Station should be offered as a public service to the community during the trial period. Commissioner Saling also suggested having just one person running the Transfer Station. Commissioner Craft felt this would cause problems if the employee was unable to work.

Chairman Berg asked for those in favor of Commissioner Saling's motion. Commissioner Saling was the only vote in favor and the motion died.

Motion passed by majority to approve the Memorandum of Understanding for three to six months trial period. Nix/King Commissioner Craft opposed the motion.

Commissioner Saling asked to revisit the issue of the Transfer Station in November of 2006.

NEW BUSINESS:

Citizens Review Panel

Motion passed by majority to include the Citizens Review Panel's recommendations in the Board of Commissioners minutes. King/Nix Commissioner Saling opposed.

RE: City Annexation of Assorted Properties June 12, 2006

The Citizen Review Panel has met concerning the annexation of assorted properties into the City of Dawsonville on June 7 and June 12, 2006. We have developed the following understanding of the situation;

- The County believes that the process lacked cooperation, coordination and communication.
- There is a significant increase in land use intensity proposed above what was to be allowed in the Comprehensive Plan.
- County has to provide additional fire and police protection beyond what was allowed under the existing contract, the existing contract allows for up to 7.5% increase per year (with Max of 25% for term of contract). Presumably this allows for inflation of costs and some annexation of area.
- No development plan is available.
- County has to continue to provide road maintenance service through significant traffic is anticipated to be generated from these annexations.
- City maintains all procedures were followed for annexation.
- City disagrees with impact caused by the new development.

The Review Panel further recognizes the following points;

- The Review Panel recognizes that the County will receive increase property taxes to offset additional costs from expanded services.
- Property owners have a right to request annexation
- Cities have the power to annex.
- Counties will have an impact to the services they provide.

Based on the above the Citizens Review Panel recommends the following;

- The City needs to compensate the County for any additional road maintenance that will be required as a result of these annexations or provide these services directly.
- The contract for fire and police services should be adjusted to account for increasing the service area by approximately 100%. The total services provided may or may not double.
- We encourage the City and County to work cooperatively to determine what these actual costs are considering all County services.
- The Review Panel would recommend the annexation provided the above items were addressed, further, we recommend to both the City and County that future annexations include a mechanism for cooperation, communication, and coordination of the proposed land use to allow for proper planning of services needed as well as to protect the vision of the community developed during the Comprehensive Planning process.

The above are the Citizens Review Panel's recommendations this 12th Day of June, 2006.

Citizens Review Panel: Marcus Byrd Jr.

Lake Gibson Jr.

Robert W. Sills

Bid Results for Two EMS Truck Chassis

County Manager Phil Anderson explained that the Board of Commissioners had received seven bids for the two EMS truck chassis and the low bid was submitted by Smokey Mountain Truck Center for \$108,846.00. County Manager Anderson recommended accepting the low bid of \$108,846.00 from Smokey Mountain Truck Center.

Motion passed unanimously to accept the low bid of \$108,846.00 from Smokey Mountain Truck Center.
Saling/Craft

DOT Transit Grant

Chairman Berg stated that the DOT Transit Grant had been discussed at the Board of Commissioners Work Session on 07-13-06. The Board felt like they needed additional information before approving the DOT Transit Grant. Assistant Director of Community Services Lisa Henson showed the Board a comprehensive power point presentation on the services that the DOT Transit Grant provides. Much discussion followed on the DOT Transit Grant about fee schedules, who the services are provided for and the cost of the services to the County.

Motion passed unanimously to approve the DOT Transit Grant for 12 months. Nix/Craft

Legacy Link Agreement

Chairman Berg explained that the Legacy Link Agreement is a grant that is for providing Meals on Wheels. Assistant Director Henson noted that this was a 12 month grant and there are sufficient funds in the budget to cover the grant.

Motion passed unanimously to approve the Legacy Link Agreement. Nix/Craft

Motion passed unanimously to go into executive session for legal and personnel issues. Saling/Craft

Motion passed unanimously to come out of executive session. King/Saling

Motion passed unanimously to increase the County Manager's salary by 4% retro to date of his personal performance review. Saling/Nix

ADJOURNMENT:

Motion passed unanimously to adjourn the meeting. Craft/Nix

APPROVE: ATTEST:

Mike Berg, Chairman Tammy Clement, County Clerk

Work Session Minutes - July 27, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

WORK SESSION MINUTES – THURSDAY JULY 27, 2006

Rock Creek Park Community Room – 4:00 p.m.

Those present were Chairman Berg; Commissioner Saling, District 1; Commissioner Craft, District 2; Commissioner Nix, District 4; County Attorney Homans; County Manager Anderson; County Clerk Clement and interested citizens of Dawson County. District 3 Commissioner King was absent.

1. Emergency Medical Supplies Bid Results and Vendor Recommendation

This item to be placed on the Regular Meeting Agenda – 08/03/06

2. Development Fee Program with Etowah for Recovery of Cost on Sewer on Dawson Forest Road

This item to be placed on the Regular Meeting Agenda – 08/03/06

3. BOC/EWSA Sale of 238+ Acres

This item to be placed on the Regular Meeting Agenda – 08/03/06

4. Chamber of Commerce Contract for Tourism (Hotel/Motel Tax)

This item to be placed on the Regular Meeting Agenda – 08/03/06

5. GMRDC Appointment

This item to be placed on the Regular Meeting Agenda – 08/03/06

6. County Managers Report

Rental Agreement for Public Defender and DUI Court Offices

Rental Agreement to be signed by County Manager

7. County Attorney Report

Stephen Road Abandonment

This item to be placed on the Regular Meeting Agenda – 09/07/06

Georgia Mountain Regional Development Center

This item to be placed on the Work Session Agenda – 08/10/06

Motion passed unanimously to go into Executive Session for legal issues. Saling/Craft

Motion passed unanimously to come out of Executive Session. Saling/Craft

Regular Meeting Minutes - August 3, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES – THURSDAY, AUGUST 3, 2006

Rock Creek Park Community Room – 6:00 p.m.

ROLL CALL: Those present were Chairman Berg; Commissioner Saling, District 1; Commissioner Craft, District 2; Commissioner King, District 3; Commissioner Nix, District 4; County Attorney Homans; County Manager Anderson and interested citizens of Dawson County.

OPENING PRESENTATION: Red Cross – Andy Thompson

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Chairman Berg

ANNOUNCEMENTS:

County Attorney Joey Homans announced that the Don Gordon Memorial Golf Tournament will be held August 11, 2006, at the Chestatee Golf Course.

Chairman Berg stated that there were two meetings on Tuesday, August 8, 2006; Lake Lanier Association will host a meeting at Riverside Military Academy concerning water issues with Saxby Chambliss and Johnny Isakson in attendance and the Council for Quality Growth will hold a joint meeting with HCP in Cherokee County to discuss the proposed recommendations for the Etowah Watershed.

APPROVAL OF MINUTES:

Motion passed unanimously to approve the minutes from the Regular Meeting held on July 20, 2006.
Saling/Nix

PUBLIC HEARINGS:

Speed Zone Ordinance

Chairman Berg opened the second hearing on the Speed Zone Ordinance and asked if anyone wished to speak. Hearing no one, Chairman Berg closed the hearing on the Speed Zone Ordinance and opened discussion to the Board. Commissioner Saling voiced concerns about the speed limits on Lumpkin Campground Road and Cowart Road.

Motion passed unanimously to approve the Speed Zone Ordinance. King/Craft

Georgia 400 Guidelines

Chairman Berg asked if anyone wished to speak on the second hearing of the Georgia 400 Guidelines and seeing none closed the floor.

Motion passed unanimously to adopt the amendment of the overlay district of Georgia 400 with the materials that have been submitted. Saling/Nix

OLD BUSINESS:

Ratification of Two EMS Truck Chassis

Purchasing Agent Jill Rathe informed the Board that the Caterpillar engine that was specified in the bid invitation for the two EMS truck chassis were no longer available. Rathe requested that the Board reject all bids and a new, broader invitation be issued.

Motion passed unanimously to reject all bids for the two EMS Truck Chassis. Saling/Craft

BOC/EWSA 238+ Acres

Motion passed unanimously to reject the three bids that were received for the EWSA 238+ acres. Saling/Craft

Commissioner Saling noted that Etowah Water and Sewer also rejected all three bids that were received.

NEW BUSINESS:

Emergency Medical Supplies

Motion passed unanimously to adopt the formula and recommendations of the Emergency Medical Personnel for the purchase of Emergency Medical Supplies. Saling/Nix

Development Fee Program with EWSA

Chairman Berg stated that there were legal issues to be addressed before discussing the Development Fee Program with EWSA.

Motion passed unanimously to remove the Development Fee Program with EWSA from the agenda. Nix/Saling

Chamber of Commerce Contract for Tourism

Chairman Berg explained that this was a contract suggested by the County Attorney to protect the County when transferring the tourism funds to the Chamber of Commerce.

Motion passed unanimously to adopt the Chamber of Commerce Contract for Tourism. Nix/Craft

GMRDC Board Appointment

Motion passed unanimously to appoint Sandy Adams to the GMRDC Board. King/Saling

Scholarships

Chairman Berg explained that the Chamber of Commerce has put together a Leadership Dawson County program. Commissioners Elect Gary Pichon and Mike Connor could both benefit from this course. Chairman Berg suggested allocating six hundred dollars for scholarships for Gary Pichon and Mike Connor to attend the leadership program. Commissioner Saling did not think it would set a good precedent to use tax payer's money for this class. Commissioner King stated that this class was similar to those offered by ACCG and he would support the scholarships.

Motion passed by majority to approve scholarships for \$600 for Gary Pichon and Mike Connor. Nix/King
Commissioner Saling opposed the motion.

Annexation Agreement with the City

Chairman Berg stated that there were fifteen annexations discussed with the City. Mayor Cox agreed to fund the infrastructure on those specific annexations.

Motion passed unanimously to ratify the annexation agreement with the City of Dawsonville.
Saling/Craft

Sales Tax Resolution

Commissioner Saling suggested a minor change to the Sales Tax Resolution by requiring buyers to report their county of record.

Motion passed unanimously to approve the Sale Tax Resolution with the proposed amendment.
Saling/Craft

Motion passed unanimously to go into Executive Session to discuss legal issues. Saling/Craft

ADJOURNMENT:

Motion passed unanimously to adjourn the meeting. Saling/Nix

APPROVE: ATTEST:

Mike Berg, Chairman Tammy Clement, County Clerk

Work Session Minutes - August 10, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

WORK SESSION MINUTES – THURSDAY AUGUST 10, 2006

Rock Creek Park Community Room – 4:00 p.m.

1. Fire Improvements for Sassafras & Fire Station #6 – Billy Thurmond

This item to be placed on the Regular Meeting Agenda - 08/17/06

2. Fire Safety Materials – Tim Satterfield

This item to be placed on the Regular Meeting Agenda – 08/17/06

3. Community Agenda for COMP – Lynn Tully

This item to be placed on the Work Session Agenda – 08/24/06

4. Impact Fee Bank Account – Lowayne Craig

This item to be placed on the Regular Meeting Agenda – 08/17/06

5. Council of Juvenile Court Judges Grant – Lowayne Craig

This item to be placed on the Regular Meeting Agenda - 08/17/06

6. Letter to Senators and Congressmen – Mike Berg

This item to be placed on the Regular Meeting Agenda - 08/17/06

7. County Manager Report

- Off Road Ordinance

This item to be placed on the Work Session Agenda - 09/14//06

- Noise Ordinance

This item to be placed on the Work Session Agenda – 09/14/06

8. County Attorney Report

- Stephens Road Abandonment

This item to be placed on the Regular Meeting Agenda – 09/07/06

- Public Hearing for Liquor License for Bob & Sam's

Hearing will be held August 17, 2006 at 1:00 pm at Rock Creek Community Room

Regular Meeting Minutes - August 17, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES – THURSDAY, AUGUST 17, 2006

Rock Creek Park Community Room – 6:00 p.m.

ROLL CALL: Those present were Chairman Berg; Commissioner Saling, District 1; Commissioner Craft, District 2; Commissioner King, District 3; Commissioner Nix, District 4; County Attorney Homans; County Manager Anderson; County Clerk Clement and interested citizens of Dawson County.

OPENING PRESENTATION: United States Coast Guard Auxiliary – Matt Cooper

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Chairman Berg

ANNOUNCEMENTS:

Chairman Berg announced that there would be a training program for the Commissioners Elect on August 31, 2006. A special called meeting will also be held on August 31, 2006 at 4:00 p.m. in the Rock Creek Community Room in which Habitat Conservation Planning will show a presentation to all who wish to attend.

APPROVAL OF MINUTES:

Motion passed unanimously to adopt the minutes as submitted from the Regular Meeting held on August 3, 2006. Saling/Craft

ZONING:

Chairman Berg announced that if anyone had contributed more than \$250 to the campaign for public office and wished to speak they will have to fill out a form which will be made available to them. Under

normal program, ten minutes will be given to those who wish to speak in favor of or opposition to with some redirect, time permitting.

ZA 06-17: Magnate Development LLC has made a request to rezone 2.62 acres of TMP 114-33 from RA (Residential Agricultural) to CHB (Commercial Highway Business) in order to construct strip mall. Location: Dawson Forest Road next to Wal-Mart (INCLUDES VR 06-16 Variance to buffers required on property lines adjoining residentially zoned property).

Both Planning Staff and Planning Commission Recommended Approval with Stipulations

Chairman Berg read the zoning ZA 06-17 and asked if the applicant was present to speak to the Board. Dennis Powell came forward to speak for Magnate Development. Mr. Powell explained that this would be a very high quality development that would provide a good tax base for Dawson County. Magnate Development has the funding in place for the development and several parties interested in locating businesses into the strip mall.

Chairman Berg questioned the fact that the plans showed no inter-parcel access or that there was no overall plan for the area. The Board is not interested in bringing in a bunch of strip malls that have no conformity or continuity. Mr. Powell asked the Board not to penalize Magnate Development and allow them to continue with their development. He believes that their development does fit in with what is currently located near Wal-Mart.

Commissioner King asked about the engineering process and how far along Magnate was with their plans. Kevin White, engineer for Magnate, explained that plans have not yet been submitted and it would probably be a month before they were ready for submittal.

Tracey Robinson, owner of Magnate Development, agreed that it would be to their advantage to have a master plan and know what would be coming in next to their development.

Chairman Berg asked if anyone wished to speak either for or against ZA 06-17 and seeing no one closed the floor. Chairman Berg opened discussion on the Board. Commissioner Saling stated that he believed that there should a master plan for such a large tract of land and that developments should be in compliance with that plan.

Chairman Berg asked the owner of the property, Joe Smith, if he would be able to produce a plan with an overall view of the property. Mr. Smith stated that he would be happy to put a plan together but

wanted to be able to talk with the Commissioners or Planning Director Tully to make sure it was done properly. Chairman Berg asked Ms. Tully to meet with Mr. Smith.

Motion passed unanimously to table ZA 06-17 until the next zoning hearing in September. Saling/King

NEW BUSINESS:

Fire Improvements for Sassafras & Fire Station #6

ESD Director Billy Thurmond recommended the Board approve the extension of an 8" water main from Steve Tate Highway to Fire Station #6 and approve the installation of plumbing for the water tank on Sassafras Mountain.

Motion passed unanimously to approve the recommendations of ESD Director Thurmond in regards to Fire Station #6 and Sassafras Mountain. Saling/Craft

Fire Safety Materials

Motion passed unanimously to approve Fire Safety Materials. Nix/Craft

Impact Fee Bank Account

Chairman Berg explained that the Impact Fee Bank Account would be for the Impact Fees collected in the Planning and Development Department.

Motion passed unanimously to approve the Impact Fee Bank Account. Saling/Craft

Council of Juvenile Court Judges Grant

Motion passed unanimously to approve the submittal of the grant application for the Council of Juvenile Court Judges. Nix/King

Letter to Senators and Congressman

Chairman Berg read the following letter:

Senator Saxby Chambliss

Senator Johnny Isakson

Representative Nathan Deal

Dear Sirs:

The Board of Commissioners of Dawson County, by resolution August 17, 2006, requests that you give the citizens of Dawson County, through the Board of Commissioners, the opportunity to formally present the Citizens opinions concerning Lake Lanier at any future "Town Hall turned Congressional Hearing" or any other organized hearing concerning Lake Lanier. The Board of Commissioners did not know that testimony would be given until after the deadline had passed to be added to the agenda! Contrary to what was purported to be said at that hearing, Dawson does not have a Water Intake!

Dawson County has forty-seven (47) miles of Lake Lanier shoreline and should have the right to be heard at any meeting concerning the lake.

Thank you for this future consideration.

Mike Berg

Chairman

For the Dawson County Board of Commissioners

CC: Governor Sonny Purdue

Dawson County Board of Commissioners

Motion passed unanimously to approve sending the referenced letter to Senators Isakson and Chambliss and Representative Deal. King/Craft

Motion passed unanimously to go into Executive Session for legal and land issues. King/Craft

ADJOURNMENT:

Motion passed unanimously to adjourn the meeting. King/Saling

APPROVE: ATTEST:

Mike Berg, Chairman Tammy Clement, County Clerk

Called Meeting Minutes - August 24, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

CALLED MEETING MINUTES – THURSDAY, AUGUST 24, 2006

Rock Creek Park Community Room – 4:00 p.m.

ROLL CALL: Those present were Chairman Berg; Commissioner Saling, District 1; Commissioner Craft, District 2; Commissioner King, District 3; Commissioner Nix, District 4; County Attorney Homans; County Manager Anderson; County Clerk Clement and interested citizens of Dawson County.

EMS Truck Bids

Chairman Berg explained that the bids for 2 EMS Truck Chassis had been opened on August 23, 2006. Dawson County Purchasing Agent Jill Rathe recommended accepting the low bid received from Middle Georgia Freightliner.

Motion passed unanimously to accept the low bid of \$111,474.00 received from Middle Georgia Freightliner. Saling/Craft

Lanier Tech Property

County Attorney Joey Homans presented to the Commissioners an intergovernmental agreement between Dawson County Board of Education, Dawson County Development Authority and Dawson County Board of Commissioners for the purchase of property for a campus for Lanier Technical College. Funding for the property will be provided by the County, Lanier Tech Foundation and Board of Education in the amount of \$100,000.00 each.

Motion passed by majority to approve moving forward with the Intergovernmental Agreement.
Nix/Craft

Commissioner Saling and Commissioner King voted against the motion. Chairman Berg's vote in favor of the motion broke the tie.

Commissioner Saling stated that he totally supported the need to show good faith on the part of the County but could not support the agreement because he feels the County did not have due diligence in getting a appraisal for the property.

Motion passed unanimously to adjourn the meeting. Nix/King

APPROVE: ATTEST:

Mike Berg, Chairman Tammy Clement, County Clerk

Work Session Minutes - August 24, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

WORK SESSION MINUTES – THURSDAY AUGUST 24, 2006

Rock Creek Park Community Room – 4:00 p.m.

1. Healthcare Renewal – Jay Sessions/Matt Bidwell

This item to be placed on the Regular Meeting Agenda - 09/07/06

2. Community Agenda for Comprehensive Plan – Lynn Tully

This item to be placed on the Work Session Agenda – 09/14/06

3. Mountain Guidelines- Lynn Tully

To be determined after meeting with different Counties.

4. DHR Unified Transportation for Senior Center – Lisa Henson/Margie Weaver

This item to be placed on the Regular Meeting Agenda – 09/07/06

5. Lake Lanier Shore Clean-Up – Randy Bowen

This item to be placed on the Regular Meeting Agenda - 09/07/06

6. ACCG – Workers’ Compensation – Jay Sessions

This item to be placed on the Regular Meeting Agenda - 09/07/06

7. Purchase Cards – Jill Rathe

This item to be placed on the Regular Meeting Agenda - 09/07/06

8. Alternative Software for Fire Reports & Trends – Billy Thurmond

9. Residential Sprinklers – Tim Satterfield

10. County Manager Report

11. County Attorney Report

Helen Taylor has been recommended to take Val Dodson's position on the MHDDSA Region 2 Planning Board

This item to be placed on the Regular Meeting Agenda - 09/07/06

Motion passed unanimously to go into Executive Session for land and legal issues. Nix/King

Regular Meeting Minutes - September 7, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES – THURSDAY, SEPTEMBER 7, 2006

Rock Creek Park Community Room – 6:00 p.m.

ROLL CALL: Those present were Chairman Berg; Commissioner Saling, District 1; Commissioner Craft, District 2; Commissioner King, District 3; Commissioner Nix, District 4; County Attorney Homans; County Manager Anderson; County Clerk Clement and interested citizens of Dawson County.

OPENING PRESENTATION: United Way – Taylor Wallace/Herb Burnsed

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Chairman Berg

ANNOUNCEMENTS:

Chairman Berg made the following announcements:

- Concert for the Cure “The Best of Broadway” performed by the Forsyth County Chorale will benefit the Atlanta 2-Day Walk for Breast Cancer. The concert will be held at Concord Baptist Church on September 9, 2006 at 5:30 p.m.

- 5th Annual Community Picnic will be held on September 12, 2006 beginning at 4:00 p.m. at Amicalola State Park. This event is hosted by Dawson County Chamber of Commerce.

- A letter was received from House Representative David Ralston supporting fair distribution of sales tax. Ralston is eager to help in any way and will make proper distribution of sale tax monies a priority at the next legislative session.

- Ms. Leila Chappell is resigning her position as director of the Dawson County Child Development Center effective November 3, 2006.

- Chairman Berg attended an ACCG General Government meeting last week in which annexation was discussed. Legislation concerning annexation will be brought before the legislature next year. Also discussed was impact fees and how they should be collected by cities.

- Chairman Berg and County Attorney Homans attended an Indigent Defense Council meeting this week. The Governor created the council to work through issues with the new Indigent Defense Program that was established in 2004. The State Public Defender has requested a 9 million dollar increase for ongoing Public Defender programs and has also asked for 50 juvenile public defender lawyers.

- Dawson County received a quarterly check of \$55,000 from Eagle Point Landfill as part of the contract concerning their waste transfer station.

- Commissioner Saling stated that a meeting was held with Pickens County to discuss Mountain Development Guidelines to hopefully create uniform standards for the guidelines.

APPROVAL OF MINUTES:

Motion passed unanimously to adopt the minutes as submitted from the Regular Meeting held on August 17, 2006. Saling/Craft

Motion passed unanimously to adopt the minutes as submitted from the Called Meeting held on August 24, 2006. Saling/Nix

Chairman Berg asked for the Agenda to be revised to add a participant and planner for the September 13, 2006 meeting of the Citizens Review Panel for annexations. Chairman Berg also requested that the Civic Participation Week Proclamation be moved to the first item under new business.

Motion passed unanimously to amend the Agenda. Saling/Craft

PUBLIC HEARINGS

Stephens Road Abandonment

County Attorney Homans explained that a petition had been filed and notices were sent and received back from all property owners on Stephens Road concerning the abandonment of Stephens Road. The abandonment of Stephens Road will not impair or impede the public in any way.

Chairman Berg opened the public hearing for anyone wishing to speak and hearing none closed the floor.

Motion passed unanimously to adopt the Stephens Road petition as submitted by the County Attorney.
Saling/King

NEW BUSINESS:

Civic Participation Week Proclamation

Chairman Berg read the following proclamation:

Civic Participation Week

Proclamation

Whereas, September 11-17, 2006 has been proclaimed National Civic Participation Week as designated by the United States Senate with the passage of Senate Resolution 140; and

Whereas, this week will showcase American democracy and civic participation, honor the courageous spirit of the American people and pay tribute to those we lost on September 11; and

Whereas, communities across the country will come together to celebrate our democracy; and

Whereas, the celebration serves to encourage Americans to participate in their communities and in their government by committing to four acts of citizenship –

- Volunteer – your time and talent to a cause or community group you are passionate about. Make your community a better place to help others in need. Be a role model for your peers and a mentor for children.
- Contribute – money and/or in kind donations to worthy organization or causes. Give generously. Teach others (and your children) the rewards of giving.
- Communicate – your ideas. Be receptive, respectful responsive and responsible. Look for common ground and craft solutions, together. Keep an open dialogue with city, county, state and federal government officials. Know where they stand on issues of concern.
- Vote – with knowledge, conviction and purpose. Be a role model. Teach your children about civic responsibility and voting as the cornerstones of our democratic process.

Whereas, the citizens of Dawson County are encouraged to join in the week-long observance;

Now, Therefore, We, The Dawson County Board of Commissioners do hereby proclaim September 11-17, 2006 to be CIVIC PARTICIPATION WEEK IN DAWSON COUNTY and urge all residents and employees to commit to volunteer, contribute, communicate and vote in the coming year.

Duly adopted this 7th day of September 2006.

Dawson County Board of Commissioners

Motion passed unanimously to accept the Civic Participation Week Proclamation. Nix/King

Healthcare Renewal

Human Resources Director Jay Sessions requested that the Board approve Option #2 of the Blue Cross/Blue Shield health plan.

Commissioner Saling complimented the staff on the job they did in putting together a stellar health plan.

Motion passed unanimously to adopt the recommendation of Blue Cross/Blue Shield Option #2 as submitted. Saling/Craft

ACCG – Workers Compensation

HR Director Sessions explained that Dawson County had already met the requirements of the ACCG Workers Compensation Incentive Program and we will receive a 6.5% safety discount and a 7.5% workers compensation discount.

Motion passed unanimously to submit the necessary paperwork to recover the ACCG Workers Compensation rebate. Saling/King

Lake Lanier Shore Clean-Up

Motion passed unanimously to approve in-kind service for the Lake Lanier Shore Clean-Up. Nix/Craft

DHR Unified Transportation for Senior Center

Community Services Assistant Director Lisa Henson requested that the Board approve the DHR Unified Transportation grant contract.

Motion passed unanimously to approve the DHR Unified Transportation grant. Nix/Craft

Purchase Cards

Motion passed unanimously to adopt the Purchase Card Program as submitted by Dawson County Purchasing Agent Jill Rathe. Saling/Craft

MHDDSA Region 2 Planning Board

Chairman Berg recommended Helen Taylor to replace Val Dodson on the MHDDSA Region 2 Planning Board.

Motion passed unanimously to appoint Helen Taylor to the MHDDSA Region 2 Planning Board.
Nix/Saling

Paul Sioros Settlement Agreement

County Attorney Homans presented the settlement agreement for the Boards approval.

Motion passed unanimously to approve the Paul Sioros Settlement Agreement. King/Nix

Motion passed unanimously to go into Executive Session for legal and personnel issues. King/Craft

ADJOURNMENT:

Motion passed unanimously to adjourn the meeting.

APPROVE: ATTEST:

Mike Berg, Chairman Tammy Clement, County Clerk

Work Session Minutes - September 14, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

WORK SESSION MINUTES – THURSDAY SEPTEMBER 14, 2006

Rock Creek Park Community Room – 4:00 p.m.

1. Clean Water Month – Lynn Tully

This item to be placed on the Regular Meeting Agenda - 09/21/06

2. Sheriff's Office & Adult Detention Facility Update – David Headley

3. Off-Road Vehicle Ordinance – Lynn Tully/Phil Anderson

To be brought before the Board at a future Work Session

4. RFP Dawson/Lumpkin Boundary Survey – Jill Rathe

This item to be placed on the Regular Meeting Agenda – 09/21/06

5. F-250 Truck Purchase for 2007 – Jill Rathe

This item to be placed on the Regular Meeting Agenda – 09/21/06

6. ACCG Georgia County Government Magazine – Mike Berg

This item to be placed on the Regular Meeting Agenda - 09/21/06

7. Community Agenda for Comprehensive Plan – Lynn Tully

To be brought before the Board at a future Work Session

8. Flexible Spending Bank Account – Lowayne Craig/Phil Anderson

This item to be placed on the Regular Meeting Agenda - 09/21/06

9. County Manager Report

10. County Attorney Report

Package Sales Ordinance

This item to be placed on the Work Session Agenda – 09/28/06

Planning Commission Ordinance (Tabling)

This item to be placed on the Work Session Agenda – 09/28/06

Motion passed unanimously to go into Executive Session for personnel and legal issues. Saling/Craft

Regular Meeting Minutes - September 21, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES – THURSDAY, SEPTEMBER 21, 2006

Rock Creek Park Community Room – 6:00 p.m.

ROLL CALL: Those present were Commissioner Saling, District 1; Commissioner Craft, District 2; Commissioner King, District 3; Commissioner Nix, District 4; County Attorney Homans; County Manager Anderson; County Clerk Clement and interested citizens of Dawson County. Chairman Berg was absent.

OPENING PRESENTATION: Dawson County Pre-K and Headstart – Kay Laws

INVOCATION: Vice-Chairman Saling

PLEDGE OF ALLEGIANCE: Vice-Chairman Saling

APPROVAL OF MINUTES:

Motion passed unanimously to approve the minutes as submitted from the Regular Meeting held on September 7, 2006. King/Craft

Vice-Chairman Saling announced that if anyone had contributed more than \$250 to the campaign for public office and wished to speak they will have to fill out a form which will be made available to them. Under normal program, ten minutes will be given to those who wish to speak in favor of or opposition to with some redirect, time permitting.

ZONING:

ZA 06-17: Magnate Development LLC has made a request to rezone 2.62 acres of TMP 114-33 from RA (Residential Agricultural) to CHB (Commercial Highway Business) in order to construct strip mall. Location: Dawson Forest Road next to Wal-Mart (INCLUDES VR 06-16 Variance to buffers required on property lines adjoining residentially zoned property).

Both Planning Staff and Planning Commission Recommended Approval with Stipulations

Planning Director Lynn Tully explained that ZA 06-17 had been heard by the Planning Commission and they recommended approval with stipulations. In August the Board of Commissioners heard ZA 06-17 and requested a master plan for the entire property.

Vice-Chairman Saling asked if the applicant was available to speak and Tracy Robinson explained that Magnate Development had incorporated the changes that the Planning Commission Board requested.

Vice-Chairman Saling asked if anyone wished to speak either for or against ZA 06-17 and hearing none opened the discussion to the Board. Commissioner King explained that the request had been made by the Board for the owners of the property to provide a master plan for the large tract of land in question and had received that plan earlier that afternoon. King would like for the seller to go back and complete the master plan by adding connectivity and road networking.

Motion passed unanimously to approve ZA 06-17 with the following conditions:

1. The development will comply with all the requirements of the Georgia 400 overlay district.
2. No building permits will be issued until a master plan for the larger tract lying in land lots 342, 343, 374 and 375 bounded by State Route 53 and Dawson Forest Road is completed (including a permanent internal road network incorporating ZA 06-17) and has been approved by the Board of Commissioners.

King/Craft

ZA 06-18: Owners for Dawson Forest Apartments has made a request to rezone 23.089 acres of TMP 114-20.01 from VC (Vacation Cottage) to R3 (Residential Multi-Family) in order to bring existing apartment complex into zoning conformance. No site plan changes proposed. Application includes VR 06-18 to remain as currently constructed. Location: GA 400 North & 100 Green Forest Drive

Both Planning Staff and Planning Commission Recommended Approval with Stipulations

Vice-Chairman Saling read the zoning for ZA 06-18. Planning Director Tully explained that ZA 06-18 includes the Dawson Forest Complex which is currently zoned Vacation Cottage (VC) and the applicant is asking to bring the existing apartment complex into zoning conformance by changing the zoning to Residential Multi-Family (R3).

Vice-Chairman Saling asked if the applicant was present to speak to the Board. Ed Matthews, representing the Dawson Forest Complex, explained that the property had been purchased in June 2006 and they would like to be able to rebuild the property back exactly as it currently is if something were to happen to the complex.

Vice-Chairman Saling asked if anyone wished to speak either for or against ZA 06-18 and hearing none closed the floor.

Motion passed unanimously to approve ZA 06-18 with the Planning Commission's recommended stipulations. King/Craft

OLD BUSINESS:

Ratify Citizens Review Panel Appointments

Vice-Chairman Saling explained that the appointments for the Citizens Review Panel had been left off the last Board of Commissioners agenda and needed to be ratified.

Motion passed unanimously to ratify the appointments of Bobby Sills and Lake Gibson to the Citizens Review Panel. Nix/Craft

NEW BUSINESS:

Clean Water Month

Vice-Chairman Saling stated that Clean Water Month had been addressed at the Board of Commissioners work session on 09-14-06.

Motion passed unanimously to approve October as Clean Water Month in Dawson County. Nix/Craft

Farm Winery Room Tasting License – Simply Sophie's

County Attorney Homans explained that the application for Farm Winery Room Tasting license had been submitted by Blackstock Vineyards and the tasting room would be located at Simply Sophie.

Motion passed unanimously to approve the Farm Winery Room Tasting license at Simply Sophie.
Nix/King

RFP Lumpkin/Dawson Boundary Survey

County Attorney stated that under the Georgia statutes if a county grand jury issues a challenge to a county line then a process has to be followed to establish that county line. The estimated cost to the state was deemed excessive so the two counties agreed to try to resolve the dispute amongst themselves by selecting a surveyor.

Motion passed unanimously to approve the RFP Dawson/Lumpkin Boundary Survey. Nix/Craft

F-250 Truck Purchase for 2007

County Manager Phil Anderson explained that the two trucks that would be purchased were in the 2007 budget for both Parks & Recreation and Public Works.

Motion passed unanimously to approve the two F-250 Trucks. King/Craft

ACCG Georgia County Government Magazine

Vice-Chairman Saling shared with the Board different options for ads to be placed in the ACCG Georgia County Government Family Album 2006.

Motion passed unanimously to approve a black and white full page ad for \$600 in the ACCG Georgia County Government Magazine. Nix/King

Flexible Spending Bank Account

Finance Director Lowayne Craig stated that about 20% of Dawson County employees had signed up for the Flexible Spending card and the County would need to open a bank account for Flexible Spending monies.

Motion passed unanimously to approve opening a bank account for Flexible Spending. Nix/King

County Attorney Homans explained that he had received 32 requests from the City for land to be annexed into the City. These annexations are being referred to as the Elliott annexations and consist of 1524.721 acres. Objections to these annexations need to be filed by September 29, 2006.

ADJOURNMENT:

Motion passed unanimously to adjourn the meeting. Nix/Craft

APPROVE: ATTEST:

Mike Berg, Chairman Tammy Clement, County Clerk

Work Session Minutes - September 28, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

WORK SESSION MINUTES – THURSDAY SEPTEMBER 28, 2006

Rock Creek Park Community Room – 4:00 p.m.

1. Closure of Magistrate Bank Account – Lowayne Craig

This item to be placed on the Regular Meeting Agenda - 10/05/06

2. CDBG Bank Account – Lowayne Craig

This item to be placed on the Regular Meeting Agenda - 10/05/06

3. Ratify CDBG Grant – Lowayne Craig

This item to be placed on the Regular Meeting Agenda - 10/05/06

4. Midyear Budget Revision – Lowayne Craig

This item to be placed on the Regular Meeting Agenda - 10/05/06

5. New Residential Zoning Districts – Lynn Tully

This item to be placed on the Work Session Agenda – 10/12/06

6. Wellness Program – Billy Thurmond/Jay Sessions

This item to be placed on the Regular Meeting Agenda - 10/05/06

7. Planning Commission Ordinance (Tabling) – Joey Homans

This item to be placed on the Regular Meeting Agenda – 10/19/06 & 11/02/06

8. Package Sales Ordinance – Joey Homans

This item to be placed on the Work Session Agenda – 10/12/06

9. Off Road Vehicle Ordinance – Joey Homans

This item to be placed on the Regular Meeting Agenda – 10/19/06 & 11/02/06

10. County Manager Report

11. County Attorney Report

Motion passed unanimously to go into Executive Session for personnel and legal issues. Saling/Nix

Motion passed unanimously to come out of Executive Session. Saling/Nix

Regular Meeting Minutes - October 5, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES – THURSDAY, OCTOBER 5, 2006

Rock Creek Park Community Room – 6:00 p.m.

ROLL CALL: Those present were Chairman Berg; Commissioner Saling, District 1; Commissioner Craft, District 2; Commissioner King, District 3; Commissioner Nix, District 4; County Attorney Homans; County Manager Anderson; County Clerk Clement and interested citizens of Dawson County.

OPENING PRESENTATION: Boy Scout Troup 422 – Michael Sims

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Boy Scout Troup 422

ANNOUNCEMENTS:

Chairman Berg made the following announcements:

- October is Breast Cancer Awareness Month
- Walk in the Park for Diabetes will be held at Rock Creek Park on October 14, 2006 with registration beginning at 9:00 a.m. and the walk beginning at 10:00 a.m.
- Claudia Gibson has been named director of the Dawson/Lumpkin County Regional Library System.
- ESD Director Billy Thurmond explained that Fire Marshall Tim Satterfield had been awarded the 2006 Fire Official of the Year for the State of Georgia. Satterfield has served in the field of fire prevention for the past thirty years. Chairman Berg presented Satterfield with a plaque from the State.

APPROVAL OF MINUTES:

Motion passed unanimously to approve the minutes as submitted from the Regular Meeting held on September 21, 2006. King/Craft

NEW BUSINESS:

Closure of Magistrate Bank Account

Motion passed unanimously to approve the closing of the Magistrate Bank Account as it was presented at the Board of Commissioner's Work Session. Saling/King

CDBG Bank Account

Chairman Berg explained that the bank account was for the grant money we received for the Adult Literacy building.

Motion passed unanimously to approve the opening of a CDBG Bank Account. Nix/Craft

Ratification of the CDBG Grant

Motion passed unanimously to ratify the CDBG Grant of \$500,000 that will allow construction of the Adult Literacy Center. Saling/King

Wellness Program

Motion passed unanimously to approve the Wellness Program. Nix/Saling

Farm Winery Tasting Room - Crimson 'n Scarlett's Vineyards

County Attorney Homans explained that Crimson 'n Scarlett's Vineyards was seeking approval of a farm winery tasting room license for 2007 pending the state and federal background check. The Planning Commission will be hearing a request from Crimson 'n Scarlett's Vineyards regarding a rezoning request which would allow them to open a vineyard.

Motion passed unanimously to approve the farm winery tasting room license for Crimson 'n Scarlett's Vineyards with the condition that they receive proper rezoning and with the successful completion of the state and federal background checks. King/Saling

Scarlett's Batch & Brew

Motion passed unanimously to approve the farm winery room tasting license for Scarlett's Batch & Brew with the condition that they pass the state and federal background checks. King/Craft

PUBLIC COMMENT

Hugh Stowers – Chocolate Mousse & Planning and Zoning Department

Mr. Stowers submitted the following:

I'm here to speak to you about Gober Road and the planning and zoning department.

There have been numerous emails to and from myself and the county manager then passed along to planning and zoning on this subject.

At this point don't tell me to see so and so as you told another citizen. This may make me upchuck on this podium. The people of this county voted each of you into office. The buck stops right there as President Truman always said.

It took us four (4) years to get the ditches cleaned out enough to carry the excess water from you permitting two churches to direct their flood water into Gober Road when they owned property all the way to Etowah River Road, real vision.

During this period numerous tons of gravel were washed into the Etowah River because of the water running through, not along side of, Gober Road. This is just a few hundred yards above the intake of our public water system. Yep, real leadership you have in your departments.

Then you allowed the Chocolate Mousse to do the same. Sure you required them to put in a little holding pond in which numerous yards of left over concrete from construction was dumped in it. It was filled with dirt within the first year and now serves no purpose at all.

Since construction of the above locations the Gobers have talked to the neighbors about the lighting to no avail; they're all transplants and could care less about their neighbor and I guess the church is making so much money selling religion they don't care about the light bill.

Sure P & Z has been out there with their night camera and says everything is ok. They could care less if lives are disrupted. The rumor is the boss presented a contract for employment, drawn up by her attorney; you signed it and cannot fire her. I quote from P & Z records: will not affect the health, safety or general welfare of the public. Will not impose special hardships on surrounding property owners.

You see commissioners, when common sense is overlooked by rules and regulations we are in big trouble. I promise you, you will continue to reduce the quality of life of every citizen.

What do I expect you to do about it? Continue to run over people who kept it good enough for you to come here in the first place. Your track record is proof of that. The shooting range you are wasting our tax money on is a perfect example of your 100% hindsight. I just wanted to exercise my right according to law to get this in the record for future references.

A Couple of my personal "Bill of Rights"

Article 1 – You do not have the right to destroy the lifestyle of others. If you do, don't be surprised if some of us get together and dig deep into your wallet.

Article 2 – You do not have the right to happiness. Being an American means that you have the right to PURSUE happiness, which by the way is a lot easier if you are unencumbered by an over abundance of idiotic laws created by those of you who are confused by the Bill of Rights.

As always, I have more to say but you only give me five (5) minutes.

Dave Rhodes – Skateboard Park

Mr. Rhodes explained that he was coming before the board as a representative of the youth in the county that wished to have a safe place to skateboard. Currently young people are using parking lots, roads and other unsafe places to enjoy their skating. Mr. Rhodes asked the Board to consider the possibility of building a skateboard park that would allow skateboarders to pursue their interests in a safe environment.

Motion passed unanimously to go into Executive Session for legal and personnel issues. King/Craft

ADJOURNMENT:

Motion passed unanimously to adjourn the meeting. Saling/Craft

APPROVE: ATTEST:

Mike Berg, Chairman Tammy Clement, County Clerk

Work Session Minutes - October 12, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

WORK SESSION MINUTES – THURSDAY OCTOBER 12, 2006

Rock Creek Park Community Room – 4:00 p.m.

1. Carl Vinson Evaluation of Emergency Services – Billy Thurmond

2. GEMA Grant Award – Scott Wallace

This item to be placed on the Regular Meeting Agenda - 10/19/06

3. Dawson County United Way Campaign – Jay Sessions

4. Surplus Sale – Daniel Goode/Maynard Waters

This item to be placed on the Regular Meeting Agenda - 10/19/06

5. Mid Year Budget Revision – Lowayne Craig

Ongoing discussions with Judge Fuller, Reggie Forrester and Billy Carlisle concerning court budget at City Complex that is unfounded and not in the 2007 budget. Chairman Berg will be meeting with all parties involved on Tuesday. All dollars will come from contingency.

This item to be placed on the Regular Meeting Agenda – 10/19/06

6. Development Authority, Joint Development Authority and Industrial Building Authority Board Appointments – Charlie Auvermann

This item to be placed on the Regular Meeting Agenda - 10/19/06

Charlie Auvermann will present names to the Board of Commissioners.

7. Payment of Impact Fee Difference for Commercial Uses in Existing Buildings – Mike Berg

Discussion will be held with Lynn Tully and Ross Associates in two weeks to address the issue of the difference between uses in existing buildings.

8. Weekend Directional Real Estate Signs – Mike Berg

Request from Bowen referred to the Planning Commission.

9. Bid Results for 2007 Vehicle Purchases – Jill Rathe

This item to be placed on the Regular Meeting Agenda – 10/19/06

Resolution for Financing for 2007 Vehicles

This item to be placed on the Regular Meeting Agenda – 10/19/06

10. Package Sales Ordinance – Joey Homans

This item to be placed on the Work Session Agenda – 10/26/06

Package Sales Ordinance to be placed on Regular Meeting Agendas 11/02/06 & 11/16/06 under Public Hearings

11. County Manager Report

12. County Attorney Report

Planning Commission Ordinance

This item to be placed on the Regular Meeting Agendas – 10/19/06 & 11/02/06

Off Road Vehicle Ordinance

This item to be placed on the Regular Meeting Agendas –
11/02/06 & 11/16/06

Motion passed unanimously to go into Executive Session for personnel and legal issues. Saling/Craft

Motion passed unanimously to come out of Executive Session. Craft/King

Regular Meeting Minutes - October 19, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES – THURSDAY, OCTOBER 19, 2006

Rock Creek Park Community Room – 6:00 p.m.

ROLL CALL: Those present were Chairman Berg; Commissioner Saling, District 1; Commissioner Craft, District 2; Commissioner Nix, District 4; County Attorney Homans; Acting County Manager Thurmond; County Clerk Clement and interested citizens of Dawson County. Commissioner King, District 3 and County Manager Anderson were absent.

OPENING PRESENTATION: Disability Resource Center – Kristina Shepard

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Chairman Berg

APPROVAL OF MINUTES:

Motion passed unanimously to approve the minutes as submitted from the Regular Meeting held on October 5, 2006. Saling/Craft

Chairman Berg explained that an amendment to the agenda was necessary to include voting for a Public Hearing on the Mountain Development Ordinance.

Motion passed unanimously to amend the agenda to include the Mountain Development Ordinance for Public Hearing. Saling/Craft

ZONING:

Chairman Berg announced that if anyone had contributed more than \$250 to the campaign for public office and wished to speak they will have to fill out a form which will be made available to them. Under

normal program, ten minutes will be given to those who wish to speak in favor of or opposition to with some redirect, time permitting.

ZA 06-21: Don Stephens has made a request to rezone 84.795 acres of TMP 113-32 SPLIT, 113-44 & 44.02 from RA (Residential Agricultural) to CHB (Commercial Highway Business) in order to develop a commercial subdivision. Specific uses unknown. Location: GA 400 South, Prominence Court & Lumpkin Campground Road

Both Planning Staff and Planning Commission Recommended Approval with Stipulation

Chairman Berg read the zoning for ZA 06-21. Planning Director Lynn Tully explained that Don Stephens would like to re-zone an 84.75 acre tract for the development of a professional business park. The Planning Commission recommended approval of ZA 06-21 park with the following stipulations:

1. The property develops a comprehensive storm water management plan for each phase of the park.
2. The property addresses sight distance issues for Stephens Road in Phase One of the park.
3. A traffic study is conducted prior to development of Phase Two of the Business Park.
4. The entire development connects to sewer service as proposed.
5. GA 400 Design Guidelines and Dawson County Tree Ordinance are followed upon development.
6. 10 feet of right-of-way shall be donated to Dawson County for future improvement purposes along the property lines of development on Lumpkin Campground Road.
7. No curb cuts allowed on GA 400.
8. Limited to 4 curb cuts on Lumpkin Campground Road (not including the "Future Road").

Commissioners were very concerned about interparcel access and if ten feet would be enough right-of-way for future road expansion. Tully stated that not only would there be interparcel connection to parking lots but more importantly there will be interconnected roadways. For the future expansion of Lumpkin Campground Road there is a total of 90 feet for the right-of-way.

Chairman Berg asked if the applicant was present to speak to the Board. Don Jones, speaking for the applicant, presented Mr. Stephens' request for the development of the business park. Mr. Jones explained that this development would be completed in three phases and requested that if the county needed more than the approved ten feet right-of-way that the extra footage be taken from the development side.

Chairman Berg asked if anyone was present to speak in favor of ZA 06-21. Development Authority Executive Director Charlie Auvermann stated that the rezoning was consistent with Dawson County's future land use plan. Mr. Auvermann reported that there have been a number of clients that have expressed an interest in the development.

Chairman Berg asked if anyone was present to speak in opposition to ZA 06-21 and seeing none closed the hearing.

Motion passed unanimously to approve ZA 06-21 with the following stipulations:

1. The property develops a comprehensive storm water management plan for each phase of the park.
2. The property addresses sight distance issues for Stephens Road in Phase One of the park.
3. A traffic study is conducted prior to development of Phase Two of the Business Park.
4. The entire development connects to sewer service as proposed.
5. GA 400 Design Guidelines and Dawson County Tree Ordinance are followed upon development.
6. 20 feet of right-of-way shall be donated to Dawson County for future improvement purposes along the property lines of development on Lumpkin Campground Road from the development side.
7. No curb cuts allowed on GA 400.
8. Limited to 4 curb cuts on Lumpkin Campground Road (not including the "Future Road").

Saling/Craft

PUBLIC HEARINGS

Planning Commission Ordinance

County Attorney Homans explained that there were actually two parts to the Planning Commission Ordinance one for the procedure and one for the text to add 15 days to the current 45 days for tabling a zoning.

Chairman Berg opened the floor for anyone wishing to speak on the Planning Commission Ordinance Section 1102 and hearing none closed the floor.

Chairman Berg opened the floor for anyone wishing to speak on the Planning Commission Ordinance Section 901 and hearing none closed the first hearing on the Planning Commission Ordinance.

NEW BUSINESS:

GEMA Grant Award

Chairman Berg stated that the GEMA Grant award was for \$2,880 with a county match of the same amount.

Motion passed unanimously to approve the GEMA Grant award of \$2,880. Nix/Saling

Surplus Sale

Chairman Berg stated that Finance Accountant Daniel Goode had presented a new list of items to be considered as surplus.

Motion passed unanimously to approve moving forward with the surplus sale as recommended by the Finance Department. Saling/Craft

Mid Year Budget Revision

Chairman Berg explained that the mid year budget would remain as presented by Finance Director Lowayne Craig. Additional budget adjustments will have to be made at some point for additional security and courthouse space. Chairman Berg will be meeting with courthouse personal to figure out how much space and security is needed for the courthouse to determine the additions to the budget that will come from the contingency fund.

Motion passed unanimously to accept the mid year budget revision as submitted by the Finance Department. Saling/Craft

Development Authority, Industrial Building Authority, and Joint Development Authority Board Appointments

Chairman Berg received a list of recommendations from Charlie Auvermann for the open positions on the Development Authority, Industrial Building Authority and Joint Development Authority. Chairman Berg presented the following recommendations:

Development Authority Board

Dan Tennant, Tom Alexander, Anna Williams and Peter Hill to serve on the Development Authority Board until the terms expire in September 2012.

Industrial Authority Board

Tom Alexander, Lake Gibson and Anna Williams to serve on the Industrial Building Authority until the terms expire in November 2012.

Joint Development Authority of Dawson/Lumpkin/White Counties

Lake Gibson, Charlie Auvermann, Don Thurman and Jeff Skorich to serve on the Joint Development Authority – terms for these positions have yet to be determined. Chairman Berg recommended Terry Tragressor in place of Charlie Auvermann. The Board approved all nominations.

2007 Vehicle Purchases

Chairman Berg stated that the Board would be approving the low bids for all vehicles except for the vehicles to be purchased by the Sheriff's Department. Captain Greg Rowan explained the reasons for choosing Jacky Jones were proximity and experience.

Motion passed unanimously to accept the recommendation from Captain Rowan to purchase the Sheriff's Department 2007 vehicles from Jacky Jones. Nix/Saling

Commissioner Saling recognized the Sheriff's Department on the great job that they did budgeting for the 2007 vehicles with the variances they had to take into consideration.

Motion passed unanimously to accept the recommendations of the Purchasing Department with regards to the acquisition of the other vehicles outlined in the report. Saling/Nix

Resolution for Financing

Discussion was held on whether to table the resolution for financing so that the Purchasing Agent Jill Rathe could put the financing out for bids. County Attorney Homans stated that the county did not have to advertise bids for financing on leases.

Motion passed unanimously to accept financing from BB & T with an interest rate of 4.050%. Saling/Nix

Public Hearing on Mountain Development Ordinance

Chairman Berg announced that Mountain Development Ordinance has been advertised by County Attorney Homans to be on the agenda under public hearings on November 2 & 16, 2006.

Motion passed unanimously to move forward with public hearings on Mountain Development Guidelines. Saling/Nix

Motion passed unanimously to go into Executive Session for legal issues. Craft/Saling

ADJOURNMENT:

Motion passed unanimously to adjourn the meeting.

APPROVE: ATTEST:

Mike Berg, Chairman Tammy Clement, Coun

Work Session Minutes - October 26, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

WORK SESSION MINUTES – THURSDAY OCTOBER 26, 2006

Rock Creek Park Community Room – 4:00 p.m.

1. Ratification of Juvenile Court Grant – Daniel Goode

This item to be placed on the Regular Meeting Agenda - 11/02/06

2. Ratification of Bank Account for 2007 Vehicles – Lowayne Craig

This item to be placed on the Regular Meeting Agenda - 11/02/06

3. New Residential Zoning Districts – Lynn Tully

This item to be placed on the Regular Meeting Agenda - 11/02/06

4. Impact Fee Collections & Appeals – Lynn Tully

This item to be placed on the Work Session Agenda – 11/09/06 – Appeal Hearing for Kindred Property Group

5. Upper Etowah/Lake Alatoona Study – Lynn Tully

This item to be heard at a future Work Session

6. Package Sales Ordinance – Joey Homans

This item to be placed on the Regular Meeting Agendas – 11/02/06 & 11/16/06

7. County Manager Report

8. County Attorney Report

Beer and Wine Ordinance

This item to be placed on the Regular Meeting Agendas – 11/16/06 & 12/07/06

Off Road Vehicle Ordinance

This item to be placed on the Regular Meeting Agendas –
11/02/06 & 11/16/06

BOC Work Session on 11/21/06 moved to 11/30/06

This item to be placed on the Regular Meeting Agenda - 11/02/06

Motion passed unanimously to go into Executive Session for personnel, land and legal issues.
Saling/Craft

Resolution for Public Defenders Office

This item to be placed on the Regular Meeting Agenda - 11/02/06

Selection of Election's Registrar

This item to be placed on the Regular Meeting Agenda - 11/02/06

Motion passed unanimously to come out of Executive Session. Saling/Nix

Regular Meeting Minutes - November 2, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES – THURSDAY, NOVEMBER 2, 2006

Rock Creek Park Community Room – 6:00 p.m.

ROLL CALL: Those present were Chairman Berg; Commissioner Saling, District 1; Commissioner Craft, District 2; Commissioner King, District 3; Commissioner Nix, District 4; County Attorney Homans; Acting County Manager Thurmond; County Clerk Clement and interested citizens of Dawson County. County Manager Anderson was absent.

OPENING PRESENTATION: MADD – Dorothy Holder

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Chairman Berg

APPROVAL OF MINUTES:

Motion passed unanimously to approve the minutes as submitted from the Regular Meeting held on October 5, 2006. King/Nix

Selection of Election's Registrar

Chairman Berg changed the order of the agenda to hear Selection of Election's Registrar before Public Hearings. Jeannine McGee will be retiring from the Registrar's position after 16 ½ years. Chairman Berg recognized the fine job Ms. McGee has done for the County.

Human Resources Director Jay Sessions addressed the Board and recommended Glenda Ferguson for the Registrar's position. Mrs. Ferguson has been employed by the Registrar's Office for the past 3 ½ years and has completed the Georgia Elections Official Certification Program and recently graduated from Carl Vinson's Management Skills Program.

Motion passed unanimously to appoint Glenda Ferguson to the positions of Election's Supervisor, Chairperson of the Board of Elections and Chief Registrar. Saling/Nix

Mrs. Ferguson thanked the Board for the opportunity to serve the citizens of Dawson County in her newly acquired position.

PUBLIC HEARINGS

Planning Commission Ordinance

Chairman Berg explained that this was the second public hearing for the Planning Commission Ordinance and asked if anyone wished to speak regarding the ordinance. Seeing none, Chairman Berg closed the floor on the second hearing of the Planning Commission Ordinance.

Motion passed unanimously to adopt the recommended changes to Planning Commission Ordinance section 901. Saling/Craft

Motion passed unanimously to adopt the recommended changes to Planning Commission Ordinance section 1102. Saling/Craft

Off Road Vehicle Ordinance

County Attorney Joey Homans explained that this ordinance would impact only property owned or leased by Dawson County.

Chairman Berg opened the floor for anyone wishing to speak on the Off Road Vehicle Ordinance and seeing none closed the first hearing.

Package Sales Ordinance

Chairman Berg stated that the Board was hearing the Package Sales Ordinance in case Package Sales were passed by the voters in the election on November 7, 2006. County Attorney Homans stated that he did need clarification on the age and qualifications of the licensee. Chairman Berg opened the floor for anyone wishing to speak on the Package Sales Ordinance and seeing none closed the first hearing.

Hillside and Ridgeline Development Ordinance

Planning and Development Director Lynn Tully pointed out that several additions had been made to the Hillside and Ridgeline Development. Timber retaining walls would require a permit and an engineer's stamp of approval with a maximum height allowance of six (6) feet.

Chairman Berg asked if anyone wished to speak on the Hillside and Ridgeline Development Ordinance. James Singleton, engineer for Big Canoe Development, came forward to address the Board. Mr. Singleton had presented the Board with packets that addressed the Hillside and Ridgeline Development Ordinance and asked the Board to consider the information in the packets.

County Attorney Homans asked the Board to specify the criteria for the appeals process in articles nine and twelve of the ordinance.

Chairman Berg asked if anyone else wished to speak on the Hillside and Ridgeline Development Ordinance and seeing none closed the first hearing.

NEW BUSINESS:

Ratification of Juvenile Court Grant

Chairman Berg stated that the Juvenile Court Grant award was for \$5,000.

Motion passed unanimously to approve the ratification of the Juvenile Court Grant of \$5,000. Nix/Saling

Ratification of Bank Account for 2007 Vehicles

Chairman Berg explained this was a special account that had to be set up for the lease of the 2007 vehicles.

Motion passed unanimously to approve the bank account for the 2007 vehicles. Saling/Craft

New Residential Zoning Districts

Planning Director Tully stated that she had completed research on horses in residential areas. Animal Control did not have any ordinances that addressed horses in residential areas but Clark Buesse from the Extension Office informed Tully that there were a variety of things to consider when housing a horse; exercise area, appropriate care of the horses, how many acres are necessary, etc. Commissioner Saling suggested that the University of Georgia Agriculture Department give their recommendation from a zoning stand point for the acreage requirement for horses.

Motion passed unanimously to table New Residential Zoning Districts for thirty (30) days. Saling/King

Resolution for Public Defender's Office

Chairman Berg read the following resolution:

By this Resolution, the Dawson County Board of Commissioners requests that the Public Defender Appointment Committee select a Public Defender who has management skills as a primary background.

This will ensure a business approach to the management of this important program and minimize taxpayers' expense.

Chairman Berg explained that Hall County had sent a letter to each person on the Public Defender Appointment Committee asking them to appoint another Public Defender. The Public Defender Council appointed by the Governor is made up of four lawyers and Judge Gosselin. The Council met last Friday and voted to retain the current Public Defender until 2008. A house committee in Hall County was looking into the Public Defender's position and their study had not been completed before the decision to retain the current Public Defender was made. Chairman Berg will be attending a meeting in Hall County to discuss the reappointment of the Public Defender. Commissioner Saling suggested changing the resolution to state that the Public Defender has a strong management background.

Motion passed unanimously to adopt the Resolution for Public Defender's Office as amended. Saling/Nix

BOC Work Session Change

Chairman Berg stated the proposed change to the Work Session would be to move the meeting from November 23, 2006 to November 30, 2006 because of the Thanksgiving Holidays.

Motion passed unanimously to change the scheduled date of the Work Session to November 30, 2006.
Nix/Saling

PUBLIC COMMENT:

Hugh Stowers – Chairman Berg, Constitution of the United States and Freedom of Speech

Chairman Berg announced that Hugh Stowers called and would not be present to speak the Board under Public Comment.

Motion passed unanimously to go into Executive Session for annexation and legal issues. Saling/Craft

ADJOURNMENT:

Motion passed unanimously to adjourn the meeting. Saling/Craft

APPROVE: ATTEST:

Mike Berg, Chairman Tammy Clement, County Clerk

Called Meeting Minutes - November 9, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

CALLED MEETING MINUTES – THURSDAY, NOVEMBER 9, 2006

Rock Creek Park Community Room – 6:00 p.m.

ROLL CALL: Those present were Chairman Berg; Commissioner Saling, District 1; Commissioner Craft, District 2; Commissioner King, District 3; Commissioner Nix, District 4; County Attorney Homans; County Manager Anderson; County Clerk Clement and interested citizens of Dawson County.

Appeal Hearing for Kindred Property Group

Chairman Berg stated that the Board would be hearing an appeal of the Impact Fees filed by Kindred Property Group. Kindred Property Group followed the Counties appeal process by first sending an appeal letter to County Manager Anderson. Mr. Anderson denied the appeal in accordance with Section 4.02 of the Impact Fee Ordinance.

Holly Jones and Greg Scott, representing the Kindred Property Group, addressed the Board and explained the financial hardship that would be caused by having to pay Impact Fees. The Kindred Property Group already has financing for the land but the extra \$39,900.05 can not be financed because it is considered to be part of the taxes on the property.

Ms. Jones presented a time-line of the development of the property in question. The property was purchased in June 2005, variance on the property was approved July 2005 and a site plan was approved in February 2006. Mr. Scott informed the Board that the land development application for review was submitted on 01/25/06 and reviewed by Planning Engineer David Headley on 02/06/06. Etowah Water and Sewer Authority did not respond to the application until April 2006. Commissioner Saling questioned the length of time it took for EWSA to respond. Planning Director Lynn Tully stated that sometimes it took longer for the responses from EWSA, Upper Chattahoochee, State and health departments. Planning and Development waits until all comments are received before scheduling a meeting with the land developer. A land disturbance permit was issued to Kindred Property Group on 06/15/06.

The Board studied the plans that Mr. Scott provided. Conversation ensued concerning timeliness of responses, amount of time the property had been rezoned, the July 24, 2006 implementation of Impact Fees, the September 19, 2006 building permit application submitted by Kindred Properties, and possibility of the property being considered grandfathered.

Motion passed unanimously to go into sequestered executive session. Saling/Nix

Motion passed unanimously to come out of executive session. Craft/Nix

Motion passed unanimously to waive the Impact Fees for this project due to the delay between when land development application was filed and final approval of the plans by all agencies, which delayed the building permit application. Saling/Craft

Motion passed unanimously to adjourn the meeting. Nix/Craft

APPROVE: ATTEST:

Mike Berg, Chairman Tammy Clement, County Clerk

Work Session Minutes - November 9, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

WORK SESSION MINUTES – THURSDAY NOVEMBER 9, 2006

Rock Creek Park Community Room – 4:00 p.m.

1. Ambulance Bids – Jill Rathe

This item to be placed on the Regular Meeting Agenda - 11/16/06

2. Water Main Bids for Station #6 – Jill Rathe

This item to be placed on the Regular Meeting Agenda - 11/16/06

3. Proposed Work Session, Regular Meeting and Holiday Schedule for 2007 – Phil Anderson

This item to be placed on the Regular Meeting Agenda - 11/16/06

4. Road Department Equipment Swap – Randy Bowen

This item to be placed on the Regular Meeting Agenda - 11/16/06

6. County Manager Report – Phil Anderson

401A Defined Contribution Resolution

This item to be placed on the Regular Meeting Agenda - 11/16/06

Etowah River Road Closure

This item to be placed on the Regular Meeting Agenda - 11/16/06

7. County Attorney Report – Joey Homans

- Hillside & Ridgeline Development Ordinance
- Package Sales Ordinance
- Off Road Vehicle Ordinance
- Beer & Wine Ordinance

These items to be placed on the Regular Meeting Agenda – 11/16/06 under Public Hearings

Motion passed unanimously to go into Executive Session for personnel, land and legal issues.
Saling/Craft

Motion passed unanimously to come out of Executive Session. Saling/Craft

Regular Meeting Minutes - November 16, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES – THURSDAY, NOVEMBER 16, 2006

Rock Creek Park Community Room – 6:00 p.m.

ROLL CALL: Those present were Chairman Berg; Commissioner Saling, District 1; Commissioner Craft, District 2; Commissioner King, District 3; Commissioner Nix, District 4; County Attorney Homans; County Manager Anderson; County Clerk Clement and interested citizens of Dawson County.

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Chairman Berg

APPROVAL OF MINUTES:

Motion passed unanimously to adopt the minutes as submitted from the Regular Meeting held on November 2, 2006. Saling/Craft

ZONING

Chairman Berg announced that if anyone had contributed more than \$250 to the campaign for public office and wished to speak they will have to fill out a form which will be made available to them. Under normal program, ten minutes will be given to those who wish to speak in favor of or opposition to with some redirect, time permitting.

ZA 06-20: Andy Perry has made a request to rezone 17.82 acres of TMP 115-10 from RA (Residential Agricultural) to CHB (Commercial Highway Business) in order to develop a commercial development. Plan is part of an overall plan that includes acreage in Forsyth count. Location: GA 400 North, South of Oakmont Development

Both Planning Staff and Planning Commission Recommended Approval with Stipulations

Chairman Berg stated that Andy Perry has requested that Zoning ZA 06-20 be tabled for a period of thirty days. Mr. Perry explained that he would like the additional time to consult with the Planning Department and Commissioner Nix.

Motion passed unanimously to table ZA 06-20 until December 21, 2006. Saling/Nix

ZA 06-22: Glenn Ulmer has made a request to rezone 4.5 acres of TMP 94-124 from R1 (Residential Single Family Restricted) to RA (Residential Agricultural) in order to have a farm winery. Location: 36 Collins Road

Planning Staff Recommended Approval with Stipulations and Planning Commission Recommended Approval

Chairman Berg read the zoning request for ZA 06-22. Planning Director Lynn Tully explained that the Planning Staff had recommended approval with the stipulation that the property is rezoned to RA with automatic rezoning consideration should the winery move to another location. The applicant, Glenn Ulmer, requested that the Board approve the rezoning of their existing property to RA to be able to develop a farm winery.

Chairman Berg asked if anyone wished to speak in favor of zoning ZA 06-22 and Development Authority Executive Director Charlie Auvermann stated that he supported the rezoning of ZA 06-22. Chairman Berg asked if anyone wished to speak in opposition to the rezoning and seeing none closed the floor.

Motion passed unanimously to rezone the current property located at 36 Collins Road from R1 to RA without stipulations. Saling/King

PUBLIC HEARINGS

Appeal Hearing for Choice Homes, Inc.

Chairman Berg explained that the process for the public hearing on the appeal of Impact Fees for Choice Homes would be to hear the applicant and then the Board would ask any questions that they may have and then the Board may choose to sequester for further discussion. County Attorney Homans gave a summary leading up to the appeal of Impact Fees from Choice Homes. On August 29, 2006 an Impact Fee of \$2,051.49 was assessed on property located on Highland Point Circle and paid under protest. Choice Homes appealed the Impact Fee through County Manager Anderson and Anderson denied the claim deeming that the fee was appropriate.

Shannon Oliver, attorney for Choice Homes and TSHP, stated that TSHP and Choice Homes partnered together to develop property with homes, amenities and some commercial space beginning in 2003. The development was approved with various improvements to the County's infrastructure which included road and sewer work valued in excess of \$1 million. Phase one and phase two of the project is complete and the final phase was issued a land disturbance permit in January 2005. Ms. Oliver explained that when Choice Homes priced its houses there were no Impact Fees and they are now under contractual duties to several third party purchasers. If Impact Fees are imposed on the remaining lots within the property for which building permits have not yet been issued the additional expense will be in excess of \$400,000.00. Ms. Oliver believes that the County should waive the Impact Fees due to the fact that when the development of the property began there were no Impact Fees for Dawson County.

Chairman Berg opened the discussion to the Board. Commissioner King stated that the developer volunteered the improvements to Carlisle Road and it was not something that the Commission exacted from the developer. Commissioner Saling questioned the estimated time of build out and stated that this was not a unique situation but that there are other major developments in the County that are platted to build out over the years and they will be paying Impact Fees. Chairman Berg asked why permits were not applied for before Impact Fees were in place. Ms. Oliver stated that TSHP had not sold the property to Choice Homes. Brent Reeves explained that by getting the permits early he would not be able to give home owners the opportunity to choose what home plans they want on the property. Mr. Reeves thought that they had a vested right with the land disturbance permit and would not be charged with Impact Fees. Choice Homes is trying to target homes for first time home buyers and senior citizens and with the addition of Impact Fees, increases in sewer and tax increases the price of the homes might not be within reach of their targeted market. Mr. Reeves asked that the Board stay with the guidelines that were in place when the project first started.

Motion passed unanimously to move into executive session to review the material. Saling/Craft

Motion passed unanimously to come out of executive session. Saling/King

Chairman Berg stated that the Board would move the appeal of Impact Fees for Choice Homes to the November 30, 2006 work session. The Board will use the time to review the material and information that they received during the appeal process.

Off Road Vehicle Ordinance

Chairman Berg stated that this was the second hearing for the Off Road Vehicle Ordinance and asked if anyone wished to speak. Seeing none, Chairman Berg closed the second hearing. Commissioner King

had some questions about golf carts and their use. County Attorney Homans explained that according to the ordinance the County had the ability to approve the use of golf carts on County property.

Motion passed unanimously to approve the Off Road Vehicle Ordinance. Nix/Saling

Package Sales Ordinance

Chairman Berg announced that this was the second hearing for Package Sales Ordinance and asked if anyone wished to speak and seeing none closed the hearing. Chairman Berg stated there were some questions about the ordinance that needed to be looked at before the Board approved the Package Sales Ordinance. Some of the concerns were the distance between stores, the process in which an applicant is approved and the area in which a liquor store is allowed. County Attorney Homans informed the Board that the County has fifteen days from the date of certification of votes to approve the Package Sales Ordinance.

Motion passed unanimously to move the Package Sales Ordinance to the Board of Commissioner's Work Session on November 30, 2006. Saling/Craft

Hillside and Ridgeline Development Ordinance

Chairman Berg stated that this was the second hearing on the Hillside and Ridgeline Development Ordinance. Planning Director Tully informed the Board that she and Commissioner Saling had gone through the ordinance and tried to address issues that had come up at the last meeting. Tully stated that this was the latest draft and it addressed changes to slope, retaining walls, drainage and soil erosions, rooflines, grade of streets and lighting. More changes are needed to the Hillside and Ridgeline Development Ordinance before the ordinance is approved.

Chairman Berg asked if anyone wished to speak and seeing none closed the second hearing on the Hillside and Ridgeline Development Ordinance.

Motion passed unanimously to move the Hillside and Ridgeline Development to the Board of Commissioner's Work Session on November 30, 2006. Saling/Craft

Beer & Wine Ordinance

Chairman Berg stated that this was the first hearing of the Beer and Wine Ordinance and asked if anyone wished to speak and seeing none closed the first hearing.

OLD BUSINESS:

Commissioner Saling asked if there was any information about the land sale of the Etowah property. Chairman Berg stated that there was a request for rezoning for the property which will be heard by the Board in January. An offer for the property will probably be made if the rezoning request passes.

NEW BUSINESS:

Beer, Wine & Distilled Spirits License – Lorena’s Food & Spirit

County Attorney Homans stated that Lorena’s Food & Spirits meets all requirements but we are still waiting on the federal and state background checks to be completed. Lorena Atkins stated that Lorena’s Food & Spirits will continue to serve barbeque but steak and seafood will be added to the menu.

Motion passed unanimously to approve the beer, wine & distilled spirits license for Lorena’s Food & Spirit on a provisional basis pending the receipt of state and federal background checks. Sailing/Craft

Distilled Spirits License – Osaka Steak & Sushi

County Attorney Homans explained that Osaka Steak & Sushi currently have a beer and wine license and they are now requesting approval for distilled spirits.

Motion passed unanimously to approve the application for distilled spirits license for Osaka Steak & Sushi. Saling/King

Ambulance Bids

Motion passed unanimously to approve the ambulance bid of \$121,831 from Taylor Made Ambulances. Nix/Craft

Water Main Bids for Station #6

Motion passed unanimously to accept the bid for extending the water line to station #6 as previously submitted. Saling/Craft

Proposed Work Session, Regular Meeting and Holiday Schedule

Chairman Berg recommended the Board approve the 2007 Holiday Schedule, Regular Meeting Schedule and the Work Session Schedule with one change to the Work Session Schedule. Berg recommended changing the work session schedule for the week of Thanksgiving to the 5th Thursday of the month instead of the 4th.

Motion passed unanimously to approve the schedules as stated by the Chairman. Nix/Craft

Road Department Equipment Swap

Chairman Berg stated that Dawson County would be swapping old equipment for sand and salt spreaders.

Motion passed unanimously to approve the swap as recommended by Public Works Director Randy Bowen for equipment for the Road Department. Saling/Craft

401A Defined Contribution Resolution

Chairman Berg explained that the 401A Defined Contribution is in the 2007 budget and what the Board would be voting on was a resolution for the contribution.

Motion passed unanimously to approve the resolution for the 401A Defined Contribution. Saling/Craft

Etowah River Road Closure

County Manager Anderson stated that after speaking with GDOT it would be three or four more weeks before they could make a determination as to whether they could help us cost share the project at 20% of the cost. The GDOT also requires eighty feet of ROW and the County does not have that at this time. Anderson recommends following emergency procedures in allowing the County Manager to award the project to the low bidder and then ratify the bid at a subsequent meeting.

County funds would be used to finance the rebuilding of Etowah River Road. Commissioner Saling asked Public Works Director Bowen what the width of the road was. Bowen stated that the road was eighteen feet wide. Commissioner Saling stated that he was not interested in rebuilding the road unless it met the County standards of twenty feet. Bowen explained that it would require getting the ROW from home owners and that could take a great deal of time. Chairman Berg stated that his main concern was in getting the road open to the public as soon as possible.

Motion passed by majority to move forward with the reconstruction of Etowah River Road. King/Craft Commissioner Saling and Nix voted against the motion and Chairman Berg broke the tie voting to move forward.

Motion passed unanimously to go into Executive Session for land, personnel and legal issues. Nix/Saling

Motion passed unanimously to come out of Executive Session and go into Regular Session. Nix/Craft

Motion passed unanimously to move forward with the acquisition of property for courthouse parking. Craft/Saling

ADJOURNMENT:

Motion passed unanimously to adjourn the meeting. Nix/Craft

APPROVE: ATTEST:

Mike Berg, Chairman Tammy Clement, County Clerk

Work Session Minutes - November 30, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

WORK SESSION MINUTES – THURSDAY NOVEMBER 30, 2006

Rock Creek Park Community Room – 4:00 p.m.

1. Appeal Hearing for Choice Homes, Inc.

Chairman Berg explained that the Appeal Hearing for Choice Homes was carried over from the last Board of Commissioner’s meeting on 11-16-06. County Attorney Homans clarified that there were actually three hearings for Impact Fees: October 7, 2004, February 16, 2006 and March 16, 2006.

Motion passed unanimously to go into sequestered executive session. Saling/Craft

Motion passed unanimously to come out of executive session. Nix/Craft

Motion passed by majority to not waive the Impact Fees for Choice Homes, Inc. Craft/Saling
Commissioner King voted against the motion.

2. Presentation of the 2005 Financial Statements – Duane Schlereth/Lowayne Craig

3. Ten Year Solid Waste Management Plan – Randy Bowen

This item to be placed on the Regular Meeting Agenda - 12/07/06

4. Finger Print Machine – Jim Petrella

This item to be placed on the Regular Meeting Agenda - 12/07/06

5. Commercial Tractor Bid – Jill Rathe

This item to be placed on the Regular Meeting Agenda - 12/07/06

6. Website Redesign Consultant – Jill Rathe

This item to be placed on the Regular Meeting Agenda – 12/07/06

7. Carl Vinson Institute Report on Community Services – Lisa Henson

8. State Public Defender Contract – Lowayne Craig

This item to be placed on the Regular Meeting Agenda – 12/07/06

9. New Residential Zoning Districts – Lynn Tully

This item to be place on the Work Session Agenda – 12/14/06

10. Hillside and Ridgeline Development Ordinance – Lynn Tully

This item to be placed on the Work Session Agenda – 12/14/06

11. Package Store Ordinance – Joey Homans

This item to be placed on the Regular Meeting Agenda – 12/07/06

12. Hardship/Waiver of \$300.00 Fee for Variance – Randy Bruce

This item to be placed on the Regular Meeting Agenda – 12/07/06

13. County Manager Report

Ratification of Etowah River Road Construction

This item to be placed on the Regular Meeting Agenda – 12/07/06

County Facilities ADA Compliant

This item to be placed on the Work Session Agenda – 12/14/06

14. County Attorney Report

Deadline for Property Taxes – Mike Berg

This item to be placed on the Regular Meeting Agenda – 12/07/06

Motion passed unanimously to go into Executive Session for personnel, land and legal issues. Nix/Craft

Motion passed unanimously to come out of Executive Session. Saling/Craft

APPROVE: ATTEST:

Mike Berg, Chairman Tammy Clement, County Clerk

Regular Meeting Minutes - December 7, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES – THURSDAY, December 7, 2006

Rock Creek Park Community Room – 6:00 p.m.

ROLL CALL: Those present were Chairman Berg; Commissioner Saling, District 1; Commissioner Craft, District 2; Commissioner King, District 3; County Attorney Homans; Acting County Manager Thurmond; County Clerk Clement and interested citizens of Dawson County. District 4; Commissioner Nix and County Manager Anderson were absent.

OPENING PRESENTATION: Niyelo – Jamie Shankles

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Chairman Berg

ANNOUNCEMENTS:

Commissioner Saling introduced his wife and son who were attending their first Board Meeting.

Chairman Berg announced the resignation of Katrena Hook, Dawson County IT person.

Chairman Berg read the following letter that was sent to the Public Service Commission:

Docket No. 21112

Recovery of Municipal Franchise taxes by Georgia Power Company

Please except this fax from the Board of Commissioners of Dawson County that we support the petition of Cobb County and ACCG. I spoke before you last year on behalf of Dawson County Businesses concerning long distance charges and found you to be engaged and concerned. We hope that you show that same concern when deliberating this issue of local taxation without local representation.

Chairman Berg explained that franchise fees have been collected for years for utilities and that only Cities receive rebates back on the fees. ACCG has asked the Public Service Commission not to charge these taxes.

APPROVAL OF MINUTES:

Motion passed unanimously to accept the minutes as submitted from the Regular Meeting held on November 16, 2006. Saling/Craft

Motion passed unanimously to approve the minutes as submitted from the called meeting held on 11-09-06. Saling/Craft

Motion passed unanimously to approve the minutes as submitted from the work session held on 11-30-06. Saling/Craft

PUBLIC HEARINGS

Beer & Wine Ordinance

County Attorney Homans stated that the changes to the Beer and Wine Ordinance included the following items; no license shall be granted to any person who is not a citizen of the United States or an alien lawfully admitted for permanent residence and the County Manager will be allowed to approve the transfer of license.

Chairman Berg asked if anyone wished to speak on the Beer & Wine Ordinance and seeing none closed the second hearing.

Motion passed unanimously to adopt the changes to the Beer & Wine Ordinance. King/Craft

OLD BUSINESS:

Package Store Ordinance

County Attorney Homans went through the editing changes to the Package Store Ordinance:

- Definitions placed in alphabetical order
- Zoning district changed to CHB
- Prohibited sales - no licensee shall sell distilled spirits, malt beverage, wine or other beverage through a drive through an opening
- Distance from another package store increased to a one mile radius
- Distance from churches, schools, daycares and alcohol treatment facilities shall be 500 feet

Section 15A, qualification of licensee, was added to help the Board of Commissioners determine who should receive a license if more than one applicant applies for the same area. Conditions to be considered:

- Whether the applicant owns the property
- Experience of the applicant
- Distance from the proposed location to any church, school, daycare or alcohol treatment facility
- Free standing building

Chairman Berg stated that he would like to see a time period of sixty days set up for the collection of applications. After this time period, the Board would determine who receives a license using the qualifications listed in Section 15A of the ordinance for guidance.

Commissioner Saling was concerned about the CHB zoning. Planning Director Tully explained that currently areas on 400 and Highway 53 were classified CHB. The Board addressed the requirement of having a bond posted as part of the qualifications of receiving a license and decided that a bond would not be necessary. County Attorney Homans will include in the Package Store Ordinance a requirement of a background check for any employee. The Board discussed concerns about a freestanding building versus a liquor store being attached to a strip mall. The Board agreed that special preference would be given to a freestanding store.

Motion passed unanimously to adopt the Package Store Ordinance as amended. Saling/Craft

NEW BUSINESS:

Waiver of \$300 Fee for Variance – Randy Bruce

Chairman Berg explained that Randy Bruce would be going before the Planning Commission to request a variance and was asking the Board to waive the variance fee application.

Motion passed unanimously to waive the \$300 variance fee for Randy Bruce. Saling/Craft

Finger Print Machine

Chairman Berg stated that Purchasing Agent Jill Rathe and Captain Jim Petrella had been working on getting quotes for a finger print machine. The Board will be voting on whether to move forward with a formal bid for the finger print machine.

Motion passed unanimously to authorize the county to acquire a finger print machine not to exceed \$25,000. Saling/Craft

Commercial Tractor Bid

Motion passed unanimously to accept the Commercial Tractor Bid from Franklin Tractor in the amount of \$29,300 as submitted by the Purchasing Agent. Saling/Craft

Website Redesign Consultant

Motion passed unanimously to accept the recommendation of Intertruss Internet Services as Website Redesign Consultant. Saling/Craft

State Public Defender Contract

Chairman Berg stated that County Attorney Homans reviewed the public defender contract and found that a subset of the contract was missing that said the state would pay for the previous cases.

Motion passed unanimously to table the State Public Defender Contract until the 12/21/06 meeting. Craft/Saling

Ratification of Etowah River Road Construction

Public Works Director Randy Bowen asked the Board to ratify the selection on YES Grading for the reconstruction of Etowah River Road.

Motion passed unanimously to ratify the selection of YES Grading for the Etowah River Road construction project in the amount of \$79,336. Saling/Craft

Ratification of Engineering & Surveying Services for Courthouse Parking Property

Chairman Berg announced that the County was in the process of purchasing approximately five acres to create additional parking for the Courthouse. This parking area will be used for jury pools, courthouse and jail parking.

Motion passed unanimously to ratify the choice of Street Smarts, Inc. proposal of \$23,616 for surveying services for the courthouse parking. Saling/Craft

Bannister Road

Chairman Berg explained that the County will be paving Bannister Road to create a second entrance into Rock Creek Park. The Board will be voting on moving forward to either purchase or condemn property to acquire ROW for the paving of Bannister Road.

Motion passed unanimously to secure the necessary property on Bannister Road to execute the proposal by Public Works Director Bowen to create a second access into Rock Creek Park. Saling/Craft

PUBLIC COMMENT

Weldon Sheriff – Equal Tax Appraisals, Stone Walling & Denial of Due Process and Conservation Laws

Mr. Sheriff submitted the following:

I am Weldon Sheriff, Dawsonville. Thank you Commissioners for allowing this time. I'm here asking your help with my 2006 property tax appeal. My assessments are unequal and unfair. Unequal assessments began in the late ninety's. The Board of Equalization adjusted my value in 2000, but the problems remain and still go uncorrected.

I have a small farm with a conservation covenant. My land under covenant taxes has increased above the percentage limits allowed by law. I believe with my research of public records and findings, the Board of Equalization would have equaled my value to the surrounding properties. At the present time I have been denied going before them; this is why I'm addressing the Commission, my appeal was filed May 22, 2006. Georgia Property Tax Guide, Property Tax Appeals, page 2, Tax Assessors failed to send written notice to the Board of Equalization. A - G. Econ 94-033 page 4, paragraph 3, time table for appeal. B - If no changes are affected by the Board of Tax Assessors, the appeal goes to the County Board of Equalization. The Board and tax payer notified together.

The notification I received dated 09/12/06 states; no changes were effected, therefore with this delay I have been denied the process of going to the Board of Equalization. This being almost 6 months later I have been denied the due process of law.

The 85 percent amount I have been billed exceeds the property percentage tax increase evaluations fair and equal in my neighborhood, Amicalola District one, Mr. Salings, GA Code Section 48-5-295-G. These codes state that it's the responsibility of the governing body of this County to find resolutions and correct.

I ask you to take action, not only for me, but for all tax payers of Dawson County. I also ask for you to look for misuse of power for self, family and friends.

You may review my findings and of neighborhood tax cards and records.

Will the Commission work with me in resolving these wrongs? Will the Commission stonewall me and turn this over to their defense as in the past? Will wrongful employees be protected?

Commissioners you are the elected ones by the people and in charge. Not County Managers, attorneys, department heads or employees.

Questions?

ADJOURNMENT:

Motion passed unanimously to adjourn the meeting. Saling/Craft

APPROVE: ATTEST:

Mike Berg, Chairman Tammy Clement, County Clerk

Work Session Minutes - December 14, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

WORK SESSION MINUTES – THURSDAY DECEMBER 14, 2006

Rock Creek Park Community Room – 4:00 p.m.

ROLL CALL: Those present were Commissioner Saling, District 1; Commissioner Craft, District 2; Commissioner King, District 3; Commissioner Nix, District 4; County Attorney Homans; County Manager Anderson; County Clerk Clement and interested citizens of Dawson County. Chairman Berg was absent.

1. New Residential Zoning Districts – Lynn Tully

This item to be placed on Regular Meeting Agenda under Public Hearings in 2007

2. Hillside and Ridgeline Development Ordinance – Lynn Tully

This item to be placed on the Regular Meeting Agenda – 12/21/06

3. County Facilities ADA Compliant – Maynard Waters & Tim Satterfield

4. Lease for Dawsonville Business Park – Lowayne Craig

This item to be placed on the Regular Meeting Agenda – 12/21/06

5. Financing of Courthouse Parking Lot – Jill Rathe

This item to be placed on the Regular Meeting Agenda – 12/21/06

6. Board of Equalization – Sidney Foster

This item to be placed on the Regular Meeting Agenda – 12/21/06

7. Board Appointments to be Presented on 12-21-06 – Mike Berg

This item to be placed on the Regular Meeting Agenda – 12/21/06

8. County Manager Report

9. County Attorney Report

Motion passed unanimously to adjourn the meeting. King/Craft

APPROVE: ATTEST:

Bill Saling, Vice Chairman Tammy Clement, County Clerk

Regular Meeting Minutes - December 21, 2006

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES – THURSDAY, December 21, 2006

Rock Creek Park Community Room – 6:00 p.m.

ROLL CALL: Those present were Chairman Berg; Commissioner Saling, District 1; Commissioner Craft, District 2; Commissioner King, District 3; Commissioner Nix, District 4; County Attorney Homans; County Manager Anderson; County Clerk Clement and interested citizens of Dawson County.

OPENING PRESENTATION: Women’s Club – Ann Bosworth

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Chairman Berg

ANNOUNCEMENTS:

Chairman Berg announced that a swing had been purchased to honor the years of service that Commissioner Bill Saling and Commissioner Jim King had given to Dawson County.

Chairman Berg read the following Proclamation:

PROCLAMATION

Gordon Pirkle Appreciation Day

WHEREAS: Since the days of the Cherokee Indians, Gordon Pirkle’s ancestors have walked the clay pathways of Dawson County, helping mold the county’s rich history; and

WHEREAS: Gordon Pirkle’s great-great-great grandfather Luke Hendrix joined two partners to establish Lumpkin Campground in 1830 when the territory was still part of the Cherokee Nation. The men approached 40 people to donate \$1 each to purchase a 40-acre tract. The campground, built with the

aid of the Cherokee Nation, is one of the most historic religious sites in the country. It continues today with the historic arbor surrounded by numerous family tents; and

WHEREAS: Gordon Pirkle has followed in the footsteps of his ancestors as an active leader in local business and civic ventures, earning the honor of Dawson County Leader of the Year in 1995, helping to establish charities for needy children and their families; and helping raise thousands of dollars to help the Leukemia and Lymphoma Society find a cure for blood-related cancers; and

WHEREAS: Gordon Pirkle has served as an international ambassador for Dawson County as a stockcar racing historian, his Dawsonville Pool Room the setting for countless moments of positive national media attention. In the past several decades, media visitors have included three major networks, ESPN, newspapers and national radio. TBS aired a live broadcast from the Dawsonville Pool Room in 1987; and

WHEREAS: Dawson County's residents benefit from the funds raised by charitable organizations jumpstarted by Gordon Pirkle, and it is demonstrated that Gordon Pirkle has made invaluable contributions to our county through numerous acts of kindness and benevolence; now

THEREFORE: I, Mike Berg, Chairman of the Dawson County Board of Commissioners, do hereby proclaim December 27th as Gordon Pirkle Appreciation Day in Dawson County and encourage our residents to commend Gordon Pirkle for a lifetime of contributions of community service. Happy 70th birthday, Gordon Pirkle.

Chairman Berg presented Gordon Pirkle with the Proclamation and Mr. Pirkle thanked everyone.

Commissioner King welcomed his parents and sister to the his last Board of Commissioner's meeting.

APPROVAL OF MINUTES:

Motion passed unanimously to accept the minutes as submitted from the Regular Meeting held on December 7, 2006. Nix/Craft

ZONING

Chairman Berg announced that if anyone had contributed more than \$250 to the campaign for public office and wished to speak they will have to fill out a form which will be made available to them. Under

normal program, ten minutes will be given to those who wish to speak in favor of or opposition to with some redirect, time permitting.

ZA 06-20: Andy Perry has made a request to rezone 17.82 acres of TMP 115-10 from RA (Residential Agricultural) to CHB (commercial Highway Business) in order to develop a commercial development. Plan is part of an overall plan that includes acreage in Forsyth County. Location: GA 400 North, South of Oakmont

Both Planning Staff and Planning Commission Recommended Approval with Stipulation

Chairman Berg read the zoning for ZA 06-20. The applicant, Andy Perry, stated that he would like to develop a 48,000 square foot retail space and is willing to conform to the stipulations set forth by the Planning and Development Department and the Planning Commission.

Questions from the Board included inter-parcel access, possible three lanes, curb and gutter, townhouses, detention pond and if the project had been approved by Forsyth. Alan Mendenhall spoke to the questions raised by the Board. The development will include curb and gutter, the development had not included three lanes because they would like to allow space for a tree arbor, there are no townhouses planned for use in the future, the development will not be in Forsyth County and a detention pond will be used to serve future development in the portion of property located in Forsyth County.

Chairman Berg opened the floor to anyone wishing to speak in favor of or opposition to ZA 06-20 and hearing none closed the floor. Discussion on the Board included inter-parcel access, three lanes and the land marked as track two. Mr. Mendenhall stated that they were not planning to develop track two.

Motion was made to approve ZA 06-20 with the stipulations set forth by Planning. Saling/Craft

Commissioner Nix stated that she would like to add the stipulations that track two remain undeveloped and there should be three lanes for traffic.

Motion passed by majority to add to the original motion stipulations that track two remain undeveloped and three lanes will be provided for traffic. King/Nix Commissioner Saling opposed the motion.

Motion passed by majority to approve ZA 06-20 with the stipulations set forth by Planning and the additional stipulations by Commissioner Nix. King/Nix Commissioner Saling opposed the motion.

ZA 06-23: BrumBridge LLC has made a request to rezone 39.73 acres of TMP 105-43 from RA (Residential Agricultural) to R1 (Residential Single Family Restricted) in order to develop 26-lot subdivision. Location: Grizzle Road

Both Planning Staff and Planning Commission Recommended Approval with Stipulations

Chairman Berg read the zoning for ZA 06-23. Hilton Hobby stated that he was seeking to rezone property to develop approximately 40 acres into 26 single family dwellings. Chairman Berg read the stipulation set forth by the Planning Commission: realignment of the entrance road to meet Grizzle Farm Road and a bus stop location to be identified at the entrance to the subdivision. Mr. Hilton stated that they would have to purchase additional property to align the road or get a variance from the County to allow a small offset.

Chairman Berg opened the floor to anyone wishing to speak in favor of or opposition to ZA 06-23 and seeing none closed the floor.

Commissioner Saling questioned Planning Director Tully about the Land Use Plan which states that the area is part of lakefront residential. Tully stated that the new plan would allow lot sizes of .66 acre. Chairman Berg asked Planning Director Tully where the stipulation for a bus stop came from and Tully explained that the request for that stipulation came from the Board of Education.

Motion passed unanimously to approve ZA 06-23 with the stipulations outlined. Saling/Craft

ZA 06-24: John R. Goss has made a request to rezone 3.004 acres of TMP 114-042 from CIR (Commercial Industrial Restricted) to COI (Commercial Office Institutional) in order to construct fitness center and office building. Locations: Nordson Overlook

Both Planning Staff and Planning Commission Recommended Approval with Stipulations

Chairman Berg read the zoning for ZA 06-24 and stated that John Goss had made a request to postpone the zoning hearing for ZA 06-24 for one month. Since it was advertised as a hearing, Chairman Berg asked if anyone wished to speak in favor of or opposition to ZA 06-24 and hearing none closed the floor.

Motion passed unanimously to table ZA 06-24 until the January 18, 2007 meeting. Nix/Craft

ZA 06-25: Latham Farms LLC has made a request to rezone 76.399 acres of TMP 41-12 from RA (Residential Agriculture) to R1 (Residential Single Family Restricted) in order to develop 31-lot subdivision. Location: Cowart Road

Both Planning Staff and Planning Commission Recommended Approval with Stipulations

Chairman Berg read the zoning for ZA 06-25 and asked if the applicant was present to address the Board. Stuart Teag, representing the applicant, stated that they wished to develop a 31-lot subdivision with each lot being two acres in size. The applicant does not feel that the two acre lot size would not negatively affect the County. Tom Colati, the applicant, stated that he had reviewed the Future Land Use Plan before deciding to move forward with two acre lots. Commissioner Saling pointed out that the developer was trying to minimize the impact to the creek by using shared driveways. Chairman Berg questioned the gate entrance and Mr. Colati explained that the request for a gated entrance came from the Fire Marshall and they were complying with that request.

Chairman Berg asked if anyone wished to speak in favor of or opposition to ZA 06-25 and hearing none closed the floor.

Motion passed unanimously to approve ZA 06-25 with the following stipulations: additional traffic controls must be considered as well as bus stop locations and the emergency access easement from Hubbardsville Road must be constructed to the Fire Marshall's specifications. Saling/Nix

PUBLIC HEARINGS

Ten Year Solid Waste Management Plan

Chairman Berg stated that this was the second hearing for the Ten Year Solid Waste Management Plan and asked if anyone wished to speak. Seeing none, Chairman Berg closed the hearing.

Motion passed unanimously to approve the Ten Year Solid Waste Management Plan as previously submitted. Saling/King

Financing of Courthouse Parking Lot

County Attorney Homans explained that the Board would be approving the financing of property and the land improvements needed to provide parking for the Courthouse. The County has gone through the

Certificate of Participation Series (COPS) program through ACCG. The contracts were contingent upon the appraisal of the property and the appraisals were at least the amount of the purchase price. The financing was bid out and BB & T was the low bid with an interest rate of 4.25%.

Chairman Berg asked if anyone wished to speak on the Financing of Courthouse Parking Lot and seeing none closed the hearing.

Motion passed unanimously to proceed with the Financing of the Courthouse Parking Lot. King/Saling

Deadline for Property Taxes

Chairman Berg explained that Tax Commissioner Linda Townley has requested to change the tax deadline from December 20th to December 1st to allow her department to be more organized. Chairman Berg asked if anyone wished to speak and seeing none closed the hearing.

Motion passed unanimously to change the tax deadline from December 20th to December 1st. Nix/Craft

Hillside and Ridgeline Development Ordinance

Chairman Berg stated that this was the third hearing for Hillside and Ridgeline Development Ordinance and asked if anyone wished to speak. Val Dodson thanked the Board for listening to her concerns and she really appreciated the work that had gone into the Ordinance.

Commissioner Saling gave a brief summation of the Hillside Ordinance stating that it was to be a guideline for developers in the mountainous terrain. The main focus of the ordinance would be on roads, right-of-ways and lighting. Commissioner Saling stated that what the ordinance has evolved into is no longer a desirable ordinance and might undermine property value. Commissioner Saling recommended the following:

1. Roads – mountain roads are 1500 feet and above, road bed six inches with two inch binder and two inch topping with three foot finished shoulder and added to the Dawson County Road requirements.
2. Lighting should be shielded and directed downwards.

3. Retaining walls should be a maximum of six feet with landscape timber and above six feet the walls should be constructed of locking block or concrete that is stamped with an engineer's approval.

Motion passed by majority to reject the Hillside and Ridgeline Development Ordinance as submitted. Saling/Craft Commissioner King opposed the motion.

OLD BUSINESS:

State Public Defender Contract

Chairman Berg stated that County Attorney Homans and Finance Director Lowayne Craig had amended the State Public Defender Contract and it is now a valid contract.

Motion passed unanimously to accept the Indigent Defense Services Agreement. King/Nix

NEW BUSINESS:

Lease for Dawsonville Business Park

Chairman Berg explained that the lease for Dawsonville Business Park was a continuing lease for one year. The lease includes the offices of the Board of Commissioners, County Manager, Finance Department, Planning, Public Works, Tax Commissioner, Tax Assessor and Human Resources.

Motion passed unanimously to accept the lease as submitted. Saling/Craft

Board of Equalization

Chairman Berg stated that the chair of the Board of Equalization, Sidney Foster, had requested an increase from \$50 to \$75 per day.

Motion passed unanimously to raise the Board of Equalization pay from \$50 to \$75 per day. King/Saling

Recognition of Board Appointees

Commissioner Jim King recognized the different board members that he had appointed in his terms on the Board of Commissioners. Commissioner King relayed his appreciation of the hard work that his appointees had given to their different boards.

Board Appointments

Chairman Berg stated that several board appointments needed to be filled. Recommendations for District 1 Planning Board were Jason Hamby with Craig Price as an alternate.

Motion passed unanimously to approve Jason Hamby and Craig Price to the Planning Commission Board.
Saling/Nix

In District 1, recommendation of John Stegall for the Tax Assessor's Board and District 2 recommendation of Val Dodson for the Library Board.

Motion passed unanimously to appoint John Stegall to the Tax Assessor's Board and Val Dodson to the Library Board. Craft/King

In District 4, Rory Puckett was recommended for the Tax Assessor's Board.

Motion passed unanimously to appoint Rory Puckett to the Tax Assessor's Board. Nix/ King

Warren King was recommended by Chairman Berg to fill his position on the Parks & Rec Board.

Motion passed unanimously to appoint Warren King to the Parks & Rec Board. Saling/Nix

The Construction Board of Appeals had three positions being vacated and the recommendations by Planning Director Tully for those positions were David Rhodes, Bobby McCurdy and Dwight Kiker.

Motion passed unanimously to appoint David Rhodes, Bobby McCurdy and Dwight Kiker to the Construction Appeals Board. Saling/King

District 3 Commissioner King elected to allow incoming Commissioner Mike Connor to choose the appointments for District 3 in January.

Chairman Berg stated that a Vice Chair for the Board of Commissioners is needed for 2007. Chairman Berg recommended Commissioner Nix for that position.

Motion passed unanimously to appoint Commissioner Nix to the position of Vice Chair. Craft/Nix

Recognition of Commissioner Saling and Commissioner King

Chairman Berg presented plaques to Commissioner Saling and Commissioner King commemorating their years of service to Dawson County. Following the presentation refreshments were served.

Motion passed unanimously to go into Executive Session for legal issues. Nix/King

Motion passed unanimously to return to regular session. King/Saling

Motion passed unanimously to pay an invoice from Union County Chairman Lamar Paris in the amount of \$1,000 from contingency to help pay for legal services in conjunction with nine other North Georgia Counties as they continue to discuss the issues concerning additional buffer on stream banks that lead directly to reservoirs. King/Saling

ADJOURNMENT:

Motion passed unanimously to adjourn the meeting. King/Saling

APPROVE: ATTEST:

Mike Berg, Chairman Tammy Clement, County Clerk