

The Agenda Setting Meeting of the Oconee County Board of Commissioners was held on Tuesday, August 28, 2007, at 7:00 p.m. in the Commission Meeting Chambers at the Oconee County Courthouse.

Members Present:

Chairman Melvin Davis
Commissioner Jim Luke
Commissioner Donald H. Norris
Commissioner Margaret Hale
Commissioner Chuck Horton

Staff Present:

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

Jeff Benko, Finance Director
BR White, Planning Director
Chris Thomas, Utility Director
John Hatcher, Assistant Utility Director
Rusty Haygood, Econ Development Director
John Gentry, Parks and Recreation Director
Steve Hansford, Code Enforcement Director

Media Present:

Vinnie Williams, The Oconee Enterprise
Merritt Melancon, Athens Banner Herald

Chairman Davis began the meeting with a Moment of Silence. Commissioner Luke led the Pledge of Allegiance.

Hard Labor Creek Reservoir Intergovernmental Agreement: Utility Director Chris Thomas began the discussion on the Intergovernmental Reservoir and Water Supply and Treatment Agreement between Walton County Water and Sewerage Authority, Oconee County and Walton County by reviewing the history of how the Hard Labor Creek Reservoir was determined to be the most viable water source for Oconee County. Mr. Thomas stated 2014 is the critical demand year for water needs and the continuing drought could delay permitting of any alternative water source.

The Board briefly discussed Jackson County's participation in the Bear Creek Reservoir. Commissioner Luke stated Jackson County has no interest in giving out a portion of their share of water. It was also noted Walton County agreed to sell Oconee County its "extra water", but would not agree to a set amount.

Finance Director Jeff Benko said, based on historical growth of water customers, no rate increase and projected net revenues available in the enterprise fund, he was confident in the estimated \$60 - \$70 million affordability factor of the Utility Department. Chairman Davis noted Oconee County's estimated cost for Phase 1 of the Hard Labor Creek Reservoir project is \$48 million.

County Attorney Daniel Haygood reviewed the most recent changes to the proposed intergovernmental agreement with Walton County, as discussed at the August 15, 2007 Called Meeting of the Board of Commissioners.

Jerry Studdard stated he was concerned with the duration of the contract and believes the county should look at short-term water sources and proceed with a reservoir on Barnett Shoals Road. Charles Baugh objected to the proposed partnership, stating Walton County and the Walton County Water and Sewer Authority would have control of the project. Mr. Baugh also said Oconee County would be obligated for payment of the bonds if the other participants default. Lee Becker objected to Oconee County as a minority partner and said the projected growth figures were grossly inflated.

Gary Dodd noted there was little difference between the proposed intergovernmental agreement with Walton County and the 1996 intergovernmental agreement with the Upper Oconee Basin Water Authority, Athens-Clarke County, Barrow County, and Jackson County. He encouraged the Board to move forward with the Hard Labor Creek Reservoir project.

County Attorney Daniel Haygood explained the bonds issued by Oconee County would only represent the county's share of 28.8%. He stated Oconee County would not be responsible for Walton County's bonds under any circumstance. Mr. Haygood stated control is always an issue, but intergovernmental agreements function effectively in the State of Georgia.

Mr. Haygood also explained any expansion to the project would be paid by the party that wants the expansion. However, if all parties agree to expand, a new agreement would have to be drawn.

The Board of Commissioners will take action on the proposed Hard Labor Creek Reservoir Intergovernmental Agreement at their September 4, 2007 meeting.

Northwest Woods Water System: Utility Director Chris Thomas presented the bids received for the Northwest Woods Subdivision water system. The proposed project includes approximately 26,200 linear feet of new 8-inch water main and 2,800 linear feet of 6-inch water main. Mr. Thomas recommended awarding the contract to Universal Watermain, Inc. at the low bid amount of \$1,149,970, to be funded from SPLOST funds.

By consensus, this item will be placed on the Consent Agenda for September 4, 2007.

Sewer Request – City of Bogart: Utility Director Chris Thomas reported the City of Bogart has requested sewer availability for a .52 acre commercial lot located at the intersection of US Hwy. 29 and S. Burson Avenue. The property owner plans to tie into the proposed sewer line that will service the Bogart Business Park. Mr. Thomas said 750 gpd of sewer capacity would be required and recommended approval of the request.

By consensus, this item will be placed on the Consent Agenda for September 4, 2007.

Variance Request #12298, Rezone Request #5492 and Special Use Request #5493 – Quin-Mor, LLC: On motion by Commissioner Norris and second by Commissioner Hale, the Board voted unanimously to postpone action on Variance Request #12289, Rezone Request #5492 and Special Use Request #5493 by Quin-Mor, LLC, ±5.0 acres, located on Hog Mountain Road, to October 4, 2007, as requested by the applicant.

Unified Development Code Amendments: Planning Director B.R. White provided an overview of the proposed amendments to the Unified Development Code. Mr. White stated the amendments were proposed to correct grammar and typographic errors and to address certain requirements that were omitted or needed to be modified.

The Board of Commissioners will hold a public hearing and take action on the proposed amendments to the Unified Development Code at their September 4, 2007 meeting.

Disposition of County Property: Chairman Davis reported Bogart Christian Church has made a request to acquire a .998 acre tract owned by Oconee County and located adjacent to the Church. State law requires the county to dispose of its property to the highest responsible bidder, either by sealed bids or by auction. Chairman Davis recommended disposing of the property by sealed bids.

By consensus, this item will be placed on the Consent Agenda for September 4, 2007.

Indemnification of County Officials and Employees: Administrative Officer Alan Theriault presented a proposed resolution to provide for indemnification of Oconee County Officials and Employees. Mr. Theriault noted indemnification would be provided only where the judgment finds that the employee or county official was performing or attempting to perform the duties of his/her county employment at the time of the incident. It does not indemnify if the judgment finds that the employee or official was acting for personal reasons outside the scope of employment.

The Board of Commissioners will take action on the proposed Resolution to Provide for Indemnification of County Officials and Employees at their September 4, 2007 meeting.

September 4, 2007 Agenda: The agenda for the September 4, 2007 meeting was read by County Clerk Gina M. Lindsey.

Citizen Remarks: Charles Baugh asked questions of the County Attorney regarding the wording in the proposed Intergovernmental Reservoir and Water Supply and Treatment Agreement between Walton County Water and Sewerage Authority, Oconee County and Walton County as to Oconee County's financial obligations.

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

County Clerk

Chairman

Date