

The Regular Meeting of the Oconee County Board of Commissioners was held on Tuesday, February 5, 2019 at 6:00 p.m. in the Commission Meeting Chambers at the Oconee County Courthouse.

Members Present: Chairman John Daniell
Commissioner Mark Thomas
Commissioner Chuck Horton (*arrived during the meeting*)
Commissioner W.E. "Bubber" Wilkes
Commissioner Mark Saxon

Staff Present: Justin Kirouac, County Administrator
Daniel Haygood, County Attorney
Kathy Hayes, County Clerk
Paula Nedza, IT Director
Alex Newell, Internal Services Director
Donna Norton, Budget Officer
Diane Baggett, Communications Manager
Guy Herring, Planning and Code Enforcement Director
Gabriel Quintas, Planning and Code Enforcement Assistant Director
Grace Tuschak, Planner
C. J. Worden, EMA Director
Lisa Davol, Parks & Recreation Director
Wes Geddings, Finance Director

Chairman John Daniell began the Board Meeting at 6:00 p.m. with a moment of silence, and the Pledge of Allegiance was led by Commissioner William E. Wilkes.

Approval of Agenda:

Chairman John Daniell asked to amend the Agenda with the addition of Item 7.4. to ratify the new Public Works Director. On motion by Commissioner Saxon and second by Commissioner Thomas, the Agenda was unanimously approved as amended.

Statements and Remarks from Citizens:

None.

Statements and Remarks from Commissioners:

Chairman John Daniell reminded the audience of a Town Hall Meeting on February 19 at 6:00 p.m. at Oconee Veterans Park in the Community Room and a Public Hearing on February 6 at 6:00 p.m. at the Senior Center by the Department of Community Affairs regarding the Community Development Block Grant (CDBG) for expansion of the Senior Center.

Chairman Daniell thanked Water Resources employees Lance Raines, Nick Hensley, Tyler Perry, Jeff Sheffield and Jennane White for their time and effort to restore water service to downtown Watkinsville after a cable contractor struck a water main on Thursday evening, January 31st.

County Administrator Justin Kirouac announced the decommissioning of the Rocky Branch force main sewer line stating that the line has had multiple breaks allowing spillage into Barber Creek. The flow will be diverted to the Calls Creek Wastewater Plant at a cost that is considerably less than the cost to replace the line.

Approval of Minutes:

On motion by Commissioner Saxon and second by Commissioner Thomas, the minutes of January 8 and January 29, 2019.

Emergency Management Ordinance – Second Reading and Public Hearing:

A Second Reading and Public Hearing was held for the Emergency Management Ordinance. EMA Director C. J. Worden presented highlights from the ordinance regarding EMA Director appointment, county/state approvals, emergency declarations, procedures for contracting/purchasing, temporary/permanent dwellings, curfews and restricted areas, debris and protection from overcharging during a time of disaster.

Chairman Daniell opened the Public Comment Period and there was none.

On motion by Commissioner Wilkes and second by Commissioner Thomas, the Board unanimously adopted the Emergency Management Ordinance as presented by Mr. Worden at a First Reading/Public Hearing on January 29, 2019 and Second Reading/Public Hearing on February 5, 2019. ***See documentation in Ordinances and Resolutions Books No. 22.***

Ethics Ordinance Revision – Second Reading and Public Hearing:

County Attorney Daniel Haygood presented a revision to the Ethics Ordinance due to a change in state law. A First Reading and Public Hearing was held for revisions to the Ethics Ordinance. County Attorney Daniel Haygood explained the need for revisions stems from a new Georgia Supreme Court case which prohibits the Board of Commissioners from delegating the power to appoint the Ethics Board to anyone who is not an elected official. The revision delegates the appointment of the Ethics Board to the Probate Judge in consultation with the Special Master and Oconee County Chief Magistrate.

Chairman Daniell asked for Public Comment and there was none.

On motion by Commissioner Saxon and second by Commissioner Wilkes, the Board unanimously adopted revisions to the Ethics Ordinance as presented at a First Reading/Public Hearing on January 29, 2019 and

Second Reading/Public Hearing on February 5, 2019. **See documentation in Ordinances and Resolutions Books No. 22.**

Rezone No. 7579 – Scott Boswell, Georgia State Route 316, Commercial Subdivision:

The Board held a Public Hearing on Rezone No. 7579 – Owner/Applicant: Scott Boswell, ±29.905 acres, Rezone Request: B-2 to B-2 with modifications to Rezone No. 6894 to allow for the development of a commercial subdivision.

Gabriel Quintas, Assistant Planning & Code Enforcement Director, presented the request with 12 conditions and stated that the Planning Commission and staff recommend conditional with 12 conditions. The Planning Commission recommended approval with modifications to the conditions by removing Condition No. 10 and following from the Disallowable Uses Table in Condition 12: barber shops, nail salons, fitness centers, health centers, batting cages, beauty salons, diet/weight reducing centers.

Scott Boswell, Owner/Applicant, spoke in favor the request and asked for an adjustment to allow the exterior facades of the buildings to be 25% brick instead of four-sided brick structures.

Chairman Daniell opened the public comment period.

Clayton Hunnicutt, Carter Engineering, spoke in favor of the request.

Chairman Daniell closed the Public Comment period.

On motion by Commissioner Thomas and second by Commissioner Wilkes, the Board unanimously approved Rezone Modification No. 7579, Scott Boswell, B-2 to B-2 with modifications of Rezone No. 6894 to allow for the development of a commercial subdivision as recommended by the Planning Commission as follows: 1) Remove condition No. 10; 2) Remove the following from the Disallowable Uses Table in Condition 12: barber shops, nail salons, fitness centers, health centers, batting cages, beauty salons, diet/weight reducing centers. The Board's motion also included a requirement of four-sided brick façades of structures located on Lots 2 through 8 and 25% brick façades on structures located on Lots 9 through 19. **See Documentation in Ordinances and Resolutions Book No. 22.**

Special Use Approval No. 7659 – Abe Abouhamdan, PE, Wildflower Meadows Amenity Lots:

The Board held a Public Hearing on Special Use Approval No. 7659 – Applicant: Abe Abouhamdam, PE and Owner: Ellington Farms Development Partners, LLC, Wildflower Meadows Amenity Lots (3120 Lilly Lane, ±4.333 acres, and 1729 Wildflower Trace, ±2.237 acres), to develop the lots as passive and active recreational facilities for the Wildflower Meadows subdivision.

Gabriel Quintas, Assistant Planning & Code Enforcement Director, presented the request with two (2) conditions and stated that staff recommends conditional approval of the request. The Planning Commission recommended approval subject to the two (2) conditions. Mr. Quintas reviewed revisions submitted to the Planning Department and the Board prior to the Board meeting. Revised staff recommendation to Condition No. 2 is for Amenity Area No. 1 to be constructed as presented in the Concept Plan delivered to the Planning Department on February 4, 2019.

Abe Abouhamdam, PE, Owner Representative, spoke in favor of the request and understands there is opposition from the residents. The revised plan submitted on February 4, 2019 serves the Homeowners Association and neighborhood with upgraded privacy.

Chairman Daniell opened the Public Comment period.

Ray Cowan spoke against Amenity Area No. 1 and would like for it stay natural. He spoke in favor of Amenity Area No. 2 and would like to see the pool built as soon as possible.

Brian Vogel spoke in favor of Amenity Area No. 2 to build the pool and against Amenity Area No. 1.

Roy Burn spoke in favor of Amenity Area No. 2 to build the pool and against Amenity Area No. 1.

Chairman Daniell closed the Public Comment period.

On motion by Commissioner Saxon and second by Commissioner Thomas, the Board unanimously approved Special Use Approval No. 7659 improvements to amenity lot (No.2) located at 3120 Lilly Lane, ±4.333 acres, with two (2) conditions, and denied improvements to the amenity lot (No.1) located at 1729 Wildflower Lane, ±2.237 acres. **See Documentation in Ordinances and Resolutions Book No. 22.**

Hard Labor Creek Reservoir Management Board Appointment:

On motion by Commissioner Saxon and second by Commissioner Horton, the Board unanimously approved the appointment of Dan Quillian to an alternate position of the Hard Labor Creek Reservoir Management Board to begin immediately and expire on December 31, 2020.

Library Board Appointment:

On motion by Commissioner Thomas and second by Commissioner Horton, the Board unanimously approved the appointment of Mark Campbell to the Library Board for an unexpired term to begin immediately and expire on December 31, 2019.

Innovation Corridor Joint Development Authority Appointment:

On motion by Commissioner Saxon and second by Commissioner Wilkes, the Board unanimously approved the appointment of Courtney Bernardi to the Innovation Corridor Joint Development Authority for a term to begin immediately and expire December 31, 2022. Commissioner Horton recused himself from voting.

Public Works Director Appointment:

County Administrator Justin Kirouac presented Jody Woodall, Professional Engineer, as the new Public Works Director. On motion by Commissioner Saxon and second by Commissioner Wilkes, the Board unanimously ratified the appointment of Jody Woodall as the new Public Works Director.

Courthouse Expansion Project – Guaranteed Maximum Price (GMP):

County Administrator Justin Kirouac gave an update regarding the Guaranteed Maximum Price of the Courthouse Expansion Project. Mr. Kirouac gave a brief update regarding the GMP and will present further information at a future Board meeting.

FY2019 Second Quarter Financial Update:

Finance Director Wes Geddings presented the FY2019 Second Quarter Financial Update. Mr. Geddings stated that the County is financially sound and reviewed the financial status of the County's General Fund, LOST, SPLOST and the Water Resources Enterprise Fund. General Fund Revenue is 73% collected; General Fund Expenditures are 51% expended; Water Resources Revenue is 47% collected; and Water Resources Expenditures are 36% expended. He also gave an overview of Capital and SPLOST projects.

Consent Agenda:

Chairman Daniell asked the Board if any items should be removed from the Consent Agenda. No items were removed. On motion by Commissioner Horton and second by Commissioner Thomas, the following Consent Agenda items were unanimously approved.

- 1) Approve Architectural Services Agreement with Carter Watkins Associates Architects, Inc., for the Senior Center Community Development Block Grant (CDBG) application.
- 2) Adopt Informational Technology (IT) Department and Social Media Policy updates.
- 3) Approve Budget Submittal Process for FY2020.
- 4) Approve Sale of Surplus Property consisting of 10 vehicles as shown on the FY2019 Surplus Vehicle Listing presented at the Board's Regular Meeting on January 29, 2019.
- 5) Approve Conveyance of Vehicles from the City of Watkinsville to Oconee County (1999 Ford Fire Truck, 2009 Ford F-150).
- 6) Approve Alcohol License Modification to change the Registered Agent for Cheddar's Casual Café, Inc., from Keith Timothy Garcia to Stephen C. Bell.
- 7) Approve Alcohol License Application for The Olive Basket, 8851 Macon Highway, Suite 401, Athens, Charles E. Hay, Registered Agent.

Executive Session:

On motion by Commissioner Thomas and second by Commissioner Horton, the Board unanimously voted to adjourn into Executive Session at 7:16 p.m. to discuss personnel matters.

No action was taken in Executive Session.

On motion by Commissioner Horton and second by Commissioner Thomas, the Board adjourned Executive Session at 7:21 p.m. On motion by Commissioner Saxon and second by Commissioner Horton, the Board adjourned back into Regular Session.

There being no further business, on motion by Commissioner Wilkes and second by Commissioner Horton, the meeting was adjourned at 7:24 p.m.

Chairman John Daniell

Kathy Hayes, County Clerk

Date: _____