

**Oconee County Board of Commissioners Meeting
Courthouse Commission Chambers
August 2, 2022 – 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
Holly Stephenson, County Clerk
Alex Newell, Internal Services Director
Guy Herring, Planning and Code Enforcement Director
Grace Tuschak, Senior Planner

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 Amrey Harden led the Pledge after a moment of silence.

Approval of Agenda:

ACTION:

Motion:	Chuck Horton made a motion to approve the August 2, 2022 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 reminded all that the Farmland Preservation Program is accepting applications until September 9, 2022 through the NRCS Office in the Government Annex Building.

Also, the 5-year Update to the Comprehensive Plan is underway with an online survey on the county website open until Thursday, September 1, 2022 for citizen input.

Approval of Minutes:

Minutes of July 12, 2022 Regular Meeting and the July 26, 2022 Agenda Meeting:

ACTION:

Motion:	Mark Saxon made a motion to approve the July 12, 2022 Regular Meeting and the July 26, 2022 Agenda Meeting minutes.
Second:	Mark Thomas
Voted in Favor of Motion:	Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion:	None
Final Action:	Motion Passed.

Second Reading of Amendment to the Noise Ordinance:

Presented by: Guy Herring, Planning and Code Enforcement Director
Discussion: The proposed changes to the Noise Ordinance were presented which include prohibiting tractor trailers and other large vehicles from producing excessive noise by using Jake brakes or failing to use a proper muffler.

*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 made a motion to approve the amendments to the Noise Ordinance as presented.
Second: Amrey Harden
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion: None
Action/Motion: **Motion Passed.**

Rezone No. P22-0061:

Applicants:	Carter Engineering Consultants, Inc
Owners:	Donald Hammett
Location:	State Route 53 and US Highway 78
Acreage:	±42.76
Zoning:	B-1 (General Business District)
Request:	B-2 (Highway Business District)

Presented by: Guy Herring, Planning & Code Enforcement Director
Discussion: Mr. Herring received a request to table or defer the public hearing of Rezone No. P22-0061 in order to provide additional time for the applicant to address community concerns about the development. The case would typically be deferred until the next regularly scheduled meeting which would be September 13, 2022 if approved by the Board.

Variance No. P22-0127:

Applicants:	Carter Engineering Consultants, Inc
Owners:	Donald Hammett
Location:	Along US Highway 78
Acreage:	±3.4
Zoning:	B-1 (General Business District)
Request:	Increase the allowable parking spaces from 47 to 84

Presented by: Guy Herring, Planning & Code Enforcement Director
Discussion: Mr. Herring received a request to table or defer the public hearing of Variance No. P22-0127 in order to provide additional time for the applicant to address community concerns about the development. The case would typically be deferred until the next regularly scheduled meeting which would be September 13, 2022 if approved by the Board.

ACTION:

Motion: Chuck Horton made a motion to postpone Rezone No. P22-0061 and Variance No. P22-0127 until September 13, 2022.
Second: Mark Saxon
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion: None
Final Action: **Motion Passed.**

Rezone No. P22-0077:

Applicants:	Taylor and Amanda Jenkins
Owners:	Taylor and Amanda Jenkins
Location:	1351 Colham Ferry Road
Acreage:	±4.00
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) in order to subdivide the property into three parcels, build a single-family residence, and bring the property into conformance with UDC Sec. 106.06.a. Staff and Planning Commission recommend approval with one condition.

The Public Hearing was opened.

Amanda Jenkins, 1341 Colham Ferry Road, requests approval in order to build three homes on the property for themselves and family.

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. P22-0077 from Taylor and Amanda Jenkins, AG to AR, ±4.00 acres, 1351 Colham Ferry Road, with one condition.

Second: Chuck Horton

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 #P22-0077 with one condition.**
(See documentation in Ordinance and Resolutions Book No. 2022.)

Rezone No. P22-0085:

Applicants:	Pittman Engineering, PC
Owners:	DGDF Holdings, LLC
Location:	1101 Cliff Dawson Road
Acreage:	±4.47
Zoning:	AR (Agricultural Residential) and AG (Agricultural District)
Request:	AR (Agricultural Residential)

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) and AG (Agricultural District) in the Suburban Neighborhood Character Area. The applicants/owners request AR (Agricultural Residential) in order to subdivide the property into two single-family residential lots. Staff and Planning Commission recommend approval with two conditions.

The Public Hearing was opened.

Justin Greer with Pittman & Greer Engineering, 1050 Barber Creek Road, requests approval of this rezoning to modify the zoning into AR for the purpose of splitting the property into two lots.

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.

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The Public Hearing was closed.

ACTION:

Motion: Chuck Horton made a motion to approve Rezone No. P22-0085 from DGDF Holdings, LLC, AG and AR to AR, ±4.47 acres, 1101 Cliff Dawson Road, with two conditions.
Second: Mark Saxon
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 #P22-0085 with two conditions.**
(See documentation in Ordinance and Resolutions Book No. 2022.)

Rezone No. P22-0089:

Applicants:	Pittman Engineering, PC
Owners:	The New Magnolia of Oconee, LLC
Location:	1541 and 1641 Virgil Langford Road
Acreage:	±24.07
Zoning:	R-3 MPD (Multi-Family Residential Master Planned Development) and AG (Agricultural District)
Request:	OIP (Office Institutional Professional 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 R-3 (Multi-Family Residential Master Planned Development) in the Regional Center Character Area. The applicants/owners request OIP (Office Institutional Professional District) in order to modify the plan for expansion of an existing assisted living facility. Staff and Planning Commission recommend approval with four conditions.

The Public Hearing was opened.

Justin Greer with Pittman and Greer Engineering, 1050 Barber Creek Road, requests approval to modify previous plan expansion of an assisted living facility into residential cottages instead of quadplexes.

*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 requested clarification on condition four of buffering from Mr. Herring and asked about the traffic impact on the intersection.

Commissioner Horton questioned previous traffic count studies.

Commissioner Saxon asked whether the storm water pond would affect the county lift station. Mr. Herring responded that it was reviewed by Water Resources with no comment.

Commissioner Thomas asked about the density for the request versus the prior zoning.

Commissioner Horton clarified all the units will be owned by one entity and not available for re-sale.

ACTION:

Motion: Mark Thomas made a motion to approve Rezone No. P22-0089 from The New Magnolia of Oconee, LLC, R-3 MDP to OIP, ±24.07 acres, 1541 and 1641 Virgil Langford Road, with four conditions.
Second: Chuck Horton
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 #P22-0089 with four conditions.**
(See documentation in Ordinance and Resolutions Book No. 2022.)

Rezone No. P22-0091:

Applicants:	Alexander and Sadie Ginn
Owners:	Alexander and Sadie Ginn
Location:	1971 Flat Rock Road
Acreage:	±8.1
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) in order to subdivide it into three ±2.00 acre lots. Staff and Planning Commission recommend approval with three conditions.

The Public Hearing was opened.

Alexander Ginn, 1971 Flat Rock Road, requests approval to build a larger home for his family and the potential for a third home for family members in the future.

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. P22-0091 from Alexander and Sadie Ginn, AG to AR, ±8.1 acres, 1971 Flat Rock Road, with three conditions.

Second: Chuck Horton

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 #P22-0091 with three conditions.**

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

Rezone No. P22-0131:

Applicants:	Jeremy Ziadie
Owners:	Jeremy Ziadie
Location:	1591 Snows Mill Road
Acreage:	±9.90
Zoning:	AG (Agricultural District)
Request:	AR-3 (Agricultural Residential Three-Acre District)

Presented by: Guy Herring, Planning & Code Enforcement Director

Discussion: Mr. Herring briefed the Board regarding the request for the property, which is currently AG (Agricultural District) in the Country Estates Character Area. The applicants/owners request AR-3 (Agricultural Residential Three-Acre District) in order to subdivide the property into three lots. Staff and Planning Commission recommend approval with one condition.

The Public Hearing was opened.

Jeremy Ziadie, 587 New Hope Road, Lawrenceville, requests approval to build another house in addition to the existing 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 Thomas made a motion to approve Rezone No. P22-0131 from Jeremy Ziadie, AG to AR-3, ±9.90 acres, 1591 Snows Mill Road, with one condition.
Second: Chuck Horton
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 #P22-0131 with one condition.**
(See documentation in Ordinance and Resolutions Book No. 2022.)

Oconee County 2022 Tax Millage Levy:

Presented by: John Daniell, Chairman
Discussion: The Oconee County Board of Commissioners adopted the FY23 Budget on June 7, 2022 with a continued commitment to the strategic plan and the comprehensive plan. The millage rate needed to offset inflationary growth of existing real property in the digest produces the following millage rates: unincorporated - 5.954 and incorporated - 6.804. Property tax collections this year will only increase based on new growth less new exemptions filed.

The Public Comment Period was opened.

John Webb, 1320 Bent Creek Road, praised the Board for their reduction of the millage rate and their commitment to Oconee County and its citizens.

*There were no further comments in favor of the request and no comments against the request.
Chairman Daniell asked if there were "raised hands" in Zoom and there were none.*

ACTION:

Motion to Confirm: Chuck Horton made a motion to approve the 2022 tax millage levy for Oconee County Government Maintenance and Operations of 5.954 mills (unincorporated) and 6.804 mills (incorporated).
Second: Mark Thomas
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion: None
Action/Motion: **Motion Passed.**

Oconee County Schools 2022 Tax Millage Levy:

Presented by: John Daniell, Chairman
Discussion: The Board of Education passed a motion recommending the school levy of 15.5 mills for maintenance and operation at their August 1, 2022 meeting, and Oconee County is in receipt of a letter confirming the approved rate from the School Superintendent.

ACTION:

Motion to Confirm: Mark Saxon made a motion to confirm the 2022 tax millage rate for Oconee County Schools maintenance and operations of 15.5 mills.
Second: Mark Thomas
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion: None
Action/Motion: **Motion Passed.**

Discussion of TSPLOST:

Presented by: John Daniell, Chairman

Discussion: Chairman John Daniell advised that all the cities have signed on to participate in TSPLOST if the Board votes to place it on the ballot for November 8, 2022. Should TSPLOST pass in the election, funding would be divided among four categories: related services for maintenance to result in a reduction in the mill rate of 1 mill for tax payers if passed; multi-use paths; safety and intersection improvements; and road paving to increase the paving index score.

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

ACTION:

Motion to Confirm: Mark Saxon made a motion to approve the Referendum Resolution for TSPLOST to include the Intergovernmental Agreement as presented.
Second: Chuck Horton
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion: None.
Action/Motion: **Motion Passed.**

Consent Agenda:

There were no items removed from the Consent Agenda.

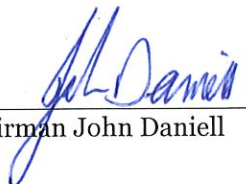
ACTION

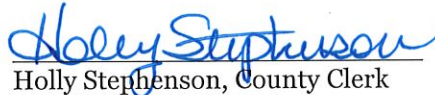
Motion: Chuck Horton made a motion to approve all items as presented on the Consent Agenda.
Second: Mark Thomas
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion: None
Final Action: **Motion Passed.**

- 1) Approval of Alcohol License Request for Costco Wholesale Corporation, 5550 Parkway Boulevard, Athens, with Justin Spira as the Registered Agent.
- 2) Approval of Wireless Emergency Alert Testing MOU.

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: 6:39 p.m.


Chairman John Daniell


Holly Stephenson, County Clerk

9-13-22
Date