

The Regular Meeting of the Oconee County Board of Commissioners was held on Thursday, January 3, 2008, in the Commission Meeting Chambers at the Oconee County Courthouse.

Members Present: Chairman Melvin Davis
Commissioner Jim Luke
Commissioner Don Norris
Commissioner Margaret Hale
Commissioner Chuck Horton

Staff Present: Administrative Officer Alan Theriault
County Attorney Daniel Haygood
County Clerk Gina M. Lindsey

BR White, Planning Director
Brad Callender, Planner
Krista Gridley, Planner
Wayne Provost, Strategic Planning Director
John Hatcher, Utility Director
Emil Beshara, Public Works Director
Jeff Benko, Finance Director
Steve Hansford, Code Enforcement Director
Rusty Haygood, Econ Develop Director

Media Present: Vinnie Williams, The Oconee Enterprise
Adam Thompson, Athens Banner-Herald

Chairman Davis began the meeting with a moment of silence. Commissioner Luke led the Pledge of Allegiance.

Minutes: On motion by Commissioner Hale and second by Commissioner Luke, Minutes of the December 4 and December 18, 2007 meetings were approved as distributed.

Qualifying Fees: On motion by Commissioner Horton and second by Commissioner Hale, the Board unanimously approved the Qualifying Fees for 2008, as presented by County Attorney Daniel Haygood.

E-911 Resolution: On motion by Commissioner Norris and second by Commissioner Horton, the Board unanimously approved a resolution reaffirming the need for E-911 service in Oconee County. **See Documentation in Ordinances and Resolutions Book No. 18.**

Ordinance Violations Citations: On motion by Commissioner Hale and second by Commissioner Luke, the Board unanimously approved a resolution authorizing certain county personnel to issue citations for county ordinance violations. **See Documentation in Ordinances and Resolutions Book No. 18.**

Georgia Water Coalition Resolution: The Board discussed the Georgia Water Coalition's request for a local resolution calling for the General Assembly to provide full funding for water planning on a regional and state level and for legislation prohibiting future transfers of water across the 14 river basins in the state. Administrative Officer Alan Theriault presented three versions of a resolution. No action was taken by the Board.

Street Light Tax District – Autumn Glen Subdivision: On motion by Commissioner Luke and second by Commissioner Horton, the Board unanimously approved the creation of Street Light Tax District No. B-3M-L1 for Autumn Glen Subdivision. **See Documentation in Ordinances and Resolutions Book No. 18.**

Rezone Request No. 5603 – Oconee Coldwater Creek, LLC: The Board held a Public Hearing on Rezone Request No. 5603 by Oconee Coldwater Creek, LLC, ±9.91 acres, located on Whippoorwill Road, from A-1 to R-1.

Staff report presentations for Rezone Request No. 5603 and Rezone Request No. 5604 were made at the same time by Planner Brad Callender.

Kenneth Beall, representing the applicant, explained this parcel was discovered when a boundary survey was performed for the Coldwater Creek MPD. It was not part of the original rezone for Coldwater Creek. The proposed 10-lot subdivision will be accessed from Turtle Pond Drive in Pebblebrook at Coldwater Creek and the lots will be served by sanitary sewer.

Owner/Applicant Ronny Kittle said there had not been a survey on the property in over 75 years. He stated he offered to sell the property to Mr. Jack Carr who lives next to the proposed development.

No one spoke in opposition to the Rezone Request.

Commissioner Hale made the motion to approve Rezone Request No. 5603 by Oconee Coldwater Creek, LLC, ±9.91 acres, located on Whippoorwill Road, from A-1 to R-1, with conditions, for a single-family residential subdivision (The Grounds at Coldwater Creek). Commissioner Norris seconded the motion. Commissioners Hale, Norris and Horton voted yes. Commissioner Luke voted no. The motion to approve Rezone Request No. 5603 was passed. **See Documentation in Ordinances and Resolutions Book No. 18.**

Rezone Request No. 5604 – Oconee Coldwater Creek, LLC: The Board held a Public Hearing on Rezone Request No. 5604 by Oconee Coldwater Creek, LLC, ±91.89 acres, located on Whippoorwill Road and Union Church Road, from R-2 MPD to R-2 MPD with modifications.

Staff report presentations for Rezone Request No. 5603 and Rezone Request No. 5604 were made at the same time by Planner Brad Callender.

Kenneth Beall, representing the applicant, stated the request to modify the currently approved R-2 MPD plan was to allow for the construction of a section of road through the 50' perimeter buffer of the MPD project. The road would interconnect the existing Coldwater Creek MPD with the adjoining property. Mr. Beall noted his concern for a proposed condition for road improvements to Hwy. 53 which is under Georgia D.O.T. control.

No one spoke in favor or opposition to the Rezone Request.

The Board discussed road improvements that were conditioned as part of the original rezone. Mr. Beall and owner/applicant Ronny Kittle explained a traffic signal design plan was developed for the intersection of Hwy. 53 and Union Church Road. However, Georgia D.O.T. did not approve the plan.

On motion by Commissioner Horton and second by Commissioner Luke, the Board voted unanimously to approve Rezone Request No. 5604 by Oconee Coldwater Creek, LLC, ±91.89 acres, located on Whippoorwill Road and Union Church Road, from R-2 MPD to R-2 MPD with modifications, with conditions. **See Documentation in Ordinances and Resolutions Book No. 18.**

Special Use Request No. 5605 – Athens Independent School: The Board held a public hearing on Special Use Request No. 5605 by Athens Independent School, ±109.09 acres, located on US Highway 441, Spartan Lane and Rockinwood Drive, to modify private elementary and secondary school facilities.

Planner Krista Gridley presented the staff report.

Toni Swan, Athens Academy Director of Operations and Finance, spoke on the Board of Trustees Long Range Planning and its focus on providing appropriate facilities for the educational program, including general renovation and instruction enhancement. Engineer Rick Raymond said Athens Academy proposes to construct a new preschool building, expand and renovate the lower school, renovate and connect the middle school buildings, expand and renovate the Schacht Building and expand and renovate the football press box. He spoke on traffic impact, water supply and conservation efforts, stormwater management and the sanitary sewer plan.

No one spoke in favor or opposition to the Special Use Request.

On motion by Commissioner Hale and second by Commissioner Norris, the Board unanimously approved Special Use Request No. 5605 by Athens Independent School, ±109.09 acres, located on US Highway 441, Spartan Lane and Rockinwood Drive, to modify private elementary and secondary school facilities, with no conditions. **See Documentation in Ordinances and Resolutions Book No. 18.**

Rezone Request No. 5606 – William E. Wilkes: The Board held a public hearing on Rezone Request No. 5606 by William E. Wilkes, ±21.986 acres, located on Flat Rock Road from A-1 to AR-1.

Planner Krista Gridley presented the staff report.

Kenneth Beall, representing the applicant, said the proposed project will be developed as a single-family residential subdivision. The homes will be priced from \$230,000 to \$350,000 with a minimum of 1600 square feet for single-story homes. Mr. Beall requested a proposed condition be revised to a 2000 square feet requirement for 2-story homes.

Stan Lowery expressed his support for the rezone request. He stated he was in favor of getting the maximum dollar amount for your land.

Russ Page spoke in opposition to the rezone request. He said the property is designated as Transitional Agricultural in the Future Land Use Plan and reminded the Commissioners he had spoken in opposition to all other rezones that had taken place in the area. Mr. Page urged the Board to develop a TDR program to protect farmland, historic land and scenic sights in the county.

Judy Wright said there was not a demand for more houses in the area, noting no lots have been sold in Lee Ridge Subdivision.

On motion by Commissioner Norris and second by Commissioner Hale, the Board unanimously approved Rezone Request No. 5606 by William E. Wilkes, ±21.986 acres, located on Flat Rock Road from A-1 to AR-1, with conditions, for a single-family subdivision (Flat Rock Estates). **See Documentation in Ordinances and Resolutions Book No. 18.**

Special Use Request No. 5607 – H. Verlyn Hammond: The Board held a Public Hearing on Special Use Request No. 5607 by H. Verlyn Hammond, ±10.305 acres, located on Lenru Road and Malcolm Bridge Road, for a telecommunications tower.

Planner Brad Callender presented the staff report.

Kimberly Adams of Compass Technology Services represented the applicant. She said T-Mobile proposes to construct a 195 ft. monopole and wireless telecommunications facility.

No one spoke in favor or opposition to the Special Use Request.

On motion by Commissioner Hale and second by Commissioner Horton, the Board voted unanimously to approve Special Use Request No. 5607 by H. Verlyn Hammond, ±10.305 acres, located on Lenru Road and Malcolm Bridge Road, with conditions, for a telecommunications tower. **See Documentation in Ordinances and Resolutions Book No. 18.**

Contracts for Private Wells: On motion by Commissioner Luke and second by Commissioner Horton, the Board unanimously approved Lease Agreements with Ross Developments, Inc. and Ray Tate for private wells to be connected to the county water system.

Citizen Remarks: Kate McDaniel stated she was concerned with some elements of the Georgia Water Coalition's proposed resolution. She expressed her support of representation of elected local government officials on the regional water planning council.

Property Purchase for Dark Corner Fire Station: County Attorney Daniel Haygood reported transactions have been concluded for the purchase of 2.532 acres and the right of re-entry on 1.0 acre located on GA Hwy. 53, to allow for the expansion of the Dark Corner Fire Station.

There being no further business, on motion by Commissioner Horton and second by Commissioner Luke the meeting was adjourned.

County Clerk

Chairman

Date