

Regular Meeting Minutes - January 18, 2007

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES – THURSDAY, JANUARY 18, 2007

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

ROLL CALL

Those present were Chairman Berg; Commissioner Pichon, District 1; Commissioner Craft, District 2; Commissioner Connor, 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.

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Chairman Berg

APPROVAL OF MINUTES:

Motion passed unanimously to accept the minutes as submitted from the Regular Meeting held on January 4, 2007. Nix/Connor

Chairman Berg stated that the Board would be hearing VR 06-26 and ZA 06-26 first due to the large number of people that were present for those zoning issues.

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:

VR 06-26: Rowland Development Company as part of Application ZA 06-26 application – variance to be heard with ZA 06-26

Planning Staff & Planning Commission Recommended Denial

ZA 06-26: Rowland Development Company has made a request to rezone/review 547.49 acres of TMP 118-8 & 8.01 (Chestatee Subdivision) (portions) from RA (Residential Agricultural) to RPCD (Residential Planned Comprehensive Development) and requesting master plan RPCD (existing) revision. Plan shows new multifamily type units. Application also in VR 06-26 variance request to allow density to be 1.11 units per acre (upa) instead of the 1 upa allowed. Location: GA 400 North, Nighfire Drive & Henry Grady Road

Planning Staff Recommended Approval with Stipulations & Planning Commission Recommended Denial on Both Applications

Commissioner Connor stated that he would recuse himself from VR 06-26 and ZA 06-26 because he did not want to jeopardize the outcome of the vote.

Planning Director Lynn Tully explained that the Planning Commission had heard the request for the variance and rezoning application and after a lengthy discussion had denied both issues unanimously.

Elliott Smith spoke on behalf of Roland Development and Chestatee Development Corporation. Mr. Smith explained that both VR 06-26 and ZA 06-26 were revisions to the Chestatee Master Plan. It would include an addition of 80 detached homes using the same standards as the rest of the homes in Chestatee. These new homeowners would be covered under the covenants and would have to pay the same fees.

Richard Roland gave a brief history of the changes to the master plan. A 60 foot buffer would be created around the golf course, bed & breakfast and vacation cottages would be eliminated from plan, amenities would be increased by 4 acres with additional 2 tennis courts, a lap pool and a cabana. Duplexes would have 2 units to a building with a square footage of 2200 feet and would be priced in the low \$300,000. Mr. Roland stated that efforts had been made to talk with home owners to come up with a way to resolve the differences. Mr. Roland urged the Board to vote in favor of VR 06-26 and ZA 06-26.

Bradley Dunckel stated that in the Haven Ridge area they would like to allocate 1 unit to the density count in that section and not have it deemed as open space. The Landrum Road turn-around would need to be on the condition that there is an appropriate right-of-way available to construct the turn-around.

Chairman Berg questioned if there was any contract to provide sewer service outside of Chestatee. Bradley Dunckel explained that there was no contract at this time. Commissioner Pichon asked about the current capacity of the sewer system. Mr. Dunckel stated that the system was permitted for 150,000 per day and the equipment is in place for 175,000 per day and the current average discharge 43,000 per day.

Chairman Berg asked if the presentation included both the variance and rezoning and Mr. Smith stated that both were included. Chairman Berg asked if anyone wished to speak in favor of or opposition to VR 06-26 and ZA 06-26. Larry Freeland spoke in opposition to the variance and rezoning. Mr. Freeland stated that Chestatee was marketed and approved as single family residents. Mr. Freeland feels that allowing duplexes in Chestatee would decrease the value of homes.

Scott Rey had concerns about the closing of Landrum Road. Mr. Rey feels that the variance and rezoning should not be allowed until Landrum Road is relocated as required by previous zoning issue.

Kathleen Mango stated that the rezoning request was the same as last year only packaged different. The developer wants to add 18 acres to Chestatee's Master Plan to build duplexes so that he can use Chestatee's amenities in his marketing of the property. Chestatee was originally marketed as stand alone family homes. Chestatee's existing guidelines state that homes will be 2600 square feet and the new proposed duplexes are only 1800 square feet. Ms. Mango asked for the Board to deny the application.

Charlie Tarber stated that the County should not deviate from 1.0 per acre in the County's Land Use Plan.

Dan Tennant stated that Mr. Roland had spoken of conditions that they would allow if the zoning was approved but none of the home owners have agreed to those conditions. Mr. Tennant stated that the homes would be more like starter homes than for people 55 and older. Mr. Tennant urged the Commissioners to deny the variance and rezoning even though they were threatened with a lawsuit.

Elliott Smith addressed some of the issues that were brought up by those people in opposition. There would be 80 homes and they would be 2200 square feet per each home. This was an update of Chestatee's Master Plan and they hope to resolve issues with the home owners. Mr. Roland stated that they would be happy to not be part of Chestatee and if duplexes were the issue they would be happy to separate and have 75 homes at 2200 square feet.

Motion passed by majority to deny the variance request for VR 06-26. Craft/Pichon Commissioner Connor abstained from the vote.

Motion passed by majority to deny the rezoning request ZA 06-26. Craft/Nix Commissioner Connor abstained from the vote.

VR 06-28: Richard Boltwood has made a variance request to Section 400.A of the Dawson County Land Use Resolution in order to reduce front setbacks from 60 feet to construct new gas pump canopy 28 feet from property line. TMP 115-60: Zoned CCB: Location: 8339 Hwy 53 East (Appeal of December 19th Planning Commission Decision)

Planning Staff & Planning Commission Recommended Denial

Chairman Berg read the variance VR 06-28 and asked if the applicant was present to speak. Patrick Stanton a civil engineer spoke on behalf of Richard Boltwood. The applicant would like to place a canopy 47 feet from the right-of-way on Highway 53. This was a change from the application which requested a right-of-way of only 28 feet. They would like to construct a gas station with 3 dive-in gas pumps. Mr. Stanton presented a letter from GDOT which stated that they had no plans for Highway 53 at this time.

The Board expressed many concerns including expansion of Highway 53, traffic problems, entrances into proposed gas pumps, convenience store location, safety and parking. Richard Boltwood explained that by having dive-in pumps traffic would flow easily through. The convenience store was designed with an alley way between it and the new grill and lounge.

Chairman Berg asked if anyone wished to speak in favor of or opposition to VR 06-28.

Mike Wenson spoke in opposition to VR 06-28 expressing concerns about the risks and danger of having gas pumps so close to Highway 53. Mr. Wenson believes that there is just not enough room for a gas station and a bar and lounge.

Ed Jester had concerns about 80 foot trailers and the room necessary for it to turn around.

Richard Boltwood addressed the question of trucks. Southern Petroleum would have mini trucks that would be delivering gas.

Chairman Berg stated that he had concerns about changing the variance without first going before the Planning Commission. Commissioner Connor suggested sending it back to the Planning Commission and Chairman Berg explained that it was an appeal and that the Board could vote for them to be able to reapply without a fee and a time limit.

Motion passed by majority to deny VR 06-28. Nix/Pichon Commissioner Connor voted against the denial.

Motion passed by majority to waive the fees for reapplication and to allow Mr. Boltwood to be put on the February Planning Commission Agenda. Connor/Craft Nix and Craft voted against the motion and Chairman Berg broke the tie by voting in favor of sending the issue back to the Planning Commission.

VR 06-33: Bill Dyer of Riverwood Properties has made a variance request to stipulations placed on zoning ZA 03-22 regarding site plan specific requirement and adjoining lot access. TMP 114-009: Zoned CHB; Location: 837 Highway 400 South

No Recommendation made from Planning Staff as this was a BOC Stipulation

Chairman Berg read the variance for VR 06-33 and asked if the applicant was present to speak. Bill Dyer with Riverwood Properties explained that he was requesting the elimination of a stipulation on zoning ZA 03-22. The stipulation required that an access road be built for access to development behind Riverwood Properties development. Mr. Dyer feels that this access is no longer necessary and that there are already two access roads off of Dawson Forest Road and one access point on 400. Additional permitting is required by the CORE of Engineers because of crossing a creek. Dana Spots with Contouring Consultants informed the Board about the costs associated with building a bridge. The slopes where the bridge needs to be built are so steep it would cost \$80,000 just to place a retaining wall up and around \$102,615 for the bridge. Planning and Development does hold a bond in the amount of \$102,615 for the bridge. Mr. Dyer requested that the Board remove the stipulation for the bridge since it was no longer necessary.

The Board discussed the fact that exits from Arby's and IHOP only allowed for right hand turns and left hand turn from Dawson Forest into Arby's is not allowed.

Chairman Berg asked if anyone wished to speak in favor of or opposition to ZR 06-33 and hearing no one closed the floor.

Motion passed unanimously to deny VR 06-33. Nix/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. Location: Nordson Overlook (Tabled from December 21st Meeting)

Both Planning Staff and Planning Commission Recommended Approval with Stipulations

Chairman Berg read the zoning for ZA 06-24 and the stipulations recommended by Planning Staff and Planning Commission. John Goss asked the Board to approve the rezoning request to change the zoning from CIR to COI in order to build a Body Flex fitness center. In addition to the Body Flex fitness center, an office complex would be built in phase II of the development. Sewer capacity has been secured for the fitness center only and the office complex will have to wait until 2008 until sewer is available.

Commissioner Pichon asked about the hours of the center and the possible disturbance to the campground off of Lumpkin Campground Road. Mr. Goss explained that the center would be open 24 hours a day with no loud music and with lightening that will comply with the Georgia 400 guidelines. Chairman Berg asked about the bricking of the building on the northern side which requires 50% brick. Planning Director Tully explained that any building facing a public road is required to have 80% brick or stone on the front and the rear normally does not require brick but since the back of the building will be facing the campground Planning required it to be 50% brick. Mr. Goss stated that they will provide at least or more than the required amount.

Chairman Berg asked if anyone was present to speak in favor of ZA 06-24. Amber Lincoln stated that the facility will be enjoyed not only by Dawson County residents but others who work in Dawson County but live elsewhere.

David Cohen stated that this was a unique business coming to Dawson County and that the developer was taking into consideration green space.

Chairman Berg asked if anyone wished to speak in opposition to ZA 06-24 and Terry Tregressor explained that she didn't want to speak in opposition but wanted to express some concerns. Ms. Tregressor was concerned about the facility being staffed 24 hours a day and also having less asphalt and more green space.

Mr. Goss explained that the center would not be staffed 24 hours but keycards are required and security cameras are located both inside and outside of the facility. Parking spaces for the facility has already been reduced by 50%.

Motion passed unanimously to approve ZA 06-24 with the stipulations provided by Planning Staff and Planning Commission. Craft/Pichon

ZA 06-27: William Turner has made a request to rezone 3 acres of TMP 104-84 from R1 (Residential Single Family Restricted) to CCB (Commercial Community Business) in order to construct commercial buildings for the intent of including but not limited to restoring wooden boats. Request includes VR 06-29 variance to 5000 square foot building maximum requirement. Location: 3504 & 3568 Hwy. 53 East
Planning Staff & Planning Commission Recommended Approval with Stipulations

Chairman Berg read the rezoning request for ZA 06-27 and Planning Director Tully read the stipulations set forth by the Planning Staff and Planning Commission. Matt Malore, on behalf of William Turner, stated that they had consulted the Future Land Use Plan and found that this area was of mixed use. Mr. Turner would be working on 6 to 8 boats at a time and would require a variance for a building larger than 5000 square feet. Mr. Turner would also like to display boats in a smaller building in front of the work area.

The Board expressed concerns about parking, buffers, 53 overlay, spray or dust, and interparcel access. Tully explained that the development would have the minimum amount of buffer required, follows the 53 overlay and interparcel access would have to be worked on. Bill Turner explained that there would be no outside vents or sprays used and that everything is applied by hand.

Chairman Berg asked if anyone wished to speak in favor of or opposition to ZA 06-27. David Cohen spoke in favor stating that this was another unique business for Dawson County and with Lake Lanier so close was an appropriate one.

Commissioner Connor motioned and Commissioner Craft seconded to approve ZA 06-27 with the stipulations set forth by Planning Staff and Planning Commission.

Motion passed unanimously to approve amending the main motion to add a northern stub-out on the interparcel access. Pichon/Nix

Motion passed unanimously to approve the main motion with the added stipulation. Connor/Craft

ZA 06-28: Glenda Garrett has made a request to rezone 1 acre of TMP 106-242 from R1 (Residential Single Family Restricted) to R2 (Residential Single Family) or RA (Residential Agricultural) with

conditional use to allow moved in home on less than 5 acres in order to place moved in house on vacant lot. Location: Lot 106 Stonehedge Estates; Red Rider Road

Planning Staff & Planning Commission Recommended Approval for R2 Zoning

Chairman Berg read the zoning for ZA 06-28 and questioned Director Tully on why the Planning Commission approved the zoning as R2. Tully explained that this was the best fit for the zoning request.

Glenda Garrett asked the Board to approve ZA 06-28 so that she would be able to move in a ranch style home. Ms. Garrett would move the home from the Cumming area and then put the home up for sale.

Chairman Berg asked if anyone wished to speak in favor of or opposition to ZA 06-28. Ed Jester spoke in opposition of the rezoning because of prior experience of moved in homes not being completed.

Motion passed unanimously to approve ZA 06-28 as R2. Connor/Pichon

ZA 06-29: Randy Bruce has made a request for approval of conditional use to allow mobile home to be placed for caretaker purposes on lot zoned RA with less than 5 acres in conformance with section 307.A.1. TMP 97-146 Zoned RA (zoning classification not to be changed) Location: 98 Bannister Road

Planning Staff & Planning Commission Recommended Approval

Chairman Berg read the zoning for ZA 06-29 and stated that the Board had heard this issue before as a waiver of fees. Commissioner Craft asked if the mobile home would be moved after his parents would no longer need it. Randy Bruce explained that the mobile home would be moved after it was no longer needed.

Motion passed unanimously to approve ZA 06-29 with the stipulation that the mobile home be moved within six months after Mr. Bruce's parents no longer needed it. Craft/Pichon

NEW BUSINESS:

Beer, Wine, & Distilled Spirits License – Muleskinners Grill & Lounge

County Attorney Homans stated that the applicant meets the requirements of the County's ordinance. The applicant is asking for conditional approval upon receipt of federal and state background checks.

Chairman Berg asked the applicant, Cindy Gilliam, about available parking and her plans for the grill and lounge. Ms. Gilliam explained that 40 additional spaces have been created behind the building for parking. Ms. Gilliam's plans for the grill and lounge are to have two separate areas; one would be for dining and the other area would be a lounge for persons over the age of 21. The percentage of lounge at restaurant is 50% with more seating in the dining area. They plan to clean up the area and make it comfortable for families to bring their children. The music will not be as loud as Bob & Sam's but will consist of karaoke and maybe a one person entertainer.

Motion passed unanimously to approve the beer, wine and distilled spirits license subject to approval of state and federal background checks. Craft/Connor

Dawson County Logo

Chairman Berg stated that the Dawson County Logo was seen at the work session last week. Chairman Berg recommended that the name of any department using the logo go on the outside of the logo. Vernon Smith and the Logo Committee were recognized for their hard work on creating the new logo.

Motion passed unanimously to approve the logo with the name of any department placed on the outside of logo. Nix/Craft

Fire and Medical Service to Big Canoe

Chairman Berg explained that Pickens County has asked to void the part of the contract that applies to Fire Service since they now have adequate fire protection in Pickens.

Motion passed unanimously to approve the removal of fire service and allow EMS service through 2008. Craft/Connor

Courthouse Renovation AE

Chairman Berg stated that the Courthouse Renovation AE Committee recommended HOK for the courthouse renovations.

Motion passed unanimously to approve HOK for courthouse renovations. Pichon/Nix

Design for Courthouse Parking

Motion passed unanimously to approve courthouse parking lot design and bid documents for construction. Pichon/Nix

Conditions for Approval of Private Wastewater Treatment Facility

Chairman Berg stated that Commissioner Pichon had written a letter in support of the Private Wastewater Treatment Facility providing the facility met certain provisions. Commissioner Pichon was concerned that this facility will be started but not completed and the county would end up with a big concrete eyesore.

Brooke Anderson, general manager of EWSA, explained to the Board that the letter was a letter of comfort for Mr. Smith to move forward with his facility. EWSA and Mr. Smith will work out an agreement in which certain conditions will apply. The facility will be bonded by Mr. Smith to EWSA and Mr. Smith will hold a bond from the contractor and if the contractor goes under Mr. Smith will be able to enact the bond and finish the project. EWSA will assume operations on day 1 after the facility is accepted by EPD and all regulatory agencies. After 1 year EWSA would assume ownership of the treatment plant. There are several areas that they are looking at to place the facility but nothing has been decided on. Mr. Anderson explained that there would be two types of fees of the treatment plant; tap fees and user charges. The treatment plant would be completed and opened within 15 to 18 months.

Motion passed by majority to approve the letter as drafted regarding the Private Wastewater Treatment Facility. Pichon/Craft Commissioner Connor voted against the motion.

EWSA Rezoning & Variance Petition – Appointment of Special Master

Chairman Berg stated that a special master is needed for the EWSA rezoning and variance petition. County Attorney Homans recommended Tom Lefevre.

Motion passed unanimously to accept County Attorney Homans recommendation of special master. Nix/Craft

Chairman Berg stated that the Board needed to go into Executive Session for legal and personnel issues.

Motion passed unanimously to go into Executive Session. Craft/Connor

ADJOURNMENT:

Motion passed unanimously to adjourn the meeting.

Work Session Minutes - January 25, 2007

DAWSON COUNTY BOARD OF COMMISSIONERS

WORK SESSION MINUTES – THURSDAY, JANUARY 25, 2007

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

1. Bates Carter Contract for 2006 Audit – Lowayne Craig

This item to be placed on the Regular Meeting Agenda – 02/01/07

2. United Way Campaign – Jay Sessions

3. Water Main Extension at Fire Station #6 – Joey Homans

4. Overcharged Impact Fee for Moto 400, Inc. – Lynn Tully

This item to be placed on the Regular Meeting Agenda – 02/01/07

5. Ratification of Used Dump Truck as Approved in the Public Works Budget for 2007 – Phil Anderson

This item to be placed on the Regular Meeting Agenda – 02/01/07

6. Appointment for Tax Assessor’s Board – Mike Berg

This item to be placed on the Regular Meeting Agenda – 02/01/07

7. County Manager

8. County Attorney

Motion passed unanimously to go into Executive Session to discuss personnel and legal issues. Craft/Nix

Regular Meeting Minutes - February 1, 2007

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES – THURSDAY, FEBRUARY 1, 2007

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

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

OPENING PRESENTATION: Family Connections – Nancy Stites

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Chairman Berg

APPROVAL OF MINUTES:

Motion passed unanimously to accept the minutes as submitted from the Regular Meeting held on January 18, 2007. Pichon/Craft

PUBLIC HEARINGS:

Commercial District Changes

Planning Director Lynn Tully explained that some of the main changes to the Commercial Land Use Districts included allowing for rural business districts and offices and institutional uses in Commercial Highway Business Districts. The Board expressed concerns about speculative zoning, lighting, gas stations, noise pollution and airports. Tully stated that lighting is addressed in the commercial lighting and maintenance ordinance, gas stations are allowed, the county is currently looking into a noise ordinance and that stipulations can be placed on any zonings dealing with airports.

Chairman Berg asked if anyone wished to speak on the Commercial District Changes and seeing none closed the first hearing.

New Residential Districts

Planning Director Tully stated that the New Residential Districts created two new districts; a rural estate district which calls for a minimum three acre lot and a suburban single family residential district (RS). The Board questioned Ms. Tully about the following issues; mobile homes, lot sizes, ordinance matching the Future Land Use Plan, set backs, Bed & Breakfasts and the responsibility of maintaining roads.

Chairman Berg opened the floor to anyone wishing to speak on New Residential District Ordinance and seeing no one closed the first hearing.

County Attorney Joey Homans requested that the New Residential District Ordinance be brought back to next week's work session for review and discussion.

Impact Fee Appeal – Quinton Shadix

County Manager Phil Anderson explained that he had reviewed Mr. Shadix's appeal of Impact Fees for property on Sample's Way and following the guidelines set by the Board denied the request.

Quinton Shadix explained that he had gotten a building permit in 2001 to be able to move a house in for his son. His son called off his wedding so there was no urgency in completing the home and Mr. Shadix worked on it when time and money permitted. Mr. Shadix has paid taxes on the home since 2001.

Chairman Berg asked if Mr. Shadix had reapplied for a building permit and Tully explained that Mr. Shadix had reapplied once for a continuance. Mr. Shadix stated that he had no interest in completing the home until his son was ready to move in.

The Board went into a sequestered session to discuss the impact appeal.

Motion passed unanimously to waive the Impact Fee for Quinton Shadix but require him to pay the fees for new building permits at a cost of \$928.00. Nix/Pichon

NEW BUSINESS:

Bates Carter Contract for 2006 Audit

Motion passed unanimously to approve Bates Carter Contract for the 2006 Audit. Pichon/Craft

Overcharged Impact Fee for Moto 400, Inc.

Planning Director Tully explained that an operator error occurred when figuring out the Impact Fee for Moto 400, Inc.

Motion passed unanimously to approve the reimbursement of impact fees to Moto 400, Inc. in the amount of \$630.00. Craft/Connor

Ratification of Used Dump Truck

Motion passed unanimously to ratify the purchase of a used dump truck from Gainesville Truck Center for \$60,000. Craft/Pichon

Appointment for Tax Assessor's Board

Chairman Berg stated that the open position on the Tax Assessor's Board was the Chairman's and he recommended Steve Helvick. Mr. Helvick is a retired executive who works part time for the County.

Motion passed unanimously to approve Steve Helvick as the Chairman's appointment to the Tax Assessor's Board for a period of two years to fill a vacancy. Nix/Connor

ADJOURNMENT:

Motion passed unanimously to adjourn the meeting. Craft/Nix

Regular Meeting Minutes - February 15, 2007

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES – THURSDAY, FEBRUARY 15, 2007

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

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

OPENING PRESENTATION: Storm Ready – Lans Rothfusz

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Chairman Berg

ANNOUNCEMENTS:

Chairman Berg stated that several of the Commissioners had attended the ACCG Legislative Conference. During the Conference it was noted that six different bills on annexation were dropped. An annexation sub-committee has been formed and Chairman Berg was not able to attend the meeting but Arlene McClure did attend as a representative of the BOC and several other organizations. Chairman Berg thanked Ms. McClure for taking such an active part in speaking to the issues that affect the County.

Four bills were dropped that concerned the Public Defender's Office. These bills included allowing County Commissioners to sit on the council level of the Public Defender's program giving the County a say on what occurs and who should be placed in the position of Public Defender.

Chairman Berg has been elected to the Board of Governors representing the state of Georgia and more importantly representing Northeast Georgia. Chairman Berg will be able to bring issues before ACCG that affect Northeast Georgia.

Julie Hughes Nix represented the Board of Commissioners at the meeting of the Northside Forsyth Maternity Certificate of Need. Northside donates close to \$16,000 a year to Dawson County's school nurse program.

Chairman Berg encouraged everyone to read the feature article on Dawson County in the February 2007 edition of Georgia County Government.

APPROVAL OF MINUTES:

Motion passed unanimously to accept the minutes as submitted from the Regular Meeting held on February 1, 2007. Pichon/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 07-01: Etowah Water & Sewer Authority has made a request to rezone 247 +/- acres of TMP 87 Split from RA (Residential Agricultural) to RPCD (Residential Planned Comprehensive Development) in order to approve mixed use development plan. Plan includes VR 07-02 with variance applications to vary from Development Location: Hwy. 9 South & Dawson Forest Road

Chairman Berg read zoning ZA 07-01 and explained that a Special Master would be used to hear the request and make a recommendation to the BOC because a governmental entity, Planning Commission, would otherwise be recommending to the same governmental entity that leases the property and would be making the decision on the same property.

County Attorney explained that the County had filed a petition with Superior Court requesting a Special Master be appointed. The court appointed Tom Lefevre to serve in the role of special master. Mr. Lefevre will listen to the zoning request and then make a recommendation to the Board.

Brooke Anderson representing Etowah Water and Sewer Authority asked that zoning ZA 07-01 be remanded back to the Planning Commission Board for reconsideration and hearing. Mr. Anderson stated that there was other information that needed to be presented to that Board.

County Attorney Homans asked if anyone wished to be heard on the zoning request ZA 07-01. George Lyons came forward to speak in opposition to ZA 07-01. Mr. Lyons stated that he felt ZA 07-01 should be denied based on the environmental impact to the water supply in the area.

Arlene McClure questioned whether there was a compelling reason for the zoning request to be sent back to the Planning Commission Board.

Charlie Tarver stated that he was opposed to the project and opposed to remanding it back to the Planning Commission. Mr. Tarver believed that the Board should not allow a 100% increase in density. Allowing this development would create problems with traffic, water problems and overcrowding in the schools.

Terry Tragresser did a quick cost analysis and based on the packet the County would be spending a ton with the additional students and the additional law enforcement and fire personnel that would be needed.

Special Master Tom Lefevre recommended that zoning ZA 07-01 be remanded back to the Planning Commission.

Chairman Berg opened discussion to the Board on the recommendation made by the special master. Commissioner Connor questioned what would change significantly if the zoning was remanded. Jim King, representing the EWSA Board, gave a brief history of the property citing the steps that the Board had taken such as marketing the property and hiring consultants to find out the best use for the property. The firm chosen stated the best use would be for a commercial area, town homes, and single family homes. Mr. King stated that there were two issues; someone wants to buy the property and the zoning of the property. Mr. King felt that a lot of good questions were raised at the Planning and Zoning Commission meeting and he would like to have the opportunity to answer those questions. Commissioner Connor stated that he felt that the Board should stand by the Long Range Plan and not decrease the density on the property.

Commissioner Pichon asked what exactly would change and what would be different if ZA 07-01 was remanded back to the Planning Commission. Brooke Anderson stated that questions could be answered about the density, value of homes and the actual use of the property.

Motion passed unanimously to deny remanding ZA 07-01 back to the Planning Commission.
Connor/Pichon

County Attorney Homans allowed the applicant Brooke Anderson to present to the Board his request for zoning ZA 07-01. Mr. Anderson explained that there were three components of the application; rezoning, open space and density. Anderson believes that RPCD zoning would be the highest and best use for this property and for the County. Sixty eight acres of flood plain will not be used or affected by this development. The RPCD zoning would be consistent with what is currently in the neighboring area.

County Attorney Homans asked if anyone wished to speak in favor of or opposition to ZA 07-01. Jim King spoke in favor stating that this would be the best use for the property with a site specific plan. Susan Poynter spoke in opposition stating that there would be a negative impact on the water quality and quantity. It would not be a benefit for the Board of Education since an extra school would be necessary for the additional pupils.

County Attorney Homans closed the floor and asked the Special Master Tom Lefevre for his recommendation. Mr. Lefevre stated that he would have to have a lot more information on the zoning to be able to recommend approval of ZA 07-01. The Special Master then recommended denial.

Motion passed unanimously to deny ZA 07-01. Connor/Pichon

PUBLIC HEARINGS:

Commercial District Changes

Chairman Berg asked if anyone wished to speak on the second hearing of Commercial District Changes and seeing none closed the hearing. The Board has recommended trying to match the Land Use Plan with the zoning districts. Chairman Berg moved Commercial District Changes to the next work session for further discussion.

New Residential Districts

Chairman Berg asked if anyone wished to speak on the second hearing of New Residential Districts and seeing none closed the hearing. County Manager Phil Anderson recommended referring the New

Residential Districts to a third party consultant, who is also an expert witness, to make sure the document could be defended in court. Commissioner Connor asked for information on how much the County spends on outside consultants. New Residential Districts will be voted on after it is reviewed by expert consultants.

NEW BUSINESS:

Family Connection Contracts & Grants

Motion passed unanimously to approve Family Connection grants and approve Dawson County as the Fiscal Agent. Nix/Connor

Courthouse Security Requirements

Chairman Berg pointed out that the security improvements to the courthouse include remodeling the main courtroom and four proximity readers. The remodeling of the courtroom will be paid for by the law library. Major Kevin Tanner stated that the four readers were estimated at \$8,000. Major Tanner recommended that the Board approve the courtroom renovations, four proximity readers, an addition of one Court Services Deputy, one Administrative Assistant and related equipment.

Motion passed unanimously to approve courtroom renovations, one Court Services Deputy, one Administrative Assistant with equipment and four readers. Pichon/Craft

Privatization of Child Development Center

County Attorney Homans explained that the Board would be voting on whether or not to privatize the Child Development Center and later a decision would be made on leasing or selling the Center.

Motion passed unanimously to privatize the Child Development Center. Pichon/Craft

City's Request for \$500K in SPLOST IV Dollars for Sidewalks

Chairman Berg explained that the City had requested money for sidewalks. County Manager Anderson provided the Board with a map which showed where the new sidewalks would be constructed.

City Planning Director Steve Holder stated that there are five phases in which the City plans to put in the sidewalks. The sidewalks would be done in phases so that the construction would not be all over the entire City. Holder explained that the places chosen for sidewalks were the areas which received the most foot traffic. Sidewalks will include curb cuts which will be inspected by Fire Marshall Tim Satterfield.

Finance Director Lowayne Craig gave an overview of the funds that are available and recommended to the Board that the sidewalks be paid in phases. Paying in phases would assure that funding would not delay any County projects.

Commissioner Connor motioned to provide \$500,000 to the City after all the other County projects have been covered. Commissioner Craft seconded the motion.

The Board discussed the original agreement with the City, whether paying for the sidewalks is a timing issue and if they would actually be risking County projects by approving the City's request. County Attorney Homans explained that the original agreement was verbal until the referendum was formulated which included the \$500,000 for sidewalks. A resolution was approved by the Board to commit to the City sidewalks for \$500,000. Finance Director Craig stated that by paying in phases the County projects should not be delayed.

Commissioner Connor's motion died for lack of majority.

Motion passed by majority to fund phase one (Maple Street) through an intergovernmental contract with the City with bills being paid by the County. Other phases will be discussed when funds are available. Pichon/Nix

Commissioner Connor and Commissioner Craft voted to deny. Chairman Berg broke the tie by voting for the motion.

Kiwanis Club 10K & 5K Event

Motion passed unanimously to approve the Kiwanis Club 10K & 5K Event. Nix/Connor

Road Compactor Bids

County Manager Anderson recommended the Board accept the low bid from Cowin Equipment Company in the amount of \$78,538.

Motion passed unanimously to accept the bid of \$78,538 from Cowin Equipment Company.
Craft/Connor

Niyelo – In-Kind Service Delivery Strategy

Motion passed unanimously to approve the Niyelo In-Kind Service Delivery Strategy. Pichon/Connor

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

ADJOURNMENT:

Motion passed unanimously to adjourn the meeting. Nix/Craft

Regular Meeting Minutes - March 1, 2007

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES – THURSDAY, MARCH 1, 2007

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

ROLL CALL: Those present were Chairman Berg; Commissioner Pichon, District 1; Commissioner Craft, District 2; Commissioner Connor, 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

ANNOUNCEMENTS:

Chairman Berg welcomed students from North Georgia College and State University who were attending the meeting as part of their American Government class.

Chairman Berg showed everyone a picture that he had received from Blacksmill Elementary School 5th Grade class thanking him for being a Celebrity Reader.

Chairman Berg announced that there were around forty people who attended a 150 Year Celebration Committee meeting earlier this afternoon.

APPROVAL OF MINUTES:

Motion passed unanimously to accept the minutes as submitted from the Regular Meeting held on February 15, 2007. Pichon/Craft

PUBLIC HEARINGS:

Dawson Commons LLC – Impact Fee Appeal

County Attorney Joey Homans explained that in accordance with Dawson County's Development Impact Fee Ordinance Dawson Commons LLC has filed an appeal of their impact fees.

Sam Scaffide, representing Dawson Commons LLC, gave a brief history of Dawson Commons. The land was put under contract in January 2006 with the expectation that they would close in of April 2006 and construction would begin in May 2006. Major issues were discovered with the site and the seller was required to remedy these problems. Dawson Commons met with Dawson County Planning and Development Department during this time to assure that they were complying with the necessary permitting. Land disturbance permits had been secured prior to the effective date of impact fees. Mr. Scaffide requested that the Board either waive the impact fees or reduce the fees for Dawson Commons LLC.

Motion passed unanimously to go into sequestered session. Connor/Nix

Motion passed unanimously to come out of sequestered session. Nix/Pichon

Motion passed unanimously to deny the waiver of impact fees for Dawson Commons LLC. Pichon/Nix

Chairman Berg stated that School Property and Appointments to the 400 Task Force Committee needed to be added to the agenda under new business.

Motion passed unanimously to approve the additions to the agenda. Connor/Craft

NEW BUSINESS:

Change Order for Additional Parking at the New Jail

Planning Engineer David Headley clarified that forty to forty five employees would be utilizing the additional parking spaces at the new jail during normal business hours. Finance Director Lowayne Craig explained that the funds for the additional parking would come from the contingency fund.

Motion passed unanimously to approve the additional parking spaces for the new jail. Pichon/Nix

Appointment of Dawson County Historical Building Association, Inc. Treasurer

Registrar Glenda Ferguson explained that the position of the Dawson County Historical Building Association Treasurer is held by the County Registrar and has to be appointed by the Board.

Motion passed unanimously to appoint Glenda Ferguson to the position of Treasurer on the Dawson County Historical Building Association Board. Craft/Connor

Transit Policy and Fare Box Increase

Chairman Berg announced that two public hearings were required before an increase could be made in Fare Box fees. Those public hearings will be held March 15, 2007 and April 5, 2007.

Motion passed unanimously to remand Transit Policy and Fare Box Increase to the Board of Commissioner's meetings held on March 15, 2007 and April 5, 2007. Nix/Craft

Bank Services 2007-2008

Finance Director Craig requested the Boards approval of United Community Bank for banking services for 2007 – 2008. The Board would be exercising a renewal option at a fixed rate of 5.53%. Dawson County Purchasing Department will prepare an RFP for banking services in 2008.

Motion passed unanimously to approve United Community Bank for banking services for 2007 – 2008 with a fixed rate of 5.53%. Nix/Craft

Request to Close UCB Bank Account for Jail Loan

Finance Director Craig explained that there was no longer a need for the United Community Bank account for the jail loan.

Motion passed unanimously to approve closing the United Community Bank account for the jail loan. Pichon/Craft

Lake Altoona/Upper Etowah Funding

Planning Director Lynn Tully asked the Board for additional funding for the next four years for the Lake Altoona/Upper Etowah water shed project. Each sponsor is being asked for \$39,395 per year and Dawson County's share would be a total of \$187,000 for the five years of contributions. Chairman Berg pointed out that initially the County was asked to contribute \$6,000 per year for five years.

Commissioner Pichon asked if the County was to opt out would this diminish EWSA probability of gaining a permit to build a reservoir. Tully explained that if the County opted out and the project folded it would cost someone over a million dollars to recreate a similar project. Tully stated that the intent of the study is to maintain the water quality and come up with a monitoring plan to maintain that quality. Chairman Berg stated that it would be in the best interest of the County to have a reservoir and it was not necessary for the County to contribute the full amount of money being asked for.

Motion passed unanimously to approve doubling the County's commitment of \$6,000 per year to \$12,000 per year for five years. Pichon/Nix

RFQ for SPLOST V Planning, Programming & Financial Services

County Manager Phil Anderson stated that the SPLOST V committee recommended CH2M Hill for SPLOST V Planning, Programming and Financial Services.

Motion passed unanimously to approve CH2M Hill for SPLOST V Planning, Programming and Financial Services. Nix/Craft

March 22, 2007 BOC Work Session

Chairman Berg explained that the March 22, 2007 BOC Work Session needed to be moved to a different date since three Commissioners will not be able to attend. Berg recommended March 29, 2007 at 2:00 p.m.

Motion passed unanimously to approve March 29, 2007 at 2:00 p.m. for the next Board of Commissioner's work session. Connor/Nix

GDOT Letter

Chairman Berg stated that the letter submitted by Commissioner Mike Connor was now ready for approval.

Motion passed unanimously to approve the GDOT letter as written. Pichon/Craft

Park Board Appointment

Motion passed unanimously to approve Tony Kellar as District 2's position on the Park Board.
Craft/Connor

School Property

County Attorney Homans explained that the Board had directed him to continue speaking with the Board of Education after a rezoning, which included school property, was denied. Homans presented a draft agreement to the Board that would allow the Board of Commissioners to transfer to the school board 18.5 acres and an easement for drainage for \$360,000. Two public hearings will be necessary to allow the public an opportunity to voice their opinions. Homans explained that EWSA as the owners of the property would be entitled to sign off as a state authority and under the lease agreement the County has the authority to approve any transfers of land.

Motion passed unanimously to proceed with two public hearings. Pichon/Craft

Appointment of 400 Task Force

Chairman Berg presented the Board with the following nominees for the 400 Task Force Committee:

Terri Tragesser

James Askew

Jeff Skorich

Jim King

Lionel Graves

Peter Hill

Dick Scharf

Roy Coleman

Motion passed unanimously to appoint Terri Tragesser, James Askew, Jeff Skorich, Jim King, Lionel Graves, Peter Hill, Dick Scharf and Roy Coleman to the 400 Task Force Committee. Pichon/Craft

PUBLIC COMMENT:

Shirley Horah – Upkeep of Roads – Gold Mine Road & Holly Creek Road

Shirley Horah explained to the Board that she was very concerned about the condition of Gold Mine Road and Holly Creek Road. Ms. Horah stated that Gold Mine Road was the worst of the two roads and that surface of the road consisted of ripples. The road department has been contacted numerous times and they do come out and work on these roads but the roads return to the same poor condition. Ms. Horah was also concerned about how different roads were chosen for repair and asked that the Commissioners take the time and travel down these roads.

Motion passed unanimously to go into Executive Session for legal and land issues. Nix/Craft

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

Motion passed unanimously to award a contract to Keck & Wood in the amount of \$89,900 to determine and preserve the alignment and right-of-way footprint for a new road on the NE quadrant of 53E and 400. Pichon/Craft

ADJOURNMENT:

Motion passed unanimously to adjourn the meeting. Pichon/Craft

Regular Meeting Minutes - March 15, 2007

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES – THURSDAY, MARCH 15, 2007

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

ROLL CALL: Those present were Chairman Berg; Commissioner Pichon, District 1; Commissioner Craft, District 2; Commissioner Connor, 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

ANNOUNCEMENTS:

Chairman Berg spoke of annexations and how annexations were affecting not only our County but many others. Discussions have been held with the Georgia Municipal Association (GMA) to help change the state laws so that there is a more balanced playing field. The laws now allow Cities to have the final disposition on any annexation. ACCG has introduced several annexation bills to the House to try to help Counties with the growing problem. Chairman Berg and Senator Chip Pearson met with the incoming GMA President on Monday to talk about de-annexations. Tuesday a meeting was held in Atlanta in which Chairman Berg, representing the County and ACCG, addressed a select group of GMA members. A balanced plan was achieved which included a final type of arbitration with an outside panel that would not include representatives from either the County or the City. The panel would be able to make decisions that are binding. The plan is based on land use, zoning, infrastructure, service delivery and schools. The bill will be sent to the House on Monday and hopefully be passed onto the Senate a week after that. If the bill is passed it will give Counties the opportunity to arbitrate annexations.

APPROVAL OF MINUTES:

Motion passed unanimously to accept the minutes as submitted from the Regular Meeting held on March 1, 2007. Pichon/Craft

PUBLIC HEARINGS:

Transit Policy and Fare Box Increase

Chairman Berg stated that the purpose of the public hearing was for future transit development and for an increase in the fares. Chairman Berg opened the floor for anyone wishing to speak on transit policy and fare box increase and seeing none closed the first hearing. A second hearing will be held on April 5, 2007.

Sale of Property to Board of Education

Chairman Berg explained that the Board of Commissioners is selling approximately 18.5 acres for \$360,000 to the Board of Education so they can construct an elementary school.

Chairman Berg opened the floor for anyone wishing to speak on the sale of property to the Board of Education. George Lyons expressed concerns with soil erosion, traffic control and where the students would be coming from that would attend the elementary school. Seeing no one else, Chairman Berg closed the first hearing on the sale of property to the Board of Education. The second hearing will be held on March 29, 2007.

NEW BUSINESS:

Additional Fire Inspector

Fire Chief Scott Wallace addressed the Board requesting an additional fire inspector for business inspections. The cost of hiring a new inspector will be paid for by collections and fees from building inspections.

Motion passed unanimously to approve hiring an additional fire inspector. Nix/Craft

Annual Burn the Boot

Fire Marshall Tim Satterfield requested that the Board approve the annual Burn the Boot fundraiser. The fundraiser will be held May 3rd, 4th and 5th, 2007 with designated collection areas around the square, at Krogers and Ingles. Money from the fundraiser will benefit children's burn camp and hospital. The County will receive a percentage of the money back to purchase smoke detectors and fire prevention materials.

Motion passed unanimously to approve the annual Burn the Boot fundraiser. Nix/Connor

2006 Final Budget Amendment

Finance Accounting Manager Patti Holder presented the 2006 final budget amendment to the Board. Holder explained that the figures presented were not audited and the final audit would begin in April 2007.

Motion passed unanimously to approve the 2006 final budget amendment. Pichon/Craft

Financing Public Works Compactor

County Manager Phil Anderson explained that the Board approved the purchase of a compactor for the Public Works department for \$78,538 with financing through BB&T. BB&T requires a resolution for financing.

Motion passed unanimously to approve financing for Public Work's compactor through BB&T. Craft/Pichon

MACTEC Proposal for SR 400/53 Task Force Study

Planning and Development Director Lynn Tully presented the revised scope of work from MACTEC for SR 400/53 Task Force Study. Commissioner Mike Connor stated that the SR 400/53 Task Force will present their findings to the Board in ten weeks.

Motion passed unanimously to accept the MACTEC proposal for the SR 400/53 Task Force Study. Connor/Craft

Ratification of S.T.O.P. Violence Against Women Act Grant

Finance Accountant Daniel Goode explained that this was the second year for the S.T.O.P. Violence Against Women Act Grant with no changes to the amounts requested.

Motion passed unanimously to approve the S.T.O.P. Violence Against Women Act Grant. Nix/Connor
IGAs & MOU for Big Canoe Fire Service

County Manager Anderson explained that there were two IGAs with Pickens County, one for extending a water line to Fire Station #6 and one to add a water line and hydrant on Monument Road. A mutual aid agreement was included which provided fire service to Pickens and Dawson County. An automatic aid agreement stated that Dawson County would provide fire service to the Dawson County part of Big Canoe.

Fire Chief Wallace answered questions from the Board on the filling of the tank on Monument Road. The tank will have a gauge on it displaying the level of the water and whoever takes water from the tank will also replace the water.

Motion passed unanimously to approve the IGAs and MOU for Big Canoe Fire Service. Pichon/Craft

Hazardous Waste Trust Fund Resolution

Public Works Director Randy Bowen requested the Boards approval of the Hazardous Waste Trust Fund Resolution. This resolution helps the County to recoup funds for the closed land fill.

Motion passed unanimously to approve the Hazardous Waste Trust Fund Resolution. Pichon/Craft

Burt Creek Master Plan Complex Bids

County Manager Anderson requested the Boards approval of the low bid of \$38,250 from Pond & Company for the Burt Creek Master Plan Complex. The master plan shall accommodate the following functional needs:

- Transfer Station

- Road Department vehicle and equipment parking area and a materials storage area
- Board of Education and Board of Commissioners co-located vehicle maintenance facility
- Board of Education school bus parking area
- Sheriff's Department vehicle impound lot
- Board of Commissioners, City of Dawsonville and School Board combined use fuel storage and fueling facility
- Sheriff's Department indoor shooting range
- Sheriff's Department K-9 facility (to remain on property)

The master plan would include two pieces of property (40 acres) that surrounds the transfer station and the old jail site property. Much discussion was held concerning the indoor shooting range. This shooting range would be for the use of the Sheriff's Department only allowing officers to meet their required shooting practices.

Motion passed by majority to approve the low bid of \$38,250 submitted by Pond & Company for the Burt Creek Master Plan Complex. Pichon/Nix Commissioner Connor opposed the motion.

City SPLOST IGA Fund

County Attorney Joey Homans stated that changes had been made to paragraph four of the City SPLOST IGA Fund agreement and read the following:

Upon completion of each phase of the Sidewalk Project, the City shall notify the County in writing that it is ready to proceed with the next phase. Upon approval by the County, which shall not be unreasonably withheld, the County shall pay and remit to the City the sums set forth for the next phase within five (5) business days of said approval. The projected timeframes and order of construction shown in Exhibit A may be modified by the City in its discretion. The City will notify the County in writing of any changes it makes in timeframes and order of construction.

Chairman Berg explained that this IGA will not encumber the County in anyway. County Attorney Homans stated that according to the agreement if the City requested funds and it did not impair any other County project the funds would be made available to the City. The City will send a report to the State and the County stating how the funds were spent.

Motion passed unanimously to approve City SPLOST IGA Fund as read. Pichon/Nix

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

Motion passed unanimously to come out of Executive Session. Pichon/Connor

ADJOURNMENT:

Motion passed unanimously to adjourn the meeting. Pichon/Connor

Regular Meeting Minutes - April 5, 2007

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES – THURSDAY, APRIL 5, 2007

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

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

OPENING PRESENTATION: National Library Week – Claudia Gibson/Tracy Walker

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Chairman Berg

ANNOUNCEMENTS:

Chairman Berg announced that a meeting would be held tomorrow at 2:00 p.m. in the Dawson County Library concerning SPLOST V and the Courthouse expansion. The public is invited to attend this informational meeting.

Chairman Berg and District 4 Commissioner Nix attended a CCAP Leadership Program in Athens where they completed their advanced commissioner certification.

APPROVAL OF MINUTES:

Motion passed unanimously to accept the minutes as submitted from the Regular Meeting held on March 15, 2007. Pichon/Nix

PUBLIC HEARINGS:

Transit Policy and Fare Box Increase

Chairman Berg stated that this was second hearing on Transit Policy and Fare Box Increase. This will increase the transit fare and better identify the areas to which the transit travels. The transit service is available to everyone and needs to be scheduled through Marlana at the Senior Center. Chairman Berg opened the floor to those wishing to speak and seeing none closed the second hearing on Transit Policy and Fare Box Increase.

Motion passed unanimously to approve the Transit Policy and Fare Box Increase. Pichon/Craft

NEW BUSINESS:

License for Retail Package Sales of Distilled Spirits, Beer & Wine

Steven K. Leibel – d/b/a Prospector’s Package Store

Chairman Berg stated that the County had been in a holding pattern since the citizens had voted to pass package sales and a Package Sales Ordinance has been created and is now in place. County Attorney Homans reported that Steven K. Leibel has applied for a package store license for a business to be located on Georgia 400 and Landrum Road. The store will be a stand alone building and the site meets all the requirements of the County. Federal background has been received and approval will be conditional upon receipt of the State background check and completion of building.

Commissioner Connor questioned where Mr. Leibel resided, if he was a single owner, the restriction of hours and how the property was zoned. Homans stated the Mr. Leibel resided in Lumpkin County, would be a single owner, that hours of any package store in Dawson County was from 9:00 a.m. to 11:45 p.m. and that the property was zoned CHB.

Commissioner Pichon asked Homans that if in the absence of any conflict of the ordinance the Board could not legally reject any application. Homans stated that the Board could not reject any application without notice under the ordinance as to why the application was being rejected.

Motion passed by majority to approve the license for retail package sales of distilled spirits, beer and wine for Steven K. Leibel d/b/a Prospector’s Package Store. Pichon/Craft Commissioner Connor abstained from the vote.

Mark N. Keeney – d/b/a R K Package

County Attorney Homans explained that Mark Keeney's background check has been completed and approval of license should be conditionally approved on building completion and complying with the ordinance. The proposed site is located in the Dawson Cinema Shop's strip mall. Homans explained that Dawson 400 Theatre rents out the cinema on Sundays to a church. Homans stated that the law focuses on the principal use of the property and this would not be in conflict with the ordinance for package stores.

Mark Keeney, the applicant, explained that he had no experience with package stores but had spent twenty seven years in telecommunications and was looking for something different. He has lived in Dawson County since 1994 and his son graduated from Dawson County High School and he has a daughter currently at Blacksmill Elementary. Mr. Keeney will rent two suites of Dawson Cinema Shops, two of the suites are vacant and the fifth suite will be an athletic club.

Motion passed unanimously to approve the license of retail package sales of distilled spirits, beer and wine to Mark Keeney d/b/a R K Package. Connor/Craft

Park Opening Day Parade

Chairman Berg stated that the Park Opening Day Parade would take place April 14, 2007.

Motion passed unanimously to approve the permit for the Park Opening Day Parade. Nix/Craft

Renaming Dawson County Park

Motion passed unanimously to rename the Dawson County Park to Veteran's Memorial Park, Dawson County Parks and Recreation. Nix/Craft

Child Development Center Lease Proposal

Assistant Director of Parks and Recreation Lisa Henson explained that they would advertise the Child Development Center Lease with the help of Jill Rathe, Purchasing Agent and a consultant in Cumming, Georgia who specializes in the lease and sale of child development centers.

Motion passed unanimously to approve the Child Development Center Lease Proposal. Connor/Craft

IGA for EMS in the Pickens part of Big Canoe

Fire Chief Scott Wallace stated that the Pickens and Dawson County intergovernmental agreement would be for the EMS to provide emergency medical services to the portion of Big Canoe that is in Pickens County until December 31, 2008.

Motion passed unanimously to approve the IGA for EMS in the Pickens portion of Big Canoe. Nix/Pichon

MOU for Fire Services in the Dawson County portion of Big Canoe

Motion passed unanimously to approve the MOU for Fire Services in the Dawson County portion of Big Canoe. Pichon/Connor

Georgia 400 Welcome Signs

Chairman Berg explained that the Georgia 400 welcome signs would be placed on the Lumpkin/Dawson County line and the Forsyth/Dawson County line.

Motion passed unanimously to approve the Georgia 400 welcome signs. Nix/Craft

EMS Advisory Board Appointments

Motion passed unanimously to reappoint Billy Thurmond and Lanier Swafford to the EMS Advisory Board. Connor/Craft

Tree Preservation Committee Appointment

Chairman Berg stated that the position on the Tree Preservation Committee was in district 1 and was currently held by Judy Baer. Ms. Baer has done an excellent job and has agreed to continue to serve on the Tree Preservation Committee.

Motion passed unanimously to reappoint Judy Baer to the Tree Preservation Committee. Pichon/Connor

Lake Allatoona/Upper Etowah Project Fiscal Agent

Planning Director Lynn Tully informed the Board that the Army Corps of Engineers has agreed to come back and be a partner and will contribute \$500,000 to the Lake Allatoona/Upper Etowah Project. Several grants have been applied and if they are awarded Lake Allatoona/Upper Etowah Project could receive another \$300,000. Ms. Tully asked the Board to approve Etowah Water and Sewer as the fiscal agent.

Motion passed unanimously to approve Etowah Water and Sewer as the Fiscal Agent for Lake Allatoona/Upper Etowah Project. Pichon/Nix

SPLOST V Reimbursement Resolution

County Attorney Homans explained that this was a resolution recommended to the Board by bond counsel to permit recovery of expenses incurred for SPLOST items. If SPLOST V is approved the County would be able to go back sixty days from date of approval.

Commissioner Connor stated that he would like to be advised by SPLOST consultants before voting for the resolution.

Motion passed unanimously to approve tabling SPLOST V Reimbursement Resolution for two weeks. Connor/Pichon

150 Year Logo

Chairman Berg stated that this was the County's 150th year and a committee had been formed to plan the celebration. Dawson County's part in the committee was to provide logos and to help the Chamber

with pamphlets. Chairman Berg requested the Board consider donating up to \$1000 to support the Dawson County 150th Year Celebration.

Motion passed unanimously to approve up to \$1000 to help provide logos and pamphlets to the 150th Year Celebration. Nix/Connor

Asphalt Paver

Public Works Director Randy Bowen requested the Board approve the purchase of a 1987 asphalt paver to be able to pave twenty miles of county roads this year. Bowen stated that the County had used the equipment and the owner wishes to sell the unit and another paver that could be used for small parts for \$35,000. Commissioner Connor questioned Bowen about possibly renting a paver to pave county roads. Mr. Bowen stated that there were currently no vendors who rented the full size pavers and that most pavers are sold as soon as the company receives them. Commissioner Pichon stated that the argument that has been around forever is whether small counties should do their own paving or lease it out. Chairman Berg stated that most of the small counties did their own paving and what Dawson County was looking into was privatizing but time is now a factor since it is already paving season. Commissioner Pichon stated some counties did their own paving to establish a benchmark cost to compare with bids received from other vendors to do the same amount of work. Mr. Bowen explained that by doing their own paving they could save the county a considerable amount of money. The current Public Works crew has the experience and knowledge to do the paving.

Commissioner Pichon motioned to approve the purchase of the asphalt paver. Motion died for lack of a second.

Motion passed by majority to not approve the purchase of the asphalt paver. Connor/Nix Commissioner Pichon voted against the motion.

Lake Lanier Shore Sweep 04-28-07 & 09-29-07

Chairman Berg stated that this would be inkind service only. The service would include the pick up and disposal of refuse.

Motion passed unanimously to approve the inkind service for the Lake Lanier Shore Sweep on 04-28-07 and 09-29-07. Nix/Craft

Presentation of AED

Fire Marshall Tim Satterfield presented an Automated External Defibrillator to Senior Center Director Margie Weaver for use at the Senior Center. The proceeds to purchase the AED all came from donations to the Dawson County EMS Department and grants.

PUBLIC COMMENT:

John Edwards – Community Center in District 1

John Edwards, representing the Wildcat Communities, introduced Clayton Preble who gave a brief presentation on why Dawson County should add a West Dawson Community Center to SPLOST V. The summary of the presentation included:

ï,§ The WDCC will Serve many important needs in this important growth area of Dawson County

ï,§ Big Canoe has agreed to donate 5 acres to Dawson County for the WDCC under the terms of a memorandum dated February 2007

ï,§ There is strong support among the communities in West Dawson County demonstrated by attendance at this meeting and by petitions presented tonight

ï,§ If the WDCC is included in SPLOST V the West Dawson Communities will work tirelessly for its passage

Motion passed unanimously to go into executive session to discuss legal issues. Craft/Connor

ADJOURNMENT:

Motion passed unanimously to adjourn the meeting. Craft/Nix

Regular Meeting Minutes - April 19, 2007

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES – THURSDAY, APRIL 19, 2007

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

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

OPENING PRESENTATION: Challenge Child & Friend – Cathy Drerup

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Chairman Berg

ANNOUNCEMENTS:

Chairman Berg introduced the new IT person Mark Tursich. Mr. Tursich worked for four years at College Park and before that in the private sector. Mr. Tursich and his family are currently in process of moving to Dawsonville and he looks forward to working for the County.

Chairman Berg gave a progress report on State Bill 83 and House Bill 2. State Bill 83, which addresses sales revenue did not make it to the floor and will be revisited next year. House Bill 2 concerning annexations passed the house and is currently on the Senate floor waiting to be voted on Friday.

Commissioner Connor announced that he would not be able to attend his weekly coffee meet and greet at Steamer's and the Georgia 400 Task Force will be meeting on Wednesday, April 25, 2007 at 4:00 p.m. in the Rock Creek Community Room.

APPROVAL OF MINUTES:

Motion passed unanimously to accept the minutes as submitted from the Work Session held on March 29, 2007. Craft/Nix

Motion passed unanimously to accept the minutes as submitted from the Regular Meeting held on April 5, 2007. Nix/Craft

Motion passed unanimously to accept the minutes as submitted from the Called Meeting held on April 6, 2007. Pichon/Connor

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 07-02: Grant Grimes (Temple Inland) has made a request to rezone 100 acres of TMP 90-15 from RA (Residential Agricultural) to RPCD (Residential Planned comprehensive Development) in order to develop 100 lot subdivision. Location: Burt Creek Road & Hwy. 136, across from Gold Creek

Chairman Berg read zoning ZA 07-02 and stated that the Planning Commission had approved zoning ZA 07-02 with stipulations. Grant Grimes, the applicant, addressed the Board and explained that they were requesting a zoning change from RA to RPCD to develop a 100 lot subdivision with homes costing \$400,000 and up. Mr. Grimes stated that the development would provide 1/3 acre per home with 51.3 acres available for open space. The Homeowners Association will maintain the common areas, pools, club house, tennis courts, roads and trails. The City will be providing sewer and EWSA will provide water for the first phase of the development.

Chairman Berg read the following stipulations set forth by the Planning Commission:

- Storm water detention water quality controls should be included to protect the water corridor and its endangered species as well as defined wetlands in the area.
- Extension of the trails system north and south along Burt Creek and linking back to the Dawson county Park should be included to provide future connectivity. The trails should be constructed to the standards provided by the parks and recreation department.

- GDOT approval is required prior to development.
- Soil erosion control measures must be strictly adhered to during and post construction.
- Consideration of school expansion areas should be given.
- Open space should be permanently protected via HOA or other vehicle.
- The master plan should be revised to reflect the mixed use character area described in the Comprehensive Plan Draft prior to development of any future phases.

Mr. Grimes understood and agreed to all stipulations on ZA 07-02. Commissioners expressed concerns with emergency services access, sight distance at entrance, speed limit and covenants that should be binding with home owners. Mr. Grimes has worked with the fire marshal concerning access, speed limit would be controlled by GDOT and all covenants with home owners are binding.

Chairman Berg asked if anyone wished to speak in favor of ZA 07-02 and seeing none asked if anyone wished to speak in opposition. Terry Tragesser spoke of concerns she had with only one entrance and exit to the subdivision.

George David stated that he felt the Board was walking into a mine field since the developer owned 7,298 acres and the Board should be looking at the complete master plan instead of just a portion of the property. He also had concerns with water and sewer and the walking path between the property and the county park.

Weldon Sheriff felt that the developer was not following the Dawson County regulations since a large portion of the property was in flood plains and would not be suitable for building. Mr. Sheriff felt that the water sources and endangered species would be destroyed by this development and he was also concerned with logging debris.

Chairman Berg asked if the walkway was indeed on the park and recreation property and Mr. Grimes stated that it was. Commissioner Connor stated that he would like to see the whole plan submitted as opposed to just a piece of the plan. Mr. Grimes stated that they were waiting for an ordinance for village centers to be crafted which could be in 60 to 90 days before completing the entire master plan. Commissioner Pichon asked about the FLUP and if the development met the requirements of the plan. Planning Director Lynn Tully stated that the plan did meet the Dawson County ordinance.

Motion passed by majority to approve ZA 07-02 with stipulations set forth by the Planning Commission. Craft/Pichon Commissioners Connor and Nix opposed the motion and Chairman Berg broke the tie by voting in favor of the motion.

OLD BUSINESS:

SPLOST V

Bryce Holcomb, director of Citigroup Global Markets, answered some of the questions that had come up with SPLOST V. Mr. Holcomb stated that the County was actually projecting revenue for the next 7 to 8 years. The Commissioners viewed a power point presentation which showed how Citigroup arrived at the SPLOST V amount between 85 million and 90 million. SPLOST V budget and bonding strategy was discussed. Bonding would allow the county to pre-fund projects and minimizes the risk of construction cost escalation. Mr. Holcomb recommended bonding only level one projects until the county could see how the dollars look coming into the county. If money was not coming in as projected, items that were not bonded could be scaled back. Citizens would be voting on the total amount of the SPLOST which would include bonding and financing. Mr. Holcomb stressed that the ballot could state that the county would be bonding a certain amount but they would only have to borrow what the county needed and not the total amount.

Roger Murray, with Murray, Barnes, Finister LLP, spoke to the Board about what would happen if the collections exceeded or was lower than expected. A resolution is needed to outline the SPLOST V projects but needs to be vague on the amount allotted for each project so if more or less money is collected the county has some leeway on which projects should be funded. Mr. Murray explained that the 1% tax was a county tax and cities saw this money coming into the county and wanted a portion of the proceeds. The tax runs for six years and the city will receive 4% of the level two money for capital improvements according to current legislation. An intergovernmental agreement is needed with the city for the transfer of the funds after the tier one level projects for the county are completed.

Michael Katzin, with HOK, addressed the cost associated with the new courthouse project. Mr. Katzin explained the quality levels and the cost per square foot. The cost for a basic court building would be \$225 to \$250 per square foot, a medium range court building would be \$250 to \$275 per square foot and a high range would be \$275 and above. Mr. Katzin had two different firms provide costs estimates for the Dawson County Courthouse. Gleeds, a national known company which specializes in construction management and cost estimate, thought that the numbers from HOK were slightly high. CH2M Hill estimated that HOK was on the low end per square footage. HOK, working with their cost estimators, came down from \$250 per square foot to \$240 per square foot for the new courthouse. The new amount for the courthouse and the renovations to the old courthouse totaled \$39,581,813. The courthouse will be a blend of 80% traditional and 20% modern.

Alan Duncan, with CH2M Hill, went over the SPLOST V project list with the Board. Level one projects included:

- Courthouse and Government Services Building (option two)
- Acquire Sheriff's Administrative space lease and 800 MHz
- Acquire courthouse parking

These projects are funded prior to sharing any monies with the city. Other projects that were recommended include:

- Public Works building
- Ambulance (2)
- Cardiac Monitors (4)
- Water & Sewer Capital Projects
- Road, Streets, Bridges
- Design & ROW for southerly Dawsonville bypass
- Burt Creek Consolidated Fuel Facility
- Acquire 70 acres for East Central Park
- Community Center
- Soccer Lights at Rock Creek Park
- Skate Park
- Senior Citizen Center improvements
- Library Annex
- Professional Services
- Recreation Facility
- Corp of Engineer Parks

Chairman Berg stated that the design and ROW for southerly Dawsonville bypass should be shown separately since this item is the City's portion of SPLOST V. Public hearings of SPLOST V will be held on

May 3, 2007 and May 17, 2007. A special called meeting with the City of Dawsonville will be held on June 8, 2007 to discuss an intergovernmental agreement.

NEW BUSINESS:

Judicial Council of Georgia Standing Committee on Accountability Courts Grant

Finance Director Lowayne Craig stated that this was a no match grant and requested the Board's approval.

Motion passed unanimously to approve the Judicial Council of Georgia Standing Committee on Accountability Courts Grant. Nix/Pichon

Ambulance Remount Bids

EMS Director Billy Thurmond requested approval of the low bid of \$105,780 from Southern Specialty Vehicle. The money to pay for the ambulances will come from SPLOST IV.

Motion passed unanimously to approve the low bid from Southern Specialty Vehicle. Craft/Pichon

Presentation of Law Enforcement & Training Facility

Chairman Berg stated that Major Kevin Tanner had presented the Law Enforcement & Training Facility to the Board at last weeks work session. Commissioner Connor asked Major Tanner if the money that was collected from housing inmates from outside the county was supposed to go towards the debt of the new jail. Major Tanner stated that if SPLOST did not pass they would continue to use the income from housing inmates from outside to pay on the debt.

Motion passed unanimously to approve a separate account for the Law Enforcement & Training Facility that was outlined by Major Tanner. Pichon/Craft

Soil and Water Stewardship Week Proclamation

Chairman Berg read the following proclamation:

Whereas fertile soil and clean water provide us with our daily sustenance, and Whereas effective conservation practices have helped provide us a rich standard of living, and Whereas our security depends upon healthy soil and clean water, and Whereas soil and water stewardship calls for each person to help conserve these precious resources, Therefore, I do hereby proclaim April 29-May 2, 2007 Soil & Water Stewardship Week

Motion passed unanimously to adopt the Soil and Water Stewardship Week Proclamation.

Chairman Berg presented George Lyons with the signed proclamation.

Two County Positions

County Manager Phil Anderson requested that the Board approve two new positions; Director of Community Services and Director of Community Development. Commissioner Craft asked what the salary would be for these positions. Anderson explained that the salary would be based upon prior experience and knowledge. These positions will be advertised in multiple venues.

Motion passed unanimously to approve the two new positions. Connor/Pichon

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

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

Motion passed unanimously for the County Attorney to move forward and seek legal remedy with the City concerning annexations 06 22 through 57 (referred to as the Elliott annexations). Connor/Craft

ADJOURNMENT:

Motion passed unanimously to adjourn the meeting. Connor/Craft

Regular Meeting Minutes - May 3, 2007

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES – THURSDAY, MAY 3, 2007

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

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

OPENING PRESENTATION: Rape Response – Dana Chapman

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Chairman Berg

ANNOUNCEMENTS:

Chairman Berg announced that he and Commissioner Gary Pichon would be out of town next week during the Board of Commissioner’s work session and Vice-Chair Julie Nix would be serving as acting chair.

Commissioner Mike Connor invited everyone to attend an informal get together with him to discuss issues of concern the first and third Tuesday of each month from 10:00 to 11:15 at Steamers Coffee Company. The GA 400 Task Force will hold their next meeting on Monday, May 07, 2007 at 4:00 p.m. in the Rock Creek Community Room.

APPROVAL OF MINUTES:

Commissioner Connor suggested a change on the SPLOST V project list from “Community rooms at Fire Stations” to “Community Center”.

Motion passed unanimously to accept the minutes from the Regular Meeting held on April 19, 2007 with the suggested change from Commissioner Connor. Pichon/Connor

PUBLIC HEARINGS:

SPLOST V

Chairman Berg stated that this was the first public hearing on SPLOST V and introduced Alan Duncan with CH2M Hill who gave a brief summary of the SPLOST V projects. Mr. Duncan went over the revenue projections, the selection process and the list of projects. Revenue projections were made by looking at the annual growth rate over the last five years and projecting the growth for the future. Selection process started by giving the Commissioners a list of projects from which they chose the vital projects, very important projects and somewhat important projects. Level one projects include:

- Acquire, construct, renovate and equip Courthouse and Government Services building
- Acquire, construct and equip Sheriff's Administration space and install 800MHZ
- Acquire and construct Courthouse Parking Lot

Other recommended projects:

- Acquire, construct, renovate and equip Public Works Facilities which includes pre-funding of facility and the Burt Creek Consolidated Fuel Facility
- Acquire, construct, renovate and equip Emergency Services Facilities including two ambulances and four cardiac monitors
- Water and sewer capital projects
- Roads, streets and bridges
- Acquire, construct, renovate and equip Park Land – 70 acres for east central park and amenity improvements to leased Corps parks
- Acquire, construct, renovate and equip Recreation Facilities to include community center, soccer lights at Rock Creek Park, State Park, Senior Citizen Center improvements and Recreation Facilities
- Acquire, construct, renovate and equip Library Facilities – Library Annex

Mr. Duncan explained that the City will receive a portion of SPLOST V if an intergovernmental agreement is reached. If an agreement can not be reached the City will receive 4% of the funds that are

collected after the level one projects are funded. The State of Georgia now dictates that cities can participate in SPLOST. Chairman Berg stated that a meeting between the City and the County will be held on May 25, 2007 at the Lakeview Center and SPLOST V is scheduled to be discussed at 1:30 p.m. The public is invited to attend this meeting.

Finance Director Lowayne Craig explained the collection process of SPLOST monies. Monies will come into the State monthly and the State distributes the money to the County's financial custodian. If the growth within the County does not occur and funds do not reach the projected amounts SPLOST projects will be cut back.

Mr. Duncan presented an example of a referendum for SPLOST V which is targeted to be put on a ballot to be voted on September 18, 2007.

Chairman Berg opened the floor for anyone wishing to speak on SPLOST V.

Bob Crouch stated that Big Canoe is donating five and a quarter acres to the County to construct a community center. Mr. Crouch asked the Board to increase the amount of funding for the community center.

Terri Tragesser is very concerned about the roads in the County and the patchwork quilt way in which they are laid out. Ms. Tragesser asked the Board to look ahead and think about the cost of ROW's and road networks.

Arlene McClure had concerns about the costs of the courthouse and government services building. Ms. McClure requested that a breakdown of the costs for the courthouse be presented to the public before the September referendum.

Leo Shepherd stated that he was concerned with the water situation in the County. Mr. Shepherd suggested adding a reservoir to the list of SPLOST V projects. Chairman Berg explained that Brooke Anderson from EWSA had presented their needs to the Board and a reservoir was not on the list. EWSA believes that they will be able to handle a reservoir on their own. EWSA is the agency who is currently the owner of the water system in Dawson County. The County could build a reservoir but the County would have to go through the State to be able to get control of the water and it would be a long battle with EWSA.

Warren King asked if there was any end to EWSA's claim to the water. Chairman Berg stated that he was not clear as to how long EWSA's contract was. The County has continuously tried to work with EWSA and almost created a shared Board that fell through at the last minute. EWSA has told the Board that they are working on a reservoir.

Lauren Mitchell asked if any money would come from the County's general fund to pay for any of the SPLOST V projects. Chairman Berg stated that no portion of the projects would be paid for by the general fund. Commissioner Pichon pointed out that if the level one projects that are bonded were not fully funded by SPLOST then the money would have to come out of general fund to pay for those bonds. County Attorney Homans pointed out that the County could bond up to sixty million but they are not required to bond the maximum amount.

George Lyons asked if the Sheriff's Administration was not covered under SPLOST IV. Chairman Berg explained that due to Katrina and the rise in costs the amount to build the jail increased and would have to be added to SPLOST V.

Chairman Berg asked if anyone else wished to address the Board concerning SPLOST V and seeing no one closed the first public hearing. The next hearing for SPLOST V will be on May 17, 2007 at the next regular meeting of the Board of Commissioners.

Commissioner Connor asked if the Board could include a speed limit issue on GA 400 to the agenda. Chairman Berg stated that it would be added to a work session agenda.

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

ADJOURNMENT:

Motion passed unanimously to adjourn the meeting. Craft/Connor

Regular Meeting Minutes - June 5, 2007

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES – TUESDAY, JUNE 5, 2007

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

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

OPENING PRESENTATION: NOA – Brenda Bland

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Chairman Berg

ANNOUNCEMENTS:

Commissioner Mike Connor announced that the GA 400 Task Force will be holding a stakeholders meeting on June 11, 2007 beginning at 2:00 p.m. in the Rock Creek Community Room. A community meeting geared for the general public concerning GA 400 will be held at 6:00 p.m. at the same location.

APPROVAL OF MINUTES:

Motion passed unanimously to accept the minutes as submitted from the Regular Meeting on May 17, 2007. Pichon/Craft

Chairman Berg stated that an addition needed to be made to the agenda to include a change order task for the jail.

Motion passed unanimously to approve adding the jail change order task to the agenda. Craft/Pichon

PUBLIC HEARINGS:

SPLOST V

Chairman Berg stated that as a result of the discussions that the Board of Commissioners had yesterday with the City of Dawsonville regarding their SPLOST requests the Board would be conducting a third public hearing on SPLOST V. Chairman Berg opened the floor for anyone wishing to speak about SPLOST V.

Jan Grimes expressed concerns about the City's request for SPLOST V funds. Mr. Grimes was against giving the City SPLOST funds for the TRUSA building, fire truck and for water and sewer. Mr. Grimes stated that if the City's requests were to be added to SPLOST V, he would lead the parade against SPLOST V. Mr. Grimes thought that the extension of Perimeter Road was a good cause and that 8 million for the City was out of line and the amount should be based on a per capita basis.

Joe Bosworth was dead set against giving the City 8 million of SPLOST funds and felt that it should be based on a per capita basis.

Terri Tragesser spoke to the Commissioners about how critical roads were to the County and asked the Board to consider putting more money towards the roads. Ms. Tragesser asked the Board to look into a road impact fee for residential housing.

Dana Miles, on behalf of the City of Dawsonville, respectively renewed the City's request for 8 million SPLOST dollars.

Michael Griffith stated that he was against giving the City 8 million of SPLOST funds and felt that the County should give them the bare minimum as required by law. Mr. Griffith was in favor of the Perimeter Road extension.

Kirk Brookshire presented the following:

I have said in the past, when the City of Dawsonville presents its request for SPLOST V revenues, we will know if we are dealing with a partner or a parasite in our county's growth. I listened to the city's presentation and witnessed their uncompromising attitude. Elected city officials cried foul and complained they were not given enough time. They feel the pace of county government should be slow and deliberate while city business such as AP zoning and annexation should be conducted at warp

speed. As commissioners, you represent 288 county residents for every one vote the mayor received in his last election. County residents are fed up with playing host to this parasite. This is the time and this is the issue to tell the Mayor, the City Council and their small group of followers “NO”.

The city has requested \$850,000 for a fire truck. Dawsonville does not have a Fire Department and the County Fire Department has not asked for a ladder truck. This amount is equal to the total the city will spend for all emergency services for the next 5.4 years. If the city wishes to permit 3 story buildings, they need to require developers to incorporate fire suppression systems into these structures. This will save the capital expense of a ladder truck. It will also save the county the financial burden of training and the cost of manning unneeded emergency services equipment.

The city is requesting 1 million for water and sewer improvements. As we found out yesterday, this is not for improvements – it is for expansion. The city plans to continue to drill high yield wells. These wells will have a drastic effect on our water table. The city’s plan to rely on wells for its water supply is not a viable long term option. This policy will endanger existing private wells. The City of Dawsonville has options for their water supply. County residents living in areas without water supply infrastructure do not. This policy will have a negative effect on the county land use plan. Without the ability to drill wells, low density, low impact private development will be jeopardized. This will eliminate the county’s highest and best option for growth. Considering the direct negative effect of this request, it should not receive county financing.

The city is demanding 2.6 million to pay off City Hall. It is not the responsibility of the citizens of Dawson County to pay for a building that far exceeds the needs of city government. The City Clerk tried to make a case for this being a bargain. If you take into account utility costs for this energy inefficient building, the cost of maintaining such a large structure and the wasted space, this building is no bargain. The actual cost per square foot used is unacceptable. Consider the population ratio of Dawson County and Dawsonville. This request is like asking the voters to foot the bill for a 65 million dollar County Administration building. The mayor’s idea to list this expenditure by another name on the SPLOST V referendum only highlights his unethical nature. We will not be tricked into paying off City Hall.

City officials say the county needs to shave their expenditures to make room for city requests. Not counting Level One or Public Safety projects, the county has chopped their list from 191 million to 25.5 million. This is an 87% reduction in optional projects. If the city will reduce their request by this same percentage, their total would be 1.08 million. This is the amount the city is entitled to by population. Examining the city’s finances shows they are operating at a 2 million dollar annual deficit. The rosy financial picture put forth by the Mayor and City Council depends on the county financing their every request.

The Board of Commissioners should maintain strict oversight on how all SPLOST proceeds are used. Contractors should be qualified and have a proven track record. They should be aware of permitting procedures and right of way restrictions. Money must be spent wisely because we cannot afford to spend it again.

The Mayor and City Council seem to feel they have broad support for their requested projects. I would encourage you to put these three items on a separate bond referendum and let's find out. When it comes to SPLOST revenues being used for these three projects, consider it a deal breaker. County residents will work tirelessly to defeat any referendum that does not require the City of Dawsonville to operate within their means.

Lauren Mitchell opposed the City's request for monies for City Hall, water and sewer expansion and for a fire truck. He felt that the City should be responsible for the debt on City Hall and that they should not buy things that they can not afford.

Chairman Berg asked if anyone else wished to speak on SPLOST V and seeing none closed the hearing. Chairman Berg explained that the Board would be able to vote on the SPLOST V issue or postpone the vote until June 21, 2007. Legal issues were brought up at the City/County Retreat that should be addressed before the Board does vote. The Board decided to defer the vote on SPLOST V until the Board of Commissioner's meeting on June 21, 2007.

NEW BUSINESS:

Dr. McLemore Study

County Manager Phil Anderson stated that a presentation was given at the work session concerning the hydro geologic study and recommended the Board accept a proposal from CH2M Hill to do a peer review of the study. CH2M Hill would charge the County \$5,000 for the peer review.

Commissioner Connor stated that he felt that Dr. McLemore was highly qualified and a peer review would be unnecessary. Mr. Connor did not want to waste the County's money if a peer review was not necessary. Commissioner Pichon felt that the County should actually have more reviews conducted since the County would be changing an ordinance that would affect the density of the County. Mr. Pichon wanted to be sure that the County would be able to defend their decision in court.

Motion passed by majority to approve a peer review of Dr. McLemore's Study by CH2M Hill. Pichon/Nix Commissioner Connor voted against the motion.

DHR Unified Transportation Grant

Motion passed unanimously to approve the DHR Unified Transportation Grant. Nix/Craft

Legacy Link Grant

Motion passed unanimously to approve the Legacy Link Grant. Nix/Craft

Emergency Notification System Proposals

Purchasing Agent Jill Rathe gave a brief power point presentation that answered questions that the Board had raised at the last work session. One of the greatest advantages to the notification system is the speed in which people are notified. Ms. Rathe provided the Board with a list of Counties using the Emergency Notification System. Chairman Berg asked if it was possible to put a cap on the cost of the service for each year. EMS Director Billy Thurmond stated there could be a cap placed on the system. Mr. Thurmond explained that all parts of the County might not have to be notified depending on the location of the emergency thus saving the County money.

Motion passed unanimously to approve the Emergency Notification System Proposal with a cap of \$20,000 a year. Nix/Pichon

Work Ready Community

Chairman Berg explained that Linda Williams had presented Work Ready Community to the Board at the last work session. Work Ready Community does is provided to the County at no cost and would improve the training of the County's work force.

Motion passed by majority to approve Work Ready Community. Nix/Craft Commissioner Connor abstained from the vote.

Dawson County Child Development Center

County Attorney Joey Homans explained that the Board had talked about a lease/purchase option for the Dawson County Child Development Center. The Board had discussed putting different time frames on the lease/purchase agreement of the center to try to keep it as a child care center.

Motion passed unanimously to approve putting the Dawson County Child Development Center out for lease for two years with the option to purchase after that time. Pichon/Nix

City Sidewalk Project – Request for Funds for Phase 2

County Attorney Homans stated that funds had already been released for Phase 2 of the City sidewalks and what the Board would be discussing were the funds for Phase 5.

County Engineer Dave Headley informed the Board that it had come to his attention that the sidewalks that were being built on the County's right-of-way off Perimeter Road do not comply with GDOT's standards. In Mr. Headley's opinion the design of the sidewalks does not comply with the ADA requirements outlined for handicap accessibility by GDOT, also drainage structures, curb and gutter, width and clear zones were not designed to GDOT standards. Planning Director Lynn Tully explained that if specific standards for certain roads were not covered by County ordinance than GDOT standards would be followed. Headley stated that the current design of the sidewalks could be dangerous to the public. County Attorney Homans presented the Board with the following options:

1. Withhold the \$110,000.00 for Phase 5 and undertake a repair and replacement with the \$110,000.00 and supplement such amount as necessary to complete the project;
2. Pay only the cost of removing the sidewalks currently installed and deduct such amount from the \$110,000.00 being requested for Phase 5; the removal of existing structures would cost \$5,000.00 as a base amount with any additional contingencies;
3. City may assume full responsibility for the roadways where the sidewalks have been improperly installed so that such roadways become City streets.

The Board discussed the issues concerning the sidewalks which included further discussion with the City, holding the funds for the section of sidewalk on County right-of-way, County remove the sidewalks using the funds allocated for City sidewalks and asking the City to replace sidewalk with ones that meet GDOT standards.

Commissioner Pichon stressed that he would like to see a practicing licensed engineer to compare what is currently in place and what needs to be done to bring the sidewalk up to GDOT standards. Commissioner Connor stated that he valued County Engineer Headley's opinion and was most concerned about the safety to the citizens.

Commissioner Craft motioned to withhold funds for the Phase 5 portion of the City sidewalks until the City informs the County about what they will do to fix the mistakes on the County's ROW. Motion dies for lack of second.

Commissioner Connor motioned to pay only the cost to remove the sidewalks currently installed on the County's ROW with money from SPLOST. Motion dies for lack of second.

Commissioner Pichon motioned for the County to get a licensed engineer to look at the sidewalk system that is currently on the ground at Perimeter Road and compare that to GDOT standards and have the County Engineer review the report and bring a recommendation back to the Board. Motion was seconded by Commissioner Nix.

Motion passed unanimously to amend the main motion so that the City would pay for the cost of an engineer out of the SPLOST funds for City sidewalks. Craft/Connor

Motion passed unanimously to approve the main motion. Pichon/Nix

Family & Child Services Board Appointment

Chairman Berg stated that Edwin Loper is currently on the Family and Child Services Board and asked that a motion be made to reappoint him to that position.

Motion passed unanimously to approve Edwin Loper to the Family and Child Services Board with the term expiring June 2012. Craft/Connor

Preliminary Master Plan for Burt Creek Complex

County Manager Phil Anderson requested the Board approve in concept an Intergovernmental Agreement with the Board of Education whereby the Board of Education would have a long term lease for their portion of the Burt Creek Complex so long as they use the site for the intended purpose. The agreement would include that each Board would be responsible for their respective improvements on and maintenance of the property, common used roads would be cost shared 50/50, the initial cost for the fueling facility will be cost shared by all users through a surcharge on a price per gallon and since the Board of Commissioners paid for a consultant to develop a site master plan for the complex the Board of Education will provide a consultant for an equivalent service of equal value. The Board of Education has spoken in favor of this agreement.

Motion passed unanimously to approve in concept the intergovernmental agreement for Burt Creek Complex Master Plan as drafted on 05-22-07. Pichon/Craft

Transfer Station

County Manger Anderson informed the Board that it would be cost effective for the County to bring the Transfer Station in house. Staff recommendation is to bring the operation in house through the purchase of a tractor and two containers. Bringing the Transfer Station in house would require the County to hire a CDL driver. Public Works Director Randy Bowen stated that the equipment is usually available within 30 to 60 days. The monies to purchase these items would come from the advanced waste enterprise fund.

Motion passed unanimously to approve bringing the Transfer Station in house. Connor/Craft

Dawson/Lumpkin County Line

County Manager Anderson informed the Board that a peer review had been completed on the Dawson/Lumpkin County line by Keck & Wood. Keck and Wood's findings were that Moreland Altobelli & Associates performed the work with the normal standard of care. Mr. Ross Lynn, from Keck and Wood, answered questions from the Board and explained how they had conducted the peer review.

Commissioner Connor had concerns about the outcome of the Dawson/Lumpkin County line and requested the Board to allow an additional meeting between the BOC, Lumpkin County Commissioners, affected homeowners and anyone else who had concerns about the line.

Motion passed by majority to delay a vote for two weeks until a public forum can be set up to hear all interested parties. Connor/Craft Commissioner Nix and Pichon voted against the motion. Chairman Berg broke the tie by voting in favor of the motion.

Change Order for Jail

Planning Engineer Dave Headley gave a brief power point presentation on the proposed change order for the jail. The change order involved changes to the ceiling of the jail in the amount of \$73,576.18. Chairman Berg asked if there was money available in the jail account that was set aside for change orders. Mr. Headley stated that there was money still available for changes in the account and that they are not expecting anymore large changes.

Motion passed unanimously to approve change order #OA-33. Pichon/Craft

Motion passed unanimously to go into executive session to discuss legal and personnel issues.
Pichon/Nix

ADJOURNMENT:

Motion passed unanimously to adjourn the meeting. Craft/Connor

Work Session Minutes - June 14, 2007

DAWSON COUNTY BOARD OF COMMISSIONERS

WORK SESSION MINUTES – THURSDAY, JUNE 14, 2007

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

1. GA 400 Task Force Report – Mike Connor

This item was for information and will be brought to the Board at a later date.

2. Winder Appeal of Planning Director's Decision – Lynn Tully

This item to be placed on the Regular Meeting Agenda – 06/21/07

3. Maresa Helton – Hardship – Lynn Tully

This item to be placed on the Regular Meeting Agenda – 06/21/07

4. TE Grant – Lynn Tully

This item to be placed on the Regular Meeting Agenda – 06/21/07

5. Planning and Development Annual Report – Lynn Tully

This item was for information only.

6. City Sidewalks (Phase 5) on County ROW – David Headley

This item to be placed on the Regular Meeting Agenda – 06/21/07

7. Transfer Station Equipment Purchases – Randy Bowen

This item to be placed on the Regular Meeting Agenda – 06/21/07

8. Updated Purchasing Resolution – Jill Rathe

This item to be placed under Public Hearing on the Regular Meeting Agendas – 07/05/07 & 07/19/07

9. Dawson/Lumpkin County Line

This item to be placed on the Regular Meeting Agenda – 06/21/07

10. Library Board Appointments – Mike Berg

This item to be placed on the Regular Meeting Agenda – 06/21/07

11. County Manager Report

Impact Fees – Bill Ross

This item was for information only.

Budget Amendments – Lowayne Craig

This item to be placed on the Regular Meeting Agenda – 06/21/07

Tax Commissioner Server – Mark Tursich

This item to be placed on the Regular Meeting Agenda – 06/21/07

12. County Attorney Report

Motion passed unanimously to go into executive session. Craft/Connor

Regular Meeting Minutes - June 21, 2007

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES – THURSDAY, JUNE 21, 2007

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

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

OPENING PRESENTATION: Foster Parenting – Jennifer Moye

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Chairman Berg

ANNOUNCEMENTS:

Chairman Berg announced that Dr. Laura Tyler, head of the Georgia Mountains Community Service, will be leaving her position on August 17, 2007 to join the University of Arkansas where she will lead the Psychiatric Research Institute.

APPROVAL OF MINUTES:

Motion passed unanimously to accept the minutes as submitted from the Regular Meeting on June 5, 2007. Pichon/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 07-04: Linda Moss has made a permissive use request in accordance with Section 307.A.4 of the Dawson County Land Use Resolution in order to operate horse riding stables on this property. Property currently operates as a horse farm and other agricultural/residential use. TMP: 97-15 & 15.01 Zoned RA; 11 plus acres, Location: 153 Dawson forest Road

Planning Staff & Planning Commission Recommended Approval with Stipulations

Chairman Berg read zoning ZA 07-04 and asked if the applicant was present to speak to the Board. Linda Moss informed the Board that she was planning to relocate to Dawson County and would like to move her horse farm. Ms. Moss boards horses, give lessons and takes her ponies to off-site parties. A chicken house currently on the property will be converted into horse barn with 12x12 stalls. Ms. Moss assured the Board that she is a wonderful neighbor and has had no problems or complaints about cleanliness or flies.

Chairman Berg asked is anyone wished to speak in favor of or opposition to ZA 07-04 and seeing none closed the hearing.

Motion passed unanimously to approve ZA 07-04 with the stipulations set by the Planning Commission. Nix/Craft

ZA 07-06: Judy Pruett has made a request to rezone 0.38 acres of TMP: 70-16 from RA (Residential Agricultural) to R2 (Residential Single Family) in order to replace burned down mobile home with newer mobile home. Mobile home was grandfathered in when it burned and since it was not replaced within 1 year, the grandfathered use was lost. Location: 325 Elliott Family Parkway

Planning Staff & Planning Commission Recommendations will be available ASAP

Chairman Berg read ZA 07-06 and asked if the applicant wished to address the Board. Judy Pruett explained that she would be replacing a trailer that burned down and she would be the residing there. Chairman Berg asked if Ms. Pruett had any objections to having a permissive use to allow for the placement of the mobile home without changing the zoning. Planning Director Lynn Tully explained that there were two options for the property; either rezone to R2 to allow for a mobile home or RA with a permissive use that would allow for the mobile home. Ms. Pruett said she no objection to either option.

Chairman Berg asked if anyone wished to speak in favor of or opposition to ZA 07-06 and seeing none closed the hearing.

Motion passed unanimously to allow for permissive use to locate a mobile home on less than a five acre area. Nix/Connor

AR 07-01: The Professional Offices of Dawsonville, LLC (Steve Yurchek) has made an appeal to the definition of planned center signage in order to place signage for multi tenant building that does not meet Dawson County Sign Ordinance definition regarding building size, firewalls, etc. TMP: 106-75 Split, Zoned: COI, Location: 1078 & 1080 Lumpkin Campground Road

Chairman Berg read AR 07-01 and explained that this was an appeal of a decision that was made by the Planning Director. Steve Yurchek, the applicant, stated that there were currently two buildings sharing one driveway with plans for an additional building to be built in back. There will be six different tenants and they would like to have a sign that is slightly larger than the sign ordinance allows. The eleven foot sign would be very attractive and would be larger enough to allow space for future tenants.

Commissioner Pichon was concerned if the Board denied the request for the larger sign the applicant could place a twenty foot sign on the property once the third building was completed. The Board discussed possible changes to the sign ordinance which would include public hearings.

Motion passed unanimously to approve AR 07-01. Pichon/Craft

OLD BUSINESS:

SPLOST V

Alan Duncan gave a short review of the project list for SPLOST V. Chairman Berg met with Mayor Cox, City Attorney Miles, Councilman Wilson, Commissioner Pichon and County Attorney Homans to discuss SPLOST V. The City requested 8.1 million and would not consider removing City Hall from the list of proposed projects. The only items they would remove were Perimeter Road and the fire truck. During the meeting the Mayor said that is the County did not approve City Hall on their request list the City would sue and go door to door and campaign against SPLOST. The majority of SPLOST V money is going toward the City since the courthouse, administrative offices and jail are all located within City limits. This will create a major economic benefit for the City. Chairman Berg recommended the Board give the City the prescribed amount as allowed by SPLOST law. Commissioner Pichon stated there were three priorities for SPLOST V; finish the jail, court facilities and roads and bridges. These items reflect the will of the Board.

County Attorney Homans recommended the Board state in the resolution in the part concerning the City the minimum amount allowed permitted by law and in parentheses the projected amount of 1.1 million. Homans pointed out the main difference with the City is the City Administration Building. Chairman Berg stated there were several hearings on SPLOST and numerous people had spoken against supporting SPLOST V if any money is allotted for City Hall.

Commissioner Conner referred to statements he made at the City/County meeting last month:

The Dawson County Board of Commissioners met with the Dawsonville City Council to discuss SPLOST V. Alan Duncan, with CH2M Hill, gave a presentation on how the County arrived at the SPLOST V list of projects, the level one projects, other projects and the draft referendum. Mr. Duncan explained the different options for allocating SPLOST revenue between the City and the County. Two methods are available; one would be for the City and County to reach an intergovernmental agreement about how much revenue would be shared by the two entities or level one projects will be subtracted from the total amount of SPLOST revenue collected and the remaining amount would be split by population.

Dawsonville City Clerk Kim Cornelison presented the County with the following proposed projects for the City of Dawsonville:

J.C. Burt/Perimeter Road Improvements \$1,250,000.00

Allen Street Extension 781,832.00

Main Street Extension 986,040.00

City Hall purchase 2,600,000.00

Sidewalks 500,000.00

Skate park 50,000.00

Fire Engine 850,000.00

Water/Sewer Improvements 1,000,000.00

Total Request for SPLOST Dollars \$8,017,872.00

The Board of Commissioners questioned the City on several of the different projects on their proposed project list. Main concerns were the City Hall purchase, fire engine and water/sewer improvements. Commissioner Connor stated that SPLOST V would not be approved by the citizens of Dawson County with the inclusion of the City Hall purchase.

The third public hearing on SPLOST V will be on June 5, 2007.

Commissioner Pichon questioned the City Attorney's interpretation of SPLOST law. The City believes that the statute requires the County list what the City proposes and the County does not have the discretion to reject what the City has requested.

Commissioner Craft felt the County was being fair to the City. Craft felt the 2.6 million that the City was asking for to pay off City Hall would better serve the citizens if it was put towards roads and sidewalks.

Motion passed unanimously to approve SPLOST V as written in the resolution with the change in verbiage as recommended by the County Attorney. Craft/Pichon

City Sidewalks

County Engineer Dave Headley asked the Board for direction on how they wanted to handle the City sidewalk project. Andy Anderson, a professional from Street Smarts, was available to answer questions from the Board. Anderson reported ADA issues, drainage problems and construction quality.

The Board of Commissioners was most concerned with safety issues of the sidewalk. Chairman Berg asked if there had been dialog with the City about the different issues and how to comply with ADA. Headley stated there were no conversations with the City to discuss ratifying the problems with the sidewalks.

Commissioner Pichon suggested asking the City to mitigate the areas of the sidewalk that are safety hazards. In the future, the County needs to have a process in place for County right-of-ways where the City would have to comply with the design requirements set forth by the County.

County Attorney Homans informed the Board that the City had requested and he provided them a copy of the reports on the sidewalks. The City will retain an engineer to review the reports.

Chairman Berg stated that the County if they viewed something being done incorrectly should have provided a "stop work order". Safety is an issue with sidewalks and the City and County need to get together to decide how this can be accomplished.

Motion passed unanimously to leave the City sidewalks as they are, give the City the money for the phases that are completed as in the agreement and if repairs need to be made for safety it should be at the City's expense and all expenses and cost to County should be taken from the final phase if we have incurred any expense. Craft/Pichon

Dawson County Child Development Center

County Attorney Homans presented the Dawson County Child Development Center final documents before they went out for bid.

Motion passed unanimously to approve the Dawson County Child Development Center documents. Pichon/Craft

Dawson/Lumpkin County Line

Commissioner Pichon read an e-mail from Don Jones, Survey Manager with Moreland Altobelli Associates, regarding the dimensions of the land lots. Chairman Berg explained that representatives from Dawson/Lumpkin County Boards had met Wednesday night. Commissioner Mike Connor asked the Board to delay the vote on the Dawson/Lumpkin County line. Proper procedures were not followed when this process began. Connor is working with the Secretary of State's office and would like for the issue to remain open until after he meets with them.

Chairman Berg said that both Boards had agreed to hire someone to determine the county line. The Counties split the cost of the survey and it was verified by a peer. Chairman Berg stated that he would like to see a line set instead of going back and forth about procedure. He does not want to see any more of the tax payer's money spent or any more time and personnel.

Much discussion followed on procedure, if the line was correct, time and energy spent on fighting the line, if there were other options, get another survey and whether to accept the line or not.

Commissioner Mike Connor read the following statement:

The situation Dawson County now finds itself in as a result of one person's desire to be a resident of Lumpkin rather than Dawson should not have happened in the way it has. In taking the course Mr. Danchek did, and getting the cooperation both the Lumpkin and Dawson Commissions in a past action, the burden and expense for achieving his purpose has fallen to both Counties.

Other innocent people are being impacted by this single individual's desire to be a resident of Lumpkin. This individual has taken this further by participating in Lumpkin county activities as though already a resident including voting in and being a part of the election process in a County he does not legally reside in.

I find this all very troubling and precedent setting. He is dragging unwilling families into an action they want no part of.

My efforts to bring a higher level of understanding to this situation have not given me the slightest amount of additional comfort that Mr. Danchek went about his actions in the right way.

A representative from the Lumpkin County Commission made it quite clear that they would view a no vote by someone on our Board as Dawson County failing to live up to an agreement made by a previous sitting Board. I have been advised by our attorney that the statement was not quite true – the Board had agreed to participate in the survey but not to unconditionally accept the results of the survey. At a time in Dawson county's history when we are struggling to maintain some level of cooperation with the City government within our County boundaries, I do not wish to place in jeopardy the Dawson/Lumpkin working relationship. We will have many years ahead which will no doubt test our working relationship with our neighboring Counties and it is important that we take every opportunity to work together for the benefit of our region.

In weighing this matter, I have decided not to continue my objection. It is however my hope that as a Board we keep this incident ever present in our memory. To allow an individual to manipulate the legal process in such a way as to bring so much misery to their neighbors is a flawed process.

Commissioner Pichon motioned, Commissioner Nix seconded to accept the survey.

Subsequent motion passed by majority to add to the main motion the stipulation that students be grandfathered in to their current school with both schools boards agreeing to honor their wishes and for Dawson and Lumpkin to share any additional cost that could occur concerning the County line. Connor/Nix Commissioner Connor abstained from the vote.

Main motion passed by majority. Pichon/Nix Commissioner Connor abstained from the vote.

NEW BUSINESS:

Maresa Helton - Hardship

Chairman Berg stated the Dawson County had asked DFCS to advise the Board whether or not Maresa Helton had a hardship. County Manager Phil Anderson reported he had spoken with DFCS regional representative and they indicated that Ms. Helton was not on their poverty list.

Motion passed unanimously to deny the request for hardship. Nix/Pichon

TE Grant

Planning Director Tully requested the Board's approval to apply for the Transportation Enhancement Grant for trail ways. The trails would run from Highway 136 down the Burt Creek Floodway along the backside of the County's property across Burt Creek to Shoal Creek.

Motion passed unanimously to approve the application for the TE Grant. Craft/Connor

Transfer Station Equipment Purchases

Public Works Director Randy Bowen gave a status report on the three pieces of equipment needed for the Transfer Station. A 1999 semi-tractor trailer has been located in Gainesville for \$40,450. Director Bowen inspected a trailer with a walking floor for \$17,750 and found it in good condition and he is still trying to locate a trailer without a walking floor which should be anywhere between \$3,000 and \$10,000.

Motion passed unanimously to approve the equipment for the Transfer Station. Craft/Pichon

Library Board Appointments

Chairman Berg recommended Kay Black for the District 1 Library Board appointment.

Motion passed unanimously to approve Kay Black for the District 1 appointment on the Library Board from July 1, 2007 to June 30, 2011. Pichon/Craft

Chairman Berg recommended Missy Treadway for the District 2 Library Board appointment.

Motion passed unanimously to approve Missy Treadway for the District 2 Library Board appointment from July 1, 2007 to June 30, 2011. Craft/Connor

Budget Amendment

Finance Director Lowayne Craig presented the Board with a summarized list of the changes made for 2006.

Motion passed unanimously to approve the budget amendment for 2006. Pichon/Nix

Tax Commissioner Server

IT Director Mark Tursich requested the Board's approval of a new server for the Tax Commissioner's office. The Tax Commissioner's current server is over ten years old and they are having trouble with backups. This new server will meet the needs of County for the next ten years.

Motion passed unanimously to approve a new server for the Tax Commissioner's office. Pichon/Craft

Chairman's Budget Presentation

Chairman Berg read the following letter:

Thanks to Lowayne Craig, Elizabeth Ashworth, Phil Anderson and the Departments for several weeks of very intense budget work. The 2008 Budget represents Phase II of the three-year budget process. This process puts Dawson on the cutting edge of budgeting. Most counties adopt a single year budget. The Finance Budget staff are developing the procedures as we progress through the first three years. The

next step is to tentatively adopt the 2009 and 2010 budgets in the near future. This will allow Budget to provide more analytical reporting and long term planning to you and the departments.

The booklets you are receiving contain the 2008 balanced budget reflecting revenues and expenditures for the General Fund, Solid Waste Fund, Tourism Fund, and the E911 Fund. The first section is for the General Fund. The schedules reflect the recommended changes as a percentage of the 2007 budget for each department with history for 2007 and actual for 2006. Request for more detail can be obtained from Lowayne or Elizabeth.

We have three budget hearings on July 5th, July 12th, and July 26th at a called meeting during the Work Session. I hope we can approve the budget and adopt the millage rate on the last hearing day!

Some major budget highlights:

☐☐ This is a balanced budget of 26,053,091million dollars. About 2.5 million dollars over 2007, approximately 9%.

☐☐ Sales tax revenues have increased by 8 %

☐☐ I have recommended no rollback. The mileage will stay at 8.138 mills. The only property tax increase is those properties that had a property assessment increase in 2007. One mil is equivalent to \$1,297,078 approximately (preliminary digest).

☐☐ The computer pool established in 2007 with \$300,000 is being increased by only \$21,000 for 2008.

☐☐ This budget includes a 3% straight line COLA for county employees. This is the same increase the State is using.

☐☐ Due to our continued efforts with State Officers half of the Public Defenders budget will be paid for by the State.

☐☐ I am recommending 6 of 20 vehicles that have been requested.

☐☐ I am recommending 18.5 of 44 requests (7.5 in County Government and 11 Constitutional) for positions as follows:

- 1) 1-Full-Time position for Admin – Government and Community Affairs Rep.
- 2) 1-Full-Time Budget Manager for Finance – Benchmarking confirmation of staffing, better tracking for ensuring budget compliance.
- 3) 1-Part-Time Buyer for Purchasing – New Department needs assistance to fully implement Purchasing goals.

- 4) 1-Full-Time Position for IT – this position is needed to improve communications and technology in the County.
- 5) 1-Full-Time Adm. Clerk for ESA – due to increase workload.
- 6) 1-Full-Time Time Mechanic in the Roads Department.
- 7) 1-Full-Time Program Assistant for Park and Rec.
- 8) 1-Full-Time Construction Inspector for P&D.
- 9) 1-Full- Equipment Operator with CDL for Solid Waste as approved in the recent operation plan change.
- 10) 1-Full-Time Adm. Assistant for DA due to increase workload
- 11) 1-Full-Time Crime Investigator for Sheriff Office
- 12) 1-Full-Time Records Clerk for Detention – to update records system.
- 13) 8-Detention Officers, 2 hired in January and 2 in July to meet the planned staffing requirements when the new jail is opened. This is the same proactive hiring scheme that was used in 2007 to bring us up to full usage in 2008. Four (4) additional Detention Officers. The costs are offset with an increase to Revenue from Inmate Housing.

Chairman Berg explained the different requests and why he approved the requests for the different departments. Chairman Berg urged the Board to look over the budget and make appointments to speak with the department directors as a group if they felt they needed more information.

Motion passed unanimously to go into executive session to discuss legal and personnel issues.
Connor/Craft

Motion passed unanimously to come out of executive session. Craft/Nix

Motion passed unanimously to approve Davida Simpson as interim county clerk. Craft/Nix

Motion passed unanimously to approve an increase of 4% in the County Manager's salary. Craft/Nix

ADJOURNMENT:

Motion passed unanimously to adjourn the meeting. Craft/Nix

Work Session Minutes - June 28, 2007

DAWSON COUNTY BOARD OF COMMISSIONERS

WORK SESSION MINUTES – THURSDAY, JUNE 28, 2007

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

1. Finance Department Upgrade – Lowayne Craig

This item to be placed on the Regular Meeting Agenda – 07/05/07

2. Proposed Network Connectivity Plan – Mark Tursich

This item to be revisited at another Work Session.

3. Motor Grader Repairs/Replacement – Phil Anderson/Jill Rathe

This item to be placed on the Regular Meeting Agenda – 07/05/07

4. Fire Safety & Burn Prevention Education Program – Tim Satterfield

This item to be placed on the Regular Meeting Agenda – 07/05/07

5. Ratification GDOT Perimeter Road Contract – Joey Homans

This item to be placed on the Regular Meeting Agenda – 07/05/07

6. Ninth District Opportunity Appointment – Mike Berg

This item to be placed on the Regular Meeting Agenda – 07/05/07

7. GMRDC Board Appointment – Mike Berg

This item to be placed on the Regular Meeting Agenda – 07/05/07

8. County Manager Report

9. County Attorney Report

Motion passed unanimously to go into executive session to discuss legal issues. Nix/Craft

Motion passed unanimously to come out of executive session. Craft/Nix

Motion passed unanimously to adjourn the meeting. Craft/Nix

Regular Meeting Minutes - July 5, 2007

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES - THURSDAY, JULY 5, 2007

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

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

OPENING PRESENTATION: Bowen Center for the Arts and the Dawson County Art's Council – Warren King

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Chairman Berg

ANNOUNCEMENTS:

Chairman Berg announced receipt of a letter from the Lt. Governor's Office regarding the Joint Study Committee on Indigent Defense. This letter was in appreciation of Chairman Berg agreeing to serve on the committee chaired by Senator Mitch Seabaugh. This committee will shape what the Public Defender's system will look like in the future.

APPROVAL OF MINUTES:

Motion passed unanimously to accept the minutes with the change regarding ZA 07-06, specifically the report of 38 acres to be rezoned to 0.38 acres rezoned from the Regular Meeting on June 21, 2007.
Pichon/Craft

PUBLIC HEARINGS:

Budget Hearing (1st Hearing)

Chairman Berg asked whether anyone wished to speak on the 2008 Budget Hearing and seeing none closed the first hearing. The next hearing will be on July 12, 2007.

Purchasing Resolution (1st Hearing)

County Attorney Joey Homans reported the end year enacting legislation which created the five panel Board of Commissioners stating any amount over \$1,000.00 had a requirement for bid. The prior Board amended that \$1,000.00 to \$15,000.00. County Attorney Homans recommends the Board limit its consideration to any purchase over \$25,000.00. This would significantly shorten the resolution because the County Administration could handle the purchases under \$25,000.00 while the Board would address anything over that amount. All purchases would still be covered under the current guidelines of the County's Purchasing Ordinance. County Attorney Homans reported that two hearings are needed due to the Board amending enacting legislation.

District 1 Commissioner Gary Pichon stated the Resolution in question stating any purchase over \$25,000.00 would require advertisement. County Attorney Homans stated he would make adjustment to reflect the requirement for bid as opposed to advertisement.

District 3 Commissioner Mike Connor addressed Forsyth County's limit of \$50,000.00 due to their population of 180,000 residents. Chairman Berg explained the need for this resolution because of the growing number of bids that are being submitted to the Board of Commissioners.

Chairman Berg asked if anyone wished to speak on the Purchasing Resolution and seeing none closed the first hearing. The next hearing will be July 19, 2007.

OLD BUSINESS:

Finance Department Upgrade

Finance Director Lowayne Craig stated she gave a presentation at the Work Session on June 28, 2007, requesting a part-time Account Clerk position of 30 hours per week be upgraded to a full-time position of 40 hours per week. Ms. Craig reported few applicants for the part-time position, but all lacked the accounting level experience needed for the job.

Chairman Berg asked if District 3 Commissioner Mike Connor received the information he requested pertaining to costs associated with changing the position from part-time to full time. Also included in packet was the number of part time and full-time employees in the Finance Department. Commissioner Connor stated he had received the requested information.

Commissioner Mike Connor questioned the request for the need for two positions, this new position along with the 2008 budgeted personnel. Ms. Craig explained that this request is for one full-time person and the 2008 budgeted personnel would be separate. Chairman Berg defined a full time employee as one who works 32 hours or more per week and receives benefits. Chairman Berg stated there was very little follow-through on budget analysis once the budget is done the analysis of how the departments are upping their percentage ratio. Chairman Berg reported the chronic need for someone in budget to manage the process of closing out year-end budgets.

Commissioner Connor inquired as to the justification for these additional positions is due spending impact fees and some bonds. Ms. Craig agreed with that analysis. Ms. Craig stated because of the lack of personnel, the Finance Department is unable to implement all resources available with the new CSI program. This program has a \$20,000.00/year lease payment. Ms. Craig stated her department would be more efficient with this full time employee. Ms. Craig also reported her salaried employees are working more than 40 hours per week to cover any gaps. She added with the new position the Finance Department could 1) Bring all departments online and 2) Use all modules of the CSI program including but not limited to: Human Resources; Benefits; Payroll; General Ledger including the Accounting, Accounts Payable/Receivable, Budgeting, and Purchasing portions. This new system is considered a Fund Accounting system that meets the requirements of the Department of Human Affairs and other legal issues.

Motion passed unanimously to approve the Finance Department Upgrade. Nix/Pichon

Motor Grader Repairs/Replacement

County Manager Phil Anderson requested the Board's approval to issue an invitation to bid on a new motor grader.

County Manager Anderson stated at the Work Session on June 28, 2007, after investigating the costs associated with repairing the two best motor graders the County currently owns, there is sufficient cause and SPLOST dollars to purchase a new motor grader as opposed to the leasing option. This cost is estimated at approximately \$200,000.00. The cost associated with repairing the 1984 and 1986 motor graders ranges from \$92,000.00 to \$116,000.00. Mr. Anderson added once he received all bids for the new motor grader he would then report back to the Board with recommendations on how to proceed.

Commissioner Mike Connor inquired as to the replacement for the Head of the Road Department. County Manager Anderson stated he had offered the position to an applicant and he had accepted. This applicant has since spoken at length with the County Manager and Eddie Savage, the Road Department

Superintendent. Phil Anderson stated he felt confident the applicant would be comfortable with bids going out now, and he should be with us about the time we get the bids back.

Commissioner Pichon asked if we would entertain bids from other competitive suppliers. All bids will include local and national manufacturers. County Purchasing Agent, Jill Rathe added in the invitations to bid, a request for the warranty information to be spelled out has been done. As to "Up-Time", different manufactures will report different time guarantees. County Manager Anderson and Jill Rathe stated they were more concerned with the power and the specifications of the equipment.

County Attorney Joey Homans added this motor grader would be necessary to complete SPLOST Road projects; otherwise, the cost of completing those road projects would include the cost of getting the motor grader from some other contractor.

Motion passed unanimously to approve the Request for Invitation to Bid. Pichon/Craft.

Fire Safety & Burn Prevention Education Program

Fire Marshall Tim Satterfield requests the Board's approval to raise funds in the community for the Fire Safety and Burn Prevention Education Program. Fire Prevention months will be September and October 2007. Letters requesting funds will be mailed next month upon approval from this Board. Commissioner Craft inquired as to how much money was collected last year. Mr. Satterfield stated that over \$7,000.00 was collected in the past two years. This money purchased over 13,000 pieces of literature among other necessary items.

Motion passed unanimously to approve the request to raise funds in the community for the Fire Safety & Burn Prevention Education Program. Nix/Craft

Ratification GDOT Perimeter Road Contract

Attorney Homans stated this modification of the GDOT Perimeter Road Contract would add two feet for shoulders on the road stretching from the elementary school on Perimeter Road to Shoal Creek. All other areas of Perimeter Road have been completed. County Attorney Homans reported the City did all the leg work to get the joint (City and County) submission approved through GDOT. The problem that the City faced was GDOT wanted certification on 60 to 80 feet of right of way, and the County could not certify that much. The City went back to GDOT and had them approve 40 feet of right of way. The project was approved in 2006, but it now needs to be ratified as a Board. County Manager Phil Anderson understood GDOT will cover the estimated cost of \$60,000.00 but the City would be responsible for any additional costs; and as County Attorney Joey Homans added, the County will provide the labor.

Motion passed unanimously to approve the Ratification GDOT Perimeter Road Contract. Pichon/Craft

Ninth District Opportunity Appointment

Chairman Berg recommended Commissioner Julie Hughes Nix for the Ninth District Opportunity appointment.

Motion passed unanimously to approve Commissioner Julie Hughes Nix for the Ninth District Opportunity appointment. Connor/Craft

GMRDC Board Appointment

Chairman Berg recommended Brooke Anderson, Manager of Etowah Water and Sewer Authority, for the GMRDC Board appointment. This is a joint appointment with the County and the City. The County representative is David Headley while the City representative is Mayor Joe Lane Cox.

Motion passed unanimously to approve Brooke Anderson for the GMRDC Board appointment. Craft/Pichon

ADJOURNMENT:

Motion passed unanimously to adjourn the meeting. Connor/Nix

Work Session Minutes - July 12, 2007

DAWSON COUNTY BOARD OF COMMISSIONERS

WORK SESSION MINUTES – THURSDAY, JULY 12, 2007

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

1. Emergency Reimbursement Services – Scott Wallace

This item will be advertised for public hearings on 08/02/07 and 08/16/07.

2. GovDeals Sales – Daniel Goode

This item to be placed on the Regular Meeting Agenda – 07/19/07.

3. Standby Architecture and Engineering Services – Jill Rathe

This item to be placed on the Regular Meeting Agenda – 07/19/07.

4. Standby Transportation and Traffic Engineering Services – Jill Rathe

This item to be placed on the Regular Meeting Agenda – 07/19/07.

5. Vehicle Maintenance Bids – Jill Rathe

This item to be placed on the Regular Meeting Agenda – 07/19/07.

6. Commercial Zoning District Updates – Lynn Tully

This item will be advertised for public hearings on 08/02/07 and 08/16/07.

7. Capital and other FUND Budget for 2008 – Lowayne Craig

This item to be placed on the Regular Meeting Agenda – 07/26/07.

8. Ninth District Opportunity Appointment – Mike Berg

This item to be placed on the Regular Meeting Agenda – 07/19/07.

9. County Manager Report

10. County Attorney Report

Regular Meeting Minutes - July 19, 2007

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING AGENDA - THURSDAY, JULY 19, 2007

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

ROLL CALL: Those present were Commissioner Craft, District 2; Commissioner Connor, District 3; Commissioner Nix, District 4; County Attorney Homans; County Manager Anderson; Interim County Clerk Simpson and interested citizens of Dawson County. Chairman Berg and Commissioner Pichon, District 1 were both absent.

OPENING PRESENTATION: Girl Scouts – Laura Skinner

INVOCATION: Julie Hughes Nix

PLEDGE OF ALLEGIANCE: Julie Hughes Nix

ANNOUNCEMENTS:

Vice Chairman Julie Hughes Nix announced she received a check from the ACCG in the amount of \$2500.00 for the Dawson County Wellness Program. She thanked Billy Thurmond and Jay Sessions for their hard work and dedication to the program.

Commissioner Nix also announced the launch of the new County website. She went on to add that as of last week, county employees participating in Weight Watchers have lost a combined total of 218 pounds.

APPROVAL OF MINUTES

Minutes of Regular Commission Meeting held on June 21, 2007.

Motion passed unanimously to accept the minutes as submitted from the Regular Meeting on July 5, 2007. Connor/Craft.

PUBLIC HEARINGS

Bid Requirements Ordinance & Purchasing Resolution:

Commissioner Nix explained the Bid Requirements Ordinance and Purchasing Resolution were submitted together and they will be addressed together for public comment.

Commissioner Nix asked if anyone wished to speak either for or against the Bid Requirements Ordinance and Purchasing Resolution and seeing none closed the hearing.

This item will be advanced to the August 2, 2007, agenda for a vote.

NEW BUSINESS:

GovDeal Sales:

Daniel Goode from the Finance Department presented on the GovDeals website sales. Commissioner Nix informed the Board this presentation was for information only. Mr. Goode reported an increase of sales revenues from 2005 to 2007 and gave examples using scenarios comparing vehicle sales from 2005 to 2007. He reports an increased average cost for per item in 2005 was \$359.00 where in 2007 that average cost rose to \$1245.00 per item.

Standby Architecture and Engineering Services & Standby Transportation and Traffic Engineering Services:

Purchasing Agent Jill Rathe asked that the Board approve the list of Standby Architecture and Engineering Services and Standby Transportation and Traffic Engineering Services. On July 12, 2007, the Board asked Ms. Rathe to provide a list of sub-consultants as well as the corresponding prime consultants for each standby service. Ms. Rathe explained that the County would contract with the prime consultant and not the sub-consultant. No other new information was presented.

Attorney Joey Homans explained that separate votes would be necessary for the Standby Architecture and Engineering Services and the Standby Transportation and Traffic Engineering Services although they were presented together.

Motion passed unanimously to approve the Standby Architecture and Engineering Services. Connor/Craft.

Motion passed unanimously to approve the Standby Transportation and Traffic Services. Connor/Craft.

Vehicle Maintenance Bids:

Purchasing Agent Jill Rathe asked that the Board approve the list of Vehicle Maintenance Bids as provided. Ms. Rathe gave information consolidating firms and services. John Megal Chevrolet and Chester Automotive are the two vendors being presented. General repairs were broken down by cost and time promised by each vendor. Ms. Rathe explained for any repair over \$1,000.00, three quotes would need to be acquired via telephone and submitted electronically to the Purchasing Department. This request would be made by the Department Head or equivalent with the Department Head's approval. Departmental recommendation for anything other than the "low bid" would need to have a brief explanation or justification. The Purchasing Department would respond in one business day with the hopes of responding in a matter of hours in most cases. The vendors for Major Vehicle repair being submitted are: John Megal Chevrolet; Chester Automotive; Hamby's Garage, Inc.; Jacky Jones Ford; Chestatee Ford. Ms. Rathe added the Ford dealerships perform most of the warrantee work for the Dawson County Sheriff's Department vehicles. Ms. Rathe attempted to obtain a list of cost for parts and labor from each vendor without success.

Commissioner Mike Connor questioned again the need for employees to drive to get quotes. Ms. Rathe stated that only phone quotes would be necessary. She added this was with the understanding that some repairs are not as cut and dry as others and some costs will rise above the initial quote. Commissioner Nix thanked Ms. Rathe for her clear presentation.

Motion passed unanimously to approve the Vehicle Maintenance Bids. Connor/Craft.

Drug & Alcohol Testing for Dawson Transit: Capital & other FUND:

County Attorney Joey Homans explained this policy would only pertain to the seven Dawson County Transit employees. He added because Dawson County Transit received some federal and state money they must abide by the federal and state requirements for drug and alcohol testing procedures. Further, Joey Homans stated to continue to qualify for funding, the Board must approve this Drug and Alcohol testing policy and he did feel it was appropriate.

Marlena Pitts with Dawson County Transit explained the Drug and Alcohol testing requirements. Employees would be tested under the following circumstances: 1) Random drug testing, 2) Under reasonable suspicion of drug or alcohol use, 3) After an auto accident. Requirements state a county must perform alcohol testing once a year and drug testing once a quarter unless reasonable suspicion exists. Drug testing can be done at any time the employee is on duty. Alcohol testing will be conducted just before or after a safety sensitive matter meaning directly before or after operating a county vehicle. Alcohol testing will be done via breathe tests versus the urinalysis drug screening. Currently, the Dawson

County Transit employees are tested at a DOT approved location in Dawson County and then the sample is sent to another location for testing. This location is also FDA certified.

Mr. Homans added all challenge procedures are outlined in the policy and is it very thorough.

Commissioners Craft and Conner both stated they felt this policy was good for the county.

Motion passed unanimously to approve the Drug and Alcohol Testing Policy. Craft/Connor.

Capital and other FUND Budgets for 2008

Impact Fee Budget:

Commissioner Nix announced this presentation is for information only and a vote would be held at the July 26, 2007, Work Session. She added there would be the 3rd public hearing for the 2008 Budget before any voting would take place.

Finance Director Lowayne Craig reported this was the first Impact Fee Budget presentation and she was very excited to present tonight.

The proposed budget is made up of the collections received through July 2006 to December 2007. At the recommendation of their consultant, the Finance Department was told to collect for one year before starting the budget process. As a result, the 2008 budget will use the 2006 collections of \$230,897.00, collected over a six month span. With the 2007 collections, based off of four month, the projected total is \$929,493.00. A result would be a total 2008 FUND balance of \$1,160,391.00.

The budget plan for expenditures uses the Capital Improvement Element of the Impact Fee ordinance which outlines a short term work program but also allows reservations for larger projects. Select projects deemed eligible within the Elements are based on available funds. These fees are collected within the following Elements to benefit the Dawson County Library, Fire Department, county roads, Park and Recreations and other various county agencies.

The total Fire project budget is \$381,868.00. The fire projects identified as priority items are but are not limited to the Fire Burn facility and an aerial ladder truck. The fire burn facility would be funded 100% and there are sufficient funds to lease the aerial ladder truck immediately in 2008 budget. Total lease/purchase agreement would be at \$891,000.00 at 4.05% interest. If the Board of Commissioners

chooses not to lease the vehicle, it would be purchased in 2009, possibly longer if funds were not available.

The Public Works department portion is \$145,506.00. The total Capital Improvement Element projects an estimated \$66 million for 52 of 55 eligible road improvements to be completed. Planning and Development has identified the Lumpkin Campground widening project as their top priority. Ms. Craig states the Lumpkin Campground widening project is the most fundable at this point.

This project would cost approximately \$8 Million. Planning and Development Director Lynn Tully reported the \$8 Million budget would pay for more than the preliminary engineering costs. A bid has already been sent for concept engineering drawings to see whether nature realignments will be necessary. The right of way would come from about half the developers on the northern end but the southern end would present more obstacles. Additional right of way will be a recommendation at the next zoning meeting. Actual construction costs will be carried by the County. Ms. Tully added she hoped some developers would volunteer more right of way because of the immediate impact they would have on the community. The monies that come in are restricted and can only be used in the 400 corridor.

The Park piece is \$316,405.00. Eligible projects are spray grounds, trails, pavilions, playgrounds and volleyball courts. This is for existing parks only. Each park would decide what improvements meet their immediate needs. Ms. Tully reported park lands were anticipated to be funded by SPLOST.

The Library segment is \$101,421.00, and is budgeted for books, materials and the reserve would benefit the construction of a future library. This reserve is an estimated \$63,557.00. The Impact Fee ordinance does specify how much money is to be spent per year on library materials.

The Administration portion of the Impact fees is \$215,191.00. All of this money would be for reimbursement to General Funds. The portion for the Dawson County Detention Center is \$174,506.00, the \$6 Million loan falls under SPLOST for reimbursement to the General Fund. The regular administration fees would be for implementing the Impact Fees where the County had incurred costs to pass the Impact Fees and for administering the program.

Ms. Craig added the County has reimbursed \$4733.00 in 2007 but stated the interest earnings would cover all costs. Ms. Craig stated she would report back to the Board mid-year with a 2007 budget to cover other improvements. Ms. Craig gave a "conservative" estimate on the 2008 collections with a 10% growth being \$1,022,442.00 to be budgeted in FY2009.

Grant Fund Budget:

The Multi-Grant Fund revenues are projected at \$1,780,385.00 with expenditures balancing the fund. There are approximately eighteen grants supporting five departments. These grants include but are not limited to: Senior Services grant (Congregate and Home delivered meals); Transit services; Juvenile Court services; Drug treatment center; K-9 serves; Violence Against Women Act; Community Development Block Grant (Adult Learning Center facility); and Family Connection.

Ms. Craig asked the Board to consider and approve the 2008 Budget at the July 26, 2007 hearing.

Commissioner Nix thanked Lowayne Craig for getting this information to the Board of Commissioners. Commissioner Nix stated she was happy to see the Impact Fee Budget in writing since it has taken at least nine years to get to this point.

GMRDC Appointment:

Commissioner Nix recommended David Headley for the GMRDC Board appointment.

Motion passed unanimously to approve David Headley for the GMRDC Board appointment.
Connor/Craft.

ADJOURNMENT

Work Session Minutes - July 26, 2007

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR & WORK SESSION MINUTES – THURSDAY, JULY 26, 2007

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

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

REGULAR MEETING AGENDA:

PUBLIC HEARINGS:

2008 Budget

Chairman Berg asked whether anyone wished to speak on the 2008 Budget Hearing and seeing none closed the first hearing. Chairman Berg explained this would be the last hearing on the 2008 Budget prior to the Board of Commissioners voting.

Chairman Berg stated after lengthy discussions with other members of the Board of Commissioners, Constitutional Officers and the County Manager; Chairman Berg recommended two changes to the 2008 Budget. These changes included making the part time positions at the Tax Commissioner's office and the Purchasing Department full time employees. These changes will be reflected in a reduction of the reserve but the budget will remain the same.

County Manager Phil Anderson presented material recommending a Government and Community Affairs Representative. The position now calls for a part time Environmental Educator. Director Lynn Tully and Phil Anderson agree that making this position full time would encourage more appropriate candidates to apply, therefore providing a wider pool of applicants. This full time position would be a two pronged position. It would focus on the public affairs representative as well as the need for an environmental officer. Phil Anderson reported with the County's growth rate there is a substantial need for public relations/affairs staff expertise for the Board of Commissioners and Department Heads. This person would act as the liaison for the County in handling the media; emergency situations; and other agencies, business leaders, civic groups and concerned individuals in developing and implementing environmental programs. Phil Anderson requests this be incorporated into the 2008 Budget.

Chairman Berg stated there is not a tax increase to the Millage Rate but would reflect a change to those receiving higher property appraisals.

Motion passed unanimously to adopt the Millage Rate at 8.138 for the 2007 levy. Pichon/Craft.

Finance Director Lowayne Craig presented a request from the Library Board to change a portion of the Impact Fee budget. The request is a reduction in the amount for books be \$10,000.00 with the balance of \$91,421.00 go into reserve for the planning of a future Library.

Ms. Craig requests the Board approve all of the Funds as presented through the three prior budget hearings with all funds, with minimum modifications including the following funds: General Fund; Special Revenue Funds, including the Multi-Grant Fund; Tourism Fund; Solid Waste Fund; Impact Fee and other Capital funds.

Motion passed unanimously to adopt the 2008 Budget for all funds. Craft/Pichon.

WORK SESSION AGENDA:

1. COPS funded computers for the new jail – Lowayne Craig & Mark Tursich

This item to be placed on the Regular Meeting Agenda – 08/02/07

2. Network Proposal – Mark Tursich

This item to be placed on the Regular Meeting Agenda – 08/02/07.

3. District 2 Public Health Pandemic Influenza Planning contract –

Billy Thurmond & Scott Wallace

This item to be placed on the Regular Meeting Agenda – 08/02/07.

4. BOE/BOC Intergovernmental Agreement (IGA) for Burt Creek Complex –

Phil Anderson & Joey Homans

This item to be placed on a future work session agenda.

5. Etowah River Blueway project – Mike Berg

This item to be placed on the Regular Meeting Agenda – 08/02/07.

6. Proclamation: July is National Recreation and Parks month –

Lisa Henson

This item to be placed on the Regular Meeting Agenda – 08/02/07.

7. County Manager Report

8. County Attorney Report

Motion passed unanimously to go into executive session to discuss personnel issues. Craft/Nix

Motion passed unanimously to come out of executive session. Craft/Nix

ADJOURNMENT

Regular Meeting Minutes - August 2, 2007

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES - THURSDAY, AUGUST 2, 2007

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

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

OPENING PRESENTATION: Work Programs – Tony Giuisasola

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Chairman Berg

ANNOUNCEMENTS:

Chairman Berg announced the Tax Commissioners office in agreement with the Board of Commissioners have passed a resolution changing the property tax due date to December 1 from December 20. This is done in efforts to help tax payers with the upcoming holiday season. Bills should be received the week of September 24, 2007. All payments must be paid on or before December 1 in order to ensure no penalties will ensues.

Chairman Beg also announced that Roy Coleman would like to invite the Board of Commissioners to attend the Chestatee Regional Library Board retreat on August 4, 2007 from 9am-1pm at the Dawson County Library.

APPROVAL OF MINUTES:

Motion passed unanimously to accept the minutes as submitted from the Regular Meeting held on July 19, 2007. Craft/Nix

Motion passed unanimously to accept the minutes as submitted from the Regular Meeting held on July 26, 2007. Pichon/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.

ZONINGS:

ZA 07-08: Danny Bennett/53 Realty Partners has made a request to rezone 25.56 acres of TMP 1113-11&92 from RA (Residential Agricultural) to CHB (Commercial Highway Business) in order to develop commercial lots. Location: 34 Lumpkin Campground Road & Hwy 53 East.

Chairman Berg read zoning ZA 07-08. The Planning Commission heard ZA 07-08 at the June 17, 2007 meeting and recommended approval with the following stipulations.

1. GDOT approval is required if any access is proposed to Hwy 53.
2. Prior to further development a detailed development plan must be submitted and approved by the Planning Commission.
3. A DRI review may be necessary upon completion of a detailed development plan.
4. The tree density requirement calculation must be based on the entire tract to be developed less the trees preserved in the stream back buffers.
5. 20' of ROW on Lumpkin Campground Road to be dedicated to Dawson County for future improvements as offered by the applicant.
6. A copy of agreement for use of the adjoining detention pond is required.
7. Storm water retention/detention to include water quality and encourage infiltration.
8. All requirements of the Dawson County Tree Ordinance and GA 400 Guidelines are to be strictly adhered to.

Planning and Development Director Lynn Tully gave a presentation to the Board of Commissioners for further information. Ms. Tully explained the request is how it reads and does include a site plan.

Commissioner Gary Pichon inquired as to the adequacy of the detention pond now on the property and if it could hold the run off on this site. Ms. Tully reported currently the detention pond is sufficient but when the applicants are ready to develop the out-parcel they will have to re-run hydrology to ensure the current detention pond could maintain the run off or they would have to provide an additional detention pond. Commissioner Pichon stated his concerns with traffic on Lumpkin Campground Road and Hwy 53. Ms. Tully reported typically on the GA 400 corridor the Planning Commissioner requires inter-parcel access but in this case having an inter-parcel parking lot to parking lot on the north side would be very difficult due to topography restraints. Ms. Tully reported the lot to the north of this land was just rezoned to commercial from RA but it has not been developed.

Chairman Berg asked Ms. Tully as to the possibility of reducing the 20' ROW and still being able to develop turn lanes. Ms. Tully reported the plans have already been drafted with turn lanes for the Lumpkin Campground and Hwy 53 intersection therefore the need for the ROW to run the entire length of their property is not necessary. Chairman Berg inquired as to the Storm Water retention plan if this is apart of the County's Storm Water Plan. Ms. Tully stated the County's plan does not require water quality control but is becoming a larger issue and because of the amount of impervious surfaces and the size of the development the Planning Commission felt that considering water quality was an important in this project. Ms. Tully added that Wal-Mart had pervious surfaces in their overflow parking as well as added a water quality vault. Commissioner Gary Pichon asked if Etowah Habitat Conservation Program was to be adopted at the same time as this project would the requirements be the same. Ms. Tully stated they were essentially the same with the main exception to the detention ponds requirements.

Ms. Tully states since this application was originally zoned and cleared under an Agricultural permit the Planning Commission has gone back and made new policy stating if the Planning Commission feels an application will eventually lead to commercial development, the developer will have to wait two full years before being able to rezone and develop the land. Chairman Berg spoke to specimen trees in regulations with the Dawson County Tree Ordinance. Ms. Tully stated a specimen tree is approximately 20" in caliber.

Paul McGruder on behalf of The 53 Realty Partners addressed the Board asking for the 20' of ROW on Lumpkin Campground Road to be dedicated to Dawson County for future improvements to be tapered 400'. Chairman Berg asked how long is the taper and at what total length. Danny Bennett, applicant stated the total length is 2000' and the requested tapered amount is 400'. The applicant also petitioned the Board to disregard the stipulation of "Storm water retention/detention to include water quality and encourage infiltration" because it was not apart of the requirement for the Storm Water Management to obtain a grading permit at the time of the original permit. Chairman Berg asked if the applicant would be amenable to having some pervious surfaces, they agreed.

Chairman Berg asked if anyone wished to speak in favor of ZA 07-08 and seeing none asked if anyone wished to speak in opposition. W. A. Bagwell, representing North Georgia Health Systems, spoke in

opposition of ZA 07-08. This facility backs up to the land in question. Mr. Bagwell does not object to the rezoning but requests a provision to the plan stating a detailed plan should be submitted and all adjacent property owners be notified, allowed to review the plan and offer comments to the Board of Commissioners before approval. Chairman Berg asked additional opposition and seeing none closed this portion of the hearing.

Chairman Berg made the following suggestions to the Board regarding the stipulations recommended by the Planning Commission:

1. Prior to further development a detailed development plan must be submitted and approved by the Planning Commission and the Board of Commissioners.
2. # 5 - 20' of ROW on Lumpkin Campground Road to be tapered 400' to be dedicated to Dawson County for future improvements as offered by the applicant.
3. Storm water retention/detention to include water quality and encourage infiltration include pervious areas be set at 10%.
4. Inter parcels to connect to the North of the development.

Motion passed unanimously to approve ZA 07-08 with stipulations set forth by the Planning Commission and Board of Commissioners. Craft/Pichon

ZA 07-09: Jim King, o.b.o. Lesman's has made a request to rezone 9.68 acres of TMP L2-01&17 and L1-39 from VC/VCR (Vacation Cottage/Restricted) to CHB (Commercial Highway Business) in order to develop commercial lots. Request also includes VR 07-13 requesting from setback reduction on GA 400 from 100 feet to 80 feet AND requesting lot size reduction in residential component of plan to be reduced down to 7500 square foot lots instead of the 16,000 square foot lot size requirement. Location: GA 400 North & Landrum Road (property currently has mini-storage facility and storage building sales lot).

Chairman Berg read zoning ZA 07-09. The Planning Commission heard ZA 07-09 at the June 17, 2007 meeting and recommended approval with the following stipulations.

1. GDOT approval is required prior to development.
2. Appropriate buffers are in provided according to the GA 400 Guidelines and Tree Ordinance.
3. All streets are designed to meet current Dawson County specifications with no parking along the travel lanes.

4. Storm water retention/detention to include water quality and encourage infiltration.
5. ACOE comments must be provided relating to the location of the WWTP.
6. Windows and awnings to make up at least 60% of the building's street front façade. Windows shall be transparent (no mirrored glass or display casements).
7. No buildings are more than 2 stories.
8. Sidewalks shall be provided to GDOT specifications at a minimum of 5 feet in width.
9. Access road to Fredericks' Cove may be provided with approval of the HOA or a majority of the property owners within that subdivision.

Planning and Development Director Lynn Tully stated VCR requires a 16,000 square foot if it has access to public water and sewer. She added at the June 17, 2007 Planning Commission meeting, this request was unanimously recommended to the Board of Commissioners with the above stipulations. Ms. Tully reported this land is mixed use.

Commissioner Gary Pichon inquired as to this request fitting within the Land Use Plan. Ms. Tully stated there are many commercial businesses in place now to include mini-storage facilities and restaurants. She added that Landrum Road is already considered commercial. Ms. Tully concurred with Commissioner Pichon in that this land would be very difficult to develop but not impossible. There will be four entrances: Frederick's Cove, Landrum Road and two roads directly off of GA 400. The proposed zoning does not include any additional improvements to Landrum Road.

Chairman Berg commented on several emails the Board of Commissioners have received in regards to opening Landrum Road to Chestatee Subdivision. Chairman Berg reported this zoning request is not about opening up Landrum Road to Chestatee Subdivision, that zoning was completed in the late 1990's.

Jim King with Landmark Design Associates, representing the applicants Mark and Cindy Lesman stated VR 07-13 has already been approved by the Planning Commission therefore, only the ZA 07-09 is at issue. Mr. King also his clients are willing to improve the portion of Landrum Road that they can. Mr. King stated his clients are planning to get rid of any warehouses currently on the property. The property would include a bed and breakfast, antique furniture store, retail specialty shops, coffee shop, etc.

Chairman Berg asked Mr. King as to the storm water retention plan. Mr. King stated some of the commercial plans in the front of the property will probably have underground storm water retention. Mr. King then turned the floor to Mr. Watkins to speak to any water and sewer questions the Board may have.

Chairman Berg inquired as to the trust indenture is on this project. Scott Watkins of Chromaglass Water Waste Systems, the manufacturer of the package plan reported there were three options for trust indenture: a private utility company, the municipality or the home owner's association. Chairman Berg asked who would back up this plan or take over if it fails not who owns it. Mr. Watkins reported the private utility company would be the trust indenture. Chairman Berg asked for a letter from Etowah Water and Sewer before the Board of Commissioners could approve the zoning. Mr. Watkins stated before the Georgia GP would approve the plan he would have already had to show proof of a trust indenture.

Mr. King reminded the Board development issues should not compromise the approval of a zoning request and the Board of Commissioners could not deny a zoning based on infrastructure unless the County was being asked to become the trust indenture. Chairman Berg agreed but told Mr. King that the applicants must have a trust indenture.

Ms. Cindy Lesman addressed the Board of Commissioners to answer any questions the Board may have. Ms. Lesman stated she runs the day to day business for the mini-storage facility on the property. Ms. Lesman stated she has tried to address some of the issues regarding road conditions that some homeowners have asked to take care of i.e. cleaning ditches, sweeping rocks and other concerns. Ms. Lesman states she has had three on-site meetings with the Corps of Engineers in regards to dredging the shoreline in question. Ms. Lesman states she does have permission to do so upon receipt of a permit. Once this permit is issued, the Lesman's will have 60 days to start dredging the area until they receive the zoning permit as requested today. Ms. Lesman states she has gone to each of her neighbors in Frederick's Cove and spoken to them about their intentions with the property.

Chairman Berg asked whether anyone wished to speak in favor of the application and saw none. Chairman Berg then asked if anyone wished to speak in opposition to the application. Mr. Weldon Sheriff and Karen Levaditus both asked to speak.

Mr. Weldon Sheriff stated he disagreed with the reduced set backs to reduce the lot sizes in this application. Mr. Sheriff quoted the Dawson County News and Advertiser which reported "the development includes access into Frederick's Cove, however that roadway may require an upgrade to County road standards..." Mr. Sheriff asked "developed by whom" since Weldon Sheriff Road along with other County roads have needed upgrades for over a decade. Mr. Sheriff asked the Board of Commissioners to deny any immediate upgrading of Frederick's Cove until after other roads in the County have been upgraded first.

Ms. Karen Levaditus stated she sent the Board an email in reference to Landrum Road. Ms. Levaditus stated ten years ago Chestatee Subdivision promised homeowners that Landrum Road would not be closed. She also reported Chestatee Subdivision was supposed to have paved a mud road but has failed to do so because no one has enforced the agreement to pave the road nor is the County paying to pave it. Ms. Levaditus states there is no more room for additional traffic until the County upgrades the road. She added she does not have a problem with the proposed plans but does have a problem with Landrum Road being closed and the problems that will arise from not upgrading the roads.

Chairman Berg asked for any other discussion in opposition and hearing none closed that part of the hearing.

Chairman Berg made the following suggestions to the Board regarding the stipulations recommended by the Planning Commission:

10. Closure of VCR curb site on GA400.

11. Applicant(s) must present a name for Trust Indenture to the Planning Department before any permit is issued.

Motion passed unanimously to approve ZA 07-09 with stipulations set forth by the Planning Commission and Board of Commissioners. Pichon/Craft

PUBLIC HEARINGS:

Emergency Reimbursement Services Resolution

County Attorney Joey Homans stated this resolution was originally presented to the Board of Commissioners at the last Work Session on July 26, 2007 and would permit the County to recover Emergency Services for vehicular, fire and hazardous material emergencies.

Chairman Berg asked whether anyone wished to speak as to the Emergency Reimbursement Services Resolution and seeing none closed the first hearing. The next hearing will be on August 16, 2007.

Commercial Zoning Districts

County Attorney Joey Homans reported he thought the Board of Commissioners had heard this information before but wanted to set it for public hearings and this being the first hearing he has presented these changes to the Commercial Zoning Districts to the Board of Commissioners.

Chairman Berg asked whether anyone wished to speak as to the Commercial Zoning Districts Hearing and seeing none closed the first hearing. The next hearing will be on August 16, 2007.

OLD BUSINESS:

Bid Ordinance:

County Attorney Joey Homans reminded the Board that Public Hearings had already been held in reference to raising the amount needed for an item to put out for bid to \$25,000.00.

Motion passed unanimously to approve the Bid Ordinance as presented in past public hearings.
Craft/Pichon

Purchasing Resolution:

County Manager Phil Anderson asked the Board to advance the Purchasing Resolution to the August 9, 2007 Work Session. Chairman Berg agreed to do so.

NEW BUSINESS:

License for Beer and Wine: Douglas Wayne Adams and Candy Lyn Adams - d/b/a Fast Stop

County Attorney Joey Homans stated this was a petition for conditional approval for a retail package store pending the approval of completion of the structure. Mr. Homans added the store has not been open six months but under the ordinance, they are entitled to have the license issued as long as they meet the requirements and they post a \$1500.00 bond which the applicant has done. Further, Mr. Homans reported the applicants meet all the requirements of the ordinance.

Commissioner Gary Pichon inquired as to any training the applicant had gone through to prevent selling alcohol to persons underage. Douglas Wayne Adams, the applicant, reported he has attended several training programs. Mr. Adams added that all employees must attend this training and receive their certificates, which is reviewed every 90 days.

Commissioner Gary Pichon asked Mr. Adams whether he was aware of the recent alcohol suspensions levied by the Board of Commissioners. Chairman Berg asked whether Mr. Adams was aware of the cash registered requiring the date of birth of every consumer. Mr. Adams added as a policy they require all persons purchasing alcohol, no matter appearance of age be required to show proof of age prior to purchasing alcohol.

Motion passed unanimously to approve the alcohol license for Douglas Wayne Adams and Candy Lyn Adams – d/b/a Fast Stop. Pichon/Craft

COPS funded Computers for New Jail

Chairman Berg stated the COPS program was presented to the Board at the last Work Session on July 26, 2007 and asked the Board if there were any further questions.

Motion passed unanimously to approve the COPS funded Computers for New Jail. Nix/Craft

Network Proposal

Information Technology Director Mark Tursich stated he would like to start with the Windstream option presented which has the lowest start up cost to the County and move to the hybrid solution. County Manager Phil Anderson reported there was money available to implement this plan starting this year. Mr. Tursich reported the estimated cost is \$108,000.00 per year for all sites included in package. The initial start up cost is approximately \$16,000.00.

Motion passed unanimously to approve the Network Proposal as submitted to the Board of Commissioners. Pichon/Nix

District 2 Public Health Pandemic Influenza Planning contract

Chairman Berg reported to the Board that this information was given at the last Work Session on July 26, 2007 and asked the Board if there were any further questions.

Motion passed unanimously to approve the District 2 Public Health Pandemic Influenza Planning contract as submitted. Craft/Nix

Etowah River Blueway project

Chairman Berg stated this project includes four counties that involve the Etowah River. Chairman Berg stated the process has already begun for a canoe put-in. Chairman Berg stated no money is involved only the adoption of the resolution.

Motion passed unanimously to approve the adoption of the Etowah River Blueway Resolution.
Pichon/Nix

Proclamation: July is National Recreation & Parks month

Chairman Berg read the proclamation for July to be National Recreation and Parks month.

Motion passed unanimously to approve the proclamation for July to be National Recreation and Parks month. Nix/Craft

ADJOURNMENT

Motion passed unanimously to go into executive session to discuss legal issues. Craft/Nix

Motion passed unanimously to come out of executive session. Craft/Nix

Regular Meeting Minutes - August 16, 2007

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES

THURSDAY, AUGUST 16, 2007

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

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

OPENING PRESENTATION: Family Relations – John McGee

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Chairman Berg

ANNOUNCEMENTS:

Chairman Berg announced he had received a letter from the Georgia Department of Revenue they have reviewed our 2006 Ad Valorem Tax Digest and have determined it is within State standards and there is no need for additional State tax necessary.

Chairman Berg announced receipt of the 2008 Water Policy Plan from ACCG. This draft policy will be submitted to ACCG this fall for approval followed by the Legislature in spring of 2008.

The Dawson County Board of Commissioners and the City Government met on August 15, 2007 for the purposes of mediation of SPLOST V but reported there was no resolution to that mediation. Therefore, the trial will go forward starting on August 29, 2007 at 9am in the Superior Court of Dawson County. The public is welcome to attend.

Commissioner Mike Connor reported the Georgia 400 Taskforce will report to the Board of Commissioners on September 13, 2007. Vice Chairman Julie Hughes Nix will preside at this meeting.

The Board of Commissioners welcomed John Laux, the new Public Works Director. Mr. Laux thanked the Board for the opportunity to serve the citizens of Dawson County.

APPROVAL OF MINUTES:

Motion passed unanimously to accept the minutes as submitted from the Regular Meeting held on August 2, 2007. Nix/Craft

Motion passed unanimously to accept the minutes as submitted from the Regular Meeting held on August 9, 2007. Pichon/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.

ZONINGS:

ZA 07-10: Crabapple Communities has made a request to revise the Master Plan for Dawson Forest Manor Subdivision to include an amenities area, TMP 098-029; RPCD (Residential Planned Comprehensive Development). Location: Dawson Forest Road.

Chairman Berg read zoning ZA 07-10. The Planning Commission heard ZA 07-10 at the July 17, 2007 meeting and approved the request unanimously without stipulations.

Planning and Development Director Lynn Tully stated this property was recently approved as ZA 04-16. Dawson Forest Manor has 56 lots but were allowed was 60 lots with a total of 62 acres. Mrs. Tully reported the Planning and Development department changed the rules regarding RPCD shortly after ZA 04-16 was approved to state a minimum 100 acreage was needed for a RPCD designation. Commissioner Pichon inquired whether the tree buffer would remain or would the developer clear it out with the installation of the parking lot. Commissioner Connor asked about this not falling in the RPCD guidelines. Mrs. Tully explained with the approved site plan the applicant will have to amend that site plan with the addition of the amenities area.

Lucent Cummings on behalf of Crabapple Communities, applicant brought photographs of a similar amenities area for the Board to review. Mr. Cummings reported the subdivision is under the minimum density and there will be a small impact on some of the open space. Mr. Cummings reported that the intent of the developer was to leave the tree buffer in place. Commissioner Craft inquired as to the acreage of the amenities area. It was reported approximately 1 acre would be given to the area in question. Commissioner Pichon questioned whether the developers have had enough forethought to plan for the possibility of Dawson Forrest Road becoming a four lane highway and recommend this area be pushed as far south as possible. Mr. Cummings was unsure if the developers had considered a four lane highway that in their plans.

Chairman Berg asked is anyone wished to speak in favor of or opposition to ZA 07-10 and seeing none closed the hearing.

Motion passed unanimously to approve ZA 07-10 as submitted by the applicant. Pichon/Craft

PUBLIC HEARINGS:

Emergency Services Reimbursement Ordinance (2nd Hearing)

Chairman Berg stated this is the second hearing and can be voted on if the Board so chooses to do so. Chairman Berg stated this ordinance would require insurance companies to pay for services performed by Dawson County Emergency Services.

Commissioner Connor questioned Emergency Services Director Billy Thurmond whether other counties are doing this and what kind of figures the county is receiving as opposed to the company collecting the money receives. Mr. Thurmond reported there are several different companies that specialize in this and would be sent out through RFB (Request for Bid) with the approval of the Board. Mr. Thurmond stated once the bids were received, he would then report back to the Board for their approval. He added some counties have made several thousands of dollars with this type of ordinance. Commissioner Connor asked whether Dawson County would differentiate between resident and non-resident and those persons without insurance. Chairman Berg stated this would not differentiate residency. Director Thurmond stated this policy is insurance based only so those persons not having insurance would not be affected. County Attorney Joey Homans added as stated in the ordinance the Board would be making a finding that the effort to collect from individuals would be more costly than what the County would recover.

Chairman Berg asked whether anyone wished to speak as to the Emergency Services Reimbursement Ordinance and seeing none closed the second hearing.

Motion passed unanimously to approve the Emergency Services Reimbursement Ordinance as submitted. Nix/Craft

Commercial Zoning Districts (2nd Hearing)

Chairman Berg stated this is the second hearing for the Commercial Zoning Districts. County Attorney Joey Homans reported an addition was needed under Section 406 C-IR (Commercial Industrial Restricted Districts); Section A, add #15 to state Adult book stores. Anything under Section 406 C-IR would be in a zoned category to limit where certain businesses could be located within the County.

Planning and Development Director Lynn Tully stated the changes submitted in this ordinance would put the Planning and Development department in a more traditional format where each lower zoning district classification allows the next higher district to use those lower district classifications as well. Commissioner Pichon asked Mrs. Tully whether there was anything she would have added to this ordinance. Mrs. Tully stated this ordinance covers as much as it can at this point due to its constant changing nature. Mrs. Tully reported her next agenda item is to look at the noise ordinance, which is a separate ordinance. Commissioner Connor inquired to where marine salvage would fit in this ordinance. Mrs. Tully reported this would also fall under Section 406 C-IR.

Chairman Berg asked whether anyone wished to speak as to the Commercial Zoning Districts Ordinance and seeing none closed the second hearing.

Motion passed unanimously to approve the Commercial Zoning Districts Ordinance with the stipulation stated by County Attorney Joey Homans. Pichon/Craft

OLD BUSINESS:

Purchasing Resolution (1st Hearing):

Chairman Berg stated this was the first and only hearing in regards to the Purchasing Resolution. County Attorney Joey Homans reported the Purchasing Resolution was apart of the Bid Ordinance which was approved. This was the policy portion of the Bid Ordinance which states \$25,000.00 or below.

Chairman Berg asked whether anyone wished to speak as to the Purchasing Resolution and seeing none closed the hearing.

Motion passed unanimously to approve the Purchasing Resolution. Pichon/Nix

NEW BUSINESS:

Application for Beer, Wine and Distilled Spirits License:

Cotter Investments, LLC; Douglas W. Cotter, Jr.; d/b/a North Georgia Package

County Attorney Joey Homans stated this was a petition for conditional approval for a retail package store pending the approval of completion of the structure. The State and Federal background checks have been completed and have met all requirements needed. The location of the business would be 793 Highway 400 South, Dawsonville, Georgia. The applicant does have a letter of intent for a ground lease. Projected store size is 10,500 sq. ft. This site meets all distance requirements to churches, schools, daycare facilities, county operated alcohol treatment centers and any other package liquor stores, including RK Package. Mr. Homans added if the Board wanted to deny the applicant of a license, the applicant would be entitled to a hearing. Mr. Homans reported receipt of a letter from Christopher Willis on behalf Abstract Holdings, LLC d/b/a RK Package Store questioning the measuring the distance between the two package stores being less than one mile in accordance to the desistance requirement.

Douglas W. Cotter Jr., applicant stated this was his first liquor store. Commissioner Pichon asked whether he was aware of the recent alcohol license suspensions in Dawson County and what he was going to do to ensure he would not be selling alcohol to minors. Mr. Cotter stated he has never been to jail and doesn't want to therefore he will follow all State laws to prevent any incarceration.

Darrell Rodchester, applicant's surveyor stated he measured the most direct land route from store to store and there was 5600 feet between the two package stores. County Attorney Joey Homans reported the reason behind the distance requirement between package stores was to prevent an alcohol district from developing.

Commissioner Nix inquired as to the ground lease. Mr. Cotter reported he is sitting down with Rare Hospitality, owners of Longhorn Steakhouse to negotiate the lease or possibly purchase the land. Mr.

Cotter also stated he has to work with Rare Hospitality with the façade of his package store but he would follow all GA400 guidelines.

Chairman Berg asked is anyone wished to speak in favor of or opposition to Cotter Investments, LLC; Douglas W. Cotter, Jr.; d/b/a North Georgia Package and seeing none closed the hearing.

Motion passed unanimously to approve the alcohol license for Cotter Investments, LLC; Douglas W. Cotter, Jr.; d/b/a North Georgia Package pending any and all outstanding necessary background checks.
Pichon/Craft

Application for Beer License:

Crystal Falls Golf Club, LLC

County Attorney Joey Homans stated this was a petition for an alcohol license. The State and Federal background checks have been completed and have met all requirements needed. The location of the business would be 416 Crystal Falls Fairway. The facility is a 1,330 sq. ft. trailer on the site where the golf clubhouse is under construction. Mr. Homans added the applicant and facility meets all requirements for the issuance of this type of license.

Troy Ledbetter representing Crystal Falls Golf Club was present to answer questions from the Board of Commissioners. Mr. Ledbetter reported he hopes to have the clubhouse open by the end of September. Mr. Ledbetter added this permit would allow for the sale of beer and snacks in the trailer as well as through golf carts on the property.

Motion passed unanimously to approve the alcohol license for Crystal Falls Golf Club, LLC as submitted.
Craft/Nix

Renewal of Employee Health Care Benefits

Human Resources Director Jay Sessions reported to the Board the recommendation of renewing the Blue Cross/Blue Shield contract for County health care benefits. Mr. Sessions requested the Board approve this item as submitted.

Motion passed unanimously to approve the Renewal of Employee Health Care Benefits as submitted.
Craft/Pichon

IFB – Lease Option with Purchase to Buy Dawson County Child Development Center

Purchasing Director Jill Rathe stated she presented the sole bid received by the County to the Board of approval at last week's Work Session and that Ann Mullinax, bidder was present to answer any questions by the Board. Commissioner Connor inquired as to why a formal appraisal was not completed before this was sent out for IFB. Mrs. Rathe stated the internal auditor stated \$650,000.00 but the tax roles from 2006 showed the property to be at \$450,000.00 in value. Chairman Berg stated normal procedure is to obtain an appraisal but this was an exception because the Board was trying to ensure a children's facility was in the same place for those citizens living on that side of the County. Commissioner Connor stated his main concern was the purchaser could obtain this property at well below market value and at the end of two years could sell the property for a lot of profit. Mrs. Rathe did concur with his concerns. Commissioner Connor asked if Dawson County could hire staff to run the facility to ensure it stays a child care center. Assistant Director of Parks and Recreation Lisa Henson stated for the past twenty years the County has not had to put money into this facility and retention rates were great. Currently, the Dawson County Child Development Center is losing staff, children and money. Enrollment is down to about 36 children from the normal 80-100 children. Commissioner Craft added at on point there was a waiting list the attendance rate was so high. Mrs. Henson said she feels if this process is drug out any longer we may see the demise of this child care center. Mrs. Henson reported this is the second time this center was sent to bid, the first bid was for lease as a private enterprise only. There were no responses to the first IFB. Mrs. Henson spoke to the appraisal value included the market value of the property and building as well as the business operation at full capacity. Therefore, with the current status of the business the appraisal of \$450,000.00 is more correct than the \$650,000.00. Commissioner Pichon stated he thought the purpose of sending out County staff to solicit bids for the Child Care Development Center that the primary concern was the sustaining of the facility as a child center and without the County having to fund Capital improvements or staffing improvements. Commissioner Pichon went on to say the County would have to put a significant amount of money into the property due to the age of the building. So, the staff was directed to get a bid not to get the value of the land.

Ann Mullinax, the bidder stated she wants to be in the child care business and has been a Dawson County resident for 32 years. She reported she worked for this center under the management when it was located in Ellitsville and her children attended this school. She wants to keep the daycare in the spirit of Mrs. Chapel. Mrs. Mullinax reported she did not make bid to lease this property because she wanted to own her own property and go forward from there. She stated that side of the county needs daycare and needs affordable daycare. Mrs. Mullinax spoke to the overall costs this building is in need of: four air conditioning units, outdoor recreation equipment needs to be replaced as well as the upgrade of the building overall. She added the lease money paid would not go to the purchase price therefore she would have \$500,000.00 invested in this facility. Chairman Berg inquired whether Mrs. Mullinax has the financial backing in two years to purchase the property. Mrs. Mullinax reported she was aware of the financial obligations and requirements. Mrs. Mullinax also stated she is looking into

adding Pre-K to the facility in two years so the children can stay with the same facility from daycare to Pre-K for an easier transition for the children and their families.

Motion passed by majority to approve the Lease Option with Purchase to Buy Dawson County Child Development Center bid. Pichon/Craft Commissioners Connor and Nix voted against the motion. Chairman Berg broke the tie voting to approve the motion.

SR53 & Hugh Stowers Road Design

Purchasing Agent Jill Rathe presented the SR53 and Hugh Stowers Road Design at last week's work session on August 9, 2007. The Purchasing Department is recommending Street Smarts be awarded this task order bid at \$27,500.00.

Motion passed unanimously to approve the SR53 and Hugh Stowers Road Design as submitted. Craft/Nix

Additional SRO position funded by BOE

Chairman Berg stated this position will be funded completely by the Dawson County Board of Education. Major Kevin Tanner reported this information to the Board on August 9, 2007 for approval.

Motion passed unanimously to approve the Additional SRO position funded by the Board of Education as submitted. Craft/Nix

Muscular Dystrophy Association Boot Drive

Chairman Berg stated any time EMS wants to solicit funds approval must come from the Board of Commissioners.

Motion passed unanimously to approve the Muscular Dystrophy Association Boot Drive. Craft/Connor

ADJOURNMENT

Motion passed unanimously to go into executive session to discuss personnel issues. Craft/Connor

Motion passed unanimously to come out of executive session. Nix/Craft

Work Session Minutes - August 23, 2007

DAWSON COUNTY BOARD OF COMMISSIONERS

WORK SESSION MINUTES – THURSDAY, AUGUST 23, 2007

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

ANNOUNCEMENTS:

Chairmen Berg announced receipt of a letter from Russell McMurray, Georgia Department of Transportation. The Board requested the GA DOT examine the section of road from Kilough Church Road to Harmony Church Road, to reduce the speed limit from 65 to 55. Mr. McMurray reported after reviewing the crash history and speed studies, it has been determined a change in speed zones will not be in the best interest of the traveling public at this time. He also stated the GA DOT would continue to monitor the area in the interest of safety.

WORK SESSION AGENDA:

1. Prescribed Fire Resolution – Billy Thurmond

This item to be placed on the Regular Meeting Agenda – 09/06/07

2. 2006 Financial Management Assessment – Lowayne Craig

This item to be placed on the Regular Meeting Agenda – 09/06/07

3. BB&T and EWSA Loan Renewal/Extension – Lowayne Craig

This item to be placed on the Regular Meeting Agenda – 09/06/07

4. Closure of Jail Account – Lowayne Craig

This item to be placed on the Regular Meeting Agenda – 09/06/07

5. Motor Grader – John Laux

This item to be placed on the Regular Meeting Agenda – 09/06/07

6. Approval of Sheriff's Department CJCC Grant – Maj. Kevin Tanner/Daniel Goode

This item to be placed on the Regular Meeting Agenda – 09/06/07

*There has been a change in Board of Commissioner's meeting schedule. The Regular Meeting that was to take place on September 6, 2007 has been rescheduled to August 30, 2007 at 6:00pm. This meeting will be held at the Dawson County Courthouse located at 25 Tucker Avenue, Dawsonville, Georgia.

Motion passed unanimously to go into executive session to discuss legal issues. Connor/Craft

Motion passed unanimously to come out of executive session. Craft/Pichon

Special Called Meeting Minutes of BOC and City Council - August 28, 2007

DAWSON COUNTY BOARD OF COMMISSIONERS and

DAWSONVILLE CITY COUNCIL

SPECIAL CALLED MEETING MINUTES

THURSDAY, AUGUST 28, 2007

City Hall - 7:00 p.m.

INVOCATION: Mayor Joe Lane Cox

PLEDGE OF ALLEGIANCE: Mayor Joe Lane Cox

CITY COUNCIL ROLL CALL: Those present were Mayor Joe Lane Cox; Councilmember Mike Sosebee; Councilmember Linda Grant; Councilmember Mike Wilson; City Attorney Dana Miles; City Clerk Cornelison. Those absent are Councilmember Jonathan Cox.

BOARD OF COMMISSIONERS ROLL CALL: Those present were Chairman Berg; Commissioner Pichon, District 1; Commissioner Craft, District 2; Commissioner Connor, District 3; Commissioner Nix, District 4; County Attorney Homans; County Manager Anderson; Interim County Clerk Simpson and interested citizens of Dawson County.

EXECUTIVE SESSION:

Motion passed unanimously by Dawsonville City Council to go into executive session to discuss SPLOST V Resolution and an Intergovernmental Agreement. Wilson/Sosebee

Motion passed unanimously by the Board of Commissioners to go into executive session to discuss SPLOST V Resolution and an Intergovernmental Agreement. Craft/Nix

Motion passed unanimously by Dawsonville City Council to come out of executive session to discuss SPLOST V Resolution and an Intergovernmental Agreement. Wilson/Sosebee

Motion passed unanimously by the Board of Commissioners to go into executive session to discuss SPLOST V Resolution and an Intergovernmental Agreement. Craft/Pichon

OLD BUSINESS:

Motion passed unanimously by Dawsonville City Council to adopt the resolution. Sosebee/Grant

Motion passed unanimously by Dawsonville City Council to adopt IGA. Sosebee/Grant

Motion passed unanimously by Dawsonville City Council to dismiss lawsuit provided County agrees to terms. Wilson/Sosebee

Motion passed unanimously by the Board of Commissioners to adopt the Intergovernmental Agreement. Craft/Pichon

Motion passed unanimously by the Board of Commissioners to increase the SPLOST V amount to \$91,560,000.00 to include the City of Dawsonville projects. Craft/Pichon

ANNOUNCEMENTS:

Chairman Mike Berg thanked the Dawson County Board of Commissioners and the Dawsonville City Council for all their hard work regarding the SPLOT V negotiations.

Mayor Joe Lane Cox thanked the Dawson County Board of Commissioners for their hard work and the Dawsonville City Council for their continued support. Mayor Cox stated he hopes the citizens of Dawson County can see the City and the County working together.

Mayor Cox also announced the City of Dawsonville would secure other means to fund for their first priority project, the City Hall Complex.

Chairman Berg stated as apart of the Intergovernmental Agreement, the City will use the existing Water and Sewer service area as defined by DCA as of this date as a boundary for future annexations. No

annexations will occur outside this boundary during the six (6) years that the SPLOST V agreement is in affect.

Chairman Berg added the Board of Commissioners will meet Thursday, August 30, 2007 at 6:00pm at the Dawson County courthouse as opposed to September 6, 2007 at Rock Creek Park.

ADJOURNMENT

Motion passed unanimously by Dawsonville City Council to adjourn.

Motion passed unanimously by the Board of Commissioners to adjourn. Craft/Nix

Regular Meeting Minutes September 20, 2007

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES

THURSDAY, SEPTEMBER 20, 2007

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

ROLL CALL: Those present were Chairman Berg; Commissioner Pichon, District 1; Commissioner Connor, District 3; Commissioner Nix, District 4; County Attorney Homans; County Manager Anderson; Interim County Clerk Simpson and interested citizens of Dawson County. District 2 is vacant.

OPENING PRESENTATION: Dawson County Humane Society –

Dr. Brandon Mills

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Chairman Berg

ANNOUNCEMENTS:

Chairman Berg announced he attended the ACCG Board of Manager's Retreat to set policy in preparation of the Fall Conference which will be held this November. At this retreat the Board of Managers set three items to promote to the legislature: taxes, particularly HB 900; water plan and transportation issues. Also, the Board of Managers decided to raise annual County dues from \$2141.00 to \$2355.00.

Chairman Berg announced the Board of Commissioners would be meeting with the Development Authority on September 25, 2007 at 8:45am. Location will be at 6602 Hwy 53 East, Dawsonville, Georgia. This is a quarterly meeting between the boards.

Commissioner Julie Hughes Nix announced she attended the Ninth District Opportunity Action meeting this week. Also, Commissioner Nix stated the fundraiser supporting the Atlanta 2 Day walk for breast cancer, raised \$5700.00. She thanked all that supported this cause.

APPROVAL OF MINUTES:

Motion passed unanimously to accept the minutes as submitted from the Special Called Meeting held on August 28, 2007 between the City of Dawsonville and the Board of Commissioners. Nix/Pichon

Motion passed unanimously to accept the minutes as submitted from the Regular Meeting held on August 30, 2007. Pichon/Connor

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.

Chairman Berg explained the policy and procedure for public comment on zoning issues as per the Rules of Procedure for the Dawson County Board of Commissioners.

ZONINGS:

ZA 07-11: Mariam Tai has made a request to rezone 1.83 acres of TMP 107-054 from R2 (Single Family Residential) to CRB (Commercial Rural Business) to operate a landscape/staging yard. Location: 2315 Lumpkin Campground Road.

Chairman Berg read zoning ZA 07-11. The Planning Commission heard ZA 07-11 at the August 21, 2007 meeting and recommended approval with the following stipulations:

1. The Landscape business must permit the use as a Change of Tenant and thereby confirm the suitability of the existing buildings and grounds for the intended business.
2. That the development confirms the water requirement with the Fire Marshall to identify any need for additional fire suppression.
3. Any additional construction on the project is designed to meet the current setback requirement and appropriate variances are granted for the existing buildings as necessary.
4. That additional planting is included along side and rear property lines to soften the facility.

5. Further that the plan adheres to the Dawson County Tree Ordinance.
6. Any new construction is to comply with the GA 400 Design Guidelines.
7. Appropriate parking requirements are met as set forth in the Land Use Resolution.

Mr. Rais Usman, applicant appeared to answer questions by the Board. Mr. Usman reported he is a real estate agent in Cumming. Mr. Tim Bennett would be working on this property running the Bennett Landscaping, Inc. Mr. Bennett reported this site would be used solely to house equipment not materials and no actual work would be completed on the property. Mr. Bennett stated he would agree to work hours from 7am-7pm as stipulated by Chairman Berg. Chairman Berg inquired as to a stop work order that was issued May 23, 2007 by Dawson County Community Development. Mr. Bennett reported they were trying to update the property in preparation of the business opening. Mr. Bennett's business is currently located on War Hill Park Road.

Chairman Berg asked if anyone wished to speak in favor of the application and seeing none asked if anyone wished to speak in opposition of the application.

Mr. Robert Edwards, 117 Lee Castleberry Road stated he was also representing his father, Mr. Uldrick Edwards in addressing the Board. Mr. Edwards brought a letter from his father stating his opposition to this zoning application. Mr. Edwards read a letter stating the following concerns with the application:

- Proposed zoning does not fit the current use of the area;
- Does not fit the within the CRB classification;
- Future Land Use Map plan for this area is Campus Style Business;
- Property owner and tenant have shown "little or no regard for the policies, procedures, and authority of Dawson County".

Mr. Edwards also brought pictures of the property for the Board to see. The following is a list of photographs presented to the Board of Commissioners:

- Stop Work order issued on May 23, 2007
- Wednesday, August 8, 2007
- Sunday, September 16, 2007 (2)
- Wednesday, September 19, 2007 (2)
- Sunday, June 10, 2007 (2): Piles of trash and construction debris dumped at back of the property

- Sunday, June 10, 2007: View from Lumpkin Campground Road of stored materials including a portable restroom
- Wednesday, September 19, 2007: Vehicles on site for months without parts, i.e. tires
- Future Land Use Map
- Website of tenant showing the sole location of business to be 2315 Lumpkin Campground Road, Dawsonville, Georgia.

Commissioner Connor stated he was concerned that someone would be ignoring a stop work order. County Manager Phil Anderson stated Community Development made periodical checks to verify the stop work order as being adhered to as well as to verify no work was being done without a business license. The result of those checks was that there was no work being done only pre-positioning of materials but no real business was being conducted. Mr. Bennett reports having a business license for at the business on War Hill Park Road.

Motion passed unanimously to deny ZA 07-11 as submitted by the applicant. Nix/Connor

ZA 07-12: Tammy Turner has made a request for a conditional use permit on TMP 79-008 in R2 (Residential Agricultural) to allow a manufacturer/mobile home on acreage of less than 5 acres to be used as a caretaker home. Location: 3314 Bailey Waters Road.

Chairman Berg read zoning ZA 07-12. The Planning Commission heard ZA 07-12 at the August 21, 2007 meeting and recommended approval with the following stipulations:

1. No additional subdivision of the property is allowed as long as the mobile home is in place.
2. The aforementioned statement is to be placed on any deed of transfer and recorded.

Commissioner Gary Pichon reported to the Board the land is for sale and has been for quite some time. Mrs. Turner states she wants to sell the property because it is not well-suited for her husband with his health due to the topography of the land. Mrs. Turner states when the property is sold she will then buy land and move this trailer in question; she does not intend of leaving the trailer on the property. Mrs. Turner states she purchased the trailer for \$2500 but she plans to spend additional \$4500 to move the trailer.

Chairman Berg asked if anyone wished to speak in favor of the application and seeing none asked if anyone wished to speak in opposition of the application.

Ms. Alice Samples, 2211 New Hope Road spoke in opposition of the application. Ms. Samples opposes the trailer being placed on the property because the rules state no trailer on less than five acres (application is for three acres). Ms. Samples reports her daughter would be able to see the trailer from her property.

Mr. Shane Turner, grandson of applicant spoke in favor of the application. Mr. Turner states trailer will not be able to be seen by any neighbors or from the road. Mr. Turner and his family are currently living with the applicant but the home is crowded. Mr. Turner would be the caretaker of his grandfather.

Motion passed unanimously to deny ZA 07-12 as submitted by the applicant. Nix/Connor

ZA 07-13: Carter T. Lumsden has made a request to rezone 1.988 acres of TMP 104-159 from R2 (Single Family Residential) to CCB (Commercial Community Business) to operate a hair salon/retail. Location: 3688 Highway 53 East.

Chairman Berg read zoning ZA 07-13. The Planning Commission heard ZA 07-13 at the August 21, 2007 meeting and recommended approval with the following stipulations:

1. Removal of the eastern driveway.
2. Installation of a GDOT approved commercial driveway at the existing western location.
3. Paving and landscaping of the parking area to accommodate the required number of spaces.

Applicant Carter Lumsden asked the Board to approve the zoning application as submitted with one change. Mr. Lumsden requested the Board waive the paving stipulation submitted by the Planning Commission (#3 stipulation). Chairman Berg directed the applicant to request this variance change through the Planning Commission. Commissioner Pichon made a request that the Planning Commission look at Mr. Lumsden's request because the County is trying to move towards pervious surfaces.

Chairman Berg asked if anyone wished to speak in favor or opposition of the application and seeing none closed the hearing.

Motion passed unanimously to approve ZA 07-13 as submitted by the applicant. Nix/Connor

ZA 07-14: The Sembler Company has made a request to rezone 103.51 acres of TMP 106-075sp & 107-318 from RA (Residential Agricultural) & CIR (Commercial Industrial Restricted) to CHB (Commercial Highway Business) to develop a retail shopping center. Location: Highway 400 South, Whitmire Road, Dawson Forest Road, Lumpkin Campground Road.

Chairman Berg read zoning ZA 07-14. The Planning Commission heard ZA 07-14 at the August 21, 2007 meeting and recommended approval with the following stipulations:

1. GDOT approval is required for any access to GA 400.
2. Additional consultation with GDOT to resolve other transportation issues (per DRI recommendation).
3. Storm water detention plan for the entire site complying with Fish and Wildlife Service and GA DNR requirements (per DRI recommendation).
4. Pervious paving, water quality and other alternative methods be considered in the storm water master plan.
5. Traffic Study improvements be completed as offered by the applicant with consideration of upgrades to Lumpkin Campground Road.
6. Sidewalks and a full pedestrian plan be included in the project at development including claming measures as appropriate.
7. A landscaped berm shall be provided along the Lumpkin Campground Road frontage to screen view from existing residents.
8. Approvals from ACOE and GA EPD as necessary for wetlands and stream mitigation.
9. All requirements of the Dawson County Tree Ordinance and GA 400 Guidelines are to be strictly adhered to.

The developer has met with Mr. John Megel and requests that two additional requirements be added for approval.

1. The Developer agrees to leave the existing night entrance to John Megel Chevrolet and also agrees to improve existing full access at Gordon Moss to create paved full access to existing drive.
2. The Developer agrees that interior curb radius shall be designed so as to accommodate truck delivery and exit at the northwest corner of the John Megel Chevrolet property.

Mr. Elliot Smith, a lawyer representing Sembler Corporation gave a presentation to the Board. Mr. Smith reported this development will be a large scale retail center with out parcels. This development will contain a retail center as well as restaurants and other businesses. This development is in close proximity to the North Georgia Premium Outlet Malls and directly adjacent to John Megel Chevrolet. Mr. Smith states Sembler understands this project has a large impact on the community and agrees with RDC when it was reported this project was in the best interest of Dawson County and the State of Georgia. Mr. Smith states Sembler has worked very closely with the Planning staff to work within the set forth regulations and with the DRI. Mr. Smith states Sembler is amenable to following the guidelines set forth by the Planning staff, the conditions stipulated by the RDC as well as the DRI.

Mr. Scott McClain, representing Sembler reports they will put in a landscape burm to screen or shield the property owners from the development along Lumpkin Campground Road. This burm would have hardwood trees but nothing more specific at this time. Mr. McClain states the buildings would be of natural building materials as stated within in the Georgia 400 Guidelines and the Dawson County Tree Ordinance. The burm would be 60' at widest point and 20' at the smallest point.

Commissioner Gary Pichon stated his concerns with the overwhelming traffic congestion, especially within close proximity to the North Georgia Premium Outlet Malls and Lumpkin Campground Road. Mr. John Walker, traffic engineer with Kimbley, Horn and Associates addressed all traffic questions from the Board. Mr. Walker reported the majority of the traffic will be oriented to and from Highway GA400. Mr. Walker states the goal is "right in, right out" to stop traffic congestion; Whitmire Road would have a new traffic signal with multiple lanes in planning. Left and right turn lanes will be on Lumpkin Campground Road. GDOT reported lining up with the North Georgia Premium Outlet Mall is critical. Mr. Walker reports making a turn lane into the Outlet Mall to help with the flow of traffic coming from the traffic circle on Dawson Forrest Road as well as a turn lane into the Sembler project site; straight lane keeping the flow from backing up. Mr. McClain stated the road improvements are stipulated in the traffic study as offered by the applicant.

Chairman Berg asked the Board to consider requesting the applicant dedicate 20' ROW along the entire side of Lumpkin Campground Road as opposed to having to buy it back later.

Commissioner Mike Connor presented thirty pictures to the Board and to Sembler asking clarification if the Dawson County project will be similar to the Cumming, Georgia project. Mr. Smith states the Cumming project is not representative of the Dawson County project.

Chairman Berg asked if anyone wished to speak in favor of the application and seeing none asked if anyone wished to speak in opposition of the application.

Mrs. Michelle Holtzclaw Gunther, 1460 Lumpkin Campground Road, spoke in opposition of the application. Mrs. Gunther reported her house would face the main entrance on Lumpkin Campground Road. Another worry was the additional 20,000-28,000 vehicles with concerns to children, elderly and disabled. Mrs. Gunther asked whether the Lumpkin Campground Road entrance could be totally eliminated. Mrs. Gunther went on to ask for mature trees be planted in the landscape burms as opposed to younger trees that would take longer to shield noise congestion.

Mr. Paul Epps, 399 Freeland Road and Lumpkin Campground Road said he does not believe that Sembler will hold to the "standards" they promise. He stated the rules state a building must face the street. Mr. Epps also stated he did not think planted burms would not be enough to stop the noise pollution. Mr. Epps reports other businesses on Lumpkin Campground Road do not follow the rules regarding business hours, burms, and speed.

Ms. Tina Ferg, 551 Crooked Tree Drive, stated the added traffic was her major concern. Ms. Ferg asked whether traffic lights could be put in now to avoid accidents or traffic related fatalities.

Mr. Vernon Smith, 182 East View Drive, said he wants the development in Dawson County but opposes entrances on Dawson Forrest Road.

Mr. Don Doster, 1836 Lumpkin Campground Road and Whitmire Road states the following concerns: looking at back of buildings; planted burms, asked about a rock walls; natural spring on his property; delivery time limitations. Mr. Doster states he does not feel the burm will not be enough and asked if the developer could use a rock walls instead. Mr. Doster's main concern is the natural spring that runs on the back of his property and delivery time limitations.

Mr. Smith said the Storm Water Detention Plan would be strictly adhered to. Mr. Walker stated the natural spring would not be stopped from flowing on Mr. Doster's property and would be piped from the development's site to ensure the stream would not be blocked. Mr. Walker reported there were very extensive Federal and State permitting that is required of the developers to comply with. Recommendations came from the DRI that the developers are working with the Fish and Wildlife and GA DNR to follow the Habitat Conservation Plan (HCP). Chairman Berg stated the HCP is a State program the County has not adopted yet. Mr. Walker did state Sembler is choosing to follow the HCP for the betterment of the County. The HCP states 96% of the water on the land must stay on the land.

Commissioner Connor expressed the following concerns:

- Adding a turn lane on Lumpkin Campground Road

- The rear of buildings facing the roadways

Chairman Berg stated he would like to see a delivery time schedule, if possible; 20' ROW dedication on Lumpkin Campground Road where turn lanes will be; Moving the first entrance down to avoid it being too close to the turn lanes; The burms would be heavily planted with mature trees; Any storage facilities would be gated with no outside storage for the Home Improvement Store; Keep the Dawson Forrest Road entrance to stop the traffic circle from backing up. Chairman Berg did state his approval of the project with those stipulations already stated by the Planning Commission as well as those stated above.

Commissioner Julie Hughes Nix would like to see the Lumpkin Campground Road entrance closed and making the Whitmire Road entrance be the main point of access.

Mr. Walker reported to Commissioner Hughes Nix that the Lumpkin Campground Road entrance was a Dawson County staff recommendation and that is why it was not in the original site plan.

Commissioner Connor made a motion to the Board to approve the application with the following stipulations:

(Stipulations made a few years ago in a similar zoning to Piedmont Properties, Inc. in ZA 05-26):

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) Out parcels, 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.

Chairman Berg said to the best of his knowledge all of these stipulations are already stated within the GA 400 Overlay District.

Commissioner Connor asked Sembler to follow these guidelines if not already stated within the Georgia 400 Guidelines and the Dawson County Tree Ordinance; if not which ever is more restrictive. Commissioner Connor would like to also add the "right in, right out" lanes as apart of his motion.

Commissioner Hughes Nix made a motion to amend the original motion to add the main entrance to be Whitmire Road. Chairman Berg stated Whitmire Road is already a main entrance. The amended motion was retracted.

Motion dies for lack of a second.

Commissioner Pichon made a motion to approve the application with the stipulation of heavily screen burms. Chairman Berg suggested an amendment to the motion for a 20' ROW dedication on Lumpkin Campground Road in its entirety.

Motion passed unanimously to approve the amendment of the motion. Nix/Pichon

Motion passed unanimously to approve the motion with the amendments as stipulated from the Planning Commission and the Board of Commissioners.

NEW BUSINESS:

Application for Beer, Wine and Distilled Spirits License:

DWA Commercial Project Management, LLC; Douglas Wayne Adams and Candy Lyn Adams d/b/a War Hill Package

County Attorney Joey Homans stated this was a petition for conditional approval for a retail package store pending the approval of completion of the structure. The State and Federal background checks have been completed and have met all requirements needed.

Motion passed unanimously to approve the alcohol license for DWA Commercial Project Management, LLC; Douglas Wayne Adams and Candy Lyn Adams d/b/a War Hill Package. Connor/Pichon

GA 400 Taskforce

Chairman Berg read the resolution to the public.

Motion passed unanimously to approve the GA400 Taskforce Resolution. Connor/Pichon

Intergovernmental Agreement with Board of Education

County Attorney Joey Homans stated the contract is correct. The Board of Education would like Chairman Berg to attend their next board meeting to sign the IGA if the Board of Commissioners approves the motion. Chairman Berg reported the Burt Creek Complex would be a jointly used property for transportation purposes to include a gas station, bus depot, maintenance and storage. County Attorney Homans stated the portion of land that the BOE will use for bus maintenance and storage will be deeded to them. The contract states the BOE must use the property for the purposes stated for twenty years and if they fail to do so for twelve months, the land would revert back to the County.

Motion passed unanimously to approve the Intergovernmental Agreement with the Board of Education. Pichon/Nix

EWSA Clean Water Month Proclamation

Doris Cook presented the EWSA Clean Water Month Proclamation at last week's Work Session.

Motion passed unanimously to approve the EWSA Clean Water Month Proclamation as submitted.
Pichon/Nix

PUBLIC COMMENT:

Mr. Loren Mitchell read the following letter to the Board of Commissioners:

“First, I would like to thank the commission for the opportunity to speak this evening. I stand before you tonight to voice concern with regards to the recent Intergovernmental Agreement between the City and County involving SPLOST V.

As of the August 30th Commission meeting, most of the commission should be aware of growing concerns and objections from the people regarding the portion of the agreement dismissing the annexation law suit. Concern regarding the rushed, closed door process taken in the creation of the IGA has also surfaced, as well as discussion on the short versus long term benefits of the agreement, and who really receives those benefits.

When discussing an agreement between two parties there are five possible out comes:

Win – Win: Both parties achieve everything they wanted – this rarely happens

Win – Lose: Party A wins and Party B loses

Lose – Win: Party A loses and Party B wins

Lose – Lose: Both parties lose – This usually happens when neither party budges and discussion ceases to move forward.

And then Compromise: Where both parties get a little and give a little. Sometimes this is I will give now and hopefully get later.

I am hopeful that compromise is the outcome of the IGA, because it seems the city receives an additional 3 million dollars, a total of 4.1 million and gets to continue to annex with some minor, soft stipulations where the SPLOST money may be used. I’m not sure what the county gets from this agreement, other than the opportunity to drop the lawsuit they now say they couldn’t win. It appears the city wins and the county residents, especially those of District 1, lose. Maybe it’s in the words of Chairman Berg from August 28th special meeting, “...so if you’re not arguing and things are moving forward then that’s a pretty positive sign for this county.” Hopefully this is the beginning of a better relationship between the county and the city and the residents will benefit, not just city election year politics

As to the obvious closed door way the agreement came about, it appears this agreement was reached solely by Chairman Berg, Mayor Cox and the city and county attorneys. As I understand, one commissioner had a 24 hour notice to read the agreement with the remainder reviewing the document in executive session just before it was approved during the August meeting.

It's hard to digest a legal document first hand that quickly, in my opinion.

These events, along with the fact it is not fully understood why the county, who had the upper hand, decided to dissolve the annexation lawsuit, has negatively affected the public opinion and perception of how the future political decisions in this county will be handled and for what end.

Moving on...

During the October 24th, 2006 town hall meeting sponsored by Citizens 4 Dawson, which formed due to the city's aggressive annexations, Chairman Berg made the following comment with regards to annexation, "the issue with the commission and specifically me is annexation in general, because what annexation does to you, is in the long term it raises your taxes. Because a city can increase density and does not have to go with what our land use plan says. and when they increase density that means that someone has to provide the infrastructure for that density. You all are going to pay for that, so are the people that live in the city. That they don't know that is kind of surprising, but they are going to have to pay too. Everybody's taxes goes up and you have to pay for that advanced infrastructure." Chairman Berg's efforts within the ACCG stemming from the annexation lead the way to the forming of the "Stop Annexation Abuse in Georgia: website www.annexationga.com. Using Dawsonville as an example of how not to do annexation, along with the assistance of citizens from the county and county officials, a version of State Representative Doug Holt's House Bill 2 entitled "Fair Annexation Act" passed this year and was signed by the governor on May 23rd of this year.

I emailed Doug Holt this week about the annexation portion of the IGA and here is part of his reply. "I'm disappointed to hear of the events you described. HB 2 isn't everything we wanted, but it is still the most significant road block to annexation abuse enacted in over a quarter century. ... I certainly encourage you to stand up and speak your mind. "Rolling over" in the face of aggressive annexation is what got us to the low point, and more of the same will quickly get us back there."

These words surely ring hollow now.

I'm not sure why the commission doesn't understand why the citizens are disappointed with the dismissal of the annexation law suit part of this agreement, we did not make significant gain, certainly

no more than if we'd have sent a message that proper procedure must be followed by making them re-annex the property.

We could have set precedence in what is commonly described as a "developer friendly" state, we could have sent a firm legal message about annexation, land use plans and we could have bargained for some type of assurances that District One will not be sacrificed to a Mayor that dreams of situating an industrial hub around the airport, instead, the annexation lawsuit was last minute icing on the City's cake and a complete surprise to those in attendance who were following the SPLOST V hearing and events.

In closing, I'd like to clarify, I'm not against intergovernmental cooperation or SPLOST V; I will vote yes on November 6th. I, along with many other residents, am just disappointed in the process as being responsive and reflective of open government procedure. Thank You"

ADJOURNMENT

Motion passed unanimously to go into executive session to discuss land, legal and personnel issues.
Nix/Pichon

Motion passed unanimously to come out of executive session. Connor/Nix

APPROVE: ATTEST:

Mike Berg, Chairman Davida Simpson, County Clerk

Work Session Minutes - September 27, 2007

DAWSON COUNTY BOARD OF COMMISSIONERS

WORK SESSION MINUTES – THURSDAY, SEPTEMBER 27, 2007

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

ROLL CALL: Those present were Vice Chairman Nix; Commissioner Pichon, District 1; Commissioner Connor, District 3; County Attorney Homans; Acting County Manager Tully; County Clerk Simpson and interested citizens of Dawson County. Chairman Berg was absent. District 2 is vacant.

ANNOUNCEMENTS:

Vice Chairman Julie Hughes Nix made a few personnel announcements. County Manager Phil Anderson was on family medical leave and has appointed Planning Director Lynn Tully as Acting County Manager. County Clerk Simpson has been put on early bed rest and will be on maternity leave. Clerk Simpson has been training Krystal Brewster, Human Resources Specialist, for her leave.

Vice Chairman Nix announced the Red Cross Blood Drive will be held at Bethel United Methodist Church, Monday, October 8, 2007 from 2:00pm-7:00pm.

Motion passed unanimously to add the Burn Ban Extension to the Work Session agenda. Pichon/Connor

1. Burn Ban Extension – Fire Marshall Tim Satterfield

This item to be placed on the Regular Meeting Agenda –

10-04/07

2. Third Party Review of Outsourcing Opportunities – Lynn Tully and John O’Looney

This item to be placed on the Regular Meeting Agenda –

10-04/07

3. Long Range Planning Committee Recommendations

This item to be placed on the Regular Meeting Agenda –

10-04/07

4. 2002 EWSA Bond Funds for 400 Corridor Sewer & Burt Creek Complex Water Improvements – Joey Homans

This item to be placed on the Regular Meeting Agenda –

10-04/07

5. Park Board Appointment – Gary Pichon

This item to be placed on the Regular Meeting Agenda –

10-04/07

6. County Manager Report

7. County Attorney Report

Motion passed unanimously to go into executive session. Pichon/Connor

APPROVE: ATTEST:

Julie Hughes Nix, Vice Chairman Davida Simpson,

County Clerk

Regular Meeting Minutes - October 4, 2007

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES

THURSDAY, OCTOBER 4, 2007

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

ROLL CALL: Those present were Chairman Berg; Commissioner Pichon, District 1; Commissioner Connor, District 3; Commissioner Nix, District 4; County Attorney Homans; Interim County Manager Tully; Interim County Clerk Brewster and interested citizens of Dawson County. District 2 is vacant.

OPENING PRESENTATION: ACCG 2007 Legislative Service Award

Senator Chip Pearson

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Chairman Berg

ANNOUNCEMENTS:

Chairman Berg recognized Barb Baptista as the newly appointed Director of Community Activities. Ms. Baptista thanked the board for the opportunity to serve the citizens of Dawson County.

Chairman Berg announced that Commissioner Pichon and Commissioner Connor attended an ACCG training session on Monday, October 1st.

Chairman Berg reported that Dawson County was represented in ACCG Legislative Session in which regulations associated with 2008 political session were passed. A booklet will be produced and sent out in a couple of weeks.

APPROVAL OF MINUTES:

Motion passed unanimously to accept the minutes as submitted from the Regular Meeting held on September 20, 2007. Pichon/Connor

NEW BUSINESS:

Motion passed unanimously to add two emergency agenda items. The two agenda items being added to the agenda were a Signature Resolution and Traylor Business Services contracts. Connor/Nix

Burn Ban Extension

Tim Satterfield requested the Board approve the Burn Ban Extension as submitted at the Work Session on September 27, 2007. This resolution speaks to declare a temporary emergency ban on all open and container burning.

Motion passed unanimously to approve the Burn Ban Resolution. Pichon/Nix

United Way

Human Resources Director, Jay Sessions, requested the Board submit their donations to the United Way. Chairman Berg challenged the Board to donate to the United Way.

Third Party Review of Outsourcing Opportunities

Chairman Berg asked for a motion to accept and approve the matrix table within the third party outsourcing study for future use on third party outsourcing if needed. Commissioner Pichon inquired as to the information in the study and wanted to make sure that the vote was not to bring in a third party.

Motion passed unanimously to approve the matrix for third party outsourcing. Connor/Nix

Long Range Planning Committee Recommendations

Chairman Berg asked for appointments for Long Range Planning Committee.

Commissioner Connor announced his nominations for Russell Bruchard, Bette Holland, and Dick McNeil.

Commissioner Nix announced her nominations for Kurt Kravenger and Russell Bruchard

Lynn Tully stated that six members actively participate.

Commissioner Nix recommended that the new members should participate in the Dawson Leadership Program.

Chairman Berg asked for this item to be placed on agenda in two weeks.

2002 EWA Bond Funds for 400 Corridor Sewer & Burt Creek Complex

Commissioner Connor inquired to the Board of Education's contributions. County Attorney Homans assured the Board that \$95,000 is the County's estimated cost.

Motion passed unanimously to approve the 2002 EWA Bond Funds for 400 Corridor Sewer and Burt Creek Complex. Connor/Pichon

Park Board Appointment

Commissioner Pichon suggested nominating Dick Scharf to the Park Board. Chairman Berg stated he would place the nomination.

Motion passed unanimously to approve Dick Scharf to the Park Board. Nix/Connor

Signature Resolution

Chairman Berg asked for a motion to authorize the Signature Resolution.

Motion passed unanimously to approve the Signature Resolution. Nix/Pichon

Traylor Business Services

County Attorney Homans explained the process of Traylor Business Services and the need to update contracts on a yearly basis.

Motion passed unanimously to approve Traylor Business Services Contracts. Pichon/Nix

ADJOURNMENT

Motion passed unanimously to go into executive session to discuss land, legal and personnel issues.
Connor/Nix

Motion passed to come out of executive session Nix/Connor

APPROVE: ATTEST:

Mike Berg, Chairman Krystal Brewster, Interim County Clerk

Work Session Minutes - October 11, 2007

DAWSON COUNTY BOARD OF COMMISSIONERS

WORK SESSION MINUTES – THURSDAY, October 11, 2007

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

ROLL CALL: Those present were Chairman Berg; Commissioner Pichon, District 1; Commissioner Connor, District 3; Commissioner Nix, District 4; County Attorney Homans; Acting County Manager Thurmond; Interim County Clerk Brewster and interested citizens of Dawson County. District 2 is vacant.

ANNOUNCEMENTS:

Chairman Berg announced there are five Thursday's in November. Regular Session on November 15th, Commissioner Pichon and Commissioner Connor will be in training. Chairman Berg moved Zonings to the Regular Session on November 29th.

Chairman Berg announced Terri Tragesser swearing in ceremony will be on November 14th at 11:30 am.

1. Human Resources Update – Jay Sessions

Human Resources Director, Jay Sessions updated the Board on the Human Resources Department's current status and goals for the future

2. Information Technology Policies – Jay Sessions

This item to be placed on the Regular Meeting Agenda –
10-18/07

3. Mentoring Program requests Dawson County as Fiscal Agent – Bindy Auvermann

This item to be placed on the Regular Meeting Agenda –

10-18/07

4. Veteran's Day Regional Site approval – Pam Hamalainen

This item to be placed on the Regular Meeting Agenda –

10-18/07

5. Gov Deals Surplus Sales – Daniel Goode

This item to be placed on the Regular Meeting Agenda –

10-18/07

6. Appointment of Dawson County EMA Director –

Billy Thurmond

This item to be placed on the Regular Meeting Agenda –

10-18/07

7. 2008 Vehicles – Jill Rathe

This item to be placed on the Regular Meeting Agenda –

10-18/07

8. ICC – Georgia State Minimum Standard Codes for Construction – Wayne Elledge

This item to be placed on the Regular Meeting Agenda –

10-18/07

9. Development Authority Quarterly Report – Charlie Auvermann

Charlie Auvermann presented the Board the third quarter update from the Development Authority. This update included the new website, projects, Joint Development Authority and the GA 400 Task Force.

10. County Manager Report

11. County Attorney Report

APPROVE: ATTEST:

Mike Berg, Chairman Krystal Brewster,
Interim County Clerk

Regular Meeting Minutes - October 18, 2007

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES

THURSDAY, OCTOBER 18, 2007

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

ROLL CALL: Those present were Chairman Berg; Commissioner Pichon, District 1; Commissioner Connor, District 3; Commissioner Nix, District 4; County Attorney Homans; Interim County Manager Tully; Interim County Clerk Brewster and interested citizens of Dawson County. District 2 is vacant.

OPENING PRESENTATION: READ – Ann Williams

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Chairman Berg

ANNOUNCEMENTS:

Chairman Berg welcomed former Commissioner, Frank Craft, to the meeting.

Chairman Berg announced the Health Board has asked for a joint meeting between the City and County in regards to increasing fees for services.

Chairman Berg attended Water and Sewerage Authority Meeting. Brooke Anderson introduced a ten year plan with a cost of \$148 million to comply. In their Regular Session meeting, an impact fee type increase was announced on sewer taps and also on water taps. An increase on general rates will be in effect for the beginning of 2008.

Commissioner Connor announced he would be attending a walk through on the property behind Megal Chevrolet on Saturday, October 20th at 10:30 am. Bill Hess will show a pond and water spring. Commissioner Connor stated that anyone could attend.

APPROVAL OF MINUTES:

County Attorney Homans announced the Executive Session Affidavit should be included in the minutes. Chairman Berg stated that we had the Affidavit at the office.

Motion passed unanimously to accept the minutes as submitted from the Regular Meeting held on October 4, 2007. Connor/Nix

NEW BUSINESS:

Information Technology Policies

Chairman Berg announced the Information Technology Policies are not ready for adoption.

Motion passed unanimously to move to the October 25, 2007 Work Session. Nix/Pichon

Mentoring Program requests Dawson County as Fiscal Agent

Motion passed unanimously to approve Dawson County as Fiscal Agent for Mentoring Program. Pichon/Nix

Veteran's Day Proclamation

Chairman Berg read the Veteran's Day Proclamation to the Public.

Motion passed unanimously to approve the Veteran's Day Proclamation. Connor/Nix

Gov Deals Surplus Sales

Commissioner Nix wanted to know what the yellow hi-lighted areas represented. Daniel Goode responded it was titles that the County did not need.

Motion passed unanimously to approve Gov Deals Surplus Sales. Pichon/Connor

Appointment of Dawson County EMA Director

Motion passed unanimously to approve Billy Thurmond as Dawson County's new EMA Director. Pichon/Nix

2008 Vehicles

Purchasing Agent, Jill Rathe, announced an extra \$56 would be added to the Crown Vic cost due to Ford no longer including the side molding in the cost.

Commissioner Pichon asked if Jill Rathe could repeat the winning vendors for 2008 Vehicles.

Commissioner Connor asked if 2009 vehicles could possibly be more Eco-friendly. Jill Rathe stated that it all depended on what the departments needed.

Motion passed unanimously to approve 2008 Vehicles. Pichon/Connor

ICC – Georgia State Minimum Standard Codes for Construction

Commissioner Pichon asked County Attorney Homans if the new ordinances would plug in to the past ordinances. County Attorney Homans said the process would be made easier with updating.

Motion passed unanimously to approve the ICC–Georgia State Minimum Standard Codes for Construction. Pichon/Nix

ADJOURNMENT

Motion passed unanimously to go into executive session to discuss land, legal and personnel issues.
Nix/Connor

APPROVE: ATTEST:

Mike Berg, Chairman Krystal Brewster, Interim County Clerk

Work Session Minutes - October 25, 2007

DAWSON COUNTY BOARD OF COMMISSIONERS

WORK SESSION MINUTES – THURSDAY, October 25, 2007

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

ROLL CALL: Those present were Chairman Berg; Commissioner Pichon, District 1; Commissioner Connor, District 3; Commissioner Nix, District 4; County Attorney Homans; Acting County Manager Tully; Interim County Clerk Brewster and interested citizens of Dawson County. District 2 is vacant.

ANNOUNCEMENTS:

Chairman Berg announced the Thursday, November 8th Work Session would be moved to Monday, November 5th. The Work Session will still remain at 4pm in the Community Room at Rock Creek.

Chairman Berg announced the County's Bond Rating had been changed to A1. Lowayne Craig, Finance Director, spoke on the factors contributing to the rating and importance of this new bond rating to the County.

Chairman Berg announced that Emergency Services was going through an ISO Survey for the first time in 19 years.

Jay Sessions, Human Resources Director, announced the appointment of Cathy Brooks as the new Government and Community Affairs Representative.

1. EMS Update – Billy Thurmond

Emergency Services Director, Billy Thurmond updated the Board on the Emergency Services current status and goals for the future

2. Women's Club Update

The Dawson County Women's Club was honored for all their hard work and dedication to the beautification of Rock Creek Park.

The DCWC is being awarded the Best Overall Beautification Award from the Georgia Federation of Women's Clubs.

3. Information Technology Policies – Jay Sessions

This item to be placed on the Regular Meeting Agenda –
11/1/07

4. Urban Village Activity Centers – Paige Hatley

This item to be placed on the Work Session Meeting Agenda –
11/29/07

5. Long Range Planning Committee - BOC

This item to be placed on the Regular Meeting Agenda –
11/1/07

6. Water Reliability - BOC

Commissioner Pichon presented his ideas on establishing a County Plan along with an Emergency Plan for Dawson County.

7. County Manager Report

8. County Attorney Report

APPROVE: ATTEST:

Mike Berg, Chairman Krystal Brewster,
Interim County Clerk

Work Session Minutes - November 5, 2007

DAWSON COUNTY BOARD OF COMMISSIONERS

WORK SESSION MINUTES – MONDAY, NOVEMBER 5, 2007

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

ROLL CALL: Those present were Chairman Berg; Commissioner Pichon, District 1; Commissioner Connor, District 3; Commissioner Nix, District 4; County Attorney Homans; Acting County Manager Tully; Interim County Clerk Brewster and interested citizens of Dawson County. District 2 is vacant.

ANNOUNCEMENTS:

1. Public Works Update – John Laux

Public Works Director, John Laux updated the Board on the Public Works current status, projects and goals for the future

2. Bond Financing – SPLOST – Bryce Holcombe

This item to be placed on the Regular Meeting Agenda –
11/15/07

3. Casualty Cost Recovery Services – Jill Rathe

This item to be placed on the Regular Meeting Agenda –
11/15/07

4. Bannister Road Improvements – Jill Rathe

This item to be placed on the Regular Meeting Agenda –

11/15/07

5. Adult Learning Center Contractor – Jill Rathe

This item to be placed on the Regular Meeting Agenda –

11/15/07

6. Motor Grader Bid – Jill Rathe

This item to be placed on the Regular Meeting Agenda –

11/15/07

7. DCAR GIS – Jill Rathe

This item to be placed on the Regular Meeting Agenda –

11/15/07

8. 2008 Vehicle Lease Purchase Financing – Jill Rathe

This item to be placed on the Regular Meeting Agenda –

11/15/07

9. Comprehensive Plan – Lynn Tully

This item to be placed on the Work Session Meeting Agenda –

11/29/07

10. CIE Update – Lynn Tully

This item to be placed on the Work Session Meeting Agenda –

11/29/07

11. County Manager Report

12. County Attorney Report

APPROVE: ATTEST:

Mike Berg, Chairman Krystal Brewster,
Interim County Clerk

Regular Meeting Minutes - November 15, 2007

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES

THURSDAY, November 15, 2007

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

ROLL CALL: Those present were Chairman Berg; Commissioner Tragesser, District 2; Commissioner Nix, District 4; County Attorney Homans; Interim County Manager Tully; Interim County Clerk Brewster and interested citizens of Dawson County. Commissioner Pichon, District 1; Commissioner Connor, District 3 were both absent.

OPENING PRESENTATION: St. Vincent de Paul – Jim Bohl

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Chairman Berg

ANNOUNCEMENTS:

Chairman Berg welcomed Terri Tragesser to her first meeting as a Commissioner. Commissioner Pichon and Commissioner Connor both are attending training sessions.

Chairman Berg announced no meeting will be held on Thursday, November 22, 2007 due to the Thanksgiving Holiday.

Chairman Berg received a letter from the GA DOT in which they have agreed to help the county with two bridge rehabilitation programs. The first bridge being repaired is on Steve Tate Road, which is over Amicalola Creek. The second bridge being completely replaced is on Shoal Creek Rd. The work should start taking place sometime next year.

Chairman Berg attended the first graduation of DUI Treatment Court. Participants go through intense meetings and once they complete the course they receive their drivers license back. There were a total of four graduates from the program.

APPROVAL OF MINUTES:

Motion passed unanimously to accept the minutes as submitted from the Regular Meeting held on November 1, 2007. Nix/Tragesser/Berg

ZONINGS:

No zonings tonight. Zonings will be held on Thursday, November 29th at the Work Session

NEW BUSINESS:

Bond Financing -SPLOST

Bryce Holcombe presented to the board regarding Bond Financing and the current market. Mr. Holcombe discussed options for borrowing in 2007 versus borrowing in 2008. Mr. Holcombe will meet back with the Board on Thursday, December 6th to discuss market conditions.

Motion passed unanimously to adopt the resolution regarding the November 6, 2007 election for SPLOST. Nix/Tragesser

Casualty Cost Recovery Services

Motion passed unanimously to approve Casualty Cost Recovery Services, Inc to provide casualty cost recovery services.

Nix/Tragesser

Bannister Road Improvements

Motion passed unanimously to approve YES Grading for Bannister Road Improvements. Nix/Tragesser

Adult Learning Center

Motion passed unanimously to approve Stellar Construction as the contractor for the Adult Learning Center. Tragesser/Nix

Motor Grader Bid

Jill Rathe explained that there was a two way recommendation from the Purchasing Department and Public Works Department. The low bid was from Metrac (John Deere) with purchase price of \$145,711.00; however, Yancey Brothers (Caterpillar) came in with a purchase price of \$184,908.00. Yancey Brothers has a guaranteed Buy Back of \$131,339 versus Metrac \$100,000.

Chairman Berg asked about budget implications. Lowayne Craig informed the Board that either machine would be budgeted because of SPLOST monies.

Motion passed by Nix/Tragesser to approve Metrac; however, after discussion regarding the Caterpillar machine, a new motion was passed unanimously to approve Yancey Brothers (Caterpillar) with the Motor Grader Bid. Tragesser/Nix

DCAR GIS

Motion passed unanimously to approve Plan Graphics, Inc. as the vendor for DCAR GIS. Tragesser/Nix

2008 Vehicle Lease Purchase Financing

Motion passed unanimously to approve BB&T to provide lease purchase financing of 2008 vehicles. Nix/Tragesser

ADJOURNMENT

Motion passed unanimously to go into executive session to discuss land and legal issues. Nix/Tragesser

APPROVE: ATTEST:

Mike Berg, Chairman Krystal Brewster, Interim County Clerk

Work Session Minutes - November 29, 2007

DAWSON COUNTY BOARD OF COMMISSIONERS

WORK SESSION MINUTES – MONDAY, NOVEMBER 29, 2007

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

ROLL CALL: Those present were Chairman Berg; Commissioner Pichon, District 1; Commissioner Tragesser, District 2; Commissioner Connor, District 3; Commissioner Nix, District 4; County Attorney Homans; Interim County Manager Tully; Interim County Clerk Brewster and interested citizens of Dawson County.

ANNOUNCEMENTS:

Opening presentation presented by Mike Evans, GA DOT. Mr. Evans stated he and Russell Murray were very impressed with Dawson County's plans for the GA 400 Corridor. Mr. Evans presented a conceptual drawing prepared by GA DOT to show future plans for Dawson County. A check was presented for resurfacing costs in 2008.

Chairman Berg announced that zonings would be heard first and then work session would follow.

ZONINGS:

ZA 07-15: Franklin Porter has made a request to rezone .075 acres of TMP 104-040 from R-1 to C-CB to operate a Commercial Auto Glass business. Location: 3395 Hwy 53E.

Chairman Berg read zoning ZA 07-15 and asked if the applicant was present to speak to the Board. Franklin Porter informed the Board that he would like to withdraw his request.

Motion passed unanimously to withdraw Mr. Porter's request. Connor/Nix.

Motion passed unanimously to refund zoning fees back to Mr. Porter. Connor/Nix

Chairman Berg stated that the Planning Department would refund any fees back to Mr. Porter.

Motion passed unanimously to allow current business to remain

Operational with understanding of past business license fees to be paid. Connor/Nix

ZA 07-16: Donald Westall & John Seelke has made a request to reduce side setback on TMP 114-001.
Location: 469 Lumpkin Campground Rd.

Chairman Berg read zoning ZA 07-16 and asked if the applicant was present to speak to the Board. Representing Lab Depot is Charlie Auvermann, Executive Director of Development Authority of Dawson County. John Seelke is in attendance.

Mr. Auvermann states the issue at hand is returning to a 40 foot buffer rather than the 80 foot buffer in place on the property.

Mr. Auvermann reported to the Board of Commissioners that the Planning Commission has recommended and approved the 40 foot buffer. Mr. Auvermann also reported that in January 2007, the Board of Commissioners voted unanimously in favor of ZA 06-24, land adjacent to Lumpkin Campground to have a 40 foot standard buffer and that act is believed to be a discriminatory act to Lab Depot.

Mr. Auvermann pointed out several items regarding Lab Depot:

- Lab Depot is a mail order supplier of lab equipment to universities, schools, colleges and the CDC
- No manufacturing and no external storage yards on facility site.
- Operating hours are from 7:30am to 5pm.
- The only activity visible during normal business days is employee traffic and UPS trucks.

Mr. Auvermann stated that Lab Depot is currently zoned CP-CD and is not asking for any changes in zoning. Mr. Auvermann stated that Lumpkin Campground is not a registered historic site.

Chairman Berg asked for any questions to the applicant. Commissioner Connor asked why the need for the 40 foot buffer? Mr. Auvermann answered stating that the current buffer is not considered an asset on the Lab Depot property. Mr. Seelke stated that he bought and paid for the land and he would like his land and that he had no plans to do any more development to the property.

Commissioner Pichon asked if the buffer lowered the value of the land. Mr. Seelke responded that it indeed did.

Chairman Berg asked what was going on the property. Chairman Berg stated that in the original plans, mini warehouses were applied for.

Mr. Seelke responded by stating that nothing was being built on the land.

Chairman Berg asked if anyone else wished to speak in favor of the application and seeing none asked if anyone wished to speak in opposition of the application.

Reverend David Gravitt, 325 Lumpkin Campground South, spoke in opposition of the application. Reverend Gravitt stated that the Campground was an extraordinary treasure and needed protection and the Campground is heritage of Dawson County.

Larry Talford, 986 Lumpkin Campground, spoke in opposition of the application. Mr. Talford stated his concerns were for the future of the Campground.

Helen Taylor, 540 Liberty Church Rd, spoke in opposition of the application. Ms. Taylor informed the Board of Commissioners of the status of historic registration of Lumpkin Campground.

Dave Hinderliter, 2124 War Hill Park Rd, spoke in opposition of the application. Mr. Hinderliter stated that this is the fifth time this buffer has come to the Board of Commissioners to defend the buffer. He states that is clear and common sense says to protect the land and defend the buffer.

Jean Denard, 335 Elliot Rd, spoke in opposition of the application.

Ms. Denard stated the Campground was God's place and it is in God's care.

Elizabeth Neece, 331 Longview Drive, spoke in opposition of the application. Ms. Neece presented a print of the Campground and also presented the book "The Little House". The book shows how progress can change things.

Chairman Berg stated that he was on the Planning Commission in 2003. The Planning Commission recommended to the Board of Commissioners to move the buffer from 120 foot to 80 foot because application was for mini warehouse.

Commissioner Pichon questioned if there were any other buffers in the 400 area that is a 40 foot buffer. Community Development Director, Lynn Tully, stated to her knowledge there was not in any recent zonings with 40 foot buffers.

Commissioner Pichon posed a question for County Attorney Homans regarding state or federal law to registered historic sites in regards to buffers. County Attorney Homans stated that there may be some in federal but it was mainly for historical integrity. Community Development Director Tully stated that the National Register considers current structures and grounds, but they stop at property lines.

Chairman Berg asked the applicant, Mr. Seelke, if he would want to consider going from CP-CD to COI. Mr. Seelke stated that he did not request CP-CD but that was the original zoning from the planning department with the mini warehouses. Mr. Seelke stated that he was not familiar with COI and would have to study the zoning.

Motion passed by majority to deny Zoning ZA 07-16. Nix/Connor Commissioner Pichon voted against the motion.

Motion passed unanimously to adjourn the zoning portion of the meeting. Nix/Tragesser

New Business:

1. SPLOST Bonds – Bryce Holcombe

This item to be placed on the Regular Meeting Agenda –
12/6/07

2. Urban Village Activity Centers – Paige Hatley

This item to be discussed in a joint meeting between the Board of Commissioners and the Long Range Planning Committee

3. Comprehensive Plan – Lee Walton

This item to be discussed in a joint meeting between the Board of Commissioners and the Long Range Planning Committee

4. CIE Update – Lynn Tully

This item to be placed on the Regular Meeting Agenda –

12/6/07

5. Wetlands Credits – Lynn Tully

(Brooke Anderson from EWSA asked the Board of Commissioners to reserve 50 credits for the new Reservoir)

This item to be placed on the Regular Meeting Agenda –

12/6/07

6. Cable Fee Resolution – Mark Tursich

This item to be placed on the Regular Meeting Agenda –

12/6/07

7. E-911 Phase II Resolution – Deb Wimpy

This item to be placed on the Regular Meeting Agenda –

12/6/07

8. County Manager Report

9. County Attorney Report

Motion passed unanimously to go into executive session. Nix/Tragesser

APPROVE: ATTEST:

Mike Berg, Chairman Krystal Brewster,
Interim County Clerk

Regular Meeting Minutes - December 6, 2007

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES

THURSDAY, December 6, 2007

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

ROLL CALL: Those present were Chairman Berg; Commissioner Pichon, District 1; Commissioner Tragesser, District 2; Commissioner Connor, District 3; Commissioner Nix, District 4; County Attorney Homans; Interim County Manager Tully; Interim County Clerk Brewster and interested citizens of Dawson County.

OPENING PRESENTATION: Prevent Child Abuse – Jennifer Rager

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Chairman Berg

ANNOUNCEMENTS:

Chairman Berg announced that there were new water basin updates for the state of Georgia. Dawson County is now with part of the Tennessee River and part of the Chattahoochee River. Counties also in this region include: Union, Towns, White, Lumpkin, Rabun, Habersham, Stephens, Franklin and Banks.

Chairman Berg announced a new Water Council is being created with eighteen members and three alternates. Council members are chosen by Governor and Lieutenant Governor.

Chairman Berg met with the Speaker of the House on Monday regarding the Great Plan.

Chairman Berg would like to have a called meeting with the Board of Commissioners, School Board and City Council to discuss the Great Plan.

APPROVAL OF MINUTES:

Motion passed unanimously to accept the minutes as submitted from the Regular Meeting held on November 15, 2007. Tragesser/Nix

Chairman Berg asked to change the agenda to add 2008 Holiday Calendar and Interim County Manager Contract. Motion passed unanimously to accept the changes. Nix/Pichon

NEW BUSINESS:

SPLOST Bonds

County Attorney Homans announced that insurance was obtained and was deemed cost effective. Homans announced that advertising was in place for

December 13, 2007 meeting to approve a resolution regarding SPLOST Bonds

Lowayne Craig announced that Dawson County was rated A1 by Moody's.

Motion passed unanimously to proceed with SPLOST Bond process. Pichon/Nix

2008 Holiday Calendar

Jay Sessions, HR Director, presented 2008 Holiday Calendar to the Board.

There was discussion among the Board concerning Veterans Day versus Columbus Day.

Chairman Berg asked Jay Sessions to check with Veterans and come back on December 20, 2007 to the Board.

Motion passed unanimously to move this item to the December 20, 2007 voting session. Nix/Connor

CIE Update

Lynn Tully announced the CIE Update is being advertised for Public Hearing on December 20, 2007.

Motion passed unanimously to hold Public Hearing on December 20, 2007. Tragesser/Nix

Wetlands Credits

County Attorney Homans announced that we currently have 136.4 Wetland Credits. Homans announced that currently we do not have any Stream Bank Credits to sell.

Motion passed unanimously to sell Wetland Credits. Pichon/Nix

Cable Fees Resolution

Commissioner Pichon asked what would happen if the Cable Fees Resolution was not passed. Mark Tursich, IT Director, stated that the County would not receive any franchise fees.

Motion passed unanimously to adopt the Cable Fees Resolution. Pichon/Tragesser

E-911 Phase II Resolution

County Attorney Homans announced a Public Hearing is needed and has to advertise for at least ten days before the Board can approve.

Motion passed unanimously to hold Public Hearing on January 3, 2008. Connor/Nix

Interim County Manager Contract

Chairman Berg introduced Ross Hubbard. Commissioner Tragesser had questions regarding insurance coverage in the Interim County Manager Contract.

Jay Sessions, HR Director, answered all questions for Commissioner Tragesser.

Motion passed unanimously to approve the Interim County Manager Contract. Pichon/Nix

ADJOURNMENT

Motion passed unanimously to go into executive session to discuss land and legal issues. Nix/Connor

APPROVE: ATTEST:

Mike Berg, Chairman Krystal Brewster, Interim County Clerk

Work Session Minutes - December 13, 2007

DAWSON COUNTY BOARD OF COMMISSIONERS

WORK SESSION MINUTES – THURSDAY, DECEMBER 13, 2007

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

ROLL CALL: Those present were Chairman Berg; Commissioner Pichon, District 1; Commissioner Tragesser, District 2; Commissioner Connor, District 3; Commissioner Nix, District 4; County Attorney Homans; Interim County Manager Tully; Interim County Clerk Brewster and interested citizens of Dawson County.

ANNOUNCEMENTS:

Chairman Berg announced a change in agenda items. Health Board moved to Item 2 rather than Item 4.

New Business:

1. Bond Resolution – Bryce Holcombe

Bonds were priced on December 12, 2007. A Post Pricing Book was passed out to all BOC members.

Motion passed unanimously to pass the Bond Resolution. Connor/Nix

Motion passed unanimously to adjourn regular meeting and go into work session. Nix/Tragesser

2. Health Board – Dr. Larry Anderson

Dr. Anderson presented the proposed Environmental Health Fees.

The Health Board will meet again on January 18, 2008 to prepare their recommendations of the proposed Environmental Health Fees. Once the proposal is received, a public hearing is needed for the updated fees.

3. State of Georgia Public Defender Contract – Lowayne Craig

This item to be placed on the Regular Meeting Agenda –

12/20/07

4. Jail Project Budget – Lowayne Craig

This item to be placed on the Regular Meeting Agenda –

12/20/07

5. DOT Transit Grant – Daniel Goode

This item to be placed on the Regular Meeting Agenda –

12/20/07

6. Adult Drug Court – Bob King

This item to be placed on the Regular Meeting Agenda –

12/20/07

7. County Manager Report

8. County Attorney Report

Motion passed unanimously to go into executive session to discuss legal issues. Connor/Tragesser

APPROVE: ATTEST:

Mike Berg, Chairman

Krystal Brewster, Interim County Clerk

Regular Meeting Minutes - December 20, 2007

DAWSON COUNTY BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES

THURSDAY, December 20, 2007

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

ROLL CALL: Those present were Chairman Berg; Commissioner Pichon, District 1; Commissioner Tragesser, District 2; Commissioner Connor, District 3; Commissioner Nix, District 4; County Attorney Homans; Interim County Manager Hubbard; Interim County Clerk Brewster and interested citizens of Dawson County.

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Chairman Berg

ANNOUNCEMENTS:

Chairman Berg announced the Ground Breaking Ceremony will be held on Friday, December 21st for the Literacy Center.

Chairman Berg announced that the Employee Pancake Breakfast was this morning and was glad to see so many employees in attendance. A special thanks to Julie Nix, Terri Tragesser and Betsy Connor for organizing the event.

Chairman Berg announced that Alcohol Licensing Hearings will be Tuesday, January 29, 2008. There will be nine (9) hearings held at Rock Creek.

APPROVAL OF MINUTES:

Motion passed unanimously to accept the minutes as submitted from the Regular Meeting held on December 6, 2007. Connor/Nix

ZONINGS:

ZA 07-18: Rymer Development L.L.C. has made a request to rezone 15.45 acres of TMP 106-062,106-296,106-213,106-054,106-054.001 from RA (Residential Agricultural) to R3 (Multi-Family Residential) to develop a mixed use adult community, included in this request is also a variance from Section 304.E.7 (Maximum Units per Building) and Section 304.E.8 (Maximum Density). Location: Dawson Forest Road

Chairman Berg read zoning ZA 07-18. Community Development Director, Lynn Tully, asked the Board to hear both zonings together and vote separately. Chairman Berg granted the right to present both zonings together. John Rymer of 327 Dahlonga Street #304, Cumming GA 30040 was present on behalf of Rymer Development. Mr. Rymer stated he was present to request zoning for the 97 acres from RA to R3 and from RA to CPCD.

ZA 07-19: Rymer Development L.L.C. has made a request to rezone 82.028 acres of TMP 106-062,106-296, 106- 213, 106-054, 106-054.001 from RA (Residential Agricultural) to CPCD (Commercial Planned Comprehensive Development) to develop a mixed use adult community, included in this request is also a variance from Section 404.C.7.C (Maximum Density of 6 Units per Acre up to a Maximum of 100 Units) and Section 404.C.7.5 (Minimum 50% of Uses for Non-Residential Uses). Location: Dawson Forest Road.

Commissioner Pichon asked about land parcels listed in the zonings. Ms. Tully stated that parcels can be zoned differently.

Chairman Berg stated that the Planning Commission heard ZA 07-18 and ZA 07-19 at the November 20, 2007 meeting and recommended approval with the following stipulations:

Storm water management and soil erosion controls shall be strictly adhered to given the presence of steep slopes, a tributary to the Etowah River and drainage basins;

An additional potential access point should be considered for the northeastern portion of the property, which would permit extension into future adjoining developments;

The Applicant should coordinate with the Board of Education's transportation department to determine the location of a bus stop at the entrance of the development, and that adequate school bus turn-around areas should be provided in the interior of the site, if applicable;

Access will require an exclusive left-turn lane on the eastbound approach of Dawson Forest Road, an exclusive right-turn lane from the westbound Dawson Forest Road, and a left-turn and right-turn coming out of the site (per the traffic impact study prepared as part of the DRI process);

The proposed sidewalk/trail system must be reviewed and approved by Community Development staff to ensure adequate connectivity between uses and pathways;

Sidewalks shall be a minimum of five (5) feet in width;

Open space, parking lots, roadways, pathways, entryways and signage should be permanently maintained via HOA;

Building and site design shall be consistent with "Design and Development Guidelines: North Georgia Village," which was submitted by the Applicant with the zoning application materials, and with the development guidelines for the Urban Activity Center District upon adoption;

Parking spaces should be reduced where they exceed the minimum number required to reduce the amount of impervious surface, or extra spaces should utilize pervious surface;

10. Minimum buffers of 50 feet in width shall be provided along the perimeter of the project site;

11. A landscape area having a minimum horizontal dimension of 15 feet shall be provided along vehicular use areas which adjoin a public right-of-way;

12. The maximum number of townhouses shall be 200;

13. The maximum number of units per apartment building shall be 35;

14. The maximum density for the apartment development (15.45 acres, proposed R-3 zoning) shall not exceed 12.7 DUA;

15. The minimum percentage of project land area (82.028 acres, proposed C-PCD zoning) that is required to be commercial, office, public, personal service, restaurant or similar uses shall be no less than 25%;

16. The entire property shall be immediately submitted for rezoning to the Urban Activity Center District upon adoption of the zoning classification.

Chairman Berg advised the Board that Stipulation 16 is not applicable.

Mr. Rymer said that he is concerned with a couple of the stipulations.

Stipulation 6 (Sidewalks shall be a minimum of five (5) feet in width). Mr. Rymer stated he only needed four (4) feet in width.

Stipulation 12 (The maximum number of townhouses shall be 200). Mr. Rymer stated that 225 townhouses were in the original site plan. The original site plan was using UAC zoning classifications and

stipulations. With the UAC zoning guidelines 225 townhouses is allowable. Mr. Rymer thought that UAC zoning code would be adopted by now.

Stipulation 10 (Minimum buffers of 50 feet in width shall be provided along the perimeter of the project site) Mr. Rymer stated that in the lower southeast corner there will be a retail component and it would be difficult to do retail with 50 feet buffers.

Chairman Berg questioned Stipulation 2 (An additional potential access point should be considered for the northeastern portion of the property, which would permit extension into future adjoining developments) and Stipulation 3 (The Applicant should coordinate with the Board of Education's transportation department to determine the location of a bus stop at the entrance of the development, and that adequate school bus turn-around areas should be provided in the interior of the site, if applicable).

Chairman Berg would like to replace "should" with "shall".

Commissioner Pichon stated that he walked the site from corner to corner and was a little concerned at the steep topography in the upper corner.

Commissioner Tragesser asked if a traffic study was completed yet. Mr. Rymer stated a study had been completed.

Chairman Berg asked Ms. Tully how this plan would affect the Future Land Use map. Ms. Tully answered all questions from the Board.

Commissioner Nix wanted more clarification on the retail aspect. Mr. Rymer noted there was around 7500 square feet for retail. Possible retail could be dry cleaners or pharmacy.

Chairman Berg asked if anyone wished to speak in favor of the application.

Charlie Auvermann, Director of Dawson County Development Authority, 137 Prominence Court, spoke in favor of the applicant. Mr. Auvermann stated that he had been involved with this project for over a year. Mr. Auvermann said he had a survey from 2004, which shows the need of a hospital, medical services and assisted living facilities. He also noted that a basic assisted living facility does not require a CON (Certificate of Need). Mr. Auvermann stated that he had technical statistics from 2006 and 2007, which shows the need is greater now for these types of facilities than in 2004. Mr. Auvermann stated that all homes are elevator compatible. Also, all green space is utilized for the good of the people and not piped.

All walkways and sidewalks are designed for people to enjoy where they live. Mr. Auvermann stated that the Rymer's have worked well with himself and Ms. Tully.

Chairman Berg asked if anyone else wished to speak in favor of the application and seeing none asked if anyone wished to speak in opposition of the application.

Jim Kinsey, 86 Huckleberry Ford, spoke in opposition of the applicant. Mr. Kinsey lives in Country Crossings Subdivision.

Mr. Kinsey is concerned about:

Roads eventually connecting in to Country Crossings from the Rymer development

Buffers – he would like an undisturbed buffer in place

Future housing for Country Crossings Subdivision is on the Southwest corner of the Rymer development. The plan shows that a pool will be placed there and Mr. Kinsey is concerned about noise from the pool interfering with the future housing.

Susan Smith, 455 Mayapple Glen, spoke in opposition of the applicant. Mr. Smith lives in Country Crossings Subdivision and is the President of the Homeowner's Association. Ms. Smith's property is very close to the proposed development and she would like to see different types of planting because of the hardwoods between her and the development.

Russell Burchard, 51 Mayapple Glen, spoke in opposition of the applicant. Mr. Burchard lives in Country Crossings Subdivision. Mr. Burchard would like the Commissioner's to table this zoning for more study, discussion and clarification.

Commissioner Tragesser questioned the amount of units and fire department codes relating to more than one access into the proposed development. Commissioner Tragesser asked if there were any issues for emergency access or is the one in and out sufficient. Ms. Tully stated that typically more than fifty (50) houses cause them to look for another access into. Ms. Tully also stated that her department has looked into an all weather access road but due to the topography of the land, cannot find where an access road can go.

Commissioner Pichon is concerned about this development because of no connectivity for emergency vehicles.

Chairman Berg asked Billy Thurmond, Director of Emergency Services, if there is any discussion or restrictions regarding entrances into the subdivision. Billy stated that the Fire Marshall's recommendation is to follow the International Fire Code, which requires more than one entrance for emergency purposes.

Commissioner Pichon stated a possibility could be to gate and give keys to Emergency Service personnel or try to figure out another way in and out.

Commissioner Connor asked if the board could create an ordinance in regards to additional entrances when housing in a subdivision meets a certain number. Ms. Tully stated that they were in the process of updating subdivision regulations.

Chairman Berg asked Mr. Rymer if there was any way to get another entrance from an existing road inside the subdivision. Mr. Rymer stated that he tried purchasing land as a separate entrance and could not purchase it. Mr. Rymer has also tried connectivity through Riley Place but sewer lines are there and will not be able to. Mr. Rymer thought that the stub from Country Crossings would be the best.

Chairman Berg stated that he would like the board to consider before voting:

Build commercial first

Change the wording in stipulation 2 and 3 to "should"

Stipulation 8 – guidelines needs to be looked at closer

Covenant in regards to age restriction

Need to look at a separate entrance into the subdivision

Motion passed unanimously to table ZA 07-18 zoning for thirty (30) days. Connor/Tragesser

Motion passed unanimously to table ZA 07-19 zoning for thirty (30) days. Connor/Tragesser

PUBLIC HEARINGS

CIE Update

Lynn Tully, Director of Community Development asked the Board to approve the Transmittal Resolution. Chairman Berg asked whether anyone wished to speak as to the CIE Update and seeing none closed the public hearing.

Motion passed unanimously to approve the Transmittal Resolution for the CIE Update. Pichon/Nix

NEW BUSINESS:

License for Beer & Wine by drink

Crystal Falls Golf Club, LLC / Shen Shi Wu and Sion Nyen Lai

County Attorney Joey Homans stated this was a petition for approval subject to CO, Fire Inspection and Health Inspection. The State and Federal background checks have been completed and have met all requirements needed.

Commissioner Tragesser asked what times the establishment will be open. A representative for Crystal Falls Golf Club, LLC stated normal golf times (7a-7p).

Motion passed unanimously to approve Crystal Falls Golf Club, LLC. Pichon/Tragesser

2008 Holiday Calendar

Human Resources Director, Jay Sessions, presented the updated 2008 Holiday Calendar to the Board. Mr. Sessions made note that Veteran's Day would be taken as a Holiday rather than Columbus Day.

Motion passed unanimously to approve the 2008 Holiday Schedule and the Board Meeting Voting sessions being the first and third Thursday's of the month. Pichon/Nix

Investment Resolution for SLOST V Bond Proceeds

Motion passed unanimously to approve the Investment Resolution for SPLOST V Bond Proceeds. Pichon/Connor

State of Georgia Public Defender Contract

Motion passed unanimously to approve the State of Georgia Public Defender Contract. Pichon/Nix

Jail Project Budget

Motion passed unanimously to approve the Jail Project Budget. Connor/Pichon

DOT Transit Grant

Motion passed unanimously to approve the DOT Transit Grant. Pichon/Connor

Adult Drug Court Grant

Motion passed unanimously to approve the Adult Drug Court Grant. Pichon/Nix

ADJOURNMENT

Motion passed unanimously to go into executive session to discuss land, legal, and personnel issues.
Connor/Nix

APPROVE:

Mike Berg, Chairman

ATTEST: Krystal Brewster, Interim County Clerk

Work Session Minutes - December 27, 2007

DAWSON COUNTY BOARD OF COMMISSIONERS

WORK SESSION MINUTES – THURSDAY, DECEMBER 27, 2007

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

ROLL CALL: Those present were Chairman Berg; Commissioner Pichon, District 1; Commissioner Tragesser, District 2; Commissioner Connor, District 3; Commissioner Nix, District 4; County Attorney Homans; Interim County Manager Hubbard; Interim County Clerk Brewster and interested citizens of Dawson County.

New Business:

1. IT Update – Mark Tursich

IT Director, Mark Tursich updated the Board on the IT Department’s current status and goals for the future

2. USS Georgia (SSGN 729) Day Proclamation – Cathy Brooks

This item to be placed on the Regular Meeting Agenda –

01/03/08

3. Bid on 2000 International EVI 18’ Service Truck – Billy Thurmond

This item to be placed on the Regular Meeting Agenda –

01/03/08

4. Resolution to Approve Participation in the National Incident Management System – Billy Thurmond

This item to be placed on the Regular Meeting Agenda –

01/03/08

5. Resolution Establishing/Joining the Georgia Mutual and Resource Pact – Billy Thurmond

This item to be placed on the Regular Meeting Agenda –

01/03/08

6. County Manager Report

7. County Attorney Report

Motion passed unanimously to go into executive session to discuss property, legal and personnel issues.
Nix/Tragesser

APPROVE: Mike Berg, Chairman

ATTEST: Krystal Brewster, Interim County Clerk