

The Regular Meeting of the Oconee County Board of Commissioners was held on Tuesday, March 7, 2017 at 7:00 p.m. in the Commission Meeting Chambers at 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, County Administrator
Daniel Haygood, County Attorney
Kathy Hayes, County Clerk
Sandy Weinel, Assistant Director, Planning & Code Enforcement
Andrew Stern, Planner, Planning & Code Enforcement
Emil Beshara, Director, Public Works
Wes Geddings, Director, Finance
Paula Nedza, Director, Information Technology
Alex Perschka, Director, Tourism

Media Present: Michael Prochaska, Editor, The Oconee Enterprise

Chairman Daniell began the Board Meeting with a moment of silence, and the Pledge of Allegiance was led by County Attorney Daniel Haygood.

Approval of Agenda:

On motion from Commissioner Horton and second by Commissioner Wilkes, the Agenda was unanimously approved.

Statements and Remarks from Citizens:

None.

Statements and Remarks from Commissioners:

None.

Minutes:

Commissioner Horton asked that the February 14, 2017 minutes be voted on separately as he was not in attendance.

On motion by Commissioner Saxon and second by Commissioner Horton, minutes of the February 7, and February 28, 2017 meetings were unanimously approved as submitted.

On motion by Commissioner Wilkes and second by Commissioner Thomas, minutes of the February 14, 2017 meeting were approved as submitted.

Harden Hill Road Abandonment and Transfer to City of Watkinsville:

Chairman John Daniell stated that the City of Watkinsville requested that Harden Hill Road be placed in its road system, which required abandonment of the road by the County. The Board declared abandonment of Harden Hill Road to be in the best public interest at its meeting on February 7, 2017. After the required advertising, a public hearing was held on February 28, 2017.

Chairman Daniell asked for public comment and there was none.

On motion by Commissioner Saxon and second by Commissioner Horton, the Board unanimously approved the abandonment and transfer of Harden Hill Road to the City of Watkinsville Road System and authorized Chairman John Daniell to execute the Quit Claim Deed.

Amendments to "Ordinance Providing for Organizational Structure, Allocations of Duties among Certain Officials of Oconee County and Meetings Procedure:"

Administrative Officer Jeff Benko presented to the Board at its February 28, 2017 meeting proposed amendments to the ordinance. In Section 3 and throughout the ordinance, the Administrative Officer position shall be renamed to County Administrator; Section 5D, "in coordination with Board members" was added; Exhibit A, the Finance Director reports to the Commissioners regarding the county budget and to the County Administrator in all other matters; Organizational Chart, Strategic and Long Range Planning shall be removed and Planning and Code Enforcement shall be combined; and, Exhibit D, the budget submittal plan will be distributed to the governing authority at the agenda setting meeting in "January" of each year.

Chairman Daniell asked for public comment and there was none.

On motion by Commissioner Horton and second by Commissioner Wilkes, the Board approved amendments to the "Ordinance Providing for Organizational Structure, Allocations of Duties among Certain Officials of Oconee County and Meetings Procedure" as presented by County Administrator Jeff Benko. **See Documentation in Ordinances and Resolutions Book No. 21.**

Road Name Signage Policy at the Intersection of Private Streets and Public Roads:

Daniel Haygood, County Attorney, presented to the Board a policy to allow for signage of private streets/roads intersecting with county roads as discussed by Public Works Director Emil Beshara at the February 28, 2017 Board meeting. The Public Works Department will develop uniform road name signs

for private street/roads and determine which streets/roads to install the signs. The signs will be located in the public right of way and maintained by the Public Works Department.

Chairman Daniell asked for public comment and there was none.

On motion by Commissioner Saxon and second by Commissioner Thomas, the Board unanimously adopted the Road Name Signage Policy to allow for signage of private streets/roads intersecting with county roads. **See Documentation in Ordinances and Resolutions Book No. 21.**

Cemetery Access Maintenance Policy:

Daniel Haygood, County Attorney, presented to the Board a policy to allow for access and maintenance to private cemeteries as discussed by Public Works Director Emil Beshara at the February 28, 2017 Board meeting. Requests for assistance with access and maintenance for the burial of a family member shall be made to the Public Works Director to determine if assistance is warranted. The County may provide up to eight tons of crushed stone to improve ingress and egress.

Chairman Daniell asked for public comment.

Russ Page asked if anyone will have access to the cemetery after the County provides access. County Attorney Haygood explained that the County cannot determine who will be allowed access to a private cemetery.

Chairman Daniell closed the public comment period.

On motion by Commissioner Wilkes and second by Commissioner Saxon, the Board unanimously adopted the Policy for the Maintenance of Access to Private Cemeteries to provide maintenance for access to private cemeteries for burial of a family member. **See Documentation in Ordinances and Resolutions Book No. 21.**

Rezone Request No. 7033 -- RJW, Inc., AR-1 to AR-1 with modifications, ±33.42 acres, Downs Creek Drive and Brady Way:

The Board held a Public Hearing on Rezone Request No. 7033 by RJW, Inc. from AR-1 to AR-1 with modifications on ±33.42 acres, Downs Creek Drive and Brady Way, for a single-family residential subdivision.

Planner Andrew Stern presented the staff report and noted that the Planning Commission recommended approval of the request.

Ken Beall, Beall and Company, briefed the Board on the request.

Chairman Daniell opened the public comment period and there was none.

On motion by Commissioner Horton and second by Commissioner Wilkes the Board unanimously approved Rezone Request No. 7033 by RJW, Inc. from AR-1 to AR-1 with modifications on ±33.42 acres, Downs Creek Drive and Brady Way, for a single-family residential subdivision with five conditions. **See Documentation in Ordinances and Resolutions Book No. 21.**

Special Use Approval No.7034 -- Green Hills Farms, LLC, A-1, ±100.18 acres, 4080 Barnett Shoals Road:

The Board held a Public Hearing on Special Use Approval No. 7034 by Green Hills Farms, LLC, for A-1, 100.18 acres at 4080 Barnett Shoals Road to allow Athens School of Ministry and Worship Arts campus.

Planner Andrew Stern presented the staff report and noted that the Planning Commission recommended approval of the request.

Bob Smith, Smith Planning Group, briefed the Board on the request and then asked that Dr. Marcia Wilbur, President of Athens College of Ministry, be allowed to speak.

Dr. Marcia Wilbur presented to the Board that the college is interdenominational and provides graduate and undergraduate degrees, certifications and lifelong training. The college opened in in 2012 and has operated under religious exemption. The purpose of the college is to provide vocational ministry and hands-one applied learning. The college does not anticipate a high traffic volume and provides its students with a rural retreat environment with convenient access. The facilities will be available to the community for retreat opportunities.

Mr. Smith continued with his presentation to the Board stating that there are currently 22 students. He discussed the availability of water and sewer to the property and asked that the Board consider allowing the college to use the current well and septic systems until such time that enrollment increases. At that time, he asked the Board to consider extending water lines across the Oconee River on Barnett Shoals Road to the college or allowing the college to enter an agreement with Athens-Clarke County for water and sewer.

Chairman Daniell opened the public comment period.

Paul Cooke, Director of Student Affairs, Athens College of Ministry, spoke in favor of the rezone regarding the vision of the College, ability to train leaders and the quality students that are served at the College. Peggy Lowery spoke in favor of the rezone and discussed the workshops/conferences that have been held at the College. She stated that the Green Hills Country Club provides the greenspace needed for a pastoral retreat center. Dee Pesaresi spoke in favor of the rezone and stated that she has been associated with the College since 2012 and is willing to move from her current location in Jackson County and become residents at the College as house parents. Joe Meyers spoke in favor of the rezone and stated that he is a resident on Golf Course Lane, which adjoins Green Hills Country Club and believes the College would be a good neighbor. David Tittshaw spoke in favor of the rezone and stated that he owns property adjacent to Green Hills Country Club. The creek from Green Hills Country Club flows to his property and he is not concerned about drainage issues with the College development.

David Ellison, Attorney representing Icy Forest, LLC, spoke against the rezone and asked that his letter, which was delivered to the Board of Commissioners office on February 28, 2017, be incorporated into the minutes. Mr. Ellison presented to the Board that the applicant does not satisfy the County definition of private colleges, universities and technical schools; the applicant does not qualify for special use consideration and the development is not consistent with A-1 zoning or the Comprehensive Plan; there are concerns regarding traffic issues and utility availability; and the College is unable to finance the water/sewer upgrades and the completion of the project.

Bob Smith, Smith Planning Group, stated that he will defer to the Planning staff regarding the applicant's Special Use application and that the College has not commented about its ability to pay for extension of water/sewer lines.

Chairman Daniell closed the public comment period.

On motion by Commissioner Wilkes and second by Commissioner Thomas, the Board unanimously approved Special Use Approval No. 7034 by Green Hills Farms, LLC, for A-1, 100.18 acres at 4080 Barnett Shoals Road to allow Athens School of Ministry and Worship Arts to construct a campus with 15 conditions and changing Condition 1 to allow connection only to the Oconee County water system. **See Documentation in Ordinances and Resolutions Book No. 21.**

Special Use Approval No. 7035 -- Watkinsville First Baptist Church, A-1, ±17.70 acres, 1610 Simonton Bridge Road, Community Scale Church:

The Board held a Public Hearing on Special Use Approval No. 7035 by Watkinsville First Baptist Church, A-1, ±17.70 acres at 1610 Simonton Bridge Road for a Community Scale Church with a new sanctuary and classroom structures.

Planner Andrew Stern presented the staff report and noted that the Planning Commission recommended approval of the request.

Kyle Webb, Breedlove Land Planning, Inc. briefed the Board on the request.

Chairman Daniell opened the public comment period and there was none.

On motion by Commissioner Saxon and second by Commissioner Wilkes, the Board unanimously approved Special Use Approval No. 7035 by Watkinsville First Baptist Church, A-1, ±17.70 acres at 1610 Simonton Bridge Road for a Community Scale Church with a new sanctuary and classroom structures with six conditions. **See Documentation in Ordinances and Resolutions Book No. 21.**

Rezone Request No. 7046 -- William Kirk McClellan, A-1 to AR-3, ±10.00 acres, Clotfelter Road:

The Board held a Public Hearing on Rezone Request No. 7046 by William Kirk McClellan from A-1 to AR-3 on ±10.00 acres located on Clotfelter Road to allow for three single-family residential lots.

Planner Andrew Stern presented the staff report and noted that the Planning Commission recommended approval of the request.

William Kirk McClelland, owner of the property, was present for the public hearing and briefed the Board on the request.

Chairman Daniell opened the public comment period and there was none.

On motion by Commissioner Horton and second by Commissioner Thomas the Board unanimously approved Rezone Request No. 7046 by William Kirk McClellan from A-1 to AR-3 on ±10.00 acres located on Clotfelter Road to allow for three single-family residential lots two conditions. **See Documentation in Ordinances and Resolutions Book No. 21.**

Special Use Approval No. 7048, Special Exception Variance No. 7049, and Special Exception Variance No. 7050 -- Pat M. & Marsha G. Halloran, A-1, ±8.055 acres, Bob Godfrey Road and Belmont Road:

The Board held a Public Hearing on Special Use Approval No. 7048 by Pat M. and Marsha G. Halloran, A-1, ±8.055 acres on Bob Godfrey Road and Belmont Road to allow for a convenience store without fuel pumps.

Planner Andrew Stern presented the staff report and noted that the Planning Commission recommended approval of the request.

Justin Greer, Williams and Associates, briefed the Board on the request.

Chairman Daniell asked for public comment.

Boyd Cook, Craig Daniel, Garnetta Turner, Faye Miller, Lee Thaxton, Rebecca Anglin, John Fuller, Nathan Payne and Roger Smith spoke in favor of the Special Use and Variance Requests stating that the store would provide a convenience for the community. Joann Mathias, an Oglethorpe County resident across the road from the proposed development, asked that the Board address possible public safety and traffic issues for the area.

Jeanne Barsanti spoke against the Special Use Approval regarding concerns of A-1 property being developed and would like for A-1 zoning to be preserved.

Chairman Daniell closed the public comment period.

On motion by Commissioner Wilkes and second by Commissioner Saxon, the Board unanimously approved Special Use Approval No. 7048 by Pat M. and Marsha G. Halloran, A-1, ±8.055 acres on Bob Godfrey Road and Belmont Road to allow for a convenience store without fuel pumps with nine conditions.

On motion by Commissioner Saxon and second by Commissioner Thomas, the Board unanimously approved Special Exception Variance No. 7049 by Pat M. and Marsha G. Halloran, A-1, ±8.055 Acres on Bob Godfrey Road and Belmont Road to eliminate the requirement for landscaped buffers between incompatible land uses.

On motion by Commissioner Wilkes and second by Commissioner Thomas, the Board unanimously approved Special Exception Variance No. 7050 by Pat M. and Marsha G. Halloran, A-1, ±8.055 acres on Bob Godfrey Road and Belmont Road to eliminate the requirement to construct off-street parking.

See Documentation in Ordinances and Resolutions Book No. 21.

FY2018 Budget Submittal Plan and Budget Public Hearing Schedule:

Finance Director Wes Geddings briefed the Board regarding the FY2018 Budget Submittal Plan and Budget Public Hearing Scheduled that was presented at the February 28, 2017 Board Meeting.

Chairman Daniell asked for public comment and there was none.

On motion by Commissioner Saxon and second by Commissioner Thomas, the Board unanimously approved the FY2018 Budget Submittal Plan and Budget Public Hearing Schedule.

Consent Items:

Chairman Daniell asked for public comment and there was none.

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

- Approved Bid Award for Fire Rescue Turnout Gear and Equipment as follows: FireLine, Inc. in an amount not to exceed \$4,966.00; Municipal Equipment Company in an amount not to exceed \$28,634.00; Municipal Equipment Services, Inc. in an amount not to exceed \$4,573.00; and NAFECO in an amount not to exceed \$1,080.00.
- Approved First Amendment to the Memorandum of Understanding with St. Mary's Hospital for Emergency Medical Services effective July 1, 2017 – Section 1: County subsidy amended to four equal quarterly installments of \$25,000.00 each.
- Adopted "Resolution to Adopt Policies for Criminal History Record Requirements." **See Ordinances and Resolutions Book No. 21.**

Executive Session: On motion by Commissioner Saxon and second by Commissioner Wilkes, the Board unanimously voted to adjourn into Executive Session at 8:50 p.m. to discuss potential litigation. No action was taken in Executive Session.

On motion by Commissioner Wilkes and second by Commissioner Horton, the Board adjourned Executive Session at 9:22 p.m.

On motion by Commissioner Thomas and second by Commissioner Wilkes, the Board adjourned back into Regular Session.

Special Exception Variance No. 7050 -- Pat M. & Marsha G. Halloran, A-1, ±8.055 acres, Bob Godfrey Road and Belmont Road:

County Attorney Daniel Haygood asked for a clarification for Special Exception Variance No. 7050 to include one condition in the motion. On motion by Commissioner Wilkes and second by Commissioner Horton, the Board unanimously approved Special Exception Variance No. 7050 by Pat M. and Marsha G. Halloran, A-1, ±8.055 acres on Bob Godfrey Road and Belmont Road to eliminate the requirement to construct off-street parking with one condition.

Plum Creek Timber Company Tax Appeal:

On motion by Commissioner Saxon and second by Commissioner Horton, the Board unanimously approved a tax refund to Plum Creek Timber Company in the amount of \$110,000.00 for years 2010, 2011, 2012; \$55,250.00 for years 2013, 2014, 2015, 2016; attorney fees of \$25,000.00; and property valuation of \$1,500.00 per acre for the years 2010 through 2018.

There being no further business, on motion by Commissioner Wilkes and second by Commissioner Horton, the meeting was adjourned at 9:25 p.m.

County Clerk

Chairman

Date