

**PAULDING COUNTY BOARD OF COMMISSIONERS
SEPTEMBER 20, 2018
BOARD MEETING MINUTES**

CALL TO ORDER: David L. Carmichael, Chairman

INVOCATION: David L. Carmichael, Chairman

PLEDGE: Presentation of Colors by Cub Scout Pack 687

PRESENT: David L. Carmichael, Chairman; Ron Davis, Post I; Todd Pownall, Post II; Vernon Collett, Post III; Tony Crowe, Post IV; Lani Skipper, Interim County Attorney; Frank Baker, County Administrator; Rebecca Merideth, County Clerk

MINUTES: Vernon Collett made a motion to adopt the September 13, 2018, Work Session Minutes, and the September 13, 2018, Board Meeting Minutes, seconded by Tony Crowe; motion carried four for and one abstain (Ron Davis).

ANNOUNCEMENTS: None

INVITED GUESTS: None

BID AWARDS:

Award SmartNet Maintenance Contract to Corus360 in the amount of \$67,349.93:

Ron Davis made a motion to award SmartNet Maintenance Contract to Corus360 in the amount of \$67,349.93. Seconded by Todd Pownall; motion carried unanimously.

Approve the purchase of furniture for the Customer Service Center in the amount of \$226,819.90 from Advantage Office Supply:

Todd Pownall made a motion to approve the purchase of furniture for the Customer Service Center in the amount of \$226,819.90 from Advantage Office Supply, seconded by Vernon Collett; motion carried unanimously.

Approval of the Engineering Services Contract to Tetra Tech for the Coppermine Reuse Facility for Preliminary Design in the amount of \$169,764.00:

Todd Pownall made a motion to approve the Engineering Services Contract to Tetra Tech for the Coppermine Reuse Facility for Preliminary Design in the amount of \$169,764.00. Seconded by Vernon Collett; motion carried unanimously.

REPORTS FROM COMMITTEES & DEPARTMENTS: None

PUBLIC PARTICIPATION ON AGENDA ITEMS:

Mr. Joe Larking spoke regarding R55 Rezoning stating the stipulations were revised and the applicant is agreeable to the changes made.

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

1. Appoint City of Dallas Chief of Police Joe Duvall to the Highland Rivers Health Governing Board as a new representative for the Paulding County, with a term beginning September 26, 2018 and ending on June 30, 2021.
2. Reappoint Kevin New to the Northwest Georgia Emergency Medical Services Advisory Council with a term beginning January 1, 2019 and ending January 1, 2021.

Seconded by Tony Crowe; motion carried unanimously.

OLD BUSINESS: None

NEW BUSINESS:

Approve Change Order Number 4 to the contract with PC Construction for surge system additions and subsurface remediation at the Etowah River Intake and Pump Station in the amount of \$986,129.20:

Tony Crowe made a motion to approve Change Order Number 4 to the contract with PC Construction for surge system additions and subsurface remediation at the Etowah River Intake and Pump Station in the amount of \$986,129.20. Seconded by Todd Pownall; motion carried unanimously.

Change Order Number 3 to the contract with Brad Cole Construction for rock anchors and structural modifications to the Reservoir Principal Outlet Structure in the amount of \$1,420,156.00:

Tony Crowe made a motion to approve Change Order Number 3 to the contract with Brad Cole Construction for rock anchors and structural modifications to the Reservoir Principal Outlet Structure in the amount of \$1,420,156.00. Seconded by Vernon Collett; motion carried unanimously.

Development Agreement for the East Hiram Sewer Improvements with contribution of \$962,683.00 by Greystone Power:

Vernon Collett made a motion to approve the Development Agreement for the East Hiram Sewer Improvements with contribution of \$962,683.00 by Greystone Power. Seconded by Ron Davis; motion carried unanimously.

Resolution 18-49 confirming Executive Session for the purposes of Personnel, Real Estate and Pending and Potential Litigation:

Todd Pownall made a motion to adopt Resolution 18-49 confirming Executive Session for the purposes of Personnel, Real Estate and Pending and Potential Litigation. Seconded by Vernon Collett; motion carried unanimously.

ITEMS FROM THE 2:00 P.M. PLANNING COMMISSION MEETING

Tony Crowe made a motion to approve with the 20 listed stipulations **2018-08-Z**: Application by **FALL LEAF RESIDENTIAL LLC** to rezone approximately 26.26 acres from R-2 (Suburban Residential) to R-55 (Active Adult Residential Zoning District) for age-restricted subdivision development. Property is located in Land Lot 907; District 3; Section 3; on the west side of Dallas-Acworth Highway, east of Frey Road. POST 4, seconded by Ron Davis; motion carried unanimously.

PLANNING COMMISSION RECOMMENDATION: APPROVAL (3-1-1) with the following stipulations: (Amendment to Stipulation #6)

1. Owner/Developer shall submit detailed landscaping plans prepared by a registered design professional for entrances, amenity, and required buffer areas for review/approval by the Planning and Zoning Division during the Plan Review Process. Public access to county maintained detention/retention areas located on the site shall not be permitted. Design of such facilities shall incorporate measures to ensure public safety. This stipulation will not apply to privately owned and maintained detention/retention areas.
2. Comply with the standards for the Paulding County Overlay District.
3. Access to the development shall be determined during the plan review process.
4. Owner/Developer shall donate additional right of way along the entire frontage of Dallas Acworth Highway, to accommodate a 120' width (60' from each side of centerline).
5. Owner/Developer shall donate additional right of way along the entire frontage of Frey Road, to accommodate a 60' width (30' from each side of centerline).
6. Owner/Developer shall provide the DOT a 25' slope and maintenance easement for road improvements in the buffer area along Dallas-Acworth Highway. The DOT will restore the buffer after completion of the improvements.
7. Owner/Developer agrees to enter into a development agreement with PCDOT to participate in mitigation to address traffic concerns.
8. Owner/Developer shall be responsible for incorporating traffic calming practices. All practices shall be approved by the Paulding County Department of Transportation and designed in accordance with the Institute of Transportation Engineers (ITE) Manual for Traffic Calming.

9. Owner/Developer to provide report showing 1,000 gpm fire flow to all hydrants throughout the development.
10. Owner/Developer agrees to install Sensus or approved equal radio read meters with lead free brass.
11. Owner/Developer agrees to loop water line between Dallas Acworth HWY and Frey RD.
12. Owner/Developer agrees to relocate water and sewer mains out from under Accel/Decel lanes, if required.
13. Owner/Developer agrees to submit a water and sewer plan at preliminary plat submittal, including an analysis of existing infrastructure. Improvements may be required.
14. Owner/Developer acknowledges that this development is within the mandatory Coppermine Sewer Service Basin.
15. Owner/Developer acknowledges that sewer availability is not expressly implied as a result of zoning.
16. Owner/Developer agrees to submit a downstream capacity analysis showing the impacts of the development on the existing sewer system. Improvements may be required.
17. Owner/Developer acknowledges that a final plat will not be signed until all off-site and on-site infrastructure to be used to convey this development's wastewater to Paulding County's treatment facilities has been constructed, inspected, and accepted.
18. Owner/Developer agrees to install a manhole and donate a minimum 20 FT wide permanent easement to the proposed property lines for all major drainage features to the north, east, south, and west, as applicable. Specific locations to be determined during the plan review process. Infrastructure shall be sized to serve the entire basin.
19. Owner/Developer agrees to dedicate all sanitary sewer easements to Paulding County at the time of final plat.
20. Owner/Developer shall be permitted to disturb and replant the exterior buffer upon submission and approval of a grading and landscaping plan to Staff.

Ron Davis made a motion to approve with the 19 listed stipulations **2018-10-Z: Application by WINTERGREEN DEVELOPMENT, LLC** to rezone approximately 74.06 acres from R-2 (Suburban Residential) to R-55 (Active Adult Residential Zoning District) for an age-restricted subdivision development containing approximately 349 detached home sites. Property is located in Land Lots 371, 441, and 442; District 19; Section 2; north of Macland Road, east of Poplar Springs Road. POST 1, seconded by Todd Pownall; motion carried unanimously.

PLANNING COMMISSION RECOMMENDATION: APPROVAL (4-0-1) with the following stipulations: (Amendments to Stipulations #12 and #16)

1. Owner/Developer shall submit detailed landscaping plans prepared by a registered design professional for entrances, amenity, and required buffer areas for review/approval by the Planning and Zoning Division during the Plan Review Process. Public access to county maintained detention/retention areas located on the site shall not be permitted. Design of such facilities shall incorporate measures to ensure public safety. This stipulation will not apply to privately owned and maintained detention/retention areas.
2. Comply with the standards for the Paulding County Overlay District.
3. Access to the development shall be determined during the plan review process.
4. Owner/Developer shall donate additional right of way along the entire frontage of Poplar Springs Road, to accommodate an 80' width (40' from each side of centerline).

5. Owner/Developer agrees to enter into a development agreement with PCDOT to participate in mitigation to address traffic concerns. This agreement will become effective if / when Poplar Springs Road is accessed by this development.
6. Owner/Developer shall be responsible for incorporating traffic calming practices. All practices shall be approved by the Paulding County Department of Transportation and designed in accordance with the Institute of Transportation Engineers (ITE) Manual for Traffic Calming.
7. Owner/Developer to provide report showing 1,000 gpm fire flow to all hydrants throughout the development.
8. Owner/Developer agrees to install Sensus or approved equal radio read meters with lead free brass.
9. Owner/Developer agrees to relocate water and sewer mains out from under Accel/Decel lanes, if required.
10. Owner/Developer agrees to submit a water and sewer plan at preliminary plat submittal, including an analysis of existing infrastructure. Improvements may be required.
11. Owner/Developer acknowledges that this development is within the mandatory Coppermine Sewer Service Basin.
12. If Cobb County is going to provide sewer service, Owner/Developer acknowledges that a memorandum of understanding will need to be approved by both Cobb County and Paulding County in order for sewer service to be to Cobb County. This must occur before a preliminary plat is submitted.
13. Owner/Developer acknowledges that sewer availability is not expressly implied as a result of zoning.
14. Owner/Developer agrees to submit a downstream capacity analysis showing the impacts of the development on the existing sewer system. Improvements may be required.
15. Owner/Developer acknowledges that a final plat will not be signed until all off-site and on-site infrastructure to be used to convey this development's wastewater to Paulding County or Cobb County's treatment facilities has been constructed, inspected, and accepted.
16. If Paulding County is going to provide sewer service, Owner/Developer agrees that any lift station built for the proposed development will be sized for the basin and shall contain Flygt pumps or approved equal, an on-site diesel bypass pump, an on-site electrical hoist, and a black vinyl coated fence. The lift station will be located above the 100-year flood plain on a 75' by 75' level graded pad. Compatible SCADA monitoring shall be provided.
17. Owner/Developer agrees to install a manhole and donate a minimum 20 FT wide permanent easement to the proposed property lines for all major drainage features to the north, east, south, and west, as applicable. Specific locations to be determined during the plan review process. Infrastructure shall be sized to serve the entire basin.
18. Owner/Developer agrees to dedicate all sanitary sewer easements to Paulding County at the time of final plat.
19. Owner/Developer shall be permitted to disturb and replant the exterior buffer upon submission and approval of a grading and landscaping plan to Staff.

Ron Davis made a motion to approve with the 15 listed stipulations **2018-11-Z**: Application by **AMERCO REAL ESTATE COMPANY** to rezone approximately 7.806 acres from B-1 (General Business) to B-2 (Highway Business) for U-Haul Moving and Storage Store. Property is located in Land lots 147 and 150; District 19; Section 2; north of Charles Hardy Parkway, west of Aspen Drive. POST 1, seconded by Vernon Collett; motion carried unanimously.

PLANNING COMMISSION RECOMMENDATION: APPROVAL (4-0-1) with the following stipulations:

1. Owner/Developer agrees that no billboards will be located on the site.
2. Owner/Developer agrees that the development of the site will be subject to the Highway Corridor Overlay District.
3. Access to the development shall be determined during the plan review process.
4. Owner/Developer agrees the proposed driveway near the west property line shall accommodate joint use and interparcel access for the northerly and westerly adjoining tracts associated with the previously approved zoning (2006-64-Z).
5. Owner/Developer to provide report showing 1,500 gpm fire flow to all fire hydrants within 300 ft. of all buildings and an analysis showing impact on the system.
6. Owner/Developer agrees to install Invensys “radio read” master meter for entire development.
7. Owner/Developer acknowledges no water tap will be allowed off the 24-inch distribution main. Service shall be extended from existing 10-inch water main in the area. Looping or other requirements may be required.
8. Owner/Developer agrees that Paulding County does not guarantee water service above elevation 1130 feet MSL.
9. Owner/Developer agrees to relocate all existing water and sewer infrastructure out from under Accel/Decel lanes or anywhere this development impacts existing water or sewer easements, if required.
10. Owner/Developer agrees to provide a master water and sewer plan at the time of construction plan review, including analysis of all existing infrastructure. Improvements may be required.
11. Owner/Developer agrees no construction plans will be approved until all analysis of existing water and sewer infrastructure has been approved by Paulding County Water System.
12. Owner/Developer agrees to install a minimum 1,500 gallon outside grease trap on all restaurants and food preparatory establishments, auto repair shops, and car washes.
13. Owner/Developer agrees to install a manhole and donate a 20’ wide permanent easement to the proposed property lines for all major drainage features to the north, east, south and west, as applicable. Specific locations to be determined during the plan review process. Infrastructure shall be sized to serve the entire basin.
14. Owner/Developer acknowledges that no building permits will be issued until such time the off-site infrastructure to be used to convey this development’s wastewater to Paulding County’s treatment facilities has been constructed, inspected and accepted.
15. Owner/Developer acknowledges that sewer availability is not expressly implied as a result of zoning.

Ron Davis made a motion to approve with 15 stipulations **2018-03-SUP: Application by AMERCO REAL ESTATE COMPANY** for a Special Use Permit on approximately 7.806 acres for self-storage. Property is located in Land lots 147 and 150; District 19; Section 2; north of Charles Hardy Parkway, west of Aspen Drive. POST 1, seconded by Vernon Collett; Item was discussed.

Todd Pownall stated that during the Planning and Zoning Meeting, something had come up about boats, trailers and trucks parked on the lot, and at that time, the applicant replied there would not be any of those parked on the lot. Commissioner Pownall then asked Chris Robinson if there was a stipulation stating that.

Chris Robinson replied that if the applicant wanted to park commercial vehicles on the lot he would have to come back before the Planning and Zoning Commission to apply for a different SUP. Ron Davis asked the applicant if he understood that commercial parking was not allowed, and asked if he would be agreeable to adding an additional stipulation stating that. The Applicant was agreeable to adding the stipulation.

Ron Davis withdrew his previous motion.

Ron Davis made a motion to approve with the listed 15 stipulations and adding a 16th stipulation to read, "Owner/Developer agrees to no outside storage of recreational vehicles, boats, or large personal vehicles." Seconded by Vernon Collett; motion carried unanimously.

PLANNING COMMISSION RECOMMENDATION: APPROVAL (4-0-1) with the following stipulations:

1. Owner/Developer agrees that no billboards will be located on the site.
2. Owner/Developer agrees that the development of the site will be subject to the Highway Corridor Overlay District.
3. Access to the development shall be determined during the plan review process.
4. Owner/Developer agrees the proposed driveway near the west property line shall accommodate joint use and interparcel access for the northerly and westerly adjoining tracts associated with the previously approved zoning (2006-64-Z).
5. Owner/Developer to provide report showing 1,500 gpm fire flow to all fire hydrants within 300 ft. of all buildings and an analysis showing impact on the system.
6. Owner/Developer agrees to install Invensys "radio read" master meter for entire development.
7. Owner/Developer acknowledges no water tap will be allowed off the 24-inch distribution main. Service shall be extended from existing 10-inch water main in the area. Looping or other requirements may be required.
8. Owner/Developer agrees that Paulding County does not guarantee water service above elevation 1130 feet MSL.
9. Owner/Developer agrees to relocate all existing water and sewer infrastructure out from under Accel/Decel lanes or anywhere this development impacts existing water or sewer easements, if required.
10. Owner/Developer agrees to provide a master water and sewer plan at the time of construction plan review, including analysis of all existing infrastructure. Improvements may be required.
11. Owner/Developer agrees no construction plans will be approved until all analysis of existing water and sewer infrastructure has been approved by Paulding County Water System.
12. Owner/Developer agrees to install a minimum 1,500 gallon outside grease trap on all restaurants and food preparatory establishments, auto repair shops, and car washes.
13. Owner/Developer agrees to install a manhole and donate a 20' wide permanent easement to the proposed property lines for all major drainage features to the north, east, south and west, as applicable. Specific locations to be determined during the plan review process. Infrastructure shall be sized to serve the entire basin.
14. Owner/Developer acknowledges that no building permits will be issued until such time the off-site infrastructure to be used to convey this development's wastewater to Paulding County's treatment facilities has been constructed, inspected and accepted.
15. Owner/Developer acknowledges that sewer availability is not expressly implied as a result of zoning.
16. Owner/Developer agrees to no outside storage of recreational vehicles, boats, or large personal vehicles.

CONCLUSION OF REGULAR BUSINESS

EXECUTIVE SESSION: None

PUBLIC PARTICIPATION ON NON-AGENDA ITEMS: None

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

Rebecca Merideth, County Clerk

David L. Carmichael, Chairman