Oconee County Board of Commissioners Meeting
Courthouse Commission Chambers
January 3, 2023 – 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:
Judge Mike Hunsinger, Probate Court

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
Diane Baggett, Communications Manager

Swearing In of Re-elected Commissioners:
Judge Mike Hunsinger administered the Oaths of Office to re-elected Commissioners Chuck Horton and Amrey Harden.

Call to Order: 6:04 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:	Mark Saxon made a motion to approve the January 3, 2023 Agenda.
Second:	Chuck Horton
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 asked all to remember the family of Junior Watson who worked for Oconee County for over 50 years. He recently passed away at the age of 90.
He also gave a special thanks to county employees and volunteer firefighters who worked over the Christmas weekend to assist with weather related water issues.
Sales tax revenues exceeded $1 million for first time ever in December.
The Charter broadband project is underway with the first cabinet installed in December.

Approval of Minutes:

Minutes of December 6, 2022 Regular Meeting:

ACTION:

Motion:	Chuck Horton made a motion to approve the December 6, 2022 Regular 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.**

Rezone No. P22-0252:

Applicants:	Frank Pittman
Owners:	Lenru Development, LLC
Location:	3651 Mars Hill Road
Acreage:	±3.33
Zoning:	R2 MPD (Two Family Residential District)
Request:	OBP (Office-Business Park 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 R2 MPD (Two Family Residential District) in the Suburban Neighborhood Character Area. The applicants/owners request OBP (Office-Business Park District) in order to develop a multi-use commercial development including a daycare facility, doggie daycare facility, a dry cleaner drop off/pick up center and a small general office building. The Planning Commission and Staff recommend conditional approval to B-1 (General Business District) of this request of this request with eleven conditions.

The Public Hearing was opened.

Frank Pittman with Pittman and Greer Engineering, 1050 Barber Creek Drive, Building 400, agent for the owner, spoke in favor of the rezone requesting approval from MPD to either OBP or B-1 for a day care, doggie daycare, drying pick-up, and small office space.

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. P22-0252 for Lenru Development, LLC from R2 MPD (Two Family Residential District) to B-1 (General Business District), ±3.33 acres, 3651 Mars Hill Road, with eleven 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 Rezone #P22-0252 as B-1 with eleven conditions.** *(See documentation in Ordinance and Resolutions Book No. 23.)*

Rezone No. P22-0253:

Applicants:	Frank Pittman
Owners:	Eschol D. Graham Leasing, LLC
Location:	8801 Macon Highway
Acreage:	±2.6
Zoning:	B-2 (Highway Business District)

Request:	Change in Conditions of Approval for Case #6797

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 Community Village Center Character Area. The applicants/owners request a revision to conditions for previously approved zoning case #6797, which approved some self-storage use as part of the project. The proposed plan is a modification of the previously approved zoning concept plan. The Planning Commission and Staff recommend approval of this request with four conditions.

Special Use No. P22-0254:

Applicants:	Frank Pittman
Owners:	Eschol D. Graham Leasing, LLC
Location:	8801 Macon Highway
Acreage:	±2.6
Zoning:	B-2 (Highway Business District)
Request:	Special use permit to construct 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) in the Community Village Center Character Area. The applicants/owners request a special use approval to construct a self-storage facility under the existing B-2 zoning. This is a principle use that is allowed by special use approval in the B-2 zoning district according to Sec. 205-10 of the ordinances. The Planning Commission and Staff recommend approval of this request with four conditions.

Variance No. P22-0255:

Applicants:	Frank Pittman
Owners:	Eschol D. Graham Leasing, LLC
Location:	8801 Macon Highway
Acreage:	±2.6
Zoning:	B-2 (Highway Business District)
Request:	Special exception variance for a reduction in required landscape buffer between adjacent uses

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 Community Village Center Character Area. The applicants/owners request a variance from UDC Section 806 (Buffers) to reduce the required buffer adjacent to residential zones property from 50 feet to 25 feet. Staff recommends approval with one condition.

The Public Hearing was opened.

Frank Pittman with Pittman and Greer Engineering, 1050 Barber Creek Drive, Building 400, agent for the owner, spoke in favor of the rezone modification, to change office warehouse development to self-storage use. The proposed building will be a one-story on the front and two-story in the rear due to drop off. He states the project meets B-2 zoning and future land use plan. This request includes a special use for this project. Approval is requested for the variance based on the parcel backing up to a road, not a residence.

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

Lawrence Jeffrey Deroshia, 1241 Ivywood Drive Athens, spoke in opposition of the rezone modification due to poor documentation, lack of need, and buffering.

Peter Steckel, 1120 Ivywood Drive, spoke in opposition to the rezone modification due to the buffer zone and the request for two adjoining storage facilities which would not be allowed as a whole.

Mallory Moye, 1121 Ivywood Drive, spoke in opposition to this rezone and offered some conditions to include limited signage and enforcement of the one-story front of the building.

Maggie Haden, 8811 Macon Highway, spoke as the business owner of The Pedal Exchange which sits in front of the property under consideration. She requests denial of this rezone.

Kathryn Kimmel, 1090 Hagood Lane, rents space in the current building for her interior design business. She requests the area be used for small business as opposed to multiple storage facilities.

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

Rebuttal:
Frank Pittman, addressed the small building on the rear of the property, the private road that the property backs up to, and the need for more self-storage in this county. He reminded the commission that the request is not for a rezone, but a modification.

The Public Hearing was closed.

Commissioner Harden questioned the eight-foot-tall privacy fencing required in the buffers and discussed allowed signage by ordinance with Guy Herring.

Commissioner Horton asked about the lighting near the closest duplex. Guy Herring responded that all lighting much face inward and be one-foot candle or less per UDC.

Commissioner Horton asked if the property has sewer capacity. Frank Pittman responded that sewer is across the road and a capacity letter has been issued for this project.

Commissioner Saxon asked about current fencing on the duplex side of the property. Guy Herring responded there is no fencing at this time. Commissioner Saxon also questioned the exterior of the building which may buffer noise. UDC requirement is fully brick or stone.

Commissioner Harden proposed two additional conditions: no signage allowed on the side of the building facing Old Macon Highway, and the Old Macon Highway building side should be one-story.

ACTION:

Motion:	Amrey Harden made a motion to approve Rezone No. P22-0253 for Eschol D. Graham Leasing, LLC, change in conditions of Approval for case #6797, ±2.6 acres, 8801 Macon Highway, with four conditions presented and the additional two conditions for a total of six 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 #P22-0253, change in conditions, with six conditions.** *(See documentation in Ordinance and Resolutions Book No. 2022.)*

ACTION:

Motion:	Mark Saxon made a motion to approve Special Use No. P22-0254 for Eschol D. Graham Leasing, LLC, ±2.6 acres, 8801 Macon Highway, with six conditions.
Second:	Chuck Horton
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 #P22-0254 with six conditions.** *(See documentation in Ordinance and Resolutions Book No. 23.)*

ACTION:

Motion:	Amrey Harden made a motion to approve Variance No. P22-0255 for Eschol D. Graham Leasing, LLC, ±2.6 acres, 8801 Macon Highway, with one condition.
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 #P22-0255 with one condition.** *(See documentation in Ordinance and Resolutions Book No. 23.)*

Rezone No. P22-0257:

Applicants:	Frank Pittman
Owners:	Eschol D. Graham Leasing, LLC
Location:	Old Macon Highway
Acreage:	±2.18
Zoning:	B-2 (Highway Business District)
Request:	Change in Conditions of Approval for Case #4706

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 Community Village Center Character Area. The applicants/owners request a revision to conditions for previously approved zoning case #4706, which allowed for office and shop use; the proposed plan is a modification of the previously approved zoning plan. The Planning Commission and Staff recommend approval of this request with three conditions.

Special Use No. P22-0256:

Applicants:	Frank Pittman
Owners:	Eschol D. Graham Leasing, LLC
Location:	Old Macon Highway
Acreage:	±2.18
Zoning:	B-2 (Highway Business District)
Request:	Special use approval to allow a self-storage use on the 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 B-2 (Highway Business District) in the Community Village Center Character Area. The applicants/owners request a special use approval to construct a self-storage facility under the existing B-2 zoning. This is a principle use that is allowed by special use approval in the B-2 zoning district according to Sec. 205.19 of the ordinances. The Planning Commission and Staff recommend approval of this request with three conditions.

The Public Hearing was opened.

Frank Pittman with Pittman and Greer Engineering, 1050 Barber Creek Drive, Building 400, agent for the owner, spoke in favor of the rezone modification for a self-storage facility. The front will be a one-story building with two-storage in the rear. There will be no office at this property, low traffic, and fits future land use and zoning plans.

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

Mallory Moye, 1121 Ivywood Drive, pointed out the close proximity from the entrance to this facility to the residential property at the front of Ivywood neighborhood. She has concerns in regards to lighting and buffering. She also requested sidewalks be installed for neighbors to walk to the commercial areas.

Peter Steckel, 1120 Ivywood Drive, spoke against this rezone and special use to keep due to concerns about endangered wildlife, illuminated signs, and water run-off.

Lawrence Jeffrey Deroshia, 1241 Ivywood Drive Athens, questioned parking for the facility and the drop off to the neighborhood in speaking against the rezone.

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

Rebuttal:
Frank Pittman with Pittman and Greer Engineering, 1050 Barber Creek Drive, Building 400, addressed the questions and concerns raised against the proposal.

The Public Hearing was closed.

Commissioners Horton and Harden questioned the dumpster and its location. Frank Pittman responded it is placed at the only location possible due to topography with proper enclosure.

Commissioner Horton confirmed that permitting could begin immediately if this rezone and special use not approved for the previously approved, 6,000 square foot building with two entrances and no fencing. He confirmed with Attorney Haygood that the county must give landowners a viable use of their property.

After further discussion, Commissioner Harden suggested adding four additional conditions: no signage on the southern side of the building, no signage on the building facing Old Macon Highway, eight-foot fencing surrounding the entire facility per the concept plan, and the proposed entrance be as far away from Ivywood Drive as possible.

ACTION:

Motion:	Amrey Harden made a motion to approve Rezone No. P22-0257 for Eschol D. Graham Leasing, LLC, change of conditions, ±2.18 acres, Old Macon Highway, with three staff conditions and an additional four conditions.
Second:	Chuck Horton
Voted in Favor of Motion:	Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion:	None
Final Action:	**Motion Passed to approve Rezone #P22-0257 with seven conditions.** *(See documentation in Ordinance and Resolutions Book No. 23.)*

ACTION:

Motion:	Mark Saxon made a motion to approve Special Use No. P22-0256 for Eschol D. Graham Leasing, LLC, ±2.18 acres, Old Macon Highway, with seven 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 #P22-0256 with seven conditions.** *(See documentation in Ordinance and Resolutions Book No. 23.)*

Special Use No. P22-0260:

Applicants:	Jim Warnes
Owners:	Athens College of Ministry, LLC
Location:	4080 Barnett Shoals Road
Acreage:	±114.0
Zoning:	AG (Agricultural District)
Request:	Special use approval for a change in conditions to Special Use #7034

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 a special use approval to revise one of the sixteen conditions in the 2019 Special Use Approval No. 7034, which was granted for a private college use on the property. This application seeks a revision of Condition No. 15 to allow for no more than six sites for the temporary parking and use of recreational vehicles. Such sites shall be constructed according to the specifications attached hereto as Exhibit "A". The recreational vehicle sites shall be used to (1) house volunteer professional workers, e.g., carpenters, electricians, plumbers, who are assisting in the construction of improvements to the site; (2) housing for visitors participating in college-sponsored activities; and (3) persons attending retreats on the college campus. The Staff recommends approval of this request with four conditions. The Planning Commission recommended approval with these conditions, adding an age limit of 18 years old.

The Public Hearing was opened.

<u>*Jim Warnes, 475 Ansley Drive, Athens,*</u> Chairman of the Board for Athens College of Ministry, requested this Special Use for construction so that skilled workers can bring their own RVs to stay while performing work towards construction and maintenance college. Additionally, short-term visitors who are invites to the campus would be allowed to stay in their RV for college-related activities.

<u>*Marcia Wilbur, 1250 Calls Creek Circle,*</u> President of the Athens College of Ministry, spoke in favor of the Special Use request for six RV spots for volunteer workers and short-term visitors who have been invited to the campus for college-related activities.

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.

<u>ACTION:</u>

Motion:	Mark Saxon made a motion to approve Special Use No. P22-0260 for ACMIN, LLC, change in conditions of Rezone #7034, ±114 acres, 4080 Barnett Shoals Road, with three conditions plus the alternate condition.
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 #P22-0260 with four conditions.** *(See documentation in Ordinance and Resolutions Book No. 23.)*

<u>Discuss and Consider a Resolution for Homestead Exemption Changes:</u>

Presented by:	John Daniell, Chairman
Discussion:	Chairman Daniell explained that there is a proposal for an automatic freeze of property assessment at age 65, a general homestead increase from $2,000 to $5,000, an additional increase to $10,000 in 2035, and an additional $10,000 homestead exemption at age 75. County attorney Daniel Haygood explained that those who do not pay property taxes due to low income would be grandfathered in. Commissioner Harden asked is the school board has agreed to this and could they do more. Chairman Daniell responded that this applies to county and Board of Education property taxes, not city tax. The Board of Education is aware and has time to do more if they so choose. Commissioner Thomas confirmed the grandfathering would be per person not per parcel.

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 Resolution for Homestead Exemption Changes.
Second:	Mark Thomas
Voted in Favor of Motion:	Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion:	None
Final Action:	**Motion Passed.**

Consider and Approve Contract with Corporate Environments for Administrative Building FFE:

Presented by: Justin Kirouac, County Administrator

Discussion: County Administrator Justin Kirouac explained that $750,000 was included in FY22 assigned fund balance for FFE for the Administrative Building in FY23 budget. Due to the contract exceeding $100,000, Board approval is required for a state purchasing contract with Corporate Environments not to exceed $631,000 and include all necessary budget amendments up to that amount for the duration of the contract and to appropriate the balance of the $750,000 for remainder of the FFE.

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:	Mark Saxon made a motion to approve the contract with Corporate Environments for the Administrative Building FFE not to exceed $631,000 to include all budget amendments as necessary for the duration of the contract and to appropriate the balance of the $750,000 for the remainder of the FFE.
Second:	Chuck Horton
Voted in Favor of Motion:	Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion:	None
Final Action:	**Motion Passed.**

FY24 Budget Submittal Plan:

Presented by: Melissa Braswell, Finance Director

Discussion: FY24 Budget Submittal Plan is as follows:

- January 3, 2023: FY24 Budget Submittal Plan Adoption by Board of Commissioners.
- January 10, 2023: Budget Request to Offices and Departments.
- February 15, 2023: Budget Request Deadline.
- March 1-15, 2023: Recommendation Back to Departments.
- March 15-17, 2023: Recommendation Review Meeting as requested.
- March 20-April 14, 2023: Budget Consolidation.
- April 17-April 21, 2023: Commissioner Review of Recommendations.
- May 2, 2023: Budget Proposal Presented to Board of Commissioners.
- May 23, 2023: First Public Hearing.
- June 6, 2023: Second Public Hearing and Adoption.

ACTION:

Motion to Confirm:	Chuck Horton made a motion to approve the FY24 Budget Submittal Plan.
Second:	Mark Thomas

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

Discuss and Consider the 2023 Alcohol License Renewal for A&P Management dba Chevron Food Mart; 5300 Macon Highway; Bishop with Sahil Kumar as the Registered Agent:

Presented by: Holly Stephenson, County Clerk

Discussion: Holly Stephenson, County Clerk, requests approval of a renewal application for retail sale of beer and wine for A&P Management dba Chevron Food Mart. The retailer missed the renewal deadline of November 15, 2022 due to personal reasons, but has since submitted a completed application, the renewal fees and a late fee. The request is for immediate approval as the retailer has not been licensed to sell alcoholic beverages since December 31, 2022.

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:	Mark Saxon made a motion to approve the renewal application and issue a 2023 alcohol license to A&P Management dba Chevron Food Mart.
Second:	Amrey Harden
Voted in Favor of Motion:	Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion:	None
Final Action:	**Motion Passed.**

Discuss and Consider the Alcohol License Request for Bobalicious Café and Sushi One; 1430 Capitol Avenue; Watkinsville with Hang "Julie" Nguyen as the Registered Agent:

Presented by: Holly Stephenson, County Clerk

Discussion: Holly Stephenson, County Clerk, requests approval of an application for restaurant sale of beer, wine and distilled spirits for Bobalicious Café and Sushi One. The registered agent, Ms. Hang "Julie" Nyugen, has completed the RASS Training. Bobalicious Café and Sushi One will be located at 1430 Capitol Avenue in Watkinsville, Georgia. The request is contingent upon issuance of a business license by Oconee County once a final refrigeration component is received and installed.

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 issue an alcohol license to Bobalicious Café and Sushi One, 1430 Capitol Avenue, Watkinsville contingent upon the business license issuance.
Second:	Mark Thomas
Voted in Favor of Motion:	Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion:	None
Final Action:	**Motion Passed.**

Discuss and Consider the of Disposal of Real Property:

Presented by: John Daniell, Chairman

Discussion: The Government Annex and the Library Buildings will be available for disposal in the near future. The Chairman requests approval to start the process of seeking sealed bids for the two buildings. The Board can then review the bids and make the decision whether to accept bids or not.

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 start the process of seeking sealed bids for the Government Annex and Library Buildings.
Second:	Mark Saxon
Voted in Favor of Motion:	Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion:	None
Final Action:	**Motion Passed.**

Discuss and Consider Conveyance of the Post Office Land to Oconee County Industrial Development Authority:

Presented by: Daniel Haygood, County Attorney

Discussion: The Post Office Building is being sold by the IDA to an entity that owns and operates many Post Offices throughout the country. Since the County owns the ground under the building, the request is to authorize the Chairman to sign a deed to the Industrial Development Authority for that real estate, reserving appropriate easements for drainage, storm water, sewer and cross access.

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 convey the Post Office grounds to the Oconee County Industrial Development Authority.
Second:	Mark Saxon
Voted in Favor of Motion:	Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion:	None
Final Action:	**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:	8:18 p.m.

J. Daniell
Chairman John Daniell

Holly Stephenson
Holly Stephenson, County Clerk

2-7-23
Date