

The Regular Meeting of the Oconee County Board of Commissioners was held on Tuesday, January 3, 2017 at 7:00 p.m. in Courtroom 1 of the Oconee County Courthouse.

Members Present: Chairman John Daniell
Commissioner Mark Thomas
Commissioner Chuck Horton
Commissioner W. E. "Bubber" Wilkes
Commissioner Mark Saxon

Staff Present: Jeff Benko, CPA, Administrative Officer
Kathy Hayes, County Clerk
Daniel Haygood, County Attorney
Wes Geddings, Finance Director
B.R. White, Director, Planning & Code Enforcement
Andrew Stern, Planner
Sandy Weinel, Assistant Director, Planning & Code Enforcement
Paula Nedza, Director, IT
Tracye Bailey, Executive Assistant/Deputy Clerk

Special Guest: Representative Chuck Williams

Media Present: Michael Prochaska, The Oconee Enterprise

Chairman Daniell began the meeting with a Moment of Silence. Commissioner Thomas led the Pledge of Allegiance.

Approval of the Agenda: On motion by Commissioner Wilkes and second by Commissioner Saxon, the agenda was unanimously approved as submitted.

Commissioners Remarks:

Commissioner Daniell stated that the Board is taking applications for the Joint Stakeholder Comprehensive Plan Committee. Citizens will find the application on the county's website. He stated that the Board would have the following meetings in January: Board Work Session – January 6 (9:00 am-5:00 pm); Board Work Session – January 10 (10:00 am-5:00 pm); Town Hall Meeting – January 10 (6:00 pm-7:30 pm); Board Work Session regarding Water Resources – January 18 (9:00 am-5:00 pm). All meetings will be held in the Community Center at Oconee Veterans Park.

Minutes:

On motion by Commissioner Saxon and second by Commissioner Wilkes, minutes of the December 5, December 6 and December 20, 2016 meetings were unanimously approved as submitted.

Citizen Remarks:

Jim McCarvey welcomed the new Board members.

Special Use Approval No. 6984 – Mr. Chick Farms Limited Partnership, ET AL, 204.760 Acres, Dials Mill Road, McNutt Creek Road and 1020 McNutt Creek Road:

The Board held a Public Hearing on Special Use No. 6984 by Mr. Chick Farms Limited Partnership, ET AL, ±238.479 acres, Dials Mill Road, McNutt Creek Road and 1020 McNutt Creek Road to allow for a solar energy farm.

Planner Andrew Stern presented the staff report and noted that the Planning Commission recommended denial of the request. He stated that the applicant had supplied a new concept plan at the December 6, 2016, Board of Commissioners Meeting, and the revised application is being presented at tonight's Board meeting consisting of 204.76 acres.

Jon Williams, Williams and Associates, briefed the Board on the request.

Chairman Daniell opened the public comment period.

Dr. Neal Priest spoke in favor of solar power in Oconee County. He discussed the benefits of solar energy with regards to safety and health. Harold Gene Aycock spoke against the request stating the request is "spot" zoning and the county tax base will not benefit. Dominic LaBarhern spoke against the request stating his concern of keeping the area intact as residential and property values. Chris Herron spoke against the request stating his concern of a decrease in property values, a loss in property taxes to the county, and other locations are better suited for this request. Randy Jackson spoke against the request and presented a slideshow to the Board indicating homes under construction next to the property line, Planning Commission denial and minimal tax increase.

Chairman Daniell closed the public comment period.

During the rebuttal period, Jon Williams stated that there are no carbon emissions, the project will not be seen or heard and berms will be constructed prior to placement of the solar panels.

Commissioner Horton questioned staff regarding A1 zoning classification allowing this type of Special Use. Mr. White stated that the A1 zoning can be used for this type zoning.

Commissioner Thomas questioned if the UDC was changed for this project or changed to allow for any solar power project. Mr. White stated that the amendments to the code were done to apply to any property with a solar power project.

Commissioner Horton questioned if most solar power projects are located in rural areas, and Mr. White stated that Commissioner Horton is correct.

Commissioner Horton moved to deny Special Use Approval No. 6984, by Mr. Chick Farms Limited Partnership, ET AL, ±204.760 acres, Dials Mill Road, McNutt Creek Road and 1020 McNutt Creek Road to allow for a solar energy farm. Commissioner Saxon seconded. Commissioner Wilkes and Commissioner Horton voted yes. Commissioner Thomas voted no. The motion passed. **See Documentation in Ordinances and Resolutions Book No. 21.**

Right-of-Way Deed, John Cunningham, Wildcat Ridge Road:

County Attorney Daniel Haygood stated that Mr. John Cunningham recorded a Right-of-Way Deed with the Clerk of Courts Office for property on Wildcat Ridge Road. The previous Board voted on November 29, 2016, that Wildcat Ridge Road was not a public/county road. Mr. Haygood explained that the recording of a deed must go through the correct county process in order to be accepted by the Board. Mr. Haygood asked that the Board not accept the deed at this time.

Chairman Daniell asked for public comments.

Kelly Horn stated that Mr. Cunningham was unable to attend the meeting. She stated that prescriptive easements do not require right-of-way deeds.

Chairman Daniell asked if Mr. Cunningham provided a reason for the county to accept the deed. Ms. Horn continued to discuss prescriptive easements. Chairman Daniell stated that Ms. Horn is discussing two issues. The issue for the Board is to accept or reject the right-of-way deed of John Cunningham. The other issue of Wildcat Ridge Road being a county road is a closed issue, because the Board voted not to accept the road.

On motion by Commissioner Saxon and second by Commissioner Wilkes the Board unanimously voted to reject the Right-of-Way Deed of property owned by John Cunningham on Wire Bridge Road.

Consent Agenda:

On motion by Commissioner Wilkes and second by Commissioner Horton, the Board unanimously approved the following Consent Agenda items:

- **Approved Joe Dunagan as the Project Manager for Courthouse Security Upgrades.**
- **Approved Declaration of Vehicles and Equipment as Surplus.**
- **Approved the Annual Appointments of the County Clerk, Deputy Clerk and County Attorney for one-year terms to expire December 31, 2017.**

Executive Session: There was no Executive Session.

There being no further business, on motion by Commissioner Wilkes and second by Commissioner Horton, the meeting was adjourned at 8:15 p.m.

County Clerk

Chairman

Date