

**Oconee County Board of Commissioners Meeting
Courthouse Commission Chambers
May 3, 2022 – 6:00 p.m.
Minutes**

Members Present:

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

Elected Officials Present:

Sheriff James Hale

Staff Present:

Justin Kirouac, County Administrator
Daniel Haygood, County Attorney
Holly Stephenson, County Clerk
Alex Newell, Internal Services Director
Melissa Braswell, Finance Director
Guy Herring, Planning and Code Enforcement Director
Grace Tuschak, Senior Planner
Diane Baggett, Communications Manager
Cindy Pritchard, KOCBC Director
Jeremy Wasdin, Chief Deputy
Lisa Davol, Parks & Recreation 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:

Commissioner Mark Saxon led the Pledge after a moment of silence.

Approval of Agenda:

ACTION:

Motion:	Mark Saxon made a motion to approve the May 3, 2022 Agenda.
Second:	Amrey Harden
Voted in Favor of Motion:	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 let citizens know that county wide mowing started this week. Also, early voting started this week and will continue through May 20.

Approval of Minutes:

Minutes of April 5, 2022 Regular Meeting and April 26, 2022 Agenda Meeting:

ACTION:

Motion: Mark Saxon made a motion to approve the minutes of the April 5 Regular Meeting and April 26 Agenda Meeting.
Second: Amrey Harden
Voted in Favor of Motion: Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion: None
Final Action: **Motion Passed.**

Recognition of May as Keep America Beautiful Month in Oconee County:

Presented by: John Daniell, Chairman
Discussion: Commissioner Amrey Harden presented a proclamation to Keep Oconee County Beautiful
Commission Director Cindy Pritchard recognizing May 2022 as Keep America Beautiful Month in Oconee County.

Recognition of May 11-17, 2022 as Law Enforcement Appreciation Week in Oconee County:

Presented by: John Daniell, Chairman
Discussion: Commissioner Mark Saxon presented a proclamation to Sheriff James Hale May 11-17, 2022 as Law Enforcement Appreciation Week in Oconee County.

Rezone No. P22-0030:

Applicants:	Chris Cagle
Owners:	James Mark Childers
Location:	1211 and 1191 Dove Creek Road
Acreage:	±4.62
Zoning:	AG (Agricultural District)
Request:	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 Country Estates Character Area. The applicants/owners request AR (Agricultural Residential District) to move the interior lot line, resulting in two ±2.00 acre lots. The Planning Commission and Staff recommend approval of this request with one condition.

The Public Hearing was opened.

Chris Cagle, representing the owner, requests approval of aligning lot lines to construct a home similar to those in area in a location where there was formerly a mobile home.

*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: Amrey Harden made a motion to approve Rezone No. P22-0030 for James Mark Childers from AG (Agricultural District) to AR (Agricultural Residential District), ±4.62 acres, 11211 and 1991 Dove Creek Road, with one condition.
Second: Mark Saxon
Voted in Favor of Motion: Chuck Horton, Amrey Harden, Mark Saxon

Voted Against Motion:
Final Action:

None

Motion Passed to approve Rezone #P22-0030 with one condition.
(See documentation in Ordinance and Resolutions Book No. 2022.)

Rezone No. P22-0035:

Applicants:	Smith Planning Group
Owners:	Pan-Pacific Fairway V, LLC
Location:	Georgia Club Drive
Acreage:	±202.66
Zoning:	R-3 MPD (Multi-Family Residential Master Planned Development)
Request:	R-3 MPD (Multi-Family Residential) with modifications to rezone #6730

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-3 (Multi-Family Residential) in the Suburban Neighborhood Character Area. The applicants/owners request a modification to rezone 6730 with changes to housing types and concept plan. Staff and Planning Commission recommend approval with twelve conditions.

The Public Hearing was opened.

Bob Smith, Smith Planning Group, represents The Georgia Club and requests a revision to their master plan. The modification is to the 202 acres on the southernmost portion of The Georgia Club and allow for enhanced public space and a broader type of housing for potential residents. The smaller homes and townhomes will provide the ability to downsize in the same community as residents age. There will be no change in number of homes, just in type of home, which will follow same design as currently in the neighborhood.

Commissioner Mark Thomas joined the meeting in person.

*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 confirmed that run off concerns were addressed after the Planning Commission meeting.

ACTION:

Motion: Mark Saxon made a motion to approve Rezone No. P22-0035 from Pan Pacific, LLC, R-3 MDP to R-3 MPD with modifications to rezone #6730, ±202.66 acres, Georgia Club Drive, with twelve conditions.

Second: Mark Thomas

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

Voted Against the Motion: None

Final Action: **Motion Passed to Approve Rezone #P22-0035 with twelve conditions.**

(See documentation in Ordinance and Resolutions Book No. 2022.)

Special Use Approval No. P22-0033:

Owner:	Pittman Engineering, PC
Applicant:	1973 Hog Mountain Road, LLC and Hog Mountain Investments, LLC
Location:	1971 and 1975 Hog Mountain Road
Acreage:	±2.60
Zoning:	B-2 (Highway Business District)

Request:	Special Use Approval for a self-storage facility
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-2 (Highway Business District), Civic Center Character Area. Owner/Applicant requests a special use approval for a self-storage facility. This request is accompanied by special exception variance #P22-0034 to reduce the incompatible use buffer from 50 feet to 25 feet along the rear property line. Staff and Planning Commission recommend approval with four conditions.

The Public Hearing was opened.

Frank Pittman, 1400 Saxon Road, represents the property owner and requests a modification to the previous zoning. The owner is now requesting to build a three-story, brick, self-storage facility which he believes is a better fit for the property than previous proposals. The variance request accompanying this special use approval would reduce the buffer to that of an office building as this facility will look like an office building.

*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 hours of operation.

Frank Pittman responded the owner is open to limiting the 24-hour accessibility if necessary, but all units will be interior units.

Commissioner Harden then questioned Guy Herring about improvements to the entrance at Hog Mountain Road which will be addressed during the development phase.

Chairman Daniell questioned whether the residential buffer behind the site had been reduced, which was reduced in one location.

Commissioner Saxon questioned the number of proposed units.

Frank Pittman responded there is not a number on the units yet, but the facility is close to 100,000 square feet with proposed windows to be built to look like an office building.

ACTION:

Motion: Mark Saxon made a motion to approve Special Use No. P22-0033 for 1973 Hog Mountain Road, LLC and Hog Mountain Investments, LLC, ±2.6 acres on Hog Mountain Road with four conditions.

Second: Mark Thomas

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

Voted Against the Motion: None

Final Action: **Motion Passed to Approve Special Use No. P2-0033 with four conditions.**

(See documentation in Ordinance and Resolutions Book No. 2022.)

Variance No. P22-0034:

Applicants:	Pittman Engineering, PC
Owners:	1973 Hog Mountain Road, LLC and Hog Mountain Investments, LLC
Location:	1971 and 1975 Hog Mountain Road
Acreage:	±2.37
Zoning:	B-2 (Highway Business District)
Request:	Reduce the required 50-foot incompatible use buffer to 25 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 B-2 (Highway Business District) in the Civic Center Character Area. The applicants/owners request a Variance from UDC Sec. 8o6 and UDC Table 8.1 to reduce the required 50-foot incompatible land use buffer to 25 feet. The variance request is accompanied by special use #p22-0033 to allow development of a self-storage facility. Staff recommends approval of this request with two conditions.

ACTION:

Motion: Mark Thomas made a motion to approve Special Exemption Variance No. P22-0034 for 1973 Hog Mountain Road, LLC and Hog Mountain Investments, LLC with two conditions.

Second: Mark Saxon

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

Voted Against Motion: None

Final Action: **Motion Passed to approve Variance #P22-0034 with two conditions.**

(See documentation in Ordinance and Resolutions Book No. 2022.)

Variance No. P22-0042:

Applicants:	Kevin & Katie Anderson
Owners:	Kevin & Katie Anderson
Location:	1091 Old Farm Road
Acreage:	±0.48
Zoning:	AR (Agricultural Residential District)
Request:	Reduce the side setback from 15 feet to 5 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 AR (Agricultural Residential District) in the Suburban Neighborhood Character Area. The applicants/owners request a Variance from UDC Sec. 410.01.c(2) and UDC Table 4.1 to reduce the side setback from 15 feet to 5 feet for a proposed detached garage. Staff recommends approval of this request with two conditions.

The Public Hearing was opened.

Katie Anderson, 1091 Old Farm Road, requests a setback on two sides of the property to allow for a proposed detached garage. She explained they will use this for storage and have consulted with Environmental services on the location.

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 asked whether the owner had consulted her neighbors to which she responded she had spoken with the five surrounding neighbors with no objection.

ACTION:

Motion: Amrey Harden made a motion to approve Special Exemption Variance Request P22-0042 for Kevin & Katie Anderson, ±0.48 acres, 1091 Old Farm Road, with two 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 to approve Variance #P22-0042 with two conditions.**

(See documentation in Ordinance and Resolutions Book No. 2022.)

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Variance No. P22-0065:

Applicants:	Robert Charles & Jenna Louise Lynall
Owners:	Robert Charles & Jenna Louise Lynall
Location:	3531 Maddison Avenue
Acreage:	±1.02
Zoning:	AR (Agricultural Residential District)
Request:	Reduce the rear setback from 40 feet to 5 feet and reduce the side setback from 15 feet to 5 feet for an existing shed

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 Country Estates 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 5 feet and to reduce the side yard setback from 15 feet to 5 feet for an existing shed. Staff recommends approval of this request with one condition.

The Public Hearing was opened.

Robert Charles Lynall, 3531 Maddison Avenue, requests approval to maximize the property and placement of a shed to avoid removing trees.

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 Special Exemption Variance No. P22-0065 for Robert Charles & Jenna Louise Lynall, ±1.02 acres, 3531 Maddison Avenue, with one condition.

Second: Amrey Harden

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

Voted Against Motion: None

Final Action: **Motion Passed to approve Variance #P22-0065 with one condition.**

(See documentation in Ordinance and Resolutions Book No. 2022.)

Presentation of the FY23 Budget Proposal:

Presented by: Melissa Braswell, Finance Director

Discussion: Finance Director Melissa Braswell presented the proposed FY23 Budget totaling \$37,894,885, an increase of 3.15% over FY22. She anticipates increases in LOST revenues due to new developments and increases in property values. Expenditures were broken down by department and by category. Total proposed budget to include all other funds including capital funds, SPLOST, special revenues and enterprise funds is \$65,880,198, a decrease of 0.01%. The budget is designed to meet the strategic goals of the county, commitment to public safety, transportation maintenance and improvement, water and sewer infrastructure, and fleet phase replacement program.

The First Public Hearing for the FY23 Budget will be on May 24, 2022 at 6:00 p.m. in the Commission Chambers of the Courthouse. The Second Public Hearing and consideration of the FY23 Budget Adoption will be held on June 7, 2022 during the Board's Regular Meeting at 6:00 p.m.

Chairman Daniell commented that additional elections run offs would require budget amendments; life cycle management on IT infrastructure has increased due to cost; and a software upgrade for the Tax Commissioner will be a one-time expense. The Juvenile court judges' salaries will be split with Athens-Clarke County through an upcoming IGA. Other increased items were culvert and bridge maintenance, life

cycle management for traffic signals, and solid waste hauling fees due to volume and fuel costs. Because of the Board's commitment to planning and the dedication of employees and elected officials, there is not any anticipated tax increase for this fiscal year at this time.

Commissioner Horton questioned the ratio of property tax and sales tax. Melissa Braswell confirmed that sales tax is strong with ratios very similar to other counties. Justin Kirouac stated property taxes are more stable, while sales tax helps the county to receive funding from people who live outside the county. The ratio is currently at a healthy mix.

Commissioner Horton then questioned the debt service which Melissa Braswell explained to include SPLOST funds for the Oconee Veteran's Park debt and a new debt to bond the administrative services facility, infrastructure debt for water resources plant expansions, economic debt from Caterpillar and upcoming debt from COSTCO bonds.

Commissioner Horton then questioned the uncommitted fund balance. Melissa Braswell responded that the current target is 30% which is \$9-10\$ million. More information will be presented at the upcoming budget hearings.

Commissioner Saxon thanked the staff for all the efforts in preparing the budget.

Commissioner Thomas also thanked staff for achieving the goals and strategic plan. He asked if we are projecting COSTCO revenues in FY23 budget. Melissa Braswell responded that a conservative amount was budgeted but may require future amendments.

Commissioner Harden thanked Melissa Braswell and her staff, then asked about any future efficiency studies on staffing. Chairman Daniell responded that efficiency studies for Planning and Code Enforcement plus Fleet Maintenance are about to begin.

Discuss and Consider the Cole Springs Road Closure:

Presented by: John Daniell, Chairman

Discussion: After a 30-day public comment period about permanent closure, Chairman John Daniell recommends an effective and long-term solution to keeping this intersection open as a result of the public input. He suggests continuing the temporary closure in a more effective and pleasing way while beginning discussions with GDOT to make the intersection safer.

The Public Comment Period was opened.

Barton Cartey, 2531 Snows Mill Road, expressed opposition to closing the intersection due to safety concerns. He gave data on the increased number of accidents at Snows Mill and Lane Creek Road since this closure. He wishes the road to be re-opened immediately.

Dan Dawson, Lane Creek and Cole Spring Road, feels traffic has been significantly increased at the intersection where he lives by closing Cole Springs Road. He supports safety but feels closing the roadway is the wrong way to accomplish this.

Vance Dawson, expressed concerns over safety and agrees the intersection should be squared up for safety. He supports reopening the roadway.

Coleman Hood, 1351 Overlook Ridge Road, stated that he believes the intersection is not unsafe based on data he received from the county. He expressed a desire for the intersection to be immediately reopened and remain open while the discussions with GDOT for safer options occur.

*There was no further Public Comment.
The Public Comment Period was closed.*

Chairman Daniell explained the two commitments for roundabouts on Highway 53 at Snows Mill and Rays Church Road that will still take some time to complete.

Commissioner Harden is not in favor of a permanent closure, but a solution. He suggests re-aligning Cole Springs Road for a 90-degree intersection with Clotfelter Road; a right in, right out intersection; or converting the road to a one-way road. He states it is not acceptable to re-open the road with no improvements and asks county staff to find ways for reopening the road with increased safety without having to wait on DOT. Additionally, when the Clotfelter bridge repair begins in 2024, traffic will increase at this intersection. He brings up the costs of improvement which should be geared toward a long-term plan.

Chairman Daniell responded that any improvement at that intersection would have to be approved by DOT as it includes a state route intersection. The DOT controls the intersection and the right of way. Any improvements will be costly and require time for analysis, planning, and approval by DOT.

Commissioner Horton asked when the county schools let out for the summer because he is not in favor of reopening the roadway while school is still in session. He also wishes to find a solution outside of a permanent closure, but adamantly opposes a deputy in the roadway directing traffic. He suggests discussions with DOT with the goal to eventually have a roundabout, while seeing if the DOT can recommend anything else in the interim.

Commissioner Saxon, who lives on Clotfelter Road, would like to see signage and a reopening of the road. His suggestions include flashing lights, signage, or Cole Springs traffic yielding to all other traffic. He agrees to not using a deputy in the roadway or reopening the intersection before school lets out for the summer. He thanked the citizens who responded through public comment and the people speaking tonight.

Sheriff Hale stated he could not enforce yield signs when right turns have the legal right of way.

Chairman Daniell stated his previous conversations with GDOT have not been respective to flashing lights at intersections.

County Administrator Justin Kirouac summarized the Commissioners' comments as hearing no desire to permanently close the road, but to seek a long-term solution for the intersection. Additionally, he and county staff will consult to see what can be done in the interim to improve the safety conditions of the intersection while waiting on GDOT plans.

Commissioner Thomas witnessed a horrific accident between a tractor trailer and a student at this intersection where Oconee County responders put their lives at risk to save the student's life. Having lived near this intersection for 30 years, he would not let children go through this intersection due to safety concerns. He agrees with the consensus of fixing this intersection to be a safe one, but stated that a solution could not be engineered tonight and safety should be kept in mind.

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, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion:	None
Final Action:	Motion Passed.

- 1) Approval of the Resolution to Name a Designated Officer to Request Sales Tax Information from the Georgia Department of Revenue.

- 2) Approval of the Parks & Recreation FY23 Concession Services Contracts with Oconee Futbol League and Oconee County Little League.
- 3) Approval of Awarding the Guaranteed Maximum Price for Construction of the Administrative Building along with Necessary Budget Amendments.
- 4) Approval of the Low-Income Household Water Assistance Program (LIHWAP).
- 5) Approval of the Railroad Agreement for SR 15 Waterline Upgrade Project.
- 6) Approval of the SFT 2022 Expanding Access to COVID-19 Vaccines via the Aging Network (VAC5) Contract with Northeast Georgia Regional Commission.
- 7) Approval of RFP #22-03-11 for Renovations of the Frank Norris Building along with Necessary Budget Amendments.
- 8) Approval of New Engine for Fire Station 7 in Bogart.
- 9) Approval of the Bid Award and Budget Amendments for Bridge Repair.
- 10) Approval of Calls Creek Plant Upgrade to 3 MGD Phase 1 along with Necessary Budget Amendments for the life of the project.
- 11) Approval of the Alcohol License Request for The Chop House, 2055 Oconee Connector, Athens with Nick Joiner as the Registered Agent.

Meeting Adjourned:

Motion:

Mark Saxon made a motion to adjourn the meeting.

Second:

Mark Thomas

Voted in Favor of Motion:

Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon

Voted Against Motion:

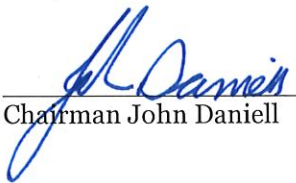
None

Action/Motion:

Motion Passed.

Meeting Adjourned:

7:50 p.m.


Chairman John Daniell


Holly Stephenson, County Clerk

6-7-22
Date