

**Oconee County Board of Commissioners Meeting  
Courthouse Commission Chambers  
November 1, 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  
Melissa Braswell, Finance Director  
Lisa Davol, Parks and 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:**

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

**Approval of Agenda:**

**ACTION:**

|                           |                                                                    |
|---------------------------|--------------------------------------------------------------------|
| Motion:                   | Chuck Horton made a motion to approve the November 1, 2022 Agenda. |
| Second:                   | Mark Thomas                                                        |
| Voted in Favor of Motion: | Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon                |
| Voted Against Motion:     | None                                                               |
| Final Action:             | <b>Motion Passed.</b>                                              |

**Statements and Remarks from Citizens:**

None.

**Statements and Remarks from Commissioners:**

Chairman Daniell announced the next Town Hall Meeting is scheduled for November 16<sup>th</sup> at 6pm at the Oconee County Civic Center. The meeting is open for in-person attendance or virtual attendance via ZOOM.

**Approval of Minutes:**

**Minutes of October 4, 2022 Regular Meeting and the October 25, 2022 Agenda Meeting:**

**ACTION:**

|                           |                                                                                                                          |
|---------------------------|--------------------------------------------------------------------------------------------------------------------------|
| Motion:                   | Mark Saxon made a motion to approve the October 4, 2022 Regular Meeting and the October 25, 2022 Agenda Meeting minutes. |
| Second:                   | Chuck Horton                                                                                                             |
| Voted in Favor of Motion: | Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon                                                                      |
| Voted Against Motion:     | None                                                                                                                     |
| Final Action:             | <b>Motion Passed.</b>                                                                                                    |

**Rezone No. P22-0184:**

|                    |                                                                                                           |
|--------------------|-----------------------------------------------------------------------------------------------------------|
| <b>Applicants:</b> | Smith Planning Group                                                                                      |
| <b>Owners:</b>     | Westminster Christian Academy                                                                             |
| <b>Location:</b>   | 1185 S. Bishop Farms Parkway                                                                              |
| <b>Acreage:</b>    | ±5.5                                                                                                      |
| <b>Zoning:</b>     | AG (Agricultural District), R-1 (Single Family Residential District), and B-1 (General Business District) |
| <b>Request:</b>    | OIP (Office Industrial 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 AG (Agricultural District), R-1 (Single Family Residential District) and B-1 (General Business District) in the Suburban Neighborhood/Community Village Character Area. The applicants/owners request OIP (Office Institutional Professional District) in order to expand the campus of the school including new buildings, recreational areas, and a drop-off and pick-up location. The Planning Commission and Staff recommend approval of this request with nine conditions.

**Rezone No. P22-0185:**

|                    |                                                                         |
|--------------------|-------------------------------------------------------------------------|
| <b>Applicants:</b> | Smith Planning Group                                                    |
| <b>Owners:</b>     | Westminster Christian Academy                                           |
| <b>Location:</b>   | 1640 New High Shoals Road, 1590 New High Shoals Road                    |
| <b>Acreage:</b>    | ±37.8                                                                   |
| <b>Zoning:</b>     | AG (Agricultural District) and R-1 (Single Family Residential District) |
| <b>Request:</b>    | AG (Agricultural 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) and R-1 (Single Family Residential District) in the Suburban Neighborhood/Community Village Character Area. The applicants/owners request AG (Agricultural District) in order to expand the campus of the school including new buildings, recreational areas, and a drop-off and pick-up location. The Planning Commission and Staff recommend approval of this request with nine conditions.

**Special Use No. P22-0154:**

|                    |                                                                         |
|--------------------|-------------------------------------------------------------------------|
| <b>Applicants:</b> | Smith Planning Group                                                    |
| <b>Owners:</b>     | Westminster Christian Academy                                           |
| <b>Location:</b>   | 1640 New High Shoals Road, 1590 New High Shoals Road                    |
| <b>Acreage:</b>    | ±37.8                                                                   |
| <b>Zoning:</b>     | AG (Agricultural District) and R-1 (Single Family Residential District) |
| <b>Request:</b>    | Special use permit for private school use in AG zoning                  |

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) and R-1 (Single Family Residential District) in the Suburban Neighborhood/Community Village Character Area. The applicants/owners request a special use permit for a private school use in AG zoning, which is an allowed principle use with special use approval. The Planning Commission and Staff recommend approval of this request with nine conditions.

*The Public Hearing was opened.*

*Joseph Bates with Smith Planning Group, agent for the owner, spoke in favor of the two rezones and special use after a redesign for the purpose of expanding the current campus for additional classroom space and another entrance for traffic concerns. All conditions are accepted by the owner.*

*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: Chuck Horton made a motion to approve Rezone No. P22-0184 for Westminster Christian Academy from AG (Agricultural District), R-1 (Single Family Residential District), and B-1 (General Business District) to OIP (Office Industrial Professional District), ±5.5 acres, 1185 S. Bishop Farms Parkway, with nine 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 Rezone #P22-0184 as OIP with nine conditions.**  
(See documentation in Ordinance and Resolutions Book No. 2022.)

**ACTION:**

Motion: Chuck Horton made a motion to approve Rezone No. P22-0185 for Westminster Christian Academy from AG (Agricultural District), R-1 (Single Family Residential District), and B-1 (General Business District) to OIP (Office Industrial Professional District); ±37.87 acres, 1640 New High Shoals Road, with nine 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 Rezone #P22-0185 with nine conditions.**  
(See documentation in Ordinance and Resolutions Book No. 2022.)

**ACTION:**

Motion: Chuck Horton made a motion to approve Special Use Request P22-0154 for Westminster Christian School, to allow for a private school in AG zoning, ±43.42 acres, 1640 New High Shoals Road, with nine 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 Special Use #P22-0154 with nine conditions.**  
(See documentation in Ordinance and Resolutions Book No. 2022.)

**Special Use No. P22-0176:**

|                    |                                                                 |
|--------------------|-----------------------------------------------------------------|
| <b>Applicants:</b> | New Cingular Wireless PCS, LLC                                  |
| <b>Owners:</b>     | Fred Simonton III                                               |
| <b>Location:</b>   | Fambrough Bridge Road                                           |
| <b>Acreage:</b>    | ±127.34                                                         |
| <b>Zoning:</b>     | AG (Agricultural District)                                      |
| <b>Request:</b>    | Special use permit to construct a cell phone tower in AG zoning |

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 Agricultural Preservation Character Area. The applicants/owners request a special use permit to construct a cell phone tower in the AG zoning district with a landscaping waiver request due to the remote agricultural and rural location. The Planning Commission and Staff recommend approval of this request with three conditions.

*The Public Hearing was opened.*

Chad Caudill, agent for the applicant and owner, spoke in favor of the special use to approve a monopole tower of 199 feet with a six-foot base. The advantage is to provide cell coverage in an underserved area. The owner agrees to the conditions.

David Osborn, Fambrough Bridge Road, spoke in favor of the rezone due to poor cell phone coverage in the area which is a safety concern of his. As a UGA wildlife biologist for thirty years, he also addressed a concern that the tower would not adversely affect bird breeding in that area of Georgia.

*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 which cell companies would use the tower.  
Chad Caudill responded that AT&T has a commitment at this time, but others may follow.

**ACTION:**

Motion: Mark Saxon made a motion to approve Special Use Request P22-0176 for Fred Simonton III, to develop a cell phone tower in the AG zoning, ±0.3306, Fambrough Bridge Road, with three conditions.  
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 Special Use #P22-0176 with three conditions.**  
*(See documentation in Ordinance and Resolutions Book No. 2022.)*

**Rezone No. P22-0177:**

|                    |                                                  |
|--------------------|--------------------------------------------------|
| <b>Applicants:</b> | Frank Pittman                                    |
| <b>Owners:</b>     | Westminster Presbyterian Homes, Inc.             |
| <b>Location:</b>   | 1030 Welbrook Road                               |
| <b>Acreage:</b>    | ±3.84                                            |
| <b>Zoning:</b>     | AR (Agricultural Residential District)           |
| <b>Request:</b>    | 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 AR (Agricultural Residential District) in the Civic Center Character Area. The applicants/owners request OIP (office Institutional Professional District) in order to develop a medical office complex. The Planning Commission and Staff recommend approval of this request with three conditions.

**Variance No. P22-0208:**

|                    |                                                                           |
|--------------------|---------------------------------------------------------------------------|
| <b>Applicants:</b> | Frank Pittman                                                             |
| <b>Owners:</b>     | Westminster Presbyterian Homes, Inc.                                      |
| <b>Location:</b>   | 1030 Welbrook Road                                                        |
| <b>Acreage:</b>    | ±3.84                                                                     |
| <b>Zoning:</b>     | AR (Agricultural Residential District)                                    |
| <b>Request:</b>    | Reduce the required buffer from 25 feet to 0 feet adjacent to AR property |

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 a Variance from UDC Sec. 806 to reduce the required buffer from

25 feet to 0 feet adjacent to AR property. Staff recommends approval of this request with one condition.

*The Public Hearing was opened.*

Frank Pittman with Pittman and Greer Engineering, 1400 Saxon Road, agent for the owner, spoke in favor of the rezone requesting approval for a medical office complete with up to two buildings. Access will be from Hog Mountain Road only. Per request, a multi-use path would be added to the property. The variance request is due to a sewer line and easement making buffering difficult and the adjoining property having a commercial expectation soon.

*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 long-term plan for traffic and access to the new developments. Guy Herring explained the existing entrances and inter-parcel access.

Commissioner Horton asked about the anticipated building timeline if approved. Frank Pittman responded that construction could likely start next year dependent on time for permitting.

**ACTION:**

Motion: Mark Thomas made a motion to approve Rezone P22-0177 for Westminster Presbyterian Homes, Inc., AR to OIP; ±4 acres; 1030 Welbrook Road with three conditions.  
Second: Chuck Horton  
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon  
Voted Against Motion: Mark Thomas  
Final Action: **Motion Passed to Approve Rezone #P22-0177 with three conditions.**  
(See documentation in Ordinance and Resolutions Book No. 2022.)

**ACTION:**

Motion: Mark Saxon made a motion to approve Variance P22-0208 for Westminster Presbyterian Homes, Inc, ±3.84 acres; 1030 Welbrook 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 Variance #P22-0208 with one condition.**  
(See documentation in Ordinance and Resolutions Book No. 2022.)

**Variance No. P22-0219:**

|                    |                                                                                     |
|--------------------|-------------------------------------------------------------------------------------|
| <b>Applicants:</b> | Henry J & Sandra Thompson                                                           |
| <b>Owners:</b>     | Henry J. & Sandra Thompson                                                          |
| <b>Location:</b>   | 1171 Windsor Drive                                                                  |
| <b>Acreage:</b>    | ±0.89                                                                               |
| <b>Zoning:</b>     | R-1 (Single Family Residential District)                                            |
| <b>Request:</b>    | Reduce the required minimum rear building setback from 40 feet to 31 feet, 2 inches |

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 Neighborhood Character Area. The applicants/owners request a Variance from UDC Sec. 410.01.c(2) and UDC Table 4.1 to reduce the required minimum rear building setback from 40 feet to 31 feet, 2 inches in order to add a roof with an overhang onto an existing detached garage structure, adding a covered area totaling approximately 220 square feet. Staff recommends approval of this request with one condition.

*There were no 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 Variance P22-0219 for Henry J & Sandra Thompson, ±0.89 acres; 1171 Windsor Drive 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 Variance #P22-0219 with one condition.**  
(See documentation in Ordinance and Resolutions Book No. 2022.)

**Discuss and Consider Updating the Oconee County Alcohol Ordinance:**

Presented by: Daniel Haygood, County Attorney  
Discussion: County Attorney Daniel Haygood discussed amending the Oconee County Alcohol Ordinance to add a Class D-1 license for the wholesale sale of distilled spirits just like the wholesale licenses for beer and wine. Another amendment will address changes in state law on the measurement of distances to school grounds and churches.

*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: Chuck Horton made a motion to approve the Amendment to the Oconee County Alcohol Ordinance.  
Second: Mark Saxon  
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon  
Voted Against Motion: None  
Action/Motion: **Motion Passed.**

**Discuss and Consider OVP Gym HVAC Replacement:**

Presented by: Lisa Davol, Parks and Recreation Director  
Discussion: The OVP GYM HVAC system replacement is an approved FY23 project with a bid from Mechanical Repair Services for \$271,627. The original bid included additional work in the fitness center addition which is not requested to be completed at this time. The budget amendment request is \$187,225 after what was previously budgeted for FY23. The request includes all budget amendments up to the contract amount for the life of the project.

*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 HVAC replacement as presented.

Second: Mark Saxon  
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.

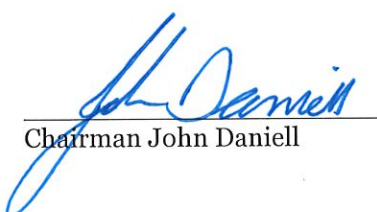
**ACTION**

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 Amending the Budget for the Issuance of FY22 Financial Statements.
- 2) Approval of the FY23 Budget Amendments for Parks and Recreation.
- 3) Approval of a Change Order for Design of Calls Creek WRF Upgrade to 3 MGD.
- 4) Approval of the GEFA Loan for Construction of Calls Creek WRF Upgrade to 3 MGD.
- 5) Approval of the Northeast Georgia Regional Commission FY23 Aging Services.

**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: 6:38 p.m.

  
Chairman John Daniell

  
Holly Stephenson, County Clerk

12-6-22  
Date