Board of Commissioners Agenda Meeting
Courthouse Commission Chambers
November 29, 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
Alex Newell, Internal Services Director
Holly Stephenson, County Clerk
Diane Baggett, Communications Manager
Melissa Braswell, Finance Director
Guy Herring, Planning and Code Enforcement Director
Jody Woodall, Public Works Director
Crystal Berisko, Animal Services Director

Call to Order:
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 Thomas led the Pledge after a moment of silence.

Approval of Agenda:
Chairman John Daniell requested to amend the agenda to add item 6.7: Consider Postponement of Rezone #P22-0155.

ACTION:

Motion:	Chuck Horton made a motion to approve the November 29, 2022 Agenda with the addition of item 6.7.
Second:	Mark Saxon
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:
Lynda Brown, Executive Director of Ten Commandments Georgia, spoke in favor of having nine historical documents displayed in the courthouse.

Statements and Remarks from Commissioners:
None.

Special Presentation:
Anne Flippen and Phyllis Rother, Quilt of Valor Foundation, presented a quilt of valor to Commissioner Mark Saxon for his honorable service in the Army from 1993 to 2007.

Discussion of Updates to the Speed Detection Device Permit:

Presented by: Jody Woodall, Public Works Director

Discussion: The county renews the Speed Detection Device Permit every three years with the Georgia Department of Transportation. Jody Woodall presented a list of changes from the previous permit that have been approved by GDOT and requests approval from the Board for these.

Commissioner Harden asked if Union Church Road was studied.
Jody Woodall responded it was reviewed, and the recommendation was to leave the speed limit the same.

On consensus, this item will be placed on the Consent Agent at the December 6, 2022 Regular Meeting.

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.

Discussion of the Courthouse HVAC Project Phase II:

Presented by: Alex Newell, Internal Services Director

Discussion: Internal Services Director Alex Newell explained that the Courthouse HVAC project began in 2020 with Phases I, III, and IV already complete. An RFP was issued for the final phase, Phase II, with four bids received. The recommendation is to award the contract to Debalski Heating and Cooling for $103,805 plus the control system purchased through Convergint for $52,970. The total cost of $156,775 will exceed the budgeted amount of $120,000, so a budget amendment is requested to increase the budget by $36,775 and include all budget amendments as necessary for the life of the project. These funds will come from SPLOST 21.

On consensus, this item will be placed on the Consent Agenda at the December 6, 2022 Regular Meeting.

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.

Discussion of the Oconee Kennel Club Animal Assistance Trailer:

Presented by: Crystal Berisko, Animal Services Director

Discussion: The American Kennel Club and the Oconee River Kennel Club wish to partner with Oconee County EMA to purchase a Pet Disaster Relief Unit Trailer. The recommendation is to execute the Memorandum of Understanding for purchase of this trailer to help the region respond in the event of a catastrophic occurrence that displaces multiple pets. The financial impact will be maintenance of the trailer.

Commissioner Harden asked if the unit could be used outside of our county.
Crystal Berisko responded that the unit could be used to assist surrounding counties.
County Administrator Justin Kirouac clarified that deployment would be at the discretion of Animal Services Director.

On consensus, this item will be placed on the Consent Agenda at the December 6, 2022 Regular Meeting.

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.

Discuss 2023 Resurfacing and LMIG Application:

Presented by: Jody Woodall, Public Works Director

Discussion: Jody Woodall, Public Works Director, requests approval of the annual LMIG grant through GDOT to provide funding for the FY23 resurfacing program, authorizing the FY23 LMIG submittal to GDOT, authorizing the Chairman to sign necessary documents, and approve any necessary budget amendments for the life of the project up to the contract amount. The grant does require a 30% match of resurfacing funds received. The resurfacing program proposes to resurface 11.84 miles of roadway for an estimated total cost of $2,960,984.85.

Commissioner Horton asked if the matching funds could come from SPLOST.
Jody Woodall responded that it could.

Commissioner Harden asked if the LMIG funding was up or down from prior years.
Jody Woodall responded that it remains relatively steady.

On consensus, this item will be placed on the Consent Agent at the December 6, 2022 Regular Meeting.

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.

Discussion of the DCA Memorandum of Agreement for the PlanFirst Program:

Presented by: Guy Herring, Planning and Code Enforcement Director

Discussion: Oconee County was first awarded the PlanFirst designation by the Department of Community Affairs in 2019 for a three-year period of 2020-2023. The county has again been awarded this designation and a Memorandum of Understanding is required.

County Administrator Justin Kirouac acknowledged Guy Herring and staff's work to achieve this designation despite staffing issues.

On consensus, this item will be placed on the Consent Agent at the December 6, 2022 Regular Meeting.

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.

Discussion of Alcohol License Renewal Applications for 2023:

Presented by: Holly Stephenson, County Clerk

Discussion: Alcohol License Renewals received for 2023 include eighteen for grocery and convenience stores; twenty-one renewals for restaurants; and twelve renewals for wholesale sales for a total of fifty-one renewals. Applications are complete and applicable fees have been submitted. One application (Cracker Barrel) is pending the RASS training of their new registered agent. Request for approval to issue 2023 Alcohol Licenses to these businesses.

Chairman Daniell asked about the state registry through their website.
Holly Stephenson responded that the portal is working but with some challenges. There were no fines for not using the portal this year, so about half of applicants went through the portal while the other half brought their applications into the office.

On consensus, this item will be placed on the Consent Agent at the December 6, 2022 Regular Meeting.

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.

Discussion of the Board of Commissioner's Meeting Schedule for 2023:

Presented by: John Daniell, Chairman

Discussion: Chairman Daniell requests approval of the proposed 2023 meeting schedule to include the State of the County and Town Hall Meetings.

On consensus, this item will be placed on the Consent Agent at the December 6, 2022 Regular Meeting.

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.

Discussion of the Board of Commissioner's Vice-Chairman Schedule for 2023-2026:

Presented by: John Daniell, Chairman

Discussion: Chairman Daniell requests approval of the proposed Vice-Chairman schedule for 2023-2026.

On consensus, this item will be placed on the Consent Agent at the December 6, 2022 Regular Meeting.

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.

Discuss and Consider the Postponement of Rezone P22—0155 for Deferred Tax LLC from B-2 to B-1 and B-2 for 33.657 acres located at 3651 Mars Hill Road, currently vacant:

Presented by: Chairman John Daniell

Discussion: Chairman Daniell advised an email from Davis Ellison with Fortson, Bentley and Griffin was received Monday at 12:26pm with a five-page letter and a 144-page document. Chairman Daniell recommends postponement of this rezone hearing until February 7, 2023 to allow staff adequate time to review these documents.

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 postpone Rezone P22-0155 until the February 7, 2023 Regular Meeting.
Second:	Mark Saxon
Voted in Favor of Motion:	Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion:	None
Action/Motion:	**Motion Passed.**

Executive Session:

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

No action was taken in Executive Session.

Executive Session Adjourned: 6:50 p.m.

Regular Session:

Motion:	Mark Thomas made a motion to adjourn back into Regular Session.
Second:	Mark Saxon
Voted in Favor of Motion:	Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion:	None
Action/Motion:	**Motion Passed**.
Adjourned into Regular Session:	6:51 p.m.

Commissioner Harden requested to recuse himself from the pending business.

Discuss and Consider a Consent Order in the Dickens Farms Case:

Presented by:	Daniel Haygood, County Attorney
Discussion:	County Attorney gave information on a condemnation settlement involving Dickens Farms, Oconee County, Parkside Property Development, LLC, and Athens Construction Group, LLC that involves condemnation for sewer line and inverse condemnation claim that Dickens Farms has made for construction. An $825,000 settlement was reached with all settlement funds to be paid by Parkside Property Development, LLC, per prior settlement, so the county will not have any cost. The request is for the Board to accept this agreement as the condemning authority. All claims will be dismissed and the county will have an easement on the property.

ACTION:

Motion:	Chuck Horton made a motion to approve the consent order.
Second:	Mark Thomas
Voted in Favor of Motion:	Mark Thomas, Chuck Horton, Mark Saxon
Voted Against Motion:	None
Action/Motion:	**Motion Passed.**

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:	6:53 p.m.

John Daniell 12-6-22 Holly Stephenson 12-6-22

John Daniell, Chairman   Date   Holly Stephenson, County Clerk   Date