

**Oconee County Board of Commissioners Meeting
Administrative Building Commission Chambers
November 7, 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
Diane Baggett, Communications Manager
Guy Herring, Planning and Code Enforcement Director
Kyle Stephens, Planner
Melissa Braswell, Finance Director
Donna Norton, Budget Officer

Call to Order: 6:00 p.m.

Chairman John Daniell called the meeting to order.

Pledge of Allegiance:

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

Approval of Agenda:

ACTION:

Motion:	Mark Saxon made a motion to approve the November 7, 2023 Agenda.
Second:	Chuck Horton
Voted in Favor of Motion:	Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion:	None
Final Action:	Motion Passed.

Statements and Remarks from Citizens:

David Clementson thanked Oconee County for hosting a children's story time with a Christmas theme on Saturday at the Oconee County Library.

Statements and Remarks from Commissioners:

Chairman Daniell announced November 15 will be the final Town Hall Meeting for 2023 with a discussion of homestead exemptions that will be on the ballot next year. The meeting will be held at the Oconee County Administrative Building at 6pm.

Sunday, November 5, 2023 was Retired Educator's Day in Georgia. A ceremony was held at the Oconee County Administrative Building on Monday, October 30 where local retired educators were recognized.

Approval of Minutes:

Minutes of October 3, 2023 Regular Meeting and October 31, 2023 Agenda Meeting:

ACTION:

Motion:	Mark Saxon made a motion to approve the October 3, 2023 Regular Meeting and October 31, 2023 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: **Motion Passed.**

Rezone No. P23-0164:

Applicants:	William C. Ross
Owners:	William C. Ross
Location:	1071 Chestnut Glen
Acreage:	±0.16 and ±2.88
Zoning:	AR (Agricultural Residential District)
Request:	Change of conditions of previous rezone #1433 to combine the amenity lot with the adjacent residential lot

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 Suburban Neighborhood Character Area. The applicants/owners request a rezone modification of #1433 to combine the amenity lot with the adjacent residential lot. The Planning Commission and Staff recommend approval of this request with one condition.

The Public Hearing was opened.

William C. Ross, 1071 Chestnut Glen, owner, requests approval for the rezone to allow the amenity lot planned twenty years ago to be added back to his lot at the request of the homeowner's association.

*There were no further comments in favor of the request and no comments against the request.
The Public Hearing was closed.*

ACTION:

Motion: Chuck Horton made a motion to approve Rezone No. P23-0164 for William C. Ross, change of conditions of previous rezone #1433, ±3.04 acres, 1071 Chestnut Glen 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 Rezone #P23-0164 with one condition.**
(See documentation in Ordinance and Resolutions Book No. 23.)

Rezone No. P23-0181:

Applicants:	Michael Ash
Owners:	Bessie Turnbull
Location:	1160 Maxey Road
Acreage:	±10.37
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 a rezone to AR (Agricultural Residential District) in order to develop a four-lot residential subdivision. The Planning Commission and staff recommend approval of the request with three conditions.

*The Public Hearing was opened.
There were no comments in favor of the request and no comments against the request.
The Public Hearing was closed.*

ACTION:

Motion: Amrey Harden made a motion to approve Rezone No. P23-0181 for Bessie Turnbull, AG (Agricultural District) to AR (Agricultural Residential District), ±10.37 acres, 1160 Maxey Road, 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 #P23-0181 with three conditions.**
(See documentation in Ordinance and Resolutions Book No. 23.)

Rezone No. P23-0186:

Applicants:	Pittman & Greer Engineering, PC
Owners:	Marsha D. Rogers and Melissa L. Finerty
Location:	Hog Mountain Road
Acreage:	±2.0603
Zoning:	OIP (Office Institutional Professional District)
Request:	OIP with modified conditions

Presented by: Guy Herring, Planning & Code Enforcement Director

Discussion: Mr. Herring briefed the Board regarding the request for the property, which is currently zoned OIP (Office Institutional Professional District) in the Suburban Neighborhood Character Area. The applicants/owners request a rezone to OIP with modified conditions (concept plan and use). The Planning Commission and Staff recommend approval of the request with six conditions.

Variance No. P23-0187:

Applicants:	Pittman & Greer Engineering, PC
Owners:	Marsha D. Rogers and Melissa L. Finerty
Location:	Hog Mountain Road
Acreage:	±2.0603
Zoning:	OIP (Office Institutional Professional District)
Request:	Allows parking greater than 100% of the minimum number of required spaces

Presented by: Guy Herring, Planning & Code Enforcement Director

Discussion: Mr. Herring briefed the Board regarding the request for the property, which is currently zoned OIP (Office Institutional Professional District) in the Suburban Neighborhood Character Area. The applicants/owners request a special exception variance from UDC Sec. 604.01.c to allow parking in excess of 110% of the minimum number of parking spaces. The minimum number of parking spaces for the proposed use is 31 spaces; the applicant proposes to provide 41 spaces. Staff recommends approval of the request with two conditions.

The Public Hearing was opened.

Justin Greer, Pittman & Greer Engineering, requests approval for the rezone and the variance due to changes in the area and the plan since the original 2023 rezone. He did speak in opposition to condition four which requires all parking in the rear of the building. He states that other recent nearby developments have parking in the front, pushing the buildings close to the roadway is typical of urban development which this is not, and the styles of architecture have changed since 2023 so a more modern building is planned.

There were no further comments in favor of the request and no comments against the request.

The Public Hearing was closed.

Commissioner Mark Thomas asked for Mr. Herring to address condition four.

Mr. Herring explained that the front area was originally planned for septic with a landscaped buffer, with parking in the rear of the buildings.

Mr. Greer explained the larger septic field would make it almost impossible to fit in front of the building and may push the building closer to the road than originally planned.

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Commissioner Harden stated a concern with preserving the agricultural area around this property.
Commissioner Thomas stated concerns over septic plans.

ACTION:

Motion: Mark Thomas made a motion to approve Rezone No. P23-0186 for Marsha D. Rogers and Melissa L. Finerty, OIP (Office Institutional Professional District) to OIP with modified conditions, ±2.0603 acres, Hog Mountain Road, 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 Rezone #P23-0186 with six conditions.**
(See documentation in Ordinance and Resolutions Book No. 23.)

ACTION:

Motion: Mark Thomas made a motion to approve Variance No. P23-0187 for Marsha D. Rogers and Melissa L. Finerty, allow additional parking spaces; ±2.0603 acres, Hog Mountain Road, with two 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 Variance #P23-0187 with two conditions.**
(See documentation in Ordinance and Resolutions Book No. 23.)

Discuss and Consider Ratification of Mathias Corporation as General Contractor for Courthouse Elevator Project:

Presented by: Justin Kirouac, County Administrator
Discussion: County Administrator Justin Kirouac explained that Mathias Corporation has been retained to handle some ancillary work on the elevator project beyond TK Elevator's contract. The amount of \$29,773 is within the budget but exceeds the \$25,000 guidance within the Fiscal Ordinance. The request is for ratification of the of the contract with Mathias Corporation as the general contractor for the courthouse elevator project.

The Public Comment Period was opened and there was no Public Comment.

ACTION:

Motion to Confirm: Mark Saxon made a motion to approve the ratification of Mathias Corporation as General Contractor for the Courthouse Elevator Project.
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 FY23 Year End Budget Amendments:

Presented by: Melissa Braswell, Finance Director
Discussion: Finance Director Melissa Braswell requests these year-end amendments to bring the FY23 budget into balance including any necessary budget amendments. The requested budget amendments will enable the department to close fiscal year 2023 and produce the final financial statements to complete the audit for submittal to the State of Georgia. She reviewed budget amendments, revenue neutral amendments, and transfers from the General Fund and the other funds.

Commissioner Harden asked if ARPA funds have been completed.

Ms. Braswell explained these are complete in FY23.

The Public Comment Period was opened and there was no Public Comment.

ACTION

Motion: Mark Saxon made a motion to approve the FY23 Budget Amendments as presented.
Second: Amrey Harden
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion: None
Final Action: **Motion Passed.**

Consent Agenda:

There were no items removed from the Consent Agenda.

ACTION

Motion: Mark Thomas made a motion to approve the consent agenda 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.**

- 1) Approval of a Change Order for Fire Engine 701.
- 2) Approval of the Bear Creek Water Treatment Plant Expansion Design Services.
- 3) Approval of a New Alcohol License for Costa Alegre Seafood and Grille, LLC.

Executive Session:

Motion: Mark Saxon made a motion to adjourn into Executive Session to discuss personnel matters.
Second: Mark Thomas
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: 6:40 p.m.

No action was taken in Executive Session.

Executive Session Adjourned: 6:46 p.m.

Regular Session:

Motion: Chuck Horton 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: 6:47p.m.

Discuss and Consider a Prosecutor Appointment for Oconee County Magistrate Court:

Presented by: John Daniell, Chairman
Discussion: Chairman John Daniell explained the request for appointment of a Magistrate Court Prosecutor to assist with various types of cases to reduce case load. The recommendation is to appoint Attorney Jason Slider effective as of December.

ACTION:

Motion:

Chuck Horton made a motion to appoint Jason Slider as Oconee County Magistrate Court prosecutor.

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:

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:

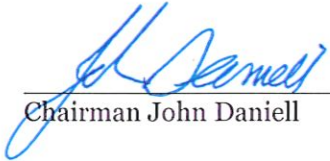
None

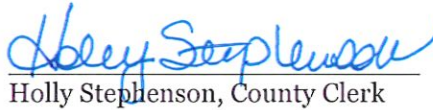
Action/Motion:

Motion Passed.

Meeting Adjourned:

6:48 p.m.


Chairman John Daniell


Holly Stephenson, County Clerk

12.5.23
Date