Oconee County Board of Commissioners Meeting
Courthouse Commission Chambers
June 6, 2023 – 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
Guy Herring, Planning and Code Enforcement Director
Kyle Stephens, Planner
Melissa Braswell, Finance Director
Kari Giddens, Assistant Finance Director
Diane Baggett, Communications Manager
Lisa Davol, Parks & Recreation Director
Adam Layfield, Water Resources Director
Cindy Pritchard, KOCBC Director

Call to Order: 6:00 p.m.
Chairman John Daniell called the second FY24 Budget Public Hearing to order and stated that participants using Zoom may comment by using the raised-hand feature. Copies of the budget and fee schedules are available on the website.

FY24 Proposed Budget Public Hearing:
Finance Director Melissa Braswell recapped the proposed FY24 Budget as previously presented at the May 23, 2023 meeting. The proposed FY24 General Fund Budget is $38,834,959.00, with a proposed total budget for FY24 of $75,018,615 to include SPLOST, capital, special revenue, and enterprise funds.
Ms. Braswell updated a few numbers from the prior presentation due to an increase in the property and liability insurance, reclassification of two of the four new deputy sheriff positions to communications officers, and changes in the original fee schedules with the Board of Education and Parks and Recreation fees. These changes have not changed the overall budget numbers. She requests approval for budget adoption of the proposed FY24 budget for the General Fund, the Total Budget, and the fee schedule as revised.

The Public Comment Period was opened.
There were no comments and no "raised hands" via Zoom.
The Public Hearing was closed.

ACTION:

Motion:	Mark Saxon made a motion to approve the FY24 Budget as presented for the General Fund at $38,834,959, total budget including the General Fund of $75,018,615 and the FY24 Revised Fee schedule as presented.
Second:	Chuck Horton
Voted in Favor of Motion:	Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion:	None
Final Action:	**Motion Passed.**

Call to Order: 6:03 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 Administrator Justin Kirouac led the Pledge after a moment of silence.

Approval of Agenda:
ACTION:

Motion:	Chuck Horton made a motion to approve the June 6, 2023 Agenda.
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:
None.

Statements and Remarks from Commissioners:
Commissioner Horton asked those in attendance to remember the June 6th Normandy invasion.
Chairman Daniell recognized KOCBC who recently received a 2022 Governors Circle award.
The next Town Hall Meeting will be June 15th at 6pm at the Oconee County Civic Center and virtually.

Approval of Minutes:
Minutes of May 2, 2023 Regular Meeting and May 23, 2023 Agenda Meeting:

ACTION:

Motion:	Chuck Horton made a motion to approve the May 2, 2023 Regular Meeting and the May 23, 2023 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.**

Joint Comprehensive Plan Update:

Presented by:	Guy Herring, Planning and Code Enforcement Director
Discussion:	Planning and Code Enforcement Director presented the adoption of the Joint Comprehensive Plan Update timeline. The cities will be adopting their portions of the Plan during their upcoming council meetings now that the Department of Community Affairs and the Regional have approved this update. The request is to adopt the update and authorize the Chairman to sign the adoption Resolution.

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 Joint Comprehensive Plan Update.
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. P22-0294:

Applicants:	Carter Engineering Consultants
Owners:	Lifemark Development LLC
Location:	Julian Drive/Mars Hill Road
Acreage:	±6.0
Zoning:	R-1 (Single 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 R-1 (Single Family Residential District) in the Regional Center Character Area. The applicants/owners request OBP (Office Business Park District) for a commercial and office business development. The Planning Commission and Staff recommend approval of this request with six conditions.

The Public Hearing was opened.

Brian Kimsey, Carter Engineering, agent for the owner, requests approval for the owner to move his current print shop from Lawrenceville to this location with a warehouse for print shop materials.

There were no further comments in favor of the request.

Foy Horne, spoke against the request in support of keeping the area residential and moving the commercial growth to areas already zoned for such.

There were no further comments against the request.
Chairman Daniell asked if there were "raised hands" via Zoom and there were none.
The Public Hearing was closed.

Commissioner Horton asked to see the area zoning map again and reviewed surrounding zoning.
Commissioner Harden questioned the warehouse receiving area, building designs, and confirmed outdoor storage is prohibited on this site.
Brian Kimsey addressed the size and number of trucks expected to the property daily. He explained few tractor trailers come to the business; most deliveries are made by Fed Ex size trucks with approximately two deliveries per day. There will be no outside storage and four sides brick buildings.
Commissioner Horton asked about similar warehouses approved near this location.

ACTION:

Motion:	Mark Thomas made a motion to approve Rezone No. P22-0294 for Lifemark Development, LLC from R-1 (Single Family Residential District) to OBP (Office Business Park District), ±6.0 acres, Julian Drive at Mars Hill Road, with six conditions.
Second:	None
Voted in Favor of Motion:	
Voted Against Motion:	
Final Action:	**Motion died due to lack of a Second.**

ACTION:

Motion:	Amrey Harden made a motion to deny Rezone No. P22-0294 for Lifemark Development, LLC from R-1 (Single Family Residential District) to OBP (Office Business Park District), ±6.0 acres, Julian Drive at Mars Hill Road.
Second:	Chuck Horton
Voted in Favor of Motion:	Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion:	Mark Thomas
Final Action:	**Motion Passed 3-1 to deny Rezone #P22-0294.** *(See documentation in Ordinance and Resolutions Book No. 23.)*

Rezone No. P22-0317:

Applicants:	Carter Engineering Consultants
Owners:	Chambers Family Partnership, LLC
Location:	1030 Chamber Court
Acreage:	±16.61
Zoning:	R-2 (Two Family Residential District) and R-3 (Multi-Family Residential District)
Request:	R-1 (Single Family 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 R-2 (Two Family Residential District) and R-3 (Multi-Family Residential District) in the Regional Center Character Area. The applicants/owners request R-1 (Single Family Residential District) for a minor subdivision development. The Planning Commission and Staff recommend approval of this request with three conditions.

The Public Hearing was opened.

Jeff Carter, Carter Engineering, 3651 Mars Hill Road, representing the owner, requests approval of rezoning the property to R-1 for single family housing of five lots to fit the current Jennings Mill Subdivision development.

There were no further comments in favor of the request.
There were 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. P22-0317 for Chambers Family Partnership, LLC from R-2 and R-3 to R-1 (Single Family Residential District), ±18.98 acres, 1030 Chambers Court, with three 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 #P22-0317 with three conditions.**
(See documentation in Ordinance and Resolutions Book No. 23.)

Rezone No. P23-0046:

Applicants:	Carter Engineering Consultants
Owners:	Chambers Family Partnership, LLC
Location:	1391 Jennings Mill Road
Acreage:	±6.35
Zoning:	AG (Agricultural District) and R-2 (Two Family Residential 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 AG (Agricultural District) and R-2 (Two Family Residential District) in the Regional Center Character Area. The applicants/owners request OIP (Office Institutional Professional District) for an office development along Jennings Mill Road. The Planning Commission and Staff recommend approval of this request with five conditions.

The Public Hearing was opened.

Jeff Carter, Carter Engineering, 3651 Mars Hill Road, representing the owner, requests approval of an office park to locate their own medical practice and other medical offices. The owners are already in the area and are planning the development for the betterment of the area with greenspace. After additional work with the Planning department, he spoke in favor of rewording condition number four to allow for a mechanical well in the center of the pitched roof.

There were no further comments in favor of the request.
There were 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 Horton asked Mr. Herring if his staff agreed with the revised condition.
Mr. Herring confirmed the staff agrees with the reworded condition number four.

ACTION:

Motion:	Mark Saxon made a motion to approve Rezone No. P23-0046 for Chambers Family Partnership, LLC from AG and R-2 to OIP (Office Institutional Professional District), ±6.35 acres, 1391 Jennings Mill Road, with five conditions to include amended condition #4.
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 #P23-0046 with five conditions.** *(See documentation in Ordinance and Resolutions Book No. 23.)*

Rezone No. P23-0073:

Applicants:	DUO G&G, LLC
Owners:	Steven Lamar and David Hale
Location:	2521 Mars Hill Road
Acreage:	±3.05
Zoning:	AR (Agricultural Residential 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 AR (Agricultural Residential District) in the Regional Center Character Area. The applicants/owners request OIP (Office Institutional Professional District) for a dental office on Mars Hill Road. Staff recommends approval of this request with three conditions. The Planning Commission recommended denial.

Commissioner Horton recused himself from the discussion and vote, leaving the room.

The Public Hearing was opened.

Dakota Carruthers, Parker Poe, representing the owner, spoke in favor of the rezone, explaining that the owners' current dentistry office, just a short distance away, is being taken due to a GDOT road project. In researching properties for relocation, the Regional Center Character District allows for medical offices. Additionally, the Mars Hill Overlay is intended to provide a transition area between residential and mixed-use developments. The request is based on the county's Comprehensive Plan which shows this location as intended for this type of use. The business will be open Monday through Friday, no nights and no weekends, adding little traffic just during these hours. She requests approval of this rezone as it fits this location.

There were no further comments in favor of the request.

Ian Taylor, spoke against the request as their construction will include the destruction of an existing home. He also has concerns that this will begin additional commercial rezones in the residential area.

Kris Ward, spoke against the rezone due to additional traffic in residential areas. He voiced concerns over safety, rapid development, and the housing market. He pointed out the availability of existing commercial medical space in nearby areas.

Michael Costello, Daandra Drive, requested denial of the rezone due to it being in a residential area when other commercial office areas already exist.

Ronald Carey, Hollow Creek Lane, spoke against the rezone due to additional traffic in the residential area and the entrance being off a neighborhood street instead of a main road.

Sam Strickland, voiced traffic and safety concerns with children playing in the neighborhood. He spoke against the rezone due to the traffic load on Mars Hill Road when other lots are already zoned commercial.

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

REBUTTAL:

Dakota Carruthers, Parker Poe, addressed citizen concerns stating this is not a new development, but a replacement of an existing dentist office relocating just a short distance away. She addressed safety and traffic concerns for the new location. She spoke about the short window of time to locate another property and build a new building, so that the owners can keep their business open. The proposed building is just a few square feet bigger than the existing home on the property. She again requests approval of this rezone based on the future development map and the Mars Hill Overlay being planned for this type of business.

The Public Hearing was closed.

Commissioner Thomas questioned the entrance location and why it could not be on Mars Hill Road. Mr. Herring responded that a separation distance is required and two existing streets are already there.

ACTION:

Motion:	Mark Saxon made a motion to deny Rezone No. P23-0073 for Steven Lamar and David Hale from AR (Agricultural Residential District) to OIP (Office Institutional Professional District), ±3.05 acres, 2521 Mars Hill Road, with three conditions.
Second:	Amrey Harden
Voted in Favor of Motion:	Amrey Harden, Mark Saxon
Voted Against Motion:	Mark Thomas
Final Action:	**Motion Passed to deny Rezone #P23-0073 with three conditions.** *(See documentation in Ordinance and Resolutions Book No. 23.)*

Both Variance requests become null when the rezone is denied.

Variance No. P23-0076:

Applicants:	Frank Pittman
Owners:	Epps Bridge Parkway, LLC
Location:	1081 Parkway Boulevard
Acreage:	±8.78
Zoning:	OIP (Office Institutional Professional District)
Request:	Variance for off-site modular components of the proposed building to be constructed on-site using the BLOX system

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-2OIP (Office Institutional Professional District) in the Regional Center Character Area. The applicants/owners request a variance from UDC Sec. 306.05 to allow for off-site modular components of the proposed building to be constructed on-site using the BLOX system. Staff recommends approval with one condition.

The Public Hearing was opened.

Justin Greer, Pittman and Greer Engineering, agent for the owner, introduced Amanda Moore with BLOX systems to explain the request.

Amanda Moore, BLOX Systems, gave a presentation of how the Encompass Health facility would be build using with module system and moved in by module, then connected, resulting in the same structure as if built traditionally.

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 Thomas asked about air balance and electrical testing of the entire system once connected. Ms. Moore responded that testing is done by a third party once delivered and connected. She also stated that confirmed that some dry wall occurs at manufacture and some on site once delivered.

Commissioner Horton asked where the manufacturing takes place.
Ms. Moore responded that they are located in Bessemer, Alabama.

ACTION:

Motion:	Mark Saxon made a motion to approve Special Exception Variance No. P23-0076 for Epps Bridge Parkway, LLC, ±8.78 acres, 1081 Parkway Boulevard, with one condition.
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 Variance #P23-0076 with three conditions.** *(See documentation in Ordinance and Resolutions Book No. 23.)*

Discuss the Text Amendments to Articles 2, 3, 6 and 13 of the Unified Development Code:

Presented by:	Guy Herring, Director of Planning and Code Enforcement
Discussion:	Guy Herring outlined the proposed changes to Articles 2, 3, 6 and 13 of the Unified Development Code which the Planning Commission has approved.

Commissioner Harden questioned the new administrative variance process, whether a professional must be hired to present these and advertised like rezones.
Mr. Herring confirmed this will make the process take a longer amount of time as these will be handled as standard variances.
County attorney Daniel Haygood explained that the change made by the State legislature is what requires more time for variance approvals in the future. Any decision made by Mr. Herring is appealable to the Board of Commissioners for 30 days.

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 text amendments to Articles 2, 3, 6 and 13 of the Unified Development Code.
Second:	Mark Thomas
Voted in Favor of Motion:	Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion:	None
Final Action:	**Motion Passed.**

Public Hearing of the Proposed Abandonment of Old Jennings Mill Road, Jennings Mill Extension and Research Parkway Rights-of-Way:

Presented by: Daniel Haygood, County Attorney

Discussion: County attorney Daniel Haygood explained this request is due to the relocation of roads within a development being done by Tim Burgess. The abandonment of these roads no longer needed once the new road is constructed will be contingent upon the new road being constructed. The request is to approve the abandonment resolution and the accompanying agreement.

The Public Comment Period was opened.
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 the Abandonment Resolution and the accompanying Agreement.
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 the Public Defender FY24 Indigent Defense Services Agreement for the period of July 1, 2023 to June 30, 2024:

Presented by: Chairman John Daniell

Discussion: The Contract for Indigent Defense under Public Defender John Donnelly is an annual contract that is up for renewal effective July 1, 2023 for $223,838 which is in the current budget. The recommendation is for the approval of the contract for the July 1, 2023–June 30, 2024 term.

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 Public Defender FY24 Indigent Services Agreement for the period of July 1, 2023 to June 30, 2024.
Second:	Chuck Horton
Voted in Favor of Motion:	Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion:	None
Final Action:	**Motion Passed.**

Oconee County Animal Services Advisory Board Appointments:

ACTION:

Motion:	Amrey Harden made a motion to appoint Kelsey Fox, Benjie Shaw, and Melodie Brooks to 2-year terms beginning July 1, 2023 and expiring June 30, 2025.

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

Keep Oconee County Beautiful Commission Appointments:

ACTION:

Motion: Mark Saxon made a motion to appoint Catherine Russell, Ryan McNeill, Garrett Mack, Jeralee Mornhinweg, and William Charles Blanchetti Jr to two-year terms beginning July 1, 2023 and expiring June 30, 2025.
Second: Mark Thomas
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion: None
Final Action: **Motion Passed.**

Oconee County Family and Children's Services Board Appointment:

ACTION:

Motion: Chuck Horton made a motion to appoint Robert Bruce to a five-year term to begin July 1, 2023 and expire June 30, 2028.
Second: Amrey Harden
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion: None
Final Action: **Motion Passed.**

Oconee County Tourism and Visitors Bureau Appointments:

ACTION:

Motion: Chuck Horton made a motion to appoint Stephanie VanDyck, Amber McCall Deatsch, Casey Deming, and Deesha Hagwood to two-year terms beginning July 1, 2023 and expiring June 30, 2025.
Second: Mark Saxon
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion: None
Final Action: **Motion Passed.**

Confirmation of the Water Resources Director:

Presented by: Justin Kirouac, County Administrator
Discussion: County Administrator Justin Kirouac requests the appointment of Adam Layfield as the permanent Water Resources Director. He has been serving in this role for six months as interim director.

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 Adam Layfield as the Water Resources Director.
Second: Chuck Horton
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion: None
Final Action: **Motion Passed.**

3rd Quarter Financial Update:

Presented by: Melissa Braswell, Finance Director

Discussion:	Finance Director Melissa Braswell presented the financial update for the 3rd quarter of FY23 which is through March 31, 2023:

- General Fund revenues and expenditures as compared to budget
- Capital Projects expenditures update
- LOST and SPLOST distributions as compared to prior fiscal year
- Water Recourse Department revenues and expenses as compared to budget

Commissioner Harden asked about TSPLOST collection.
Ms. Braswell explained collections began in April with the first payment received in May.

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 the Award of the Contract for Athletic Turf Fields Annual Maintenance.
2) Approval of the Oconee County 401a Plan Amendment.
3) Approval of the Joint Use Agreement with the Board of Education.
4) Approval of the Merit and Equity Adjustments.

Commissioner Harden extended condolences to the Hoyt Watson family. Mr. Watson was a former commissioner who passed away this week.

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:	7:52 p.m.

John Daniell
Chairman John Daniell

Holly Stephenson
Holly Stephenson, County Clerk

7-11-23
Date