

**Oconee County Board of Commissioners Meeting
Administrative Building Commission Chambers
January 2, 2024 – 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
Holly Stephenson, County Clerk
Diane Baggett, Communications Manager
Guy Herring, Planning and Code Enforcement Director
Kyle Stephens, Planner
Ethan Perry, Planner

Call to Order: 6:00 p.m.

Chairman John Daniell called the meeting to order.

Pledge of Allegiance:

County Commissioner Mark Thomas led the Pledge after a moment of silence.

Approval of Agenda:

ACTION:

Motion:	Chuck Horton made a motion to approve the January 2, 2024 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:

None.

Statements and Remarks from Commissioners:

Chairman Daniell announced the BOC is accepting applications for the Community Mental Health, Developmental Disabilities, and Addictive Diseases Community Service Board and the Oconee County Board of Tax Assessors. Applications will be accepted online with a deadline of Friday, January 19th at noon.

Chairman Daniell also announced the first 2024 Town Hall Meeting will be Wednesday, January 17, 2024. The meeting will be held at the Oconee County Administrative Building at 6pm with a focus on upcoming tax exemption ballot questions.

Approval of Minutes:

Minutes of December 5, 2023 Regular Meeting:

ACTION:

Motion:	Mark Saxon made a motion to approve the December 5, 2023 Regular Meeting minutes.
Second:	Amrey Harden
Voted in Favor of Motion:	Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion:	None

Minutes – January 2, 2024

Final Action: **Motion Passed.**

Variance No. P23-0234:

Applicants:	ABE Consulting, Inc.
Owners:	Athens Construction Group Property Holdings & Parkside Property Development, LLC
Location:	3380 Hog Mountain Road & 1078 Stillwater Way
Acreage:	±5.801
Zoning:	B-2
Request:	Eliminating the buffer requirement along the northern portion of Lot #2 in the proposed Parkside Promenade development

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 (General Business District) in the Suburban Neighborhood Character Area. The applicants/owners request a special exception variance for eliminating the buffer requirement along the northern portion of Lot #2 of the proposed Parkside Promenade development. Staff recommends approval of this request with one condition.

The Public Hearing was opened.

Abe Abouhamdan, 2410 Hog Mountain Road, representing the owner, requests approval of the variance reducing the buffer but providing an opaque buffer with a privacy fence and vegetation.

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

The Public Hearing was closed.

Commissioner Harden questioned whether any roll-up doors would face the neighborhood. Mr. Abouhamdan stated roll-up doors would be on the back side of the units facing the neighborhood. However, the six-foot privacy fence and vegetation should provide a complete buffer. Commissioner Horton asked whether trucks could be unloading across from a house in the neighborhood. Mr. Abouhamdan stated there would be a drive to the back of these storage buildings. However, in addition to a natural buffer, an opaque buffer is also being added.

ACTION:

Motion: Mark Saxon made a motion to approve Variance P23-0234 for Athens Construction Group Property Holdings and Parkside Property Development, LLC, ±5.801 acres, 3380 Hog Mountain Road and 1078 Stillwater Way, 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 #P23-0234 with one condition.**

(See documentation in Ordinance and Resolutions Book No. 24.)

Variance No. P23-0205:

Applicants:	Sean Hogan - Structure Building Company
Owners:	James E. Daniel
Location:	3022 Spartan Estates Drive
Acreage:	±0.98
Zoning:	R-1 (Single Family Residential District)
Request:	Reduce the required front building setback to 28 feet from 30 feet

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 Country Estates Character Area. The applicants/owners request a special exception variance from UDC Sec. 409.01 to allow an existing building built due to a survey mistake with a 28-foot setback instead of 30 feet. Staff recommends approval of the request with one condition.

The Public Hearing was opened.

Sean Hogan, 494 Boulevard, Athens, representing the owner, requests approval for variance as the foundation company did not measure correctly for the small garage.

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

Commissioner Harden asked Mr. Herring if this variance would affect any safety issues which it will not.

ACTION:

Motion: Amrey Harden made a motion to approve Variance P23-0205, Sean Hogan, reduction in setback lines, ±0.98cres, 3022 Spartan Estates Drive 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 P23-0205 with one condition.**
(See documentation in Ordinance and Resolutions Book No. 24.)

Variance No. P23-0244:

Applicants:	SPG Planners + Engineers
Owners:	Westminster Christian Academy
Location:	1640 New High Shoals Road & 1185 S Bishop Farms Parkway
Acreage:	±43.42
Zoning:	AG (Agricultural District) and OIP (Office Institutional Professional District)
Request:	Waive the public sidewalk requirement along New High Shoals Road

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 OIP (Office Institutional Professional District) in the Suburban Neighborhood and Community Village Character Area. The applicants/owners request a special exception variance from UDC Sec. 1014.02.a to waive the sidewalk requirement along New High Shoals Road due to steep slopes, existing utilities, and public safety. Staff recommends approval of the request with one condition.

The Public Hearing was opened.

Mick Kittle, SPG Planners + Engineers, representing the owner, requests approval for the variance due to there being no existing sidewalks on this roadway currently and safety concerns by adding a partial sidewalk. There will be internal sidewalks throughout the campus.

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

Commissioner Harden asked for more information on the internal sidewalk system on the campus which Mr. Kittle explained. The campus is open to the public.

ACTION:

Motion: Mark Saxon made a motion to approve Variance No. P23-0244 for Westminster Christian Academy, waive the sidewalk requirement, ±43.42 acres, 1640 New High Shoals Road and 1185 S Bishop Farms Parkway, 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 #P23-0244 with one condition.**
(See documentation in Ordinance and Resolutions Book No. 24.)

Rezone No. P23-0219:

Applicants:	Chip Patterson
Owners:	Chip Patterson
Location:	1210 Burr Harris Road
Acreage:	±4.01
Zoning:	AG (Agricultural District)
Request:	AR (Agricultural Residential District) to create two 2-acre lots

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 Suburban Neighborhood Character Area. The applicants/owners request a rezone to AR (Agricultural Residential District) to create two 2-acre lots, one for each pre-existing residence. The Planning Commission and Staff recommend approval of this request with one condition.

The Public Hearing was opened.

Eleanor Patterson, 2759 Allegheny Lane, owner, requests approval for the rezone to separate two existing homes onto their own lots.

*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. P23-0219 for Chip Patterson, AG to AR, ±4.01 acres, 210 Burr Harris Road 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 #P23-0219 with one condition.**
(See documentation in Ordinance and Resolutions Book No. 24.)

Rezone No. P23-0228:

Applicants:	Carter Engineering Consultants
Owners:	Armor Homes, LLC
Location:	1251 Sikes Road
Acreage:	±6.09
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 Suburban Neighborhood Character Area. The applicants/owners request a rezone to AR (Agricultural Residential District) in order to create a three-lot subdivision with private access drive. The Planning Commission and staff recommend approval of the request with one condition.

The Public Hearing was opened.

April Mashburn, 1241 Sims Road, owner, requests approval as a small, local homebuilder to build three homes on the 6-acre lot.

Brian Kimsey, Carter Engineering, 1010 Commerce Drive, representing the owner, explained the property lay-out, septic system, and shared drive.

There were no further comments in favor of the request.

Shane Cox, 1271 Sikes Road, neighbor, spoke against the rezone due to his belief there is not enough acreage for three lots and proximity to this property.

Michelle Cox, 1271 Sikes Road, spoke against the rezone due to traffic and safety concerns at the intersection of Sykes Road and Hog Mountain Road.

*There were no further comments against the request.
The Public Hearing was closed.*

Commissioner Harden questioned Tract 2 on the drawing and its ownership.

Discussion concluded Tract 2 belongs to Mr. Cox.

Mr. Herring explained the private driveway is part of an easement, not included in the acreage, and will be maintained by the homeowners.

Commissioner Thomas confirmed these new houses will be on county water, not wells. He explained to Mr. Cox that the septic systems will have to be proper distance away from his well.

ACTION:

Motion:	Mark Thomas made a motion to approve Rezone No. P23-0228 for Armor Homes, LLC, AG (Agricultural District) to AR (Agricultural Residential District), ±6.09 acres, 1251 Sikes 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 Rezone #P23-0228 with one condition. <i>(See documentation in Ordinance and Resolutions Book No. 24.)</i>

Discuss and Consider the De-Annexation of the Townley Property from the Town of North High Shoals:

Presented by: John Daniell, Chairman

Discussion: Chairman John Daniell gave a background on annexations and de-annexations with the State legislature signing House Bill 374 in 2023, giving control back to the property owners. He states that the subject parcel is in the Rural Places Character Area which allows 4-5 acre lots, with 5-acre lots being allowed without a rezone.

The Public Comment Period was opened.

Russell Wills, 1310 Settlers Pass, Athens, representing the owner, states the property was originally purchased in 2022 for the 200-acre hay field on the back portion of the property. The proposed plan will likely include a culvert over Lane Creek to allow equipment access to the hay field. The owner is

considering plans for large acre lots, a lake, cattle, or timber on the property in addition to the hay field. He states approximately 30% of the land is in the city, with about 70% in the county. Regardless of the future plans, the owner would like to have the entire property under one jurisdiction for zoning purposes.

There were no further comments in favor of the request.

Steven Goad, 299 Hopping Road, the mayor-elect of the Town of High Shoals and long-time county resident, spoke against the request. He points out that no one is speaking in favor of this request.

Christopher Bell, 202 Plantation Road, spoke in opposition due to increased demand on infrastructure, traffic, safety concerns, and loss of character of the area.

Jacob Callaway, 307 Jefferson Road, states a Town Hall Meeting and City Council Meeting held in December both had a large turnout with opposition. He requests denial of the de-annexation request due to health, safety and welfare concerns of the community, along with traffic issues on Jefferson Road. He mentioned pulling the tax basis from the city while adding to the infrastructure of the city.

Debbie Tiller, 113 Jefferson Road, owns adjacent property which is farmland with farm animals and electric fencing. She requests denial of the de-annexation request.

Fred Johnson, requests the Commissioners vote against this request due to the welfare of the community.

John Westman, 221 Hillsboro Road, requested denial due to concerns over traffic and safety.

Stephen Hall, Jefferson Road, requested denial of the request due to traffic concerns.

Rhiannon Eades, 144 Plantation Road, requested the Commissioners not approve this resolution.

Vita Beall, 212 Jefferson Road, requested the Commissioners vote against the de-annexation due to traffic concerns on Jefferson Road.

Ann Evans, 280 Hopping Road, requested the Commissioners vote against the de-annexation due to traffic and safety concerns.

Jennifer Burel, 140 Plantation Road, requested the Commissioners vote against the de-annexation.

Steve Tucker, 245 Shadyfield Lane, asked the Commissioner to vote against the de-annexation.

Wanda Moody, 198 Shadyfield Lane, requested the Commissioners vote against the de-annexation due to enough new growth in the area.

Joey Westman, 221 Hillsboro Road, spoke in opposition to the request.

Patricia Sibley, 115 Jefferson Road, added that Jefferson Road is fourteen feet road and will not sustain additional traffic from a neighborhood. He requests denial of the request.

Joy Sizemore, 297 Jefferson Road, spoke against the de-annexation so additional city residents don't ask for the same. Additionally, she spoke of current traffic concerns on Jefferson Road.

Meagan Cundiff, spoke in regards to the precedent of the new State law stating if the county approves, the municipality must approve unless it finds the de-annexation to be detrimental to the health, safety and welfare of its residents. She requests verbiage added to the resolution giving the final decision to the Town of North High Shoals should the Commissioners agree to accept this resolution.

Violet Dawe, Mayor of North High Shoals, spoke of the unexpected consequences of the new 2023 law and requested the Commissioners not approve this de-annexation.

Commissioner Horton explained this is not a property that was asked for by the county, and the Board must follow the law. He requested clarification on what comes next after a vote either way. County Attorney Daniel Haygood explained that if the Board of Commissioners approves this Resolution, the decision goes back to the Town of North High Shoals for a City Council vote on to whether they agree. The Town of North High Shoals has the final say as to whether this is beneficial or not for the city and its citizens for this property to be de-annexed. Chairman Daniell stated that historically this Board does not oppose annexations when requested. Commissioner Harden thanked the citizens of North High Shoals for coming together on this matter. Commissioner Harden suggested making this approval contingent on the Town of North High Shoals approving this de-annexation. He states the County will go along with whatever the Town chooses. Commissioner Horton agreed that the Town of North high Shoals should make the decision on this request. The county will approve whatever the city approves. Discussions between citizens and Commissioners continued with Attorney Haygood providing clarification on the new law and process required. He stated the County Commission must legally act first on this matter before the Town of North High Shoals takes a vote. Commissioner Thomas agreed to additional wordage to the resolution to make the approval contingent on what the Town of North High Shoals chooses.

ACTION:

Motion: Amrey Harden made a motion to approve the resolution to accept the property subject to the Town of North Shoals approving the de-annexation of the Townley Property from the Town of North High Shoals.

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 Oconee County Fire Rescue SCBA Replacement Cylinders Contract:

Presented by: John Daniell, Chairman

Discussion: Chairman John Daniell explained the request to purchase 171 replacement breathing apparatus air cylinders from Municipal Emergency Services, the lowest bidder. The cost will be \$220,590 from the Fire Department 2021 SPLOST funds. This will replace all county air cylinders.

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

ACTION:

Motion to Confirm: Mark Saxon made a motion to approve the purchase of the air cylinders from Municipal Emergency Services as submitted.

Second: Chuck Horton

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

Voted Against Motion: None

Action/Motion: **Motion Passed.**

Discuss and Consider Road Maintenance IGA Between Oconee County and North High Shoals:

Presented by: John Daniell, Chairman

Discussion: Chairman John Daniell explained some roads in Hickory Lake Subdivision split county and city boundaries and currently need to be re-paved. The IGA will outline how the costs will be split between the two entities. He explained conversations had been going on for several years about this paving which now needs to be done.

The Public Comment Period was opened.

Jacob Calloway, asked if there were other IGA's with the Town of North High Shoals. He also asked about the maintenance of Jefferson Road.

Chairman Daniell explained there is also a service delivery strategy IGA with North High Shoals. He explained that Jefferson Road is a city road and is maintained by the city.

Several other unnamed citizens asked questions about city-maintained roads and costs of paving, including a request that the county cover more costs than proposed.

There were no further comments and the Public Comment Period was closed.

Commissioner Mark Thomas suggested the Town of North High Shoals do their own research into what their paving needs are, the process, and the costs.

ACTION:

Motion to Confirm: Mark Saxon made a motion to approve the Road Maintenance IGA with the Town of North High Shoals.
Second: Chuck Horton
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion: None
Action/Motion: **Motion Passed.**

FY25 Budget Submittal Plan:

Presented by: John Daniell, Chairman
Discussion: FY25 Budget Submittal Plan is as follows:

- January 2, 2024: FY25 Budget Submittal Plan Adoption by Board of Commissioners.
- January 3, 2024: Budget Request to Offices and Departments
- February 15, 2024: Budget Request Deadline
- March 1-15, 2024: Recommendation Back to Departments
- March 18-20, 2024: Recommendation Review Meeting as Requested
- March 21-April 12, 2024: Budget Consolidation
- April 15-19, 2024: Commissioner Review of Recommendations
- May 7, 2024: First Public Hearing
- May 21, 2024: Second Public Hearing
- June 4, 2024: Budget Adoption

Commissioner Harden stated he would like another year with no public hearings for tax increases.

ACTION:

Motion to Confirm: Chuck Horton made a motion to approve the FY25 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.**

Public Hearing of the Proposed Abandonment of Hillsboro Road inside the City Limits of North High Shoals:

Presented by: John Daniell, Chairman

Discussion: Chairman John Daniell explained a resolution from the Town of North High Shoals to accept the roadway of Hillsboro Road from the city limits to State Route 186. The necessary advertisements and declarations are complete.
County Attorney Daniel Haygood explained that the road would become part of the municipal road system of North High Shoals if this is approved.

The Public Comment Period was opened.

Patricia Sibley, 115 Jefferson Road, asked for clarification on what the municipal road system means. Attorney Haygood explained the road would belong to the city.

The Public Hearing was closed.

ACTION:

Motion: Mark Saxon made a motion to approve the Abandonment Resolution for Hillsboro Road inside the city limits.
Second: Amrey Harden
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion: None
Final Action: **Motion Passed.**

2024 Elections Qualifying Fee Schedule:

Presented by: Daniel Haygood, County Attorney
Discussion: Qualifying fees are based on State of Georgia law and require approval by the Board of Commissioners. 3% of minimum salary Oconee County 2024 Qualifying Fees are as follows:

- Chairman, Board of Commissioners - \$3,161.31
- Member, Board of Commissioners - \$755.36
- Board of Education - \$54.00
- Sheriff, Clerk of Courts, Tax Commissioner & Probate Judge - \$2,512.51
- Coroner - \$108.00

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

ACTION:

Motion to Confirm: Chuck Horton made a motion to approve the 2024 Qualifying Fees.
Second: Amrey Harden
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion: None
Action/Motion: **Motion Passed.**

Discuss and Consider 2024 Speed Detection Device Permit Updates:

Presented by: John Daniell, Chairman
Discussion: Chairman John Daniell explained the request for updates to the County's speed detection device permit recommended by the Public Works Department.

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

ACTION:

Motion to Confirm: Mark Thomas made a motion to approve the 2024 Speed Detection Device Permit Updates.
Second: Chuck Horton
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion: None

Action/Motion:

Motion Passed.

Discuss and Consider Alcohol License Renewal for Oconee Fast Mart:

Presented by: Holly Stephenson, County Clerk

Discussion: County Clerk Holly Stephenson explained that Oconee Fast Mart has made application for the 2024 renewal of their alcohol license. This application was not presented with the others due to a pending investigation by an Administrative Hearing Officer for the alleged sale to an underage person by an employee.

No one representing the store was present.

Commissioner Horton asked about the ordered suspension.

Chairman Daniell explained the Hearing Officer ordered a 10-day suspension through the holidays, and that criminal charges are still pending. Chairman Daniell recommended denial of the renewal based on the suspension of the license due to admitted sale to an underage person.

ACTION:

Motion: Chuck Horton made a motion to deny the alcohol license renewal for Oconee Fast Mart due to admitted sale to an underage person.

Second: Amrey Harden

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 for the New Owner of Your Pie:

Presented by: Holly Stephenson, County Clerk

Discussion: County Clerk Holly Stephenson requests approval of a new alcohol license for the retail consumption on premises of beer and wine for Archer Grover Operations, LLC who is purchasing the current Your Pie restaurant and will continue operating at the same location of 1430 Capitol Avenue, Suite 113, Watkinsville, Georgia. The registered agent, Mr. Jonathan Wood, is completing the RASS training, and the application is complete. The request is contingent upon receipt of the closing documents of the sale, franchise agreement with the new owner, Oconee County business license, and registered agent requirements.

ACTION:

Motion: Mark Saxon made a motion to approve the new alcohol license for Archer Grove Operations, LLC.

Second: Mark Thomas

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: Amrey Harden

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

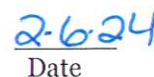
Voted Against Motion: None

Action/Motion: **Motion Passed.**

Meeting Adjourned: 8:18 p.m.


Chairman John Daniell


Holly Stephenson, County Clerk


Date