Board of Commissioners Agenda Meeting
Courthouse Commission Chambers
February 2, 2021 – 6:00 p.m.
Minutes

Members Present:
Chairman John Daniell
Commissioner Mark Thomas
Commissioner Chuck Horton
Commissioner Amrey Harden
Commissioner Mark Saxon

Staff Present:
Daniel Haygood, County Attorney
Justin Kirouac, County Administrator
Kathy Hayes, County Clerk
Diane Baggett, Communications Manager (via Zoom)
Alex Newell, Internal Services Director
Guy Herring, Planning & Code Enforcement Director
Grace Tuschak, Senior Planner
Jody Woodall, Public Works Director
Fran Leathers, Elections & Registration Director
Rebecca Anglin, Elections & Registration

Call to Order: 6:00 p.m.
Chairman John Daniell called the meeting to order and stated that participants using Zoom may comment by using the raised-hand feature.

Pledge of Allegiance:
Commissioner Justin Kirouac led the Pledge after a moment of silence.

Approval of Agenda:
Chairman John Daniell asked to amend the agenda and add "Consider authorization of validation of General Obligation Bonds in connection with the SPLOST 2021 Election" as Item No. 5.2. of the agenda.

ACTION:

Motion:	Chuck Horton motioned to approve the amended February 2, 2021 Agenda.
Second:	Mark Thomas.
Voted in Favor of Motion:	Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion:	None.
Final Action:	**Motion Passed.**

Statements and Remarks from Citizens:
None.

Statements and Remarks from Commissioners:
Chairman Daniell stated that Parks & Recreation and Keep Oconee County Beautiful Commission are looking for volunteers to assist with the removal of invasive plant species at Heritage Park on February 9 and February 23 from 9:00 am until 1:00 pm.

Approval of Minutes:
ACTION:

Motion:	Mark Saxon motioned to approve the minutes of the January 5 Regular Meeting, January 14 Strategic Planning Meeting, and January 26 Agenda Setting Meeting.
Second:	Chuck Horton
Voted in Favor of Motion:	Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion:	None.
Final Action:	**Motion Passed**.

Timber Harvesting Ordinance Amendments:

Presented by:	Daniel Haygood, County Attorney
Discussion:	The State of Georgia recently amended timber harvesting provisions, which require the State Forestry Commission to create a notification website for providing notice of timber harvesting operations to local governments. Also, amendments were included for surety bonds and letter of credit requirements, and to provide procedures for making/adjudicating claims against bonds, including appeals. The amendments to Oconee County's Timber Harvesting Ordinance comply with the new provisions of state law (and the model ordinance provided by the Association County Commissioners of Georgia).

The Public Hearing was opened and there were no comments.
Chairman Daniell asked if there were "raised hands" via Zoom and there were none.
The Public Hearing was closed.

ACTION:

Motion:	Chuck Horton motioned to adopt amendments to the Timber Harvesting Ordinance as presented.
Second:	Mark Thomas
Voted in Favor of Motion:	Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Action/Motion:	**Motion Passed.**

SPLOST 2021 - Authorization of Validation of General Obligation Bonds:

Presented by:	Daniel Haygood, County Attorney
Discussion:	SPLOST 2021 was included on the November 3, 2020 General Election and passed by the voters. Within six months of the election, it is required that the bonds to be issued are validated. Mr. Haygood asked that the Board authorize him to move forward with the validation of the bonds.

The Public Comment Period was opened and there was no Public Comment. Chairman Daniell asked if there were "raised hands" via Zoom and there were none.

ACTION:

Motion:	Mark Saxon motioned to approve filing and proceeding with the Validation of General Obligation Bonds in connection with the SPLOST 2021 Election.
Second:	Chuck Horton
Voted in Favor of Motion:	Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Action/Motion:	**Motion Passed.**

Rezone No. P20-0199:

Owner/Applicant:	Kenneth Wilbanks
Location:	2751 New High Shoals Road
Acreage:	2.0
Request:	AG (Agricultural District) to AR (Agricultural Residential) for the purpose of subdividing 2.0 acres from the parent parcel.

Presented by:	Guy Herring, Planning & Code Enforcement Director
Discussion:	Mr. Herring briefed the Board regarding the request for the property, which is currently zoned AG (Agricultural District), Country Estates Character Area. Owner/Applicant requested the property to be rezoned from AG to AR for the purpose of subdividing 2.0 acres from the parent parcel to settle an estate. Staff recommends conditional approval with one condition. The Planning Commission recommends approval subject to the same condition.

The Public Hearing was opened.

Kenneth Wilbanks, Owner, stated his mother passed away leaving her house and one acre to his daughter. He needs to divide the property in order to settle his mother's estate.

There were no further comments in favor of the request and no comments against the request. Chairman Daniell asked if there were "raised hands" via Zoom and there were none.
The Public Hearing was closed.

ACTION:

Motion:	Chuck Horton motioned to approve Rezone P20-0199, Kenneth Wilbanks, 2751 New High Shoals Road, AG to AR for the purpose of subdividing 2.0 acres from the parent parcel, with one condition.
Second:	Mark Thomas.
Voted in Favor of Motion:	Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion:	None.
Final Action:	**Motion Passed**. *(See documentation in Ordinance and Resolutions Book No. 22.)*

Rezone No. P20-0219:

Owner/Applicant:	Michael Doster
Location:	1101 Old Barnett Shoals Road
Acreage:	4.47
Request:	AG (Agricultural District) to AR (Agricultural Residential District) for the purpose of subdividing property into two lots.

Presented by:	Guy Herring, Planning & Code Enforcement Director
Discussion:	Mr. Herring briefed the Board regarding the request for the property, which is currently zoned AG (Agricultural District), Country Estates Character Area. Owner/Applicant requested the property to be rezoned from AG to AR for the purpose of subdividing the property into two lots. Staff recommends conditional approval with one condition. The Planning Commission recommends approval subject to the same condition.

The Public Hearing was opened.

Michael Doster, Owner, would like to rezone the property to give his children a place to build a house and watch his grandchildren grow up on the property, too.

There were no further comments in favor of the request and no comments against the request. Chairman Daniell asked if there were "raised hands" via Zoom and there were none.
The Public Hearing was closed.

ACTION:

Motion:	Mark Saxon motioned to approve Rezone P20-0219, Michael Doster, 1101 Old Barnett Shoals Road, 4.47 acres, AG to AR for the purpose of subdividing property into two lots, with one condition.
Second:	Chuck Horton
Voted in Favor of Motion:	Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion:	None.
Final Action:	**Motion Passed**. *(See documentation in Ordinance and Resolutions Book No. 22.)*

Rezone No. P20-0235 and Special Use No. P20-0236:

Owner:	JenHill, LLC
Applicant:	Pittman Engineering
Location:	4060 Mars Hill Road
Acreage:	20.23
Rezone Request:	AG (Agricultural District) to B-2 (Highway Business District) to allow a multi-use commercial development.
Special Use Request:	Special Use Approval for a mini-warehouse/self-storage facility as component of multi-use commercial development.

Presented by:	Guy Herring, Planning & Code Enforcement Director
Discussion:	Rezone No. P20-0235: Mr. Herring briefed the Board regarding the request for the property, which is currently zoned AG (Agricultural District), Regional Center Character Area. Owner/Applicant requested the property be rezoned from AG to B-2 to allow a multi-use commercial development. Staff recommends conditional approval with seven conditions. The Planning Commission recommends approval subject to the same conditions. Special Use P20-0236: Mr. Herring briefed the Board regarding the request for the property, which is currently zoned AG (Agricultural/District), Regional Center Character Area. Owner/Applicant requested a Special Use Approval for a mini-warehouse/self-storage facility as a component of the multi-use development. Staff recommends conditional approval with five conditions. The Planning Commission recommends approval subject to the same conditions.

The Public Hearing was opened.

Frank Pittman, Pittman Engineering and Owner Representative, stated that the property is surrounded by commercial/industrial property, car wash, office warehouse, self-storage, and boat and RV storage. The rezone allows for tax revenue without additional children in the school system. The proposed businesses on the property will create jobs with a small amount of additional traffic. Mr. Pittman requested that Condition No. 4 be removed, which would allow other materials than brick or stone to be used on the building exteriors. Mr. Pittman provided a handout showing pictures of the exteriors of other buildings in the area.

Chance Warren, Owner, Tarpley Court, stated that he is the owner of Epps Bridge Storage and he builds the highest quality construction.

There were no further comments in favor of the request and no comments against the request. Chairman Daniell asked if there were "raised hands" via Zoom and there were none.
The Public Hearing was closed.

ACTION: Rezone No. P20-0235

Motion:	Mark Thomas motioned to approve Rezone P20-0235, JenHill, LLC, 4060 Mars Hill Road, AG to B-2 to allow for the use of a multi-purpose commercial development, with seven conditions as presented by staff.
Second:	Chuck Horton
Voted in Favor of Motion:	Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion:	None.
Final Action:	**Motion Passed**. *(See documentation in Ordinance and Resolutions Book No. 22.)*

ACTION: Special Use No. P20-0236

Motion:	Mark Saxon motioned to approve Special Use Approval P20-0236, JenHill, LLC, 4060 Mars Hill Road, to allow for a mini-warehouse/self-storage facility as component of a multi-use commercial development, with five conditions.
Second:	Mark Thomas
Voted in Favor of Motion:	Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion:	None.
Final Action:	**Motion Passed**.

(See documentation in Ordinance and Resolutions Book No. 22.)

Rezone No. P20-0238:

Owner:	Cat Creek Development, Hampton Valley Development, Robert Massey, Valdosta Color Blending
Applicant:	Williams & Associates Engineering
Location:	2881 Monroe Highway
Acreage:	14.88
Zoning:	OIP (Office, Institutional Professional District)
Request:	OIP to OIP with modifications to Rezone No. 7282 to develop senior living community.

Presented by: Guy Herring, Planning & Code Enforcement Director

Discussion: Mr. Herring briefed the Board regarding the request for the property, which is currently zoned OIP, Community Village & Suburban Neighborhood Character Area. Owner/Applicant requested that the property be rezoned from OIP to OIP with modifications to Rezone No. 7282 to develop a senior living community and include independent-living cottages. Staff recommends conditional approval with five conditions. The Planning Commission recommends approval subject to the same conditions.

The Public Hearing was opened.

Robert Massey, Owner, stated that when the property was previously rezoned, the rear properties were office space. He decided there is a need for independent living and had to return to the Board for approval of another use.

There were no further comments in favor of the request and no comments against the request. Chairman Daniell asked if there were "raised hands" via Zoom and there were none.
The Public Hearing was closed.

ACTION:

Motion: Mark Saxon motioned to approve Rezone P20-0238, Cat Creek Development, Hampton Valley Development, Robert Massey, Valdosta Color Blending, 2881 Monroe Highway, OIP to OIP with modifications to Rezone No. 7282 to develop a senior living community, with five conditions.
Second: Chuck Horton
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion: None.
Final Action: **Motion Passed**.
(See documentation in Ordinance and Resolutions Book No. 22.)

Special Use No. P20-0239:

Owner:	Athens Church of Christ, Inc.
Applicant:	Beall & Company, LLC
Location:	3720 Mars Hill Road
Acreage:	6.16
Request:	Modify conditions of Special Use No. 5649 to allow conversion of existing storage building into classroom space.

Presented by: Guy Herring, Planning & Code Enforcement Director

Discussion: Mr. Herring briefed the Board regarding the request for the property, which is currently zoned R-1 (Single Family Residential) and AG (Agricultural District), Regional Center Character Area. Owner/Applicant requested a Special Use Approval to modify conditions of Special Use No. 5649 to allow conversion of existing storage building into classroom space. Additional square footage for the Church requires Board approval. Staff recommends conditional approval with one condition. The Planning Commission recommends approval subject to the same condition.

The Public Hearing was opened.

Ken Beall, Beall & Company and Owner Representative, stated that Athens Church of Christ purchased what had been a sports training facility and the adjoining single-family, residential property, which has been used as a parsonage. The original intent was to tear down the storage building next to the parking lot. Due to the recession, the church did not expand the parking area and decided to convert the storage building to classroom space. A recombination plat combining the single-family home with the church property has been completed. The recombination plat includes a 60-foot ingress/egress easement. The easements shown on the recombination plat ties in with the driveway, parking lot, future access driveway and decel lane. The Church plans to build in five years but use the storage building as soon as possible.

There were no further comments in favor of the request and no comments against the request. Chairman Daniell asked if there were "raised hands" via Zoom and there were none.
The Public Hearing was closed.

ACTION:

Motion:	Chuck Horton motioned to approve Special Use No. P20-0239, Athens Church of Christ, Inc., 3720 Mars Hill Road, modify conditions of Special Use No. 5649 to allow conversion of an existing storage building into classroom space, with one condition.
Second:	Mark Thomas
Voted in Favor of Motion:	Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion:	None.
Final Action:	**Motion Passed**. *(See documentation in Ordinance and Resolutions Book No. 22.)*

Board of Elections Chair and Director of Elections & Registration Appointment:

Presented by:	Justin Kirouac, County Administrator
Discussion:	Fran Leathers, current Chair of the Board of Elections, has resigned to take a position with a private company. The Chair position for the Board of Elections is appointed by the Board of Commissioners. As Chair of the Board of Elections, the appointee also becomes the Director of Elections and Registration. The appointee must be a citizen of Oconee County, understand election logistics, ever-changing laws, and working/managing the polling sites. The recommendation is for Rebecca Anglin to move into the position of Chair of the Board of Elections and Director of Elections & Registration. Ms. Anglin has 20 years of election experience and has received her Georgia Elections Certificate as well as her Registrar Certificate.

ACTION:

Motion:	Mark Saxon motioned to approve the appointment of Rebecca Anglin as Chair of the Board of Elections and Director of Elections and Registration.
Second:	Chuck Horton
Voted in Favor of Motion:	Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion:	None.
Final Action:	**Motion Passed**.

Hog Mountain Road Widening Project:

Presented by:	Jody Woodall, Public Works Director
Discussion:	The Hog Mountain Road Widening Project from SR 53 to US 441 provides for a two-foot shoulder widening on each side of the road and overlay of the existing roadway. The project was prioritized by the Oconee County Transportation Task Force and identified as part of the MACORTS 2045 Metropolitan Transportation Plan. The recommendation is to amend the Small Paving Annual Contract with Garrett Paving in the amount of $82,690.00 with the needed budget amendments.

The Public Comment Period was opened and there was no Public Comment.
Chairman Daniell asked if there were "raised hands" via Zoom and there were none.

ACTION:

Motion:	Chuck Horton motioned to approve the Hog Mountain Road Widening Project from SR 53 to US 441, with a two-foot shoulder widening on each side of the road and overlay of the existing roadway, and amend the contract with Garrett Paving in an amount not to exceed $82,690.00 with the needed budget amendments.
Second:	Mark Thomas
Voted in Favor of Motion:	Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion:	None.
Final Action:	**Motion Passed**.

FY2021 Resurfacing Program:

Presented by:	Jody Woodall, Public Works Director
Discussion:	During the FY20 Resurfacing Program, portions of Bel Fair Subdivision and Spartan Lane were resurfaced. Public Works requested that the reminder of Bel Fair Subdivision and Spartan Lane be included in the FY21 Resurfacing Program. Also requested for the FY21 Resurfacing Program is the final overlay and striping of the Hog Mountain Road Project after the two-foot widening is complete. The recommendation is to contract with C.W. Mathews utilizing the existing annual paving contract at a total cost of $3,502,580.25 and includes the roads in the LMIG submittal.

The Public Comment Period was opened and there was no Public Comment.
Chairman Daniell asked if there were "raised hands" via Zoom and there were none.

ACTION:

Motion:	Mark Saxon motioned to approve the FY21 Resurfacing Project to include Spartan Lane, portions of Bel Fair Subdivision and Hog Mountain Road final overlay and striping in an amount not to exceed $3,502,580.25 with the needed budget amendments.
Second:	Chuck Horton
Voted in Favor of Motion:	Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon

Voted Against Motion:	None.
Final Action:	**Motion Passed**.

FY21 Budget Amendment:

Presented by:	Wes Geddings, Finance Director
Discussion:	A budget amendment is requested to pay off the Panasonic Toughbook MDT Lease-Purchase Agreement in an approximate amount of $276,126.48 and the Jail Camera System Installment Sale Agreement in the amount of $53,940.00 for a total of $330,066.48. Mr. Geddings also discussed that the Georgia Accounting Standards Board (GASB 87) will require governments to recognize capital leases as liabilities instead of operating leases.

The Public Comment Period was opened and there was no Public Comment.
Chairman Daniell asked if there were "raised hands" via Zoom and there were none.

ACTION:

Motion:	Mark Saxon motioned to authorized a Budget Amendment as presented to allow payoff of the Panasonic Toughbook MDTs Lease-Purchase Agreement and the Jail Camera System Installment Sale Agreement totaling $330,066.48.
Second:	Mark Thomas
Voted in Favor of Motion:	Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion:	None.
Final Action:	**Motion Passed**.

Consent Agenda:
There were no items removed from the Consent Agenda.

1) Approve Fiscal Year 2022 Budget Submittal Plan.

2) Approve Bid Award for the Eagle Tavern and Central School Projects Request for Proposal (RFP) to Garland & Associates Contractors, Inc. in an amount not to exceed $422,000.00. Funding provided from the 2009 Historic and Scenic Facilities SPLOST and an amendment to the FY21 General Fund.

3) Approve Bid Award to Current Edge Solutions, LLC, for Generators at Fire Stations and Senior Center in an amount not to exceed $208,013.40 with $176,811.39 from the Hazard Mitigation Grant Program (Georgia Emergency Management Agency/Homeland Security) with a net cost to the County of $31,202.01. The FY21 Budget is amended to allow for the usage of Fund Balance.

4) Approve Bid Award for County Bridge Repair Project to JHC Corporation in an amount not to exceed $142,000.00. Upon approval of the Project Bid Award, the FY21 General Fund Budget is amended.

5) Approve Contract Amendment to the FY2020 Resurfacing Project to include the two remaining streets in the Stonebridge Subdivision in an amount not to exceed $142,408.83 with C.W. Mathews Contracting Company, Inc. for a total of $2,236,545.83 for the project. Funding for the project is included in the Public Works FY21 General Fund Budget.

ACTION:

Motion:	Mark Thomas motioned to approve the Consent Agenda items.
Second:	Chuck Horton
Voted in Favor of Motion:	Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion:	None.
Final Action:	**Motion Passed**.

The Board thanked Ms. Fran Leathers for the excellent job she has done as Chair of the Board of Elections and Director of Elections & Registration.

Executive Session:
There was no Executive Session.

Meeting Adjourned:
Meeting Adjourned: 6:58 p.m.

Motion:	Mark Saxon motioned to adjourn the meeting.
Second:	Mark Thomas
Voted in Favor of Motion:	Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion:	None.
Action/Motion:	**Motion Passed**.

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Chairman John Daniell	Kathy Hayes, County Clerk	Date