

The Regular Meeting of the Oconee County Board of Commissioners was held on Tuesday, January 8, 2019 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  
Commissioner Mark Saxon

*Staff Present:* Justin Kirouac, County Administrator  
Daniel Haygood, County Attorney  
Kathy Hayes, County Clerk  
Tracye Bailey, Deputy Clerk  
Paula Nedza, IT Director  
Alex Newell, Internal Services Director  
Donna Norton, Budget Officer  
Diane Baggett, Communications Manager  
Bruce Thaxton, Fire Chief  
Russ Henson, Fire Marshal  
Adam Layfield, Engineer  
Guy Herring, Planning and Code Enforcement Director  
Gabriel Quintas, Planning and Code Enforcement Assistant Director  
Alex Perschka, Tourism Director

Chairman John Daniell began the Board Meeting at 5:59 p.m. with a moment of silence, and the Pledge of Allegiance was led by Commissioner Chuck Horton.

**Approval of Agenda:**

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

**Statements and Remarks from Citizens:**

None.

**Statements and Remarks from Commissioners:**

Chairman Daniell asked Fire Chief Bruce Thaxton to report on the County's new ISO Rating. Mr. Thaxton announced that Oconee Fire Rescue received an ISO (Insurance Service Office) of 4/4X, which was previously 5/5X. He credited the County's volunteer firefighters, the Water Resources Department and 911 Communications as having a part in the lower rating. Chief Thaxton thanked firefighter Mike Towe and Fire Marshal Russ Henson for their assistance.

Chairman Daniell also reported that the Senior Center received a good rating from the Northeast Georgia Regional Commission Monitoring Report.

A Town Hall Meeting will be held on February 19 at 6:00 p.m. at Oconee Veterans Park in the Community Room; Calls Creek Wastewater Reclamation Facility Ribbon Cutting will be held January 9 at 2:00 p.m.; and County Government Offices will be closed for Martin Luther King, Jr., Day on January 21.

**Approval of Minutes:**

On motion by Commissioner Wilkes and second by Commissioner Horton, the minutes of December 4, 2018 were unanimously approved. (There were no minutes for the Agenda Setting Meeting on December 18, 2018 as the meeting was canceled.)

**Oconee Area Resource Council Presentation:**

Executive Director Amanda Davis gave a presentation regarding the programs available with the Oconee Area Resource Council and thanked the Board for its financial support.

**Ethics Ordinance Revision:**

County Attorney Daniel Haygood presented a revision to the Ethics Ordinance due to a change in state law. Section 4.4 of the Ethics Ordinance states the "Creation and Composition of Ad Hoc Board of Ethics" as follows:

*In the event that the Special Master determines that an ethics complaint that has been filed with his or her office that provides material facts for which a remedy can be given, a five member ad hoc board of ethics shall be appointed by the Special Master, the Oconee County Probate Judge and the Oconee County Chief Magistrate after soliciting applications and recommendations from the citizens of Oconee County."*

According to the change in state law, elected officials can only make the appointments or the elected officials may delegate the appointments to another elected official. Mr. Haygood proposed that the Ordinance be amended to allow appointments by the Probate Judge (an elected official) in consultation with the Chief Magistrate and Special Master.

The amendment to the ordinance will be advertised with a first reading at the Board's Agenda Setting Meeting on January 29, 2019. A second reading and action will be held at the Board's Regular Meeting on February 5, 2019.

**Development Review Committee Appointments – Revision to the Unified Development Code (UDC):**

Planning & Code Enforcement Director Guy Herring presented a brief history of the Development Review Committee. The definition of the Development Review Committee in the Unified Development Code is as follows:

*“A committee appointment by resolution of the Board of Commissioners to provide technical review of zoning applications, construction plans and other related items, and consisting of representatives of the Planning, Code Enforcement, Public Works/Engineering, Utilities, Health, EMA and/or other County Departments.”*

Mr. Herring asked that the definition be amended by removing “*A committee appointed by resolution of the Board*” and replaced with “*An internal review group*” to allow the personnel listed in the definition to serve on the committee due to their employment position.

Mr. Herring also asked the Board for permission to proceed with drafting amendments to the Unified Development Code in order to realign with the Comprehensive Plan. The amendments will be processed through the Planning Commission and then brought to the Board for discussion and adoption.

On motion by Commissioner Horton and second by Commissioner Saxon, the Board unanimously approved changes to the Unified Development Code regarding the Development Review Committee and for the Planning & Code Enforcement Department to proceed with drafting amendments for the Unified Development Code.

**Resolution - Hotel/Motel Tax Local Legislation:**

County Administrator Justin Kirouac presented to the Board a Resolution to allow for redistribution of hotel/motel tax collected. An amendment to state law is required through local legislation. The rate would remain at the current rate of six percent (6%) and would allow additional fund utilization for capital tourism-related projects. Mr. Kirouac asked that the Board consider the resolution for action in order to forward to Oconee State Legislators for the 2019 legislative session. On motion by Commissioner Saxon and second by Commissioner Horton, the Board unanimously approved a “Resolution to Request the Georgia Legislature to Adopt a Local Act Authorizing the Imposition of a Hotel Motel Tax.” ***See Documentation in Ordinances and Resolutions Book No. 22.***

**Rezone Modification No. 7637 - Parkside Property Development:**

The Board held a Public Hearing on Rezone Modification No. 7637 – Parkside Development, LLC, R-2 MPD to R-2 MPD with modifications pursuant to a settlement agreement with Oconee County, 500.61 +/- acres on GA SR 53 and Mars Hill Road.

Guy Herring, Planning & Code Enforcement Director, presented the request with 34 conditions as stated in the settlement agreement between Oconee County and Parkside Development, LLC.

Chairman Daniell opened the public comment period.

Tommy Malcom stated that he welcomes future neighbors in the Parkside Subdivision. He would ask that the Board consider a connection from Dooley Boulevard to Briarwood Baptist Church adjacent to the subdivision and located on Highway 53. He asked that the Commissioners evaluate Highways 53, 441 and 316 regarding road widening and traffic signalization for the safety of all residents.

Chairman Daniell closed the Public Comment period.

On motion by Commissioner Saxon and second by Commissioner Horton, the Board unanimously approved Rezone Modification No. 7637 – Parkside Development, LLC, R-2 MPD to R-2 MPD with modifications pursuant to settlement agreement with Oconee County, 500.61 +/- acres on GA SR 53 and Mars Hill Road with 34 conditions. ***See Documentation in Ordinances and Resolutions Book No. 22.***

**Rezone Modification No. 7638 – REO Funding Solutions III, LLC:**

The Board held a Public Hearing on Rezone Modification No. 7638 – REO Funding Solutions III, LLC, R-1 MPD to R-1 MPD with modifications pursuant to a settlement agreement with Oconee County, 15.00 +/- acres, US Highway 78 and Goat Farm Road.

Guy Herring, Planning & Code Enforcement Director, presented the request with 34 conditions as stated in the settlement agreement between Oconee County and REO Funding Solutions III, LLC.

Chairman Daniell opened the Public Comment period and there was none.

On motion by Commissioner Wilkes and second by Commissioner Thomas, the Board unanimously approved Rezone Modification No. 7638 – REO Funding Solutions III, LLC, R-1 MPD to R-1 MPD with modifications pursuant to settlement agreement with Oconee County, 15.00 +/- acres, US Highway 78 and Goat Farm Road with 34 conditions. ***See Documentation in Ordinances and Resolutions Book No. 22.***

**Rezone Modification No. 7639 – Westland-TLG, LLC:**

The Board held a Public Hearing on Rezone Modification No. 7639 – Westland-TLG, LLC, R-1 MPD to R-1 MPD with modification pursuant to a settlement agreement with Oconee County, 420.00 +/- acres, US Highway 78 and Goat Farm Road.

Chairman Daniell opened the Public Comment period and there was none.

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On motion by Commissioner Thomas and second by Commissioner Horton, the Board unanimously approved Rezone Modification No. 7639 – Westland-TLG, LLC, R-1 MPD to R-1 MPD with modification pursuant to a settlement agreement with Oconee County, 420.00 +/- acres, US Highway 78 and Goat Farm Road with 34 conditions. **See Documentation in Ordinances and Resolutions Book No. 22.**

**Board of Tax Assessors Appointment:**

On motion by Commissioner Wilkes and second by Commissioner Horton, the Board unanimously approved the appointment of Dave Francis to the Board of Tax Assessors for a six-year term beginning April 1, 2019 and expiring March 31, 2025.

**Georgia Department of Transportation (GDOT) – 2019 Local Maintenance Improvement Grant (LMIG):**

Engineer Adam Layfield presented the LMIG application stating that 2019 funding will repair and pave Cliff Dawson Road and Mayne Mill Road. Total cost for both roads is estimated at \$1,094,158.00. Mr. Layfield noted that a minimum of a 30% match is required from the County.

Mr. Layfield stated that upcoming paving projects include Belmont Road, Echo Trail, Golf Course Lane, Ramser Drive, Two Oaks Drive, Forrest Hills Drive, Forrest Hills Circle, Forrest Hills Point and the topping on Daniells Bridge Road. The cutoff date for completion of road paving is August 31, 2019.

County Administrator Justin Kirouac thanked Mr. Layfield for his work with the Public Works Department as he transitions to Engineer in the Water Resources Department.

**Executive Session:**

On motion by Commissioner Saxon and second by Commissioner Horton, the Board unanimously voted to adjourn into Executive Session at 6:29 p.m. to discuss personnel matters, land acquisition and/or potential litigation.

No action was taken in Executive Session.

On motion by Commissioner Thomas and second by Commissioner Horton, the Board adjourned Executive Session at 6:44 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 Thomas, the meeting was adjourned at 6:46 p.m.

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Chairman John Daniell

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Kathy Hayes, County Clerk

Date: \_\_\_\_\_