

**Oconee County Board of Commissioners Meeting
Courthouse Commission Chambers
November 2, 2021 – 6:00 p.m.
Minutes**

Members Present:

Chairman John Daniell
Commissioner Mark Thomas
Commissioner Amrey Harden
Commissioner Mark Saxon

Staff Present:

Justin Kirouac, County Administrator
Daniel Haygood, County Attorney
Holly Stephenson, County Clerk
Alex Newell, Internal Services Director
Guy Herring, Planning and Code Enforcement Director
Russ Henson, County Fire Marshall
Tracye Bailey, Deputy Clerk
Paula Nedza, IT Director

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:

County Clerk Holly Stephenson led the Pledge after a moment of silence.

Approval of Agenda:

ACTION:

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

Statements and Remarks from Citizens:

None.

Statements and Remarks from Commissioners:

Commissioner Mark Thomas thanked Adam Layfield and the Oconee County Water Resources Department for their work in the lengthy process of updating the Oconee County Water and Wastewater Standards and Specifications.

Chairman Daniell advised Oconee Veterans Memorial Foundation will host a Veteran's Day Program on November 11th at OVP at 11am.

The Parks and Recreation Department along with KOCBC are partnering with Athens Land Trust to host Invasive Species Plant Removal Work Days on Nov 9th, 23rd, 27th from 9am to 1pm each day.

Citizen Board Application periods are still open for: Oconee County Farmland Preservation Committee (2 appointments), Library Advisory Board (2 appointments), Board of Elections (2 appointments), and Oconee River Resource Conservation and Development Council Board (1 appointment). Applications can be found on the website. Deadline for applications is Tuesday, November 9th at noon.

Approval of Minutes:

Minutes of October 5, 2021 Regular Meeting and October 26, 2021 Agenda Meeting:

ACTION:

Motion: Mark Saxon motioned to approve the minutes of the October 5 Regular Meeting and October 26 Agenda Meeting.

Second: Amrey Harden

Voted in Favor of Motion: Mark Thomas, Amrey Harden, Mark Saxon

Voted Against Motion: None

Final Action: **Motion Passed.**

Recognition of Don Phillips and IMI for contribution to Oconee County Fire Rescue:

Presented by: Russ Henson, County Fire Marshal

Discussion: Fire Marshal Henson advised that an addition to Fire Station No. 5 was completed last year along with the construction of a new water tank. The County contracted with IMI for construction of the tank but when completed, IMI would not charge for this construction. Commissioner Mark Saxon read a resolution thanking Don Phillips and the entire staff of IMI Industrial Services Group for providing a 10,000-gallon water supply tank at no cost to county tax payers. The resolution will be delivered by Fire Marshal Henson to IMI.

Oconee County Tax Commissioners Efficiency Study Agreement:

Presented by: John Daniell, Chairman

Discussion: Chairman Daniell advised that Commissioner Riddle has requested an efficiency study for her office to be conducted by Change Partners. The process will include scope, process and final reporting with funding to be provided by the Board of Commissioners. The study will begin in the first quarter of 2022.

ACTION:

Motion to Confirm: Amrey Harden made a motion to approve the efficiency study for the Tax Commissioner's Office.

Second: Mark Thomas

Voted in Favor of Motion: Mark Thomas, Amrey Harden, Mark Saxon

Voted Against Motion: None

Action/Motion: **Motion Passed.**

Rezone No. P21-0156:

Applicants:	Michael B. Thurmond, P.E,
Owners:	Sapphire Properties, LP
Location:	5031 Monroe Highway
Acreage:	±4.42
Zoning:	AG (Agricultural District)
Request:	AG (Agricultural District) to AR (Agricultural Residential District)

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) in the Suburban Neighborhood Character Area. The applicants/owners request AR (Agricultural Residential) to allow for the creation of one additional residential lot with an existing house. Planning Commission and Staff recommend approval with one condition.

The Public Hearing was opened.

Bret Thurmond, 160 West Thompson Street, Bogart, is representing Rob Scott and Sapphire Properties. The request is for this single-family lot to be subdivided into two for one additional house with a shared driveway. The plan is to update the house currently there and add one additional residence.

Rob Scott, 1457 Ruth Jackson Road, Bogart, is who will build a modest but nice house on the property.

*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 made a motion to approve Rezone No. P21-0156 from AG (Agricultural) to AR (Agricultural Residential), 4.42 Acres, 5031 Monroe Highway, with one condition.
Second: Mark Thomas
Voted in Favor of Motion: Mark Thomas, Amrey Harden, Mark Saxon
Voted Against Motion: None
Final Action: **Motion Passed to approve Rezone #P21-0156 with one condition.**
(See documentation in Ordinance and Resolutions Book No. 22.)

Rezone No. P21-0167:

Applicants:	Pittman Engineering, PC
Owners:	Rosemary Franklin
Location:	2601 Snows Mill Road
Acreage:	±15.0
Zoning:	AG (Agricultural District)
Request:	AG (Agricultural District) to AR (Agricultural Residential District)

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) in the Rural Places Character Area. The applicants/owners request AR (Agricultural Residential District) to allow for subdivision into three single family residential lots. This request is accompanied by special exception variance P21-0169 to allow for vehicular access to an existing street outside the subdivision, and hardship variance P21-0168 to reduce the required width of the private access easement. Planning Commission and Staff recommend approval of this request with two conditions.

Variance No. P21-0168:

Applicant:	Pittman Engineering, PC
Owner:	Rosemary Franklin
Location:	2601 Snows Mill Road
Acreage:	±15.0
Zoning:	AG (Agricultural District)
Request:	Reduce the required 40-foot private access easement width to 29 feet

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). Owner/Applicant requests a Variance from UDC Sec. 806 and UDC Table 8.1 to reduce the required 40-foot private access easement to 29 feet. The variance request is accompanied by rezone #P21-0167 to rezone the property from AG (Agricultural District) to AR (Agricultural Residential District) for subdivision into three single family residential lots. Staff recommends approval with one condition.

Variance No. P21-0169:

Applicant:	Pittman Engineering, PC
Owner:	Rosemary Franklin
Location:	2601 Snows Mill Road
Acreage:	±15.0
Zoning:	AG (Agricultural District)
Request:	Allow lots in proposed subdivision to have vehicular access from existing street

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). Owner/Applicant requests a hardship Variance from UDC Sec. 1003.09.a.(3) to allow lots within the proposed subdivision to have access from an existing street outside of the subdivision. The variance request is accompanied by rezone #P21-0167 to rezone a 15-acre portion of the property from AG (Agricultural District) to AR (Agricultural Residential District) for the purpose of developing a residential subdivision. Staff recommends approval with one condition.

The Public Hearing was opened.

Frank Pittman, 1400 Saxon Road, Watkinsville, represents Darren Britt who has the property under contract to purchase. Current zoning already allows the three lots requested, but the request is due to the flood plain which will require two lots will to be under five acres. Existing house will remain on one lot.

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.

Commissioner Harden questioned the flood plain, buffer and responsibility as a county to make sure nothing built within the flood plain.

ACTION:

Motion: Mark Thomas made a motion to approve Rezone No. P21-0167 from AG (Agricultural) to AR (Agricultural Residential District) to allow for subdivision into three single family residential lots with two conditions.

Second: Mark Saxon

Voted in Favor of Motion: Mark Thomas, Amrey Harden, Mark Saxon

Voted Against Motion: None

Final Action: **Motion Passed to approve Rezone #P21-0167 with two conditions.**
(See documentation in Ordinance and Resolutions Book No. 22.)

ACTION:

Motion: Mark Saxon made a motion to approve Variance No. P21-0168, Rosemary Franklin (Owner), 2601 Snows Mill Road, 15.0 Acres, with one condition.

Second: Mark Thomas

Voted in Favor of Motion: Mark Thomas, Amrey Harden, Mark Saxon

Voted Against Motion: None

Final Action: **Motion Passed to approve Variance P21-0168 with one condition.**
(See documentation in Ordinance and Resolutions Book No. 22.)

ACTION:

Motion: Amrey Harden made a motion to approve Variance No. P21-0169, Rosemary Franklin (Owner), to allow vehicular access from existing street outside the subdivision, 2601 Snows Mill Road, with one condition.

Second: Mark Thomas

Voted in Favor of Motion: Mark Thomas, Amrey Harden, Mark Saxon

Voted Against Motion: None

Final Action: **Motion Passed to approve Variance P21-0169 with one condition.**
(See documentation in Ordinance and Resolutions Book No. 22.)

Discuss and Consider Potential Broadband Agreement with Charter:

Presented by: Justin Kirouac, County Administrator

Discussion: Justin Kirouac, County Administrator, proposed an agreement with Charter for build out of broadband for the unserved portions of the county, primarily the south and western portions of the county. Charter already has received federal funding to build out certain areas of the county so they will already be deploying resources and propose a synergistic build to complete the remaining 1,377 unserved addresses in the county. This would allow Oconee to also get ahead of many state-funded broadband projects. The project will require \$1.37 million to \$1.7 million from Oconee County which would come from ARP (American Rescue Plan) funds which are designated for Covid relief, broadband or sewer projects. This will be a fiber build with speeds up to one gig. Charter has been very active in the county in the last two years. Charter will begin by creating a portal where citizens requesting service can be identified in the first 90 days. The request is for the approval of an agreement with Charter for broadband along with the necessary budget amendments to allocate the ARP funds for this project.

Commissioner Harden questioned this agreement as compared to the prior agreement and confirmed that Charter will handle all daily operations and service in place of the county. Commissioner Thomas asked about fiber connections and if coverage would extend all the way to the southern county line.

*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 to Confirm: Mark Saxon made a motion to enter into an agreement with Charter for broadband service in Oconee County and approval of budget amendments utilizing ARP Funds.

Second: Mark Thomas

Voted in Favor of Motion: Mark Thomas, Amrey Harden, Mark Saxon

Voted Against Motion: None

Action/Motion: **Motion Passed.**

Ratification of the Oconee County Library Architect Agreement:

Presented by: John Daniell, Chairman

Discussion: Chairman Daniell requested approval of the Oconee County Library Architect Agreement to assist the library with design of their new building.

*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 to Confirm: Mark Thomas made a motion to approve the ratification of the Oconee County Library Architectural Agreement.
Second: Amrey Harden
Voted in Favor of Motion: Mark Thomas, Amrey Harden, Mark Saxon
Voted Against Motion: None
Action/Motion: **Motion Passed.**

Consent Agenda:

There were no items removed from the Consent Agenda.

ACTION

Motion: Mark Saxon made a motion to approve all items as presented on the Consent Agenda.
Second: Mark Thomas
Voted in Favor of Motion: Mark Thomas, Amrey Harden, Mark Saxon
Voted Against Motion: None
Final Action: **Motion Passed.**

- 1) Approval of the Recommendation of the Farmland Preservation Committee.
- 2) Approval of the Amendment to the CARES Act Contract with the NEGA Regional Commission for the Senior Center.
- 3) Approval of the Amendment to the FFCRA Contract with the NEGA Regional Commission for the Senior Center.
- 4) Approval to Amend the Budget for the Issuance of FY21 Financial Statements.
- 5) Approval of the New Edition of the Oconee County Water and Wastewater Standards and Specifications.

Executive Session:

Motion: Mark Thomas made a motion to adjourn into Executive Session to discuss land acquisition and potential litigation.
Second: Mark Saxon
Voted in Favor of Motion: Mark Thomas, Amrey Harden, Mark Saxon
Voted Against Motion: None
Action/Motion: **Motion Passed.**
Adjourn into Executive Session: 6:29 p.m.

No action was taken in Executive Session.

Regular Session:

Motion: Mark Saxon made a motion to adjourn back into Regular Session.
Second: Mark Thomas
Voted in Favor of Motion: Mark Thomas, Amrey Harden, Mark Saxon
Voted Against Motion: None
Action/Motion: **Motion Passed.**
Adjourn into Regular Session: 6:54 p.m.

Approve the Extension of the Temporary Construction Period for 12 Months for property owned by Dickens Farm, Inc:

Presented by: Daniel Haygood, County Attorney
Discussion: Daniel Haygood requested a motion to approve by resolution an extension of the temporary construction period for twelve months for property owned by Dickens Farms, Inc. to include 74,466 square feet of permanent utility easement, 73,891 square feet of temporary construction easement, and 12,242 square feet of access easement.

ACTION:

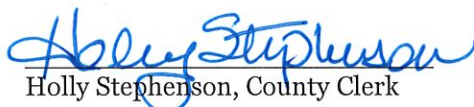
Motion to Confirm: Mark Saxon made a motion to approve by resolution the extension of the temporary construction period for twelve months for the Dickens Farms property.
Second: Mark Thomas
Voted in Favor of Motion: Mark Thomas, Mark Saxon
Amrey Harden recused himself from the vote.
Voted Against Motion: None
Action/Motion: **Motion Passed.**

Meeting Adjourned:

Motion: Mark Saxon motioned to adjourn the meeting.
Second: Mark Thomas
Voted in Favor of Motion: Mark Thomas, Amrey Harden, Mark Saxon
Voted Against Motion: None
Action/Motion: **Motion Passed.**
Meeting Adjourned: 6:54 p.m.



Chairman John Daniell

 12.7.21

Holly Stephenson, County Clerk Date