

The Agenda Setting Meeting of the Oconee County Board of Commissioners was held on Tuesday, May 22, 2018 at 6:00 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

Absent: Commissioner Mark Saxon
Daniel Haygood, County Attorney

Staff Present: Justin Kirouac, County Administrator
Kathy Hayes, County Clerk
Wes Geddings, Finance Director
Tracye Bailey, Deputy Clerk
Paula Nedza, IT Director
Sherry Seila, Human Resources
Lisa Davol, Parks & Recreation Director
C. J. Worden, EMA Director
Bruce Thaxton, Fire Chief
Gabriel Quintas, Planner
Guy Herring, Planning & Code Enforcement Director
Whitney Sperlik, Deputy Director

Others Present: Mike Pruett, Attorney
Michael Prochaska, Editor, The Oconee Enterprise

Chairman John Daniell began the Board Meeting at 6:00 p.m. with a moment of silence, and the Pledge of Allegiance was led by County Administrator Justin Kirouac.

Approval of Agenda:

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

Statements and Remarks from Citizens:

Vickie Soutar, Upper Oconee Watershed Network (UOWN), spoke against the proposed Hard Labor Creek Reservoir Intake Facility on the Apalachee River.

Statements and Remarks from Commissioners:

Chairman Daniell reminded the audience that Oconee County Government Offices will be closed May 28, 2018 for Memorial Day; a ceremony for Memorial Day will be held at Oconee Veterans Park on May 28, 2018 at 2:00 p.m.; and, the next Board meeting will be held on June 5, 2018. C. J. Worden, EMA Director, was asked to introduce the new Animal Services Director.

Mr. Worden introduced Crystal Berisko as the new Manager of Animal Services and other members of the Animal Services staff Sherry Aycock, Kayla McAllister and Jessica Burnley.

Chairman Daniell expressed his appreciation to the Northeast Georgia Regional Commission for its contribution of \$4,788.00 for the purchase of a new stove for the Oconee County Senior Center.

Chairman Daniell stated that the Mars Hill Road Widening Project is scheduled for completion in the next two weeks with the road returned back to the County by October 2018. As requested by the Oconee County Industrial Development Authority, the Board of Commissioners approved funding from the Parkway Boulevard Project for the beautification of Mars Hill Road. A group of individuals consisting of Dr. Michael Dirr, UGA; Stuart Cofer, Cofer Home and Garden; Scott Nasworthy, Nasworthy Landscaping and Irrigation; Brad Davis, UGA Director of Landscape Architect Program; Lisa Douglas; Steve Wortham and Cindy Pritchard, Keep Oconee County Beautiful Commission; and Ken Beall, Beall & Company were asked to work on the project. The Oconee County Industrial Development approved a not-to-exceed budget at its May 2018 meeting. Once plans/designs are complete, the group will bring the presentation to the Board.

Public Hearing – Amendment of Unified Development Code, Article 3 “Foundations”:

A Public Hearing and First Reading was held to discuss the amendments of the Unified Development Code, Article 3 “Foundations”. County Administrator Justin Kirouac briefed the Board regarding the amendments and noted that the Planning Commission voted to deny the proposed changes.

Chairman Daniell asked for Public Comment.

Dennis Webb of Smith, Gambrell & Russell, LLP, representing the Athens Area Homebuilders Association, presented a “Notice of Constitutional Challenge and Legal and Constitutional Objections,” and letters from Homepro Home Inspections of Georgia, Green Home Solutions and Oconee County Schools. Mr. Webb stated that slab construction is an accepted industry standard and that the amendments would discriminate against a certain class of potential buyers. He would like for the Board to accept the recommendation of the Planning Commission and deny the amendments. Tim Haller, Market Street, lives in a slab foundation house and opposes the amendments. Verna Elder Miller Smith, Market Street, lives in a slab foundation house and opposes the amendments. Ms. Smith also opposes 55+ subdivisions due to senior adults being unable to interact with younger people in their community. She states that slab foundation housing allows easier accessibility and is safer. Michael Jackson, Chalmers Street, lives in a slab foundation house and

opposes the amendments. Katherine Billings, Grovebrook Lane, lives in a house with a crawl space. She has spent \$7,800 to drain the crawl space and would prefer to have a slab foundation. She is opposed to the foundation amendments. Fred Meindl, Chalmers Street, opposes foundation amendments and prefers slab foundation. He has lived in a house with a crawl space and had problems with rodents. Forrest Paulson, Pebble Creek Way, previously resided in a home with a crawl space and had problems when selling the home. He currently lives in a slab home and believes it is more cost efficient. He opposes the foundation amendments. Joey Welch, Reliant Homes, opposes the foundation amendments. He is concerned that slab foundations may be removed from the County's code; what constitutes a major subdivision; concerns regarding home appraisals; home costs will rise if basements and crawl spaces are the only options for foundations; and noted that the Planning Commission denied support of the amendments. Gary Geddes, SR Homes opposes foundation amendments. He believes the slab foundations are more energy and cost efficient, and there are less problems with slabs versus crawl spaces. He asked that the Board consider the impact on the citizens.

Chairman Daniell closed the public comment period.

Chairman Daniell stated that a Second Reading and Action regarding amendments to the Unified Development Code, Article 3: "Foundations" will be held on June 5, 2018 at 6:00 p.m. in the Commission Chambers.

Alcohol License Modification – Jennings Mill Country Club:

County Clerk Kathy Hayes presented an application from Jennings Mill Country Club to modify its 2018 Alcohol License to change the Registered Agent from Larry James to Mark Bell. She noted that all requirements of the Alcoholic Beverage Ordinance had been met for the license modification.

Chairman Daniell asked for Public Comment and there was none.

By consensus, this item will be placed on the Consent Agenda for June 5, 2018.

Alcohol License Modification – Fully Loaded Pizza:

County Clerk Kathy Hayes presented an application from Fully Loaded Pizza to modify its 2018 Alcohol License to change the Registered Agent from Justin Kamishlian to Warren Southall. She noted that all requirements of the Alcoholic Beverage Ordinance had been met for the license modification.

Chairman Daniell asked for Public Comment and there was none.

By consensus, this item will be placed on the Consent Agenda for June 5, 2018.

Alcohol License Application – Panaderia Tacuari d/b/a Sabor Latino:

County Clerk Kathy Hayes presented a 2018 Alcohol License application by Panaderia Tacuari d/b/a Sabor Latino located at 2131 Hog Mountain Road, Watkinsville. The owners are Ana Maria Martinez and Ignacio Vergara and the Registered Agent is Ana Maria Martinez. Mr. Vergara was in attendance. It was noted that the applicants have met all requirements as set forth in the Alcoholic Beverages Ordinance. The application is for on- premise consumption of malt beverages, wine, and distilled spirits.

Chairman Daniell asked for Public Comment and there was none.

By consensus, this item will be placed on the Consent Agenda for June 5, 2018.

Indigent Services Agreement:

Chairman John Daniell presented to the Board the Public Defender Indigent Defense Services Agreement to begin July 1, 2018, in the amount of \$171,670.00 for FY19. The Public Defender Budget was presented to the Board during recent budget hearings. The agreement is for Oconee County's portion of expenses incurred including salaries and the pro-rata share of administrative costs to equip, maintain and furnish offices of the circuit Public Defender. Chairman Daniell noted that the Public Defender returns unused funds to the County at the end of each fiscal year.

Chairman Daniell asked for public comment and there was none.

By consensus, this item will be placed on the Consent Agenda for June 5, 2018.

Parks & Recreation Concessionaire Services Agreements:

Parks & Recreation Director Lisa Davol presented to the Board the FY2019 Concessionaire Services Agreement from the Oconee County Little League. The term of the agreement is July 1, 2018 through June 30, 2019. Ms. Davol also presented the FY2019 Concessionaire Services Agreement from the Oconee Futbol Club. The term of the agreement is July 1, 2018 through June 30, 2019.

Chairman Daniell asked for public comment and there was none.

By consensus, these items will be placed on the Consent Agenda for June 5, 2018.

Parks & Recreation Afterschool Program:

Chairman John Daniell gave an update regarding the Parks & Recreation Afterschool Program and its service to the citizens of Oconee County for the past 25 years.

Children were transported from Oconee County Schools to Herman C. Michael Park in 15-passenger vans from the schools to the Afterschool Program. In 2004, in an effort to end transportation in 15-passenger vans, the County provided afterschool care inside school buildings. However, the program was better suited to be held at Parks & Recreation. Due to safety concerns with the vans, Oconee County began paying Oconee County Schools to transport the children.

In 2008, a third-party organization began an afterschool pilot program at Malcom Bridge Elementary School. In 2009, the third-party-organization program expanded to Oconee Primary School and Oconee Elementary School. Today, the third-party organization remains in Malcom Bridge Elementary School, Oconee Primary School, Oconee Elementary School and Colham Ferry Elementary School. The Parks & Recreation Afterschool Program operates in High Shoals Elementary School and continues to transport children from the remaining schools to Parks & Recreation. School employees are offered a 61% fee discount regardless of location, and a teacher-only program is operated at North Oconee High School.

The Oconee County School System policy changes are eminent related to afterschool care. The new policy is to have an afterschool program in every elementary school. In addition, the school system policy will also require fees from the afterschool program providers when operating inside the school buildings. Oconee County supports efforts to have afterschool programs in each elementary school and understands the cost-recovery fee when using the school system buildings. Discussions are actively underway regarding possible arrangements to benefit the Oconee County School System, Oconee County Board of Commissioners and the taxpayers. The possibility does exist that the County will not have an Afterschool Program beginning with the 2018-2019 school year. If the program is eliminated, then the budget numbers presented tonight will undergo review. As conversations continue with the Oconee County School System/Board of Education, updates will be provided.

FY19 Family Connection Contract:

Chairman John Daniell stated that the FY19 Family Connection Contract is forthcoming and will be presented at the June 5, 2018 Board Meeting.

Advanced Metering Infrastructure (AMI) Easement:

County Administrator Justin Kirouac presented the Easement Indenture to allow Athens-Clarke County to place a utility pole and antenna in the City of Bogart (near the ACTS Building) containing Advanced Metering Infrastructure (AMI) to transmit water meter data. The Easement Indenture also allows Oconee County to utilize AMI in the future from this structure.

Chairman Daniell asked for Public Comment and there was none.

By consensus, this item will be placed on the Consent Agenda for June 5, 2018.

Dove Creek Elementary School Road Project:

Chairman Daniell updated the Board regarding the project. The City of Winder has an eight-inch natural gas line buried approximately three feet deep along the edge of the payment of the project area. The pipeline operator established a three-foot pipeline safety zone, both horizontally and vertically, around the high-pressure line. The safety zone prevents road improvements along State Route 53 until the pipeline is relocated and existing facilities are abandoned by the pipeline operator. The estimated cost, including contingency, is \$765,000.00. The City of Winder does not have funding for this relocation project, and the line is not due for upgrade or replacement in the near future. Osborn Road and the bus entrance off State Route 53 are unable to be completed prior to the 2018-2019 school year. The City of Winder will present a proposal to its council to provide materials, which leaves the cost of installation. Oconee County received a grant from the Georgia Department of Transportation (GDOT) in the amount of \$375,000.00 to assist with the relocation. Thank you to Jamie Boswell, GDOT Congressional District 10 Representative, and GDOT Commissioner Russell McMurry for the grant. The Board of Education has been updated regarding the pipeline and is working on a secondary entrance. No action is required at this time. After receiving a final price for the pipe relocation, another update will be brought to the Board.

Animal Services Building – Renovation and Expansion:

EMA Director C. J. Worden presented to the Board a priority list of items to expand and renovate the current Animal Services Building. Mr. Worden noted that \$700,000.00 in SPLOST revenue has been allocated for the purpose of renovation or expansion. Mr. Worden provided animal intake statistics at the shelter. With the assistance of Public Works, the moisture and flooding issues are being repaired.

County Administrator Justin Kirouac asked that the Board provide direction regarding the facility. The available funding is not sufficient to build a new facility. Mr. Kirouac asked for direction to move ahead with the current funding for renovation/expansion of the existing facility or seek additional funding to combine with the current funding for a new facility. Chairman Daniell noted that \$50,000.00 is included in the SPLOST budget to begin the engineering and architectural planning of the project.

Chairman Daniell asked that the renovation and/or expansion be placed on the Consent Agenda for June 5, 2018.

Chairman Daniell asked for Public Comment.

Maria Caudill thanked the Board for moving forward to provide renovation/expansion of the facility and thanked the volunteers who work at the shelter and foster animals, which keeps intake numbers low.

By consensus, this item will be placed on the Consent Agenda for June 5, 2018.

Fire Prevention Ordinance:

County Administrator Justin Kirouac presented the draft Fire Prevention Ordinance, which provides enforcement capabilities for Fire Marshal Russ Henson to inspect and review structures. As part of the enforcement process, applicable buildings will be placed on a regular review cycle to ensure compliance. Mr. Henson will begin scheduling buildings for compliance reviews. Mr. Kirouac requested that this be considered the First Reading of the Ordinance with the Second Reading at the June 5, 2018 Board meeting.

Chairman Daniell asked for Public Comment and there was none.

Chairman Daniell stated that this is the First Reading of the Ordinance. The Second Reading and adoption will be held at the June 5, 2018 Board Meeting.

Executive Session:

On motion by Commissioner Wilkes and second by Commissioner Horton, the Board unanimously voted to adjourn into Executive Session at 7:03 p.m. to discuss personnel.

No action was taken in Executive Session.

On motion by Commissioner Wilkes and second by Commissioner Horton, the Board adjourned Executive Session at 7:28 p.m.

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

There being no further business, on motion by Commissioner Wilkes, and second by Commissioner Thomas, the meeting was adjourned at 7:29 p.m.

County Clerk

Chairman

Date