

**Oconee County Board of Commissioners Meeting
Administrative Building Commission Chambers
December 5, 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
Kari Giddens, Assistant 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 Administrator Justin Kirouac led the Pledge after a moment of silence.

Approval of Agenda:

ACTION:

Motion:	Chuck Horton made a motion to approve the December 5, 2023 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.

Statements and Remarks from Citizens:

David Clementson complimented the good work of the Oconee County Parks and Recreation Department led by Director Lisa Davol.

Statements and Remarks from Commissioners:

Chairman Daniell announced the upcoming holidays for Oconee County Government Offices. Offices will be closing for operations on Monday, December 25 and Tuesday, December 26 for Christmas, along with Monday, January 1, 2024 for New Years Day.
The offices will also close for the employee holiday luncheon on Friday, December 8 from 11:30am -1:30pm.

Approval of Minutes:

Minutes of November 7, 2023 Regular Meeting, November 15, 2023 Town Hall Meeting, and November 28, 2023 Agenda Meeting:

ACTION:

Motion: Mark Saxon made a motion to approve the November 7, 2023 Regular Meeting, November 15, 2023 and November 28, 2023 Agenda Meeting minutes.

Second: Amrey Harden

Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon

Voted Against Motion: None

Final Action: **Motion Passed.**

Presentation of the FY23 Audit Report by Rushton:

Presented by: Clay Pilgrim, Audit Partner, Ruston & Company

Discussion: Rushton Accounting and Business Advisors presented their independent auditor report and provided an unmodified opinion of the County's financial records, thanking the Finance Department for their cooperation during this process. Mr. Pilgrim presented to the Board a three-year Statement of Net Position, General Funds revenues and expenditures, Water and Sewer Fund revenues and expenditures, SPLOST expenditures, and TSPLOST expenditures. There was one material weakness listed related to an accounting adjustment that had to be made in regards to bond issuance and no significant deficiencies. He explained a reporting change with GASB 96 and a future reporting change with GASB 101.

Rezone No. P23-0204:

Applicants:	ABE Consulting, Inc.
Owners:	Athens Construction Group Property Holdings & Parkside Property Development, LLC
Location:	Northwest corner of Hog Mountain Road and Dooley Connector
Acreage:	±24.591
Zoning:	AG and R-2 MPD (Agricultural District and Two-Family Residential Master Planned Development District)
Request:	B-2 (Highway Business 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 and R-2 MPD (Agricultural District and Two-Family Residential Master Planned Development District) in the Suburban Neighborhood Character Area. The applicants/owners request a rezone to B-2 (Highway Business District) in order to develop a commercial subdivision planned to include small-scale buildings that provide shops, cafes, services and self-storage facilities. Staff recommend approval of this request with seven conditions. The Planning Commission recommended approval with two additional conditions.

Special Use No. P23-0203:

Applicants:	ABE Consulting, Inc.
Owners:	Athens Construction Group Property Holdings & Parkside Property Development, LLC
Location:	Northwest corner of Hog Mountain Road and Dooley Connector
Acreage:	±5.795
Zoning:	AG and R-2 MPD (Agricultural District and Two-Family Residential Master Planned Development District)
Request:	Special use approval for self-storage facility in the proposed B-2 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 and R-2 MPD (Agricultural District and Two-Family Residential Master Planned Development District) in the Suburban Neighborhood Character Area. The applicants/owners request a special use approval to construct a self-storage facility in the proposed B-2 zoning which is allowed according to Sec. 205.10(e). The Planning Commission and Staff recommend approval of this request with seven conditions.

The Public Hearing was opened.

Abe Abouhamdan, 2410 Hog Mountain Road, representing the owner, requests approval for the rezone and special use to allow for commercial shops, cafes, and self-storage facilities on a small scale with high quality buildings, internal parking, and a network of sidewalks along with a multi-use path connecting the area to the adjoining park. The buildings will cover only approximately 50% of the property for more greenspace. All buildings for the self-storage will be all brick and climate controlled with a privacy fence and proper buffering. All access doors will be internal

There were no further comments in favor of the request.

Ian Taylor, DaAndra Drive, expressed concern over crime in a self-storage facility.

There were no further comments against the request.

REBUTTAL:

Abe Abouhamdan, 2410 Hog Mountain Road, stated there would be a privacy fence surrounding this property.

The Public Hearing was closed.

Commissioner Harden questioned the intersection of Dooley Connector and Dooley Boulevard which Mr. Herring stated would be a three-way stop. He also asked about the previously proposed use for the adjoining property which is commercial. He confirmed the planned traffic lights are required prior to issuance of building permits.

Commissioner Horton confirmed the R-2 area is already approved around this property. He asked about truck access for deliveries. Mr. Abouhamdan showed the main access is acceptable for trucks along with service bays between buildings. He explained this proposal is a buffer area between the park and the area planned for larger stores.

Commissioner Saxon asked if the entry to the storage facility could be from the Connector. Mr. Abouhamdan said it could be considered with the Public Works staff. Chairman Daniell expressed concern over another entrance off a county road.

Commissioner Thomas pointed out the median that will prohibit a left-hand turn off the Connector.

Chairman Daniell asked how close the nearest house would be to the storage facility. Mr. Abouhamdan responded there is a 50-foot buffer with houses closer to the opposite road than the facility.

Commissioner Horton asked if the internal roundabout would belong to the county to maintain. Mr. Herring responded that it would belong to the county.

ACTION:

Motion:

Chuck Horton made a motion to approve Rezone No. P23-0204 for Athens Construction Group Property Holdings and Parkside Property Development, LLC, AG and R-2 MPD to B-2, ±24.592 acres, 3380 Hog Mountain Road at Dooley Connector, with the conditions recommended by the Staff and Planning Commission.

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 #P23-0204 with conditions.
(See documentation in Ordinance and Resolutions Book No. 23.)

ACTION:

Motion: Mark Thomas made a motion to approve Special Use No. P23-0203 for Athens Construction Group Property Holdings and Parkside Property Development, LLC, AG and R-2 MPD to B-2, ±5.795 acres, Hog Mountain Road at Dooley Connector, with seven conditions as presented.

Second: Mark Saxon

Voted in Favor of Motion: Mark Thomas, Mark Saxon, John Daniell

Voted Against Motion: Amrey Harden, Chuck Horton

Final Action: **Motion Passed 3-2 to approve Special Use #P23-0203 with conditions.**
(See documentation in Ordinance and Resolutions Book No. 23.)

Variance No. P23-0234:

Will be postponed to the January 2, 2024 meeting due to some errors in posting of signage.

Commissioner Mark Thomas recused himself and left the room.

Special Use No. P23-0231:

Applicants:	Prime Tower Development
Owners:	Mark H. Thomas
Location:	Cedar Road
Acreage:	±38.53
Zoning:	AR (Agricultural Residential District)
Request:	Allow a taller (199') tower

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 Agricultural Preservation Character Area. The applicant/owner requests a special use to modify a previous Special Use Approval 6545 to allow a taller (199') tower. The Planning Commission and staff recommend approval of the request with two conditions.

The Public Hearing was opened.

John Behnke, 1164 Brookfield, Memphis, Tennessee, representing Prime Tower Development, requests approval for an additional 50 feet of tower and moving it to higher elevation for maximum coverage for the area.

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: Mark Saxon made a motion to approve Special Use No. P23-0231 for Mark H. Thomas, allow a tower of 199', ±38.53 acres, Cedar Road, with two conditions.

Second: Chuck Horton

Voted in Favor of Motion: Chuck Horton, Amrey Harden, Mark Saxon

Voted Against Motion: None

Final Action: **Motion Passed to approve Special Use #P23-0231 with two conditions.**
(See documentation in Ordinance and Resolutions Book No. 23.)

Commissioner Mark Thomas rejoined the meeting.

Variance No. P23-0201:

Applicants:	John Willie Pullin, Jr.
Owners:	John Willie Pullin, Jr.
Location:	1101 Adams Road
Acreage:	±5.29
Zoning:	AG (Agricultural District)
Request:	Allow a manufactured home with a 3:12 roof pitch

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 Rural Places Character Area. The applicant/owner requests a variance from UDC Sec. 329.06.b.6 which requires all manufactured homes to have a pitched roof with a slope of at least four feet in height for each twelve feet in width (4:12). Staff recommends approval of the request with one condition.

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 Variance No. P23-0201 for John Willie Pullin, Jr., allowing a 3:12 roof pitch, ±5.29 acres, 1101 Adams Road, 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 #P23-0201 with one condition.**

(See documentation in Ordinance and Resolutions Book No. 23.)

Variance No. P23-0205:

Will be postponed to the January 2, 2024 meeting due to some errors in posting of signage.

Discuss the Text Amendments to Articles 3, 6, 7 and 10 of the Unified Development Code:

Presented by: Guy Herring, Director of Planning and Code Enforcement

Discussion: Guy Herring outlined the proposed changes to Articles 3, 6, 7 and 10 of the Unified Development Code which the Planning Commission has approved.

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

ACTION:

Motion: Mark Saxon made a motion to approve the text amendments to Articles 3, 6, 7 and 10 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.**

Consider Appointment to the Family and Children's Services Board:**ACTION:**

Motion: Amrey Harden made a motion to appoint Stan Ruth for term to begin immediately and expire 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.**

Consider Appointment to the Farmland Preservation Ranking Committee:

ACTION:

Motion: Mark Saxon made a motion to appoint Adam Hammond for a three-year term to begin January 1, 2023 and expire December 31, 2026.
Second: Chuck Horton
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion: None
Final Action: **Motion Passed.**

Discuss and Consider Ground Lease Agreements with Prime Tower Development to Allow a 199' Cell Tower at 1030 Rankin Road (Butler's Crossing Collection Site) and 3500 Hog Mountain Road (Oconee Veteran's Park):

Presented by: Justin Kirouac, County Administrator
Discussion: The county has received significant concerns about cell service deficiencies in the county. Prime Tower Development would like to lease property at the Rankin Road Collection Site and OVP to place 199' telecommunication towers for additional coverage. The request is to approve these lease agreements of \$17,400 annually for each tower.

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

ACTION:

Motion to Confirm: Chuck Horton made a motion to approve the ground lease agreements with Prime Tower Development
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 a New Alcohol License and 2024 Renewal for Family Dollar:

Presented by: Holly Stephenson, County Clerk
Discussion: County Clerk Holly Stephenson requests approval of a new alcohol license for the retail package sale of beer and wine for Family Dollar Retail Stores of Georgia, LLC located at 2061 Hog Mountain Road, Watkinsville, Georgia. The registered agent, Darrick Brunson, has completed the RASS training, and the application is complete. The request is for immediate approval for the remainder of 2023 and for renewal of the license for 2024.

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

ACTION

Motion: Amrey Harden made a motion to approve a new alcohol license and 2024 alcohol license renewal for Family Dollar.
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 Award of Eagle Tavern Renovation Bid:

Presented by: Justin Kirouac, County Administrator

Discussion: County Administrator Justin Kirouac explained the historic Eagle Tavern needs some renovation to include replacing the cedar shake roof, repair the top tier of the chimney, replace shutters, paint and replace any rotted boards. After an RFP was issued with seven solicited bids, the request is to authorize SPLOST 2015 funds under the Historic and Scenic Facilities category to cover Bayne Development Group, LLC's proposal of \$91,373 and not to exceed \$114,000 for additional items along with any necessary budget amendments, over the life of the contract.

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

ACTION:

Motion to Confirm: Mark Saxon made a motion to approve the award of the Eagle Tavern renovation bid for Bayne Development Group of \$91,373, not to exceed \$114,000.
Second: Chuck Horton
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion: None
Action/Motion: **Motion Passed.**

Consent Agenda:

Chairman Daniell requested Item #6 – Approval of the Board of Commissioners Meeting Schedule for 2024 - be removed from the Consent Agenda due to a change.

ACTION

Motion: Chuck Horton made a motion to approve the consent agenda less Item #6.
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 Heritage Park Naming Rights Agreement.
- 2) Approval of a Resolution for Oconee County Authorizing the UOBWA to Submit a Joint Claim for Settlement Proceeds in the PFAS Litigation.
- 3) Approval of Abandonment of Hillsboro Road.
- 4) Approval of the Annexation of the Thomas Property to the City of Watkinsville.
- 5) Approval of the 2024 Alcohol License Renewal Applications.
- 7) Approval of the Board of Commissioners Vice-Chairman Schedule for 2024-2027

Discuss and Consider Board of Commissioners Meeting Schedule for 2024:

Presented by: John Daniell Chairman
Discussion: Chairman John Daniell explained a conflict with the proposed January 16, 2024 Town Hall Meeting date. Due to the MLK holiday, the Planning Commission Meeting will be moved from January 15 to January 16. The request is to move the Town Hall Meeting to January 17, 2024.

ACTION:

Motion to Confirm: Amrey Harden made a motion to approve the 2024 Meeting Schedule with the Town Hall Meeting change.
Second: Chuck Horton
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 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: 7:13 p.m.

No action was taken in Executive Session.

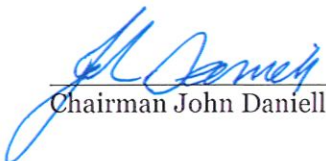
Executive Session Adjourned: 7:47 p.m.

Regular Session:

Motion: Mark Saxon made a motion to adjourn back into Regular Session.
Second: Chuck Horton
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: 7:48 p.m.

Adjourned:

Motion: Mark Saxon made a motion to adjourn the meeting.
Second: Chuck Horton
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion: None
Action/Motion: **Motion Passed.**
Meeting Adjourned: 7:48 p.m.


Chairman John Daniell


Holly Stephenson, County Clerk

1/2/24
Date