

The Regular Meeting of the Oconee County Board of Commissioners was held on Tuesday, December 5, 2006, at 7:00 p.m., in the Commissioners Meeting Chambers, Oconee County Courthouse.

Members Present:	Chairman Melvin Davis Commissioner Jim Luke Commissioner Donald H. Norris Commissioner Margaret S. 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 Brad Callender, Planner Krista Gridley, Planner Wayne Provost, Strategic Planning Director Mike Leonas, Public Works Director Sandy Thursby, Design Services Engineer William White, Project Coordinator Gary Dodd, Utility Director Jon Gentry, Parks and Recreation Director
Media Present:	Vinnie Williams, The Oconee Enterprise

Chairman Davis began the meeting with a Moment of Silence. GCAPS member Andrea Girauda led the Pledge of Allegiance.

Minutes: On motion by Commissioner Hale and second by Commissioner Horton, Minutes of the November 7, 2006 meeting were approved as distributed.

On motion by Commissioner Norris and second by Commissioner Horton, Minutes of the November 28, 2006 meeting were approved as distributed. Commissioner Hale did not vote due to her absence from the meeting.

Georgia Civic Awareness Program for Students: The Board recognized the members of the Georgia Civic Awareness Program for Students (GCAPS) of Oconee County. Ross King, Assistant Executive Director of the Association County Commissioners of Georgia, explained the program was designed to provide students with the opportunity to learn first hand the roles and services that local governments fulfill and to educate teens on the importance of an active and informed civic life. ACCG selected three counties to pilot the program: Oconee County, Bibb County (partnering with Wilkinson County) and Cobb County. Corporate sponsors include Holland and Knight, Georgia Power and the Coca-Cola Company. Mr. Robert Rhodes of Holland and Knight was present to express his support of the program. Commissioner Margaret Hale serves as the Program Coordinator for GCAPS Oconee. Mr. King and Kathleen Tonore presented a check from ACCG in the amount of \$5,000 to assist in funding the new program in Oconee County.

Annexation – Town of Bishop: Chairman Davis reported the Town of Bishop has given notice of its intent to annex approximately 30 acres into the incorporated area, and rezone the property to R-1. Oconee County has seven days to respond with an objection to any annexation notification and ten days thereafter to document the nature of the objection. Given the short time frame for response, on motion by Commissioner Norris and second by Commissioner Hale, the Board unanimously authorized the Chairman to state the Board's objection in order to allow time for appropriate research and discussions with the Town of Bishop.

Street Light Tax District – Westland Subdivision: On motion by Commissioner Norris and second by Commissioner Hale, the Board unanimously approved the creation of Street Light Tax District No. A-2D-L1 for Westland Subdivision. ***See Documentation in Ordinances and Resolutions Book No. 17.***

Rezone Request #5149 – A.R.S. Properties: The Board held a public hearing on Rezone Request No. 5149 by A.R.S. Properties, ±62.237 acres, located on S.R. 53, from R-2 MPD to R-2 MPD with modifications.

The applicant's representative, Jon Williams, stated the applicant is requesting a revision to Condition #7 of the original rezone to allow homes to be constructed with a raised slab foundation with a minimum 18" masonry skirt at the front of the house, in addition to the crawl space and basements that are currently allowed. Mr. Williams noted the flat topography of the site would require the construction of sunken crawl spaces that could pose water or mold problems in the future.

Commissioner Horton made a motion to deny Rezone Request No. 5149 from R-2 MPD to R-2 MPD with modifications. Commissioner Norris seconded the motion. Commissioners Horton, Norris and Luke voted yes. Commissioner Hale voted no. The motion passed to deny Rezone Request No. 5149 by A.R.S. Properties, ±62.237 acres, located on S.R. 53, from R-2 MPD to R-2 MPD with modifications. (Willow Creek Subdivision). ***See Documentation in Ordinances and Resolutions Book No. 17.***

Rezone Request #5190 – Edward D. Sumner Co. and Joe Milligan: The Board held a public hearing on Rezone Request No. 5190 by the Edward D. Sumner Co. and Joe Milligan ±5.014 acres, located on Jimmy Daniel Road and Silver Leaf Road, from A-1 to OIP.

Commissioner Norris recused himself from the discussion and vote.

The applicant's representative, Jon Williams, presented a Constitutional Challenge for Rezone Request No. 5190.

Mr. Williams said four two-story office buildings are proposed on this site with an entrance off Jimmy Daniel Road. He addressed several concerns that had been raised at the Planning Commission meeting and offered to move the location of the buildings to provide a 25' planted buffer among the existing natural vegetation, an 8' fence and an additional 50' buffer in the rear of the property between the first building and the residential subdivision. He stated the architecture will be in keeping with the area.

Maureen Grasso presented a petition opposing the rezone request signed by residents of Deerbrook Subdivision and Silverleaf Subdivision. She expressed concern for spot zoning, noise, light trespass, increased traffic and safety. Lisa Devaney noted Arizona Bend is currently used as a cut-through to Julian Drive and GA 316 and is already a safety hazard for pedestrians. Richard Bouldin, Rob Fischman, Chris Hardin and Chris Stivers voiced concern for access into the office park, limited sight distance and increased traffic on Jimmy Daniel Road. Claudio Afonso said the project was out of character with the surrounding residential areas.

Public Works Director Mike Leonas reported a left turn lane is planned for the intersection of Jimmy Daniel Road and GA 316 and widening of Jimmy Daniel Road is in the long range plans for MACORTS. Mr. Leonas stated the proposed entrance to the development is a major concern.

On motion by Commissioner Horton and second by Commissioner Hale, the Board voted unanimously to deny Rezone Request No. 5190 by the Edward D. Sumner Co. and Joe Milligan ±5.014 acres, located on Jimmy Daniel Road and Silver Leaf Road, from A-1 to OIP. ***See Documentation in Ordinances and Resolutions Book No. 17.***

Conditional Use Permit #5226 – Watkinsville First Baptist Church: The Board held a public hearing on Conditional Use Permit No. 5226 by Watkinsville First Baptist Church and Watkinsville First Baptist Church, Inc., ±13.40 acres, located on Simonton Bridge Road and Norton Road, for a church expansion.

Jim Bob McElroy, representing the applicants, said the church plans to expand its education facilities by adding a temporary 3,500 sq. ft. modular classroom.

On motion by Commissioner Hale and second by Commissioner Horton the Board unanimously approved Conditional Use Permit No. 5226 by Watkinsville First Baptist Church and Watkinsville First Baptist Church, Inc., with conditions, to expand the church facilities. ***See Documentation in Ordinances and Resolutions Book No. 17.***

Conditional Use Permit #5227 – Wright Land Company: The Board held a public hearing on Conditional Use Permit No. 5227 by Wright Land Company, ±1.93 acres, located on Rocky Branch Road, for an amenity area.

Jim Bob McElroy, representing the applicants, said the Autumn Glen Subdivision amenity area will include a pool, a cabana, tennis courts, a play field and a playscape.

On motion by Commissioner Norris and second by Commissioner Luke the Board unanimously approved Conditional Use Permit No. 5227 by Wright Land Company, ±1.93 acres, located on Rocky Branch Road, to construct an amenity area for Autumn Glen Subdivision. ***See Documentation in Ordinances and Resolutions Book No. 17.***

Rezone Request #5228 – Lampkin Branch Business Park: The Board held a public hearing on Rezone Request No. 5228 by Lampkin Branch Business Park, LLC, ±1.51 acres, located on Lampkin Branch Drive and U.S. Hwy. 441, from OBP to B-2.

Charlie Armentrout, representing the applicant, said the subject site consists of lot 18 and a portion of lots 16 and 17 of the Lampkin Branch Business Park. He explained the proposal to construct a restaurant on the site.

On motion by Commissioner Norris and second by Commissioner Hale, the Board unanimously approved Rezone Request No. 5228 by Lampkin Branch Business Park, LLC, from OBP to B-2, with conditions, for a restaurant. **See Documentation in Ordinances and Resolutions Book No. 17.**

Oconee Community Complex – Change Order: On motion by Commissioner Luke and second by Commissioner Luke, the Norris, the Board unanimously approved Change Order No. 5 (\$4,125) and Change Order No. 6 (\$8,085) to the contract with F.E. Sims Enterprises for trench rock that was encountered at the Oconee Community Complex.

Tax Adjustment: On motion by Commissioner Hale and second by Commissioner Norris, the Board unanimously approved the request for a tax adjustment on Tax Parcel No. B-01-003 for years 2003, 2004 and 2005, as recommended by the Tax Commissioner.

Consent Agenda: On motion by Commissioner Norris and second by Commissioner Horton, the Board unanimously approved the following Consent Agenda item:

- **Transportation Improvement and Maintenance Plan Amendments:** Approved the list of projects submitted by Public Works Director Mike Leonas as amendments to the FY 2007 Transportation and Improvement and Maintenance (TIM) Plan.

Executive Session: On motion by Commissioner Horton and second by Commissioner Norris, the Board voted unanimously to adjourn into Executive Session to discuss land acquisition matters. No action was taken.

On motion by Commissioner Norris and second by Commissioner Horton, the Board adjourned Executive Session.

On motion by Commissioner Hale and second by Commissioner Luke, the Board adjourned back into Regular Session.

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

County Clerk

Chairman

Date