

**Oconee County Board of Commissioners Meeting
Administrative Building Commission Chambers
July 9, 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
Justin Kirouac, County Administrator
Holly Stephenson, County Clerk
Diane Baggett, Communications Manager
Melissa Braswell, Finance Director
Donna Norton, Budget Officer
Guy Herring, Planning and Code Enforcement Director
David Webb, Senior Planner
Ethan Perry, Planner
Tristen Thomas, Management Analyst

Elected Officials Present:

James Hale, Sheriff
Angie Elder-Johnson, Clerk of Court

Call to Order: 6:00 p.m.

Chairman John Daniell called the meeting to order.

Pledge of Allegiance:

County Attorney Daniel Haygood led the Pledge after a moment of silence.

Approval of Agenda:

ACTION:

Motion:	Mark Saxon made a motion to approve the July 9, 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 reminded citizens of the Water Resources Outdoor Watering regulations in effect:
For odd-number addresses, outdoor watering is allowed on Tuesdays, Thursdays or Sundays from 12am to 10am. For even-number addresses, watering is allowed on Mondays, Wednesdays, and Saturdays from 12am to 10am.

Special Guests:

Sheriff James Hale addressed the Board requesting a waiver from the nepotism portion of the Oconee County Human Resources policy due to related staff in the department which are supervised by a chain of command.

Clerk of Court Angie Elder-Johnson also requested a waiver from the nepotism portion of the Oconee County Human Resources policy due to the recent marriage of an employee, explaining how supervision of this employee would be handled.

Approval of Minutes:

Minutes of June 4, 2024 Regular Meeting and June 25, 2024 Agenda Meeting:

ACTION:

Motion: Chuck Horton made a motion to approve the June 4, 2024 Regular Meeting minutes and the June 25, 2024 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.**

Rezone No. P24-0032:

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:	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 R-1 (Single Family Residential District) in the Regional Center Character Area. The applicant/owner requests a rezone to OIP (Office-Institutional-Professional District) to allow for an office development. Staff and the Planning Commission recommended approval with ten conditions.

The Public Hearing was opened.

Brian Kimsey, Carter Engineering Consultants, representing the owner, requests approval of the rezone for a two-story structure that fits the area surrounding the property.

There were no further comments in favor of the request.

Foy Horne, 3591 Mars Hill Road, spoke in opposition of this rezone due to traffic concerns in a residential area.

Tommy Walton, 3681 Mars Hill Road, spoke in opposition of this rezone for a visible two-story building in a residential area. He expressed concerns with traffic, school buses, noise, lights and pollution.

Wayne McCarty, 3580 Mars Hill Road, spoke in opposition to this rezone.

Rebuttal:

Brian Kimsey, Carter Engineering Consultants, explained the zoning currently surrounding this property and the buffering planned.

The Public Hearing was closed.

Commissioner Horton asked about the property across the street where a church is located.

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Commissioner Harden questioned the placement of the building on the lot, the traffic study, and any updates from GDOT on Highway 316 at Julian Drive.
 Commissioner Thomas asked Mr. Kimsey if there was any concern with shifting the building further back on the lot. Mr. Kimsey saw no problem with moving the building further back. Discussion continued about moving both the building and parking area further north on the lot, away from Mars Hill Road. Commissioner Harden spoke in favor of maintaining the majority of this corridor as a residential area. Commissioner Horton added that churches require OIP zoning, but are not the same commercial properties as proposed for this site.

ACTION:

Motion: Chuck Horton made a motion to deny Rezone No. P24-0032 for Lifemark Development, LLC, ±6.0 acres, Julian Drive at Mars Hill Road.
 Second: Amrey Harden
 Voted in Favor of Motion: Chuck Horton, Amrey Harden, Mark Saxon
 Voted Against Motion: Mark Thomas
 Final Action: **Motion Denied for Rezone #P24-0032.**
(See documentation in Ordinance and Resolutions Book No. 24.)

Rezone No. P24-0014:

Applicants:	Barak Zukerman
Owners:	Kerry H. Barwick & Ken D. Hill
Location:	7760 Macon Highway
Acreage:	±23.51
Zoning:	AR (Agricultural Residential 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 AR (Agricultural Residential District) in the Civic Center Character Area. The applicant/owners request a rezone to B-2 (Highway Business District) to develop a 16-lot commercial subdivision with proposed 174,500 SF of commercial buildings. Staff and the Planning Commission recommended approval with seven conditions.

The Public Hearing was opened.

Barak Zukerman, representing the owner, explained the proposal and voiced opposition to the condition of 80% brick/stone/glass façade, requesting it be reduced to 60%.

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

Commissioner Harden questioned traffic access points on Highway 411 and traffic effects on Hog Mountain Road.
 Commissioner Horton questioned how quickly the site would develop if approved.
 Commissioner Saxon confirmed the traffic study that was completed included the future Quick Trip store and questioned the ingress/egress at the Quick Trip location.

ACTION:

Motion: Mark Saxon made a motion to approve Rezone No. P24-0014 for Barak Zukerman, ±23.51 acres, 7760 Macon Highway, with seven 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 #P24-0014 with seven conditions.**
(See documentation in Ordinance and Resolutions Book No. 24.)

Variance No. P24-0027:

Applicants:	Barak Zukerman
Owners:	Kerry H. Barwick & Ken D. Hill
Location:	7760 Macon Highway
Acreage:	±23.51
Zoning:	AR (Agricultural Residential District)
Request:	Reduction in required landscape buffer from 25 feet to 10 feet for ±412 linear 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 AR (Agricultural Residential District) in the Civic Center Character Area. The applicant/owners request a variance from UDC Section 806 and Table 8.1 to reduce the required landscape buffer from 25 feet to 10 feet for ±412 linear feet along a portion of the property line with parcel B-06-028. Staff recommends approval with one condition.

Variance No. P24-0028:

Applicants:	Barak Zukerman
Owners:	Kerry H. Barwick & Ken D. Hill
Location:	7760 Macon Highway
Acreage:	±23.51
Zoning:	AR (Agricultural Residential District)
Request:	Reduce the minimum required parking by 50% on one proposed parcel

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 Civic Center Character Area. The applicant/owners request a variance from UDC Section 604.04 and Table 6.1 to reduce the minimum required parking by 50% on one proposed parcel. Staff recommends approval with one condition.

Variance No. P24-0102:

Applicants:	Barak Zukerman
Owners:	Kerry H. Barwick & Ken D. Hill
Location:	7760 Macon Highway
Acreage:	±23.51
Zoning:	AR (Agricultural Residential District)
Request:	Increase in the maximum allowed lots from 5 to 16 on a private access drive easement

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 Civic Center Character Area. The applicant/owners request a variance from UDC Section 1012.07 to increase the maximum allowed lots from 5 to 16 on a private access drive easement. Staff recommends approval with four conditions.

The Public Hearing was opened.

Barak Zukerman, representing the owner, explained the landscape buffer variance request due to power line access at the back of the property; the parking variance request is due to a tenant not requiring the minimum parking; and the lots from a private drive will be temporary until the roadway is completed.

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 Variance No. P24-0027 for Barak Zukerman, ±23.51 acres, 7760 Macon Highway, reduction in landscape buffer 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 #P24-0027 with one condition.**
(See documentation in Ordinance and Resolutions Book No. 24.)

ACTION:

Motion: Chuck Horton made a motion to approve Variance No. P24-0028 for Barak Zukerman, ±23.51 acres, 7760 Macon Highway, reduction in required parking with one condition.

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 #P24-0028 with one condition.**
(See documentation in Ordinance and Resolutions Book No. 24.)

ACTION:

Motion: Mark Saxon made a motion to approve Variance No. P24-0102 for Barak Zukerman, ±23.51 acres, 7760 Macon Highway, increase in the allowed lots on a private access drive easement with 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 #P24-0102 with four conditions.**
(See documentation in Ordinance and Resolutions Book No. 24.)

Discuss and Consider the 2024 Tax Millage Levy for Oconee County Government Maintenance and Operations:

Presented by: John Daniell, Chairman

Discussion: Chairman Daniell announced the millage rate will be dropped for the fourth consecutive year and the third year of a full rollback. The 2024 mileage rate based on the approved budget will be 4.435 for the unincorporated areas, which is a full rollback; and 5.375 for the incorporate areas, which is also a full rollback.

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 tax millage levy for Oconee County Government Maintenance and Operations of 4.435 mills (unincorporated) and 5.375 mills (incorporated).

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 2024 Tax Millage Levy for Oconee County Schools Maintenance and Operations:

Presented by: Justin Kirouac, County Administrator

Discussion: The Board of Education passed a motion recommending the school levy of 14.25 mills for maintenance and operation at their July 8, 2024 meeting, and Oconee County is in receipt of a letter confirming the approved rate from the School Superintendent.

ACTION:

Motion to Confirm: Mark Saxon made a motion to confirm the 2024 tax millage levy for Oconee County Schools Maintenance and Operations of 14.25 mills.
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 Determination that a Portion of Former ROW of Hodges Mill Road No Longer Serves a Substantial Public Purpose and Authorize Abandonment Procedures:

Presented by: Daniel Haygood, County Attorney
Discussion: County Attorney Daniel Haygood requested the property be declared to no longer serve a substantial public purpose and approve the start of the abandonment process for this portion of former right of way.

Commissioner Harden asked about the zoning designation if abandoned.
Mr. Haygood responded that the correct answer would be researched and presented prior to a vote for final abandonment.

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

ACTION:

Motion: Mark Saxon made a motion to declare the property no longer serves a substantial public purpose and authorize abandonment procedures.
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 the FY25 Family Connection Contract:

Presented by: Melissa Braswell, Finance Director
Discussion: Finance Director Melissa Braswell requests approval of the FY25 Family Connection Contract to continue support for families and children of Oconee County through the Oconee Area Resource Council (OARC) for the period of July 1, 2024 through June 30, 2025. The request is for approval of the contract and to authorize the Chairman to sign the contract.

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

ACTION:

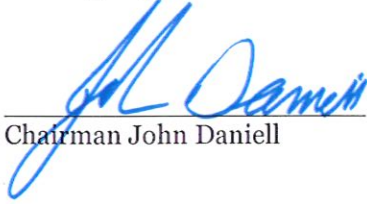
Motion to Confirm: Chuck Horton made a motion to approve the FY25 Family Connection Contract with the Chairman signature.
Second: Mark Thomas
Voted in Favor of Motion: Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
Voted Against Motion: None
Action/Motion: **Motion Passed.**

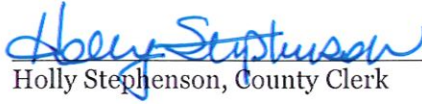
Adjourned:

Motion: Mark Saxon made a motion to adjourn the meeting.

Second:
Voted in Favor of Motion:
Voted Against Motion:
Action/Motion:
Meeting Adjourned:

Chuck Horton
Mark Thomas, Chuck Horton, Amrey Harden, Mark Saxon
None
Motion Passed.
7:26 p.m.


Chairman John Daniell


Holly Stephenson, County Clerk

8-6-24
Date