

The Regular Meeting of the Oconee County Board of Commissioners was held on Tuesday, June 4, 2019 at 6:00 p.m. in the Commission Meeting Chambers of the Oconee County Courthouse.

Members Present: Chairman John Daniell
Commissioner Mark Thomas
Commissioner Chuck Horton
Commissioner W.E. "Bubber" Wilkes
Commissioner Mark Saxon

Staff Present: Justin Kirouac, County Administrator
Daniel Haygood, County Attorney
Kathy Hayes, County Clerk
Wes Geddings, Finance Director
Guy Herring, Planning & Code Enforcement Director
Gabriel Quintas, Assistant Planning & Code Enforcement Director
Grace Tuschak, Planner
Jody Woodall, Public Works Director
Diane Baggett, Communications Manager
Tim Durham, Water Resources Director
Mickey Baughcum, Assistant Water Resources Director
Paula Nedza, IT 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 County Attorney Daniel Haygood.

Approval of Agenda:

On motion by Commissioner Horton and second by Commissioner Wilkes, the Agenda was unanimously approved.

Statements and Remarks from Citizens

None.

Statements and Remarks from Commissioners

Chairman Daniell shared with the audience that a Push-In Ceremony was held for the new ladder truck at Fire Station No. 8 on June 3, 2019. Also, he thanked Oconee County Firefighters that assisted McDuffie County with the Georgia Pacific Fire in Thomson, Georgia.

Presentation to the Water Resources Department from the Georgia Association of Water Professionals:

Pam Burnett, Georgia Association of Water Professionals, presented the Platinum Award to the Water Resources Department to recognize its excellence in professionalism and operations. Ms. Burnett shared that to receive the Gold Award requires perfect compliance with no errors for an entire year, and the Platinum Award is presented to those who have achieved the Gold Award for five years. The Water Resources Department has received the Platinum Award continuously for 17 years. Those present to receive the Platinum Award included: Tim Durham, Water Resources Director; Mickey Baughcum, Assistant Water Resources Director; Adam Layfield, Engineer; Wes Watson, Systems Supervisor; David Lewis, Distribution/Collection Crew Leader; Greg Long, Maintenance Mechanic; and Tyler Perry, Water Resource Worker III.

Pam Burnett, Georgia Association of Water Professionals, presented the Platinum Award to the

Approval of Minutes

On motion by Commissioner Saxon and second by Commissioner Thomas, the minutes of May 7, 2019 - Regular Meeting; May 21, 2019 - FY20 Budget Public Hearing; and May 21, 2019 - Agenda Setting Meeting were unanimously approved.

Unified Development Code Text Amendments, Articles 2 and 3:

Planning and Code Enforcement Director Guy Herring presented amendments to Articles 2 and 3 of the Unified Development Code regarding Short-Term Rentals. The following edits have been made in Article 2: Definition of Short Term Rental added in Section 202, Definitions related to the use of land and structures and Short Term Rentals added to Table 2.2: Accessory Uses Allowed by Zoning District. The following edits have been made to Article 3: Provisions/restrictions added for Short Term Rentals. The Planning Commission recommended striking "no short-term rental may be rented more than once during the same 30-day period" in Section 352.b. Staff objected, but agreed that AG-zoned properties be exempted. Mr. Herring stated that County Attorney comments have been included.

Chairman Daniell asked for Public Comment and there was none.

On motion by Commissioner Horton and second by Commissioner Wilkes, the Board unanimously adopted the amendments, as recommended by staff, to the Unified Development Code Articles 2 and 3. **See Documentation in Ordinances and Resolutions Book No. 22.**

Unified Development Code Text Amendments - Article 12:

Planning & Code Enforcement Director Guy Herring presented amendments to Article 12 of the Unified Development Code as follows: Update development review and zoning processes; amend zoning review standards; and replacement of outdated terms and department labels with the updated terms and labels. The Planning Commission recommended approval to the amendments subject to six suggested revisions as follows: Section 1202: retain the current definition of “Condition of Zoning Approval” (Staff objects); Section 1207.01.a, 1207.01.b, & 1207.01.d: retain the current version of this text (Staff objects); Throughout Article 12: the number of days allowed for staff plan review should mirror the state standards (Staff objects); Section 1208.02: retain current version of this text (Staff objects); Section 1209.01.c.1: The Planning Department should be required to notify adjacent property owners of proposed zoning changes no less than 15 days prior to the public hearing (No objection); 1223.07.c: change from “Written notice of pending expiration of the building permit or development permit may be issued by the Planning Director” to “Written notice of pending expiration of the building permit or development permit will be issued by the Planning Director” (Staff objects); and Section 1208.05.d: strike “or for other purposes deemed to be in the best interests of the public by the Board of Commissioners.” (Staff objects).

Chairman Daniell asked for Public Comment and there was none.

On motion by Commissioner Saxon and second by Commissioner Wilkes, the Board unanimously adopted the text amendments, as recommended by staff, to the Unified Development Code, Article 12. ***See documentation in Ordinances & Resolutions Book No. 22.***

Unified Development Code Text Amendments - Article 13:

Planning & Code Enforcement Director Guy Herring presented amendments to Article 13 of the Unified Development Code as follows: Replacement of outdated terms and department labels with the updated terms and labels; Amend limitations for special exception variances.

Chairman Daniell asked for Public Comment and there was none.

On motion by Commissioner Saxon and second by Commissioner Horton, the Board unanimously adopted the text amendments, as recommended by staff, to the Unified Development Code, Article 13. ***See documentation in Ordinances & Resolutions Book No. 22.***

Courthouse Expansion Project: Agreement Between Owner and Construction Manager Change Order:

County Administrator Justin Kirouac presented "Agreement No. 1" to the Courthouse Expansion Project regarding payment processes and retainage. There is no change in the overall contract amount.

Chairman Daniell asked for Public Comment and there was none.

On motion by Commissioner Saxon and second by Commissioner Horton, the Board unanimously approved the change order ("Agreement No. 1") of the Courthouse Expansion Project.

Special Use No. 7766 - Applicant: HPC Auto Services, Owner: Mike Thornton and Tommy Saxon, Location: Salem Road and Macon Highway:

The Board held a Public Hearing on Special Use No. 7766, Applicant: HPC Auto Services, Owner: Mike Thornton and Tommy Saxon. Location: Salem Road and Macon Highway, ± 1.35 Acres. Zoning: B-2. Request: Allow motor vehicle towing and wrecker services (vehicle impoundment lot). Gabriel Quintas, Assistant Planning & Code Enforcement Director, presented the request. Mr. Quintas stated that the Planning Commission recommended denial and staff recommends denial. Should the Board approve, Staff recommends _____ conditions. The Owner or Owner Representative did not attend the Board meeting.

Chairman Daniell opened the Public Comment period.

Margaret Hale, Salem Road, Farmington, spoke against the request regarding concerns of a well on the property, water runoff and impact to traffic.

John Cleaveland, Salem Road, Farmington, spoke against the request and thanked the Planning Staff for recommending denial. He is concerned about the environmental impact regarding water runoff in ditches and pollution of a pond. He stated that long-term planning has done a good job with Farmington being enjoyed by many people.

Linda MacBeth, Freeman Creek Road, Farmington, spoke against the request and stated she supports the Planning Department and Planning Commission denials. Ms. MacBeth believes the property is a potential gateway to the County.

Philip Crowe, Mayne Mill Road, Farmington, spoke against the request regarding water runoff and traffic movement.

Chairman Daniell closed the Public Comment period.

On motion by Commissioner Horton and second by Commissioner Thomas, the Board unanimously denied Special Use No. 7766, Applicant: HPC Auto Services, Owner: Mike Thornton and Tommy Saxon. Location: Salem Road and Macon Highway, + 1.35 Acres. Zoning: B-2. Request: Allow motor vehicle towing and wrecker services (vehicle impoundment lot). ***See documentation in Ordinances & Resolutions Book No. 22.***

Special Exception Variance No. 7789 - Applicant: HPC Auto Services, Owners: Mike Thornton and Tommy Saxon. Location: Salem Road and Macon Highway:

No Public Hearing was held for Special Exception Variance No. 7789 due to the denial of Special Use No. 7766.

Rezone No. 7767 - Applicant: Nichols Land & Investment Company, Owner: Resurgence Park, LLC. Location: 2055 Resurgence Drive:

The Board held a Public Hearing on Rezone No. 7767, Applicant: Nichols Land & Investment Company, Owner: Resurgence Park, LLC. Location: 2055 Resurgence Drive, ± 3.97 Acres. Zoning Request: B-1 to B-1 with modifications to Rezone No. 6356 (approved in 2013), to allow for additional lots in the approved commercial subdivision. Gabriel Quintas, Assistant Planning & Code Enforcement Director, presented the request with six (6) conditions recommended by staff. Planning Commission recommended approval subject to staff's Conditions. Daniel Marks, Nichols Land & Investment Company and Owner Representative, briefed the Board regarding the request.

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

On motion by Commissioner Saxon and second by Commissioner Wilkes, the Board unanimously approved Rezone No. 7767 – Applicant: Nichols Land & Investment Company, Owner: Resurgence Park, LLC. Location: 2055 Resurgence Drive, ± 3.97 Acres. Zoned B-1 to B-1 with with modifications to Rezone No. 6356 with six (6) conditions. ***See documentation in Ordinances & Resolutions Book No. 22.***

Rezone No. 7768 - Applicant: ERT, Inc. c/o David Elder, Owner: Oconee Medical Holdings, LLC. Location: Jennings Mill and Virgil Langford Roads:

The Board held a Public Hearing on Rezone No. 7768, Applicant: ERT, Inc. c/o David Elder, Owner: Oconee Medical Holdings, LLC. Location: Jennings Mill and Virgil Langford Roads, ± 14.226 Acres. Zoning: B-2. Request: B-2 to B-2 with modifications to Rezone No. 6598 to allow for an increase in total allowed building square footage. Gabriel Quintas, Assistant Planning & Code Enforcement Director, presented the request with four (4) conditions recommended by the Planning Staff and the Planning Commission recommended approval. David Elder, Owner, briefed the Board regarding the request.

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

On motion by Commissioner Horton and second by Commissioner Saxon, the Board unanimously approved Rezone No. 7768 – Applicant: ERT, Inc. c/o David Elder, Owner: Oconee Medical Holdings, LLC. Location: Jennings Mill and Virgil Langford Road, ± 14.226 Acres. Zoned B-2 to B-2 with modifications to Rezone No. 6598 to allow for an increase in total allowed building square footage with four (4) conditions. ***See documentation in Ordinances & Resolutions Book No. 22.***

Hardship Variance No. 7769 – Applicant: Williams & Associates Land Planners, Owner: Holly Purcell, Location: 2070 Hodges Mill Road:

The Board held a Public Hearing on Hardship Variance No. 7769, Applicant: Williams & Associates Land Planners, Owner: Holly Purcell. Location: 2070 Hodges Mill Road, ± 19.096 Acres. Zoning: A-1. Variance Request: Allow more than three lots to be accessed from a private drive. Gabriel Quintas, Assistant Planning & Code Enforcement Director, presented the request with one (1) condition recommended by the Planning Staff. Justin Greer, Williams & Associates and Owner Representative, briefed the Board regarding the request.

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

On motion by Commissioner Saxon and second by Commissioner Horton, the Board unanimously approved Hardship Variance No. 7769 – Applicant: Williams & Associates Land Planners, Owner: Holly Purcell. Location: 2070 Hodges Mill Road, ± 19.096 Acres. Variance Request: Allow more than three lots to be accessed from a private access drive with one (1) condition. ***See documentation in Ordinances & Resolutions Book No. 22.***

Hardship Variance No. 7770 – Applicant: Williams & Associates Land Planners, Owner: Ashley D. Hill and Stacey K. Hill, Location: 2246 Hodges Mill Road:

The Board held a Public Hearing on Hardship Variance No. 7770, Applicant: Williams & Associates Land Planners, Owner: Ashley D Hill and Stacey K. Hill. Location: 2246 Hodges Mill Road, ± 14.861 Acres. Zoning: A-1. Variance Request: Allow more than three lots to be accessed from a private access drive. Gabriel Quintas, Assistant Planning & Code Enforcement Director, presented the request with one (1) condition recommended by the Planning Staff. Justin Greer, Williams & Associates and Owner Representative, briefed the Board regarding the request.

Chairman Daniell asked for Public Comment and there was none.

On motion by Commissioner Thomas and second by Commissioner Horton, the Board unanimously approved Hardship Variance No. 7770. Applicant: Williams & Associates Land Planners, Owner: Ashley D. Hill and Stacey K. Hill. Location: 2246 Hodges Mill Road, ± 14.861 Acres. Variance Request: Allow more than three lots to be accessed from a private access drive with one (1) condition. ***See documentation in Ordinances & Resolutions Book No. 22.***

Public Hearing and Consideration of Adoption of the 2020 Fiscal Year Budget and Fee Schedule.

Finance Director Wes Geddings presented to the Board a summary of the FY20 Budget and Fee Schedule and approval of the FY19 Fiscal Year Vehicle Surplus. Total of all funds for the FY20 Budget is \$52,112,905.00, which includes the General Fund, Special Funds, Capital Projects Funds, SPLOST Funds and Enterprise Funds. County Administrator Justin Kirouac stated that policy amendments are forthcoming regarding surplus vehicle management.

Chairman Daniell asked for Public Comment and there was none.

On motion by Commissioner Horton and second by Commissioner Thomas, the Board voted unanimously to adopt the 2020 Fiscal Year budget as follows: Total of all Funds \$52,112,905.00 to include General Fund \$30,507,038.00; Special Funds \$3,650,026; Capital Projects Funds \$592,591.00; SPLOST Funds \$9,017,379.00; Enterprise Funds \$11,455,218.00; FY20 Fee Schedule; and FY19 Surplus Vehicle List as presented. ***See Documentation in Ordinances and Resolutions Book No. 22.***

Malcom Bridge Road Roundabout Projects:

Chairman John Daniell recommended that the Board move forward with the roundabout for the intersection at Mars Hill Road and Malcom Bridge Road and award the contract to E.R. Snell in an amount not to exceed \$1.253 million provided by SPLOST funds. Roundabout for the parent entrance/commercial development will be redesigned without the use of Board of Education right-of-way. Construction for the parent-entrance roundabout will be completed at a later date after further discussion with the Board of Education.

Chairman Daniell asked for Public Comment and there was none.

On motion by Commissioner Thomas and second by Commissioner Horton, the Board unanimously approved the roundabout construction at the intersection of Mars Hill Road and Malcom Bridge Road, awarding the contract to E.R. Snell in an amount not to exceed \$1.253 million, provided by SPLOST funds.

Consent Items

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

- 1) Approve Resolution for the Issuance of Citations.
- 2) Approve Memorandum of Understanding with Georgia Environment Finance Authority regarding the WaterFirst Program.
- 3) Approve Contract with Epps Bridge Centre regarding the July 4th Fireworks event.
- 4) Dissolution of the Advisory Committee for Cultural Affairs and Tourism.
- 5) Approve new Alcohol License for Alliance Express, LLC at 2111 Oconee Connector (a/k/a Athens Shell), with MD Jaharul Islam as the Registered Agent.

Executive Session:

On motion by Commissioner Saxon and second by Commissioner Wilkes, the Board unanimously voted to adjourn into Executive Session at 6:50 p.m. to discuss land acquisition and potential litigation.

No action was taken in Executive Session.

On motion by Commissioner Horton and second by Commissioner Thomas, the Board adjourned Executive Session at 7:02 p.m. On motion by Commissioner Saxon and second by Commissioner Wilkes, the Board adjourned back into Regular Session.

There being no further business, on motion by Commissioner Wilkes and second by Commissioner Thomas, the meeting was adjourned at 7:03 p.m.

Chairman John Daniell

Kathy Hayes, County Clerk

Date: _____