

**Oconee County Board of Commissioners Meeting
Courthouse Commission Chambers
March 1, 2022 – 6:00 p.m.
Minutes**

Members Present:

Chairman John Daniell
Commissioner Mark Thomas via Zoom
Commissioner Chuck Horton
Commissioner Mark Saxon

Staff Present:

Justin Kirouac, County Administrator
Daniel Haygood, County Attorney
Holly Stephenson, County Clerk
Alex Newell, Internal Services Director
Melissa Braswell, Assistant Finance Director
Guy Herring, Planning and Code Enforcement Director
Grace Tuschak, Senior Planner
Tracye Bailey, Deputy Clerk
Diane Baggett, Communications Manager
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 Saxon made a motion to approve the March 1, 2022 Agenda.
Second:	Chuck Horton
Voted in Favor of Motion:	Mark Thomas, Chuck Horton, Mark Saxon
Voted Against Motion:	None
Final Action:	Motion Passed.

Statements and Remarks from Citizens:

None.

Statements and Remarks from Commissioners:

Commissioner Horton asked the citizens to keep the people of Ukraine in their thoughts and prayers. Chairman Daniell announced the next Town Hall Meeting will be Thursday, March 31 at the Oconee County Civic Center. Town Hall Meetings give citizens the opportunity to speak with the Board of Commissioners in a more informal setting.

Approval of Minutes:

Minutes of February 1, 2022 Regular Meeting and February 22, 2022 Agenda Meeting:

ACTION:

Motion:	Mark Saxon made a motion to approve the minutes of the February 1 Regular Meeting, and February 22 Agenda Meeting.
Second:	Chuck Horton

Voted in Favor of Motion: Mark Thomas, Chuck Horton, Mark Saxon
Voted Against Motion: None
Final Action: **Motion Passed.**

Rezone No. P21-0244:

Applicants:	John E. Martin Jr. and Angela Smith Martin
Owners:	John E. Martin Jr. and Angela Smith Martin
Location:	1820 Wild Azalea Lane
Acreage:	±4.46
Zoning:	AR (Agricultural Residential District)
Request:	AR (Agricultural Residential District) with modification to rezone #6645

Presented by: Guy Herring, Planning & Code Enforcement Director

Discussion: Mr. Herring briefed the Board regarding the request for the property, which is currently zoned AR (Agricultural Residential District) in the Civic Center Character Area. The applicants/owners request AR (Agricultural Residential District) to modify the architectural sketches approved under previous rezone #6645. The Planning Commission and Staff recommend approval of this request with one condition.

The Public Hearing was opened.

John Martin, asked for approval of the modification of the original rezone to use a different siding from that originally approved. The owner plans to meet or exceed all necessary standards.

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. P21-0244 for John E. Martin Jr. and Angela Smith Martin from AR (Agricultural) Residential) to AR (Agricultural Residential District) with modification to rezone, ±4.46 acres, with one condition.

Second: Chuck Horton

Voted in Favor of Motion: Mark Thomas, Chuck Horton, Mark Saxon

Voted Against Motion: None

Final Action: **Motion Passed to approve Rezone #P21-0244 with one condition.**
(See documentation in Ordinance and Resolutions Book No. 2022.)

Rezone No. P21-0262:

Applicants:	Shannon Setzer
Owners:	Shannon Setzer and William Kyle Setzer
Location:	6141 Hog Mountain Road
Acreage:	±1.5
Zoning:	AG (Agricultural District)
Request:	R-1 (Single Family 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 R-1 (Single Family Residential District) in order to build a single-family residence. Staff recommends approval with three conditions. Planning Commission recommends approval with only two conditions, striking condition number three.

The Public Hearing was opened.

William Setzer, 3651 Mars Hill Road, requests approval of the rezone to build a single-family dwelling and agrees to conditions one and two in accordance with the Planning Commission.

*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 Horton asked about wording the motion in regard to condition three.
Commissioner Saxon questioned the property line for the two-acre proposal which is Staff recommendation per the Comprehensive Plan.

ACTION:

Motion: Chuck Horton made a motion to approve Rezone No. P21-0262 William Kyle and Shannon Setzer, from AG (Agricultural) to AR (Agricultural Residential District) ±2 acres, 6141 Hog Mountain Road, with three conditions.
Second: Mark Saxon
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Mark Saxon
Voted Against Motion: None
Final Action: **Motion Passed to approve Rezone #P21-0262 to AR with three conditions.**
(See documentation in Ordinance and Resolutions Book No. 2022.)

Rezone No. P21-0266:

Applicants:	Pittman Engineering, PC
Owners:	Buffa Ericksen, LLC
Location:	Intersection of Hog Mountain Road and Mars Hill Road
Acreage:	±2.7
Zoning:	B-1 (General Business District)
Request:	B-1 (General Business District) with modifications to rezone #4432

Presented by: Guy Herring, Planning & Code Enforcement Director
Discussion: Mr. Herring briefed the Board regarding the request for the property, which is currently zoned B-1 (General Business District) in the Civic Center Character Area. The applicants/owners request B-1 (General Business District) with modifications to rezone #4432. This request is accompanied by special use #P21-0267 to allow for development of a carwash within the Mars Hill Overlay. Staff recommends approval with three conditions. Planning Commission recommends approval with four conditions, adding more landscaping, which Staff believes is covered in the other conditions.

The Public Hearing was opened.

Frank Pittman, 1400 Saxon Road, represents the property owner and requests a modification to the previous zoning from 2005. The owner is now requesting to build a car wash instead of a strip shopping center which he believes will fit in well with Butler's Crossing, generate less traffic than a shopping center, and be a good tax generator. They have no issue planting the buffer as requested by the neighboring church.

*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 Horton asked if owner was agreeable to constructing a fence on the church property line to which the owner did agree.

Guy Herring clarified that the fourth condition currently listed could be modified to add a privacy fence condition. This condition would be added to both the rezone and the special use request.

ACTION:

Motion: Mark Saxon made a motion to approve Rezone No. P21-0266 from Buffa Erickson, LLC, B-1 (General Business District) to B-1 (General Business District) with modifications to rezone #4432, acres, with four conditions as restated by the Planning Director Guy Herring.

Second: Chuck Horton

Voted in Favor of Motion: Mark Thomas, Chuck Horton, Mark Saxon

Voted Against Motion: Mark Saxon

Final Action: **Motion Passed to Approve Rezone #P21-0266 with four conditions.**
(See documentation in Ordinance and Resolutions Book No. 2022.)

Special Use Approval No. P21-0267:

Owner:	Pittman Engineering, PC
Applicant:	Buffa Ericksen, LLC
Location:	Intersection of Hog Mountain Road and Mars Hill Road
Acreage:	±2.7
Zoning:	B-1 (General Business District)
Request:	Special Use Approval for a car wash within the Mars Hill Overlay

Presented by: Guy Herring, Planning & Code Enforcement Director

Discussion: Mr. Herring briefed the Board regarding the request for the property, which is currently zoned B-1 (General Business District), Civic Center Character Area. Owner/Applicant requests a special use approval for a car wash in the Mars Hill Overlay. Staff and Planning Commission recommend approval with four conditions.

ACTION:

Motion: Mark Saxon made a motion to approve Special Use No. P21-026 from Buffa Erickson, LLC, B-1 (General Business District) to B-1 (General Business District) with modifications to rezone #4432, acres, with four conditions as restated by the Planning Director Guy Herring.

Second: Chuck Horton

Voted in Favor of Motion: Mark Thomas, Chuck Horton, Mark Saxon

Voted Against Motion: Mark Saxon

Final Action: **Motion Passed to Approve Special Use No. P21-0267 with four conditions.**
(See documentation in Ordinance and Resolutions Book No. 2022.)

Variance No. P22-0008:

Applicants:	Pennie R. Eberhart
Owners:	Pennie R. Eberhart
Location:	1040 Creek Bridge Drive
Acreage:	±0.98
Zoning:	R-1 (Single-Family Residential District)
Request:	Reduce the rear setback from 40 feet to 10 feet for a proposed detached garage

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 District) in the Suburban Area Character Area. The applicant/owner requests a Variance from UDC Sec. 410.01.c(2) and UDC Table 4.1 to reduce the rear setback from 40 feet to 10 feet for a proposed detached garage. Staff recommends approval of this request with one condition.

The Public Hearing was opened.

Pennie Eberhardt, 1040 Creek Bridge Drive, requests a set back on one side of the property to allow for a detached garage.

There were no further comments in favor of the request and no "raised hands" via Zoom.

Barry Shiver, 1091 Creek Bridge Drive, spoke in regard to two planning issues with this request. He asks for additional vegetative screening to block the garage area in the dormant season. Also, the proposed garage will be constructed of corrugated metal, unlike any other in the neighborhood, and neighbors believe it will detract from property values. The proposal is in direct violation of the neighborhood's covenants.

There were no further comments against the request and no "raised hands" via Zoom.

Rebuttal:

Pennie Eberhardt, has lived in this neighborhood for nine years and has never seen a copy of the covenants. She agrees to abide by the covenants with hardy plank and shingles if the covenants mandate them.

The Public Hearing was closed.

Commissioner Horton proposed this variance be postponed to another date to allow time for review of the covenants and to give neighbors time to work this out themselves.

Carol Perri, 1040 Windbrooke Court, asked if neighbors were allowed to ask the purpose for this building. Chairman Daniell responded that could be addressed with the owner in the time allowed. He proposed a motion to postpone this variance until April 5, 2022.

Commissioner Thomas asked how this would affect the septic system which can also be addressed during the discussion period.

ACTION:

Motion: Chuck Horton made a motion to postpone this item until April 5, 2022.

Second: Mark Saxon

Voted in Favor of Motion: Mark Thomas, Chuck Horton, Mark Saxon

Voted Against Motion: None

Final Action: **Motion Passed to postpone Variance #P22-0008 until April 5, 2022 Regular Meeting.**

Amendments to the Oconee County Unified Development Code Articles 2,3,5,6,7,8,9,10,11,12,13,15 and Appendix A:

Guy Herring, Planning Director, presented the proposed changes. The Planning Commission recommending approval with one change to Item #6, to which the staff agrees.

*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.
The Public Hearing was closed.*

ACTION:

Motion: Mark Thomas made a motion to approve the Amendments to the Oconee County UDC with the change recommend by the Planning Commission.

Second: Mark Saxon

Voted in Favor of Motion: Mark Thomas, Chuck Horton, Mark Saxon

Voted Against Motion: None

Final Action: **Motion Passed.**
(See documentation in Ordinance and Resolutions Book No. 22.)

Board of Assessors Appointments:

ACTION:

Motion: Mark Saxon made a motion to appoint Donna Smith Fee and Kris Robinson for six-year terms to begin April 1, 2022 and expire March 31, 2028.
Second: Chuck Horton
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Mark Saxon
Voted Against Motion: None
Final Action: **Motion Passed.**

Finance Director Appointment:

Justin Kirouac, County Administrator, recommended Melissa Braswell as the new Finance Director. Ms. Braswell is currently the Assistant Finance Director, a CPA with almost 20 years of experience, and is well respected by the staff. She holds a bachelor's degree from the University of Georgia.

ACTION:

Motion: Chuck Horton made a motion to appoint Melissa Braswell as the Finance Director.
Second: Mark Saxon
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Mark Saxon
Voted Against Motion: None
Final Action: **Motion Passed.**

Authorize the Sale of Elections and Ward Buildings:

Justin Kirouac, County Administrator, recommended accepting the highest bid on each building and entering into contracts with VSC, LLC on the Ward Building for \$355,000 and Darren Britt on the Elections Building for \$376,250. He requests approval to proceed with the sale of the buildings and negotiating lease agreements to occupy them until the Government Building is complete.

*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.
The Public Hearing was closed.*

ACTION:

Motion: Chuck Horton made a motion to approve the sale of the Elections and Ward Buildings to the highest bidders, subject to lease agreements.
Second: Mark Thomas
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Mark Saxon
Voted Against Motion: None
Final Action: **Motion Passed.**

Consent Agenda:

Chairman Daniell asked that Item 3, YTD Budget Amendment Requests and Necessary Contract Adjustments, be removed from the Consent Agenda for separate discussion.

ACTION

Motion: Mark Saxon made a motion to approve all items as presented on the Consent Agenda with the deletion of Item 3.
Second: Chuck Horton
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Mark Saxon
Voted Against Motion: None
Final Action: **Motion Passed.**

- 1) Approval of the Construction of Watkinsville Sewer Line A Bid Award.
- 2) Approval of the Elevated Tank Maintenance Program Award.
- 3) Approval of the Early Retirement Offer.
- 4) Approval of the Restatement of the Deferred Compensation Plan.
- 5) Approval of the Alcohol License Request for Golden Pantry #77, 5171 Macon Highway, Bishop, with Jacob Forehand as the Registered Agent.

Approval of the YTD Budget Amendment Requests and Necessary Contract Adjustments:

Finance Director Melissa Braswell explained one revision to the previously submitted budget amendment requests from February 22, 2022. There was an increase from \$3000 to \$5000 after obtaining more information for a Parks and Rec utility vehicle. She recommends approval with the change. The necessary Contract Adjustments include:

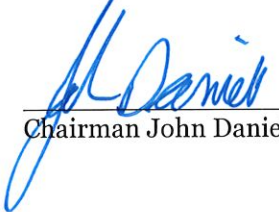
- a) Garrett Paving Co. - FY22 annual resurfacing - \$1,500,000
- b) Thomas & Hutton Engineering – roundabout design at Snows Mill Road/Hwy 53 - \$87,835
- c) Thomas & Hutton Engineering – roundabout design at Rays Church Road/Hwy 53 - \$97,510
- d) ESP – additional allocation to Extra Special People - \$150,000

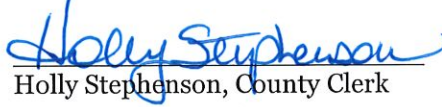
ACTION:

Motion:	Mark Saxon made a motion to approve the Budget Amendments with the one change on the Parks and Recreation vehicle as presented, along with Necessary Contract Adjustments.
Second:	Chuck Horton
Voted in Favor of Motion:	Mark Thomas, Chuck Horton, Mark Saxon
Voted Against Motion:	None
Final Action:	Motion Passed.

Meeting Adjourned:

Motion:	Mark Saxon made a motion to adjourn the meeting.
Second:	Chuck Horton
Voted in Favor of Motion:	Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion:	None
Action/Motion:	Motion Passed.
Meeting Adjourned:	6:42 p.m.


Chairman John Daniell


Holly Stephenson, County Clerk

4-5-22
Date