

The Agenda Setting Meeting of the Oconee County Board of Commissioners was held on Tuesday, March 28, 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  
B.R. White, Director, Planning & Code Enforcement  
Emil Beshara, Director, Public Works  
Patrick Magana, Assistant Director, Informational Technology  
Wayne Haynie, Director, Utility Department  
Wes Geddings, Director, Finance Department  
Catlyn Vickers, Director, Animal Services  
Cindy Pritchard, Director, Keep Oconee County Beautiful Commission

*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 Administrator Jeff Benko.

**Approval of Agenda:**

Chairman John Daniell asked that the agenda be amended to include consideration of the Keller-Lovett Appeal that was presented at the Board's February 28, 2017 meeting with a response due by March 30, 2017.

On motion from Commissioner Horton and second by Commissioner Wilkes, the Board unanimously approved amending the Agenda to insert consideration of the Keller-Lovett Appeal as Item 15.

**Statements and Remarks from Citizens:**

None.

**Statements and Remarks from Commissioners:**

None.

**Animal Services Advisory Board Applicants:**

The Board interviewed applicants Audrey Ann Haynes, Walter Rhyne and Dr. Craig Greene for the Animal Services Advisory Board. Applicants Mark Dawson and Claire Hamilton were not present to be interviewed by the Board.

**Family and Children Services Board Applicants:**

Rosemarie Newman, applicant for the Family and Children Services Board, was interviewed by the Board.

**Keep Oconee County Beautiful Commission Applicants:**

Mary Mellein, applicant for the Keep Oconee County Beautiful Commission, was not present to be interviewed by the Board.

**Library Advisory Board Applicants:**

Laura French, applicant for the Library Advisory Board, was interviewed by the Board.

**Barrow County Intergovernmental Agreements:**

Utility Director Wayne Haynie presented the Barrow County Intergovernmental Agreements regarding Water Purchase and Sewer. The Water Agreement allows for the purchase of water at a uniform rate between Barrow and Oconee Counties. The Sewer Agreement is an Amendment to the Intergovernmental Agreement with Barrow County to provide sewer service through Barrow County for Oconee County residents that reside in the Georgia Club. The Agreement also provides both water and sewer service from Barrow County for a section of the Georgia Club known as The Sanctuary (Neighborhood D). The Board will discuss and consider the agreements at its April 4, 2017, Regular Meeting.

**Right-of-Way Acceptance from Old Oconee Group, LLC of Highland Park Way:**

County Attorney Haygood presented to the Board a Right-of-Way Deed for Highland Park Way of the Highland Park Subdivision Phase II. Mr. Haygood reported to the Board that the Deed had been reviewed by Public Works Director Emil Beshara and Planning and Code Enforcement Director B. R. White. Chairman Daniell asked for Public Comment and there was none. *By consensus of the Board, this item will be placed on the Consent Agenda of the April 4, 2017 Regular Meeting of the Board.*

**Old Rocky Branch Road Abandonment:**

County Attorney Daniel Haygood reported that Public Works Director Emil Beshara has obtained the necessary sewer easement that was needed prior to abandonment of Old Rocky Branch Road. The Board will consider the abandonment of Old Rocky Branch Road at its Regular Meeting on April 4, 2017.

**Door-to-Door Solicitation Ordinance:**

County Attorney Daniel Haygood presented to the Board an Ordinance regarding Door-to-Door Solicitation to regulate door-to-door sales and to require the solicitor to register with the Sheriff's Office and obtain a permit. The First Reading of the Ordinance will be held at the Board's Regular Meeting on April 4, 2017.

**Alcohol Ordinance Age Requirements:**

Chairman John Daniell presented to the Board for discussion the age requirements within the Alcohol Ordinance. According to the Ordinance, the business owner and managers are required to be at least 25 years of age and employees serving alcohol are required to be at least 19 years of age. By consensus, the Board agreed that the age requirements for business owners and managers should be at least 21 years of age and the age requirement for employees serving alcohol should be at least 18 years of age. The First Reading of the Amendment to the Alcohol Ordinance will be held at the Board's Regular Meeting on April 4, 2017.

**Bogart Library Expansion Memorandum of Understanding:**

County Administrator Jeff Benko presented to the Board a new Memorandum of Understanding for the Bogart Library Expansion allowing for 6,000 sq. ft. addition, an Oconee County contribution of \$500,000.00 and audit procedures. Chairman Daniell asked for public comment and there was none. *By consensus of the Board, this item will be placed on the Consent Agenda of the April 4, 2017 Regular Meeting of the Board.*

Commissioner Mark Thomas, member of the Bogart Library Expansion Committee, updated the Board regarding the expansion. Garland & Associates Contractors of Bogart have been selected for construction of the expansion and the Committee is in the process of selecting an architect for the project.

**Oconee County Industrial Development Authority Post Office Lease Agreement:**

County Administrator Jeff Benko presented to the Board a Lease Agreement between the Oconee County Industrial Development Authority and the United States Postal Service. Term of the lease will begin on August 2, 2017 and end on July 31, 2027. The lease has been reviewed by County Attorney Haygood and Chairman Daniell stated that the Industrial Development Authority is in agreement with the terms of the lease. Chairman Daniell asked for public comment and there was none. *By consensus of the Board, this item will be placed on the Consent Agenda of the April 4, 2017 Regular Meeting of the Board.*

**Keller-Lovett Ventures, LLC, Assignment of Sewer Capacity Appeal:**

Chairman John Daniell presented to the Board that Lovett-Keller Ventures, LLC, appealed the Utility Department Director's denial of a transfer of sewer capacity under the Wastewater Treatment Capacity Policy at the Board's meeting on February 28, 2017. Chairman Daniell reviewed the three options available to the Board regarding the appeal. Upon motion by Commissioner Horton and second by Commissioner Saxon, the Board unanimously upheld the decision of the Oconee County Utility Department Director to deny the transfer of sewer capacity to Lovett-Keller Ventures, LLC. In making the motion, Commissioner Horton specifically noted: 1) that the sewer flow for the Lovett-Keller Ventures, LLC, development can currently only be sent to the Rocky Branch LAS; 2) that the proposed capacity transfer is being made from a residential development which has been dormant for a number of years to a new residential development which would reasonably be expected to use sewer capacity in the near future and would thus result in increasing the immediate capacity needs of the County at the Rocky Branch LAS; and 3) that the Rocky Branch LAS is currently at capacity and an increase in flow resulting from an active new residential development would likely cause a violation of the state operating permit.

**Executive Session:** On motion by Commissioner Wilkes and second by Commissioner Horton, the Board unanimously voted to adjourn into Executive Session at 7:46 p.m. to discuss potential litigation, land acquisition and personnel.

No action was taken in Executive Session.

On motion by Commissioner Saxon and second by Commissioner Thomas, the Board adjourned Executive Session at 8:28 p.m. On motion by Commissioner Horton and second by Commissioner Thomas, the Board adjourned back into Regular Session.

There being no further business, on motion by Commissioner Wilkes and second by Commissioner Saxon, the meeting was adjourned at 8:29 p.m.

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Date