

The Regular Meeting of the Oconee County Board of Commissioners was held on Tuesday, September 4, 2007, 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:

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

Chris Thomas, Utility Director  
John Hatcher, Assistant Utility Director  
BR White, Planning Director  
Brad Callender, Planner  
Jeff Benko, Finance Director  
John Gentry, Parks and Recreation Director  
Sandy Thursby, Design Services Engineer  
William White, Projects Coordinator  
Rusty Haygood, Economic Develop Director

Media Present:

Vinnie Williams, The Oconee Enterprise  
Merritt Melancon, Athens Banner-Herald  
Brian Arrington, The Walton Tribune

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

**Minutes:** On motion by Commissioner Hale and second by Commissioner Horton, Minutes of the August 7, August 15 and August 28, 2007 meetings were approved as distributed.

**Hard Labor Creek Reservoir Intergovernmental Agreement:** County Attorney Daniel Haygood reviewed the final changes to the Intergovernmental Reservoir and Water Supply and Treatment Agreement between Walton County Water and Sewerage Authority, Oconee County and Walton County.

Lee Becker commented on the projections used to determine the affordability factor, i.e. growth rate in water sales and no rate increases. Oconee Development Authority Chairman Amrey Harden spoke on vision and viability of the county and noted it was the Board's responsibility to address the water needs for today and for the future. Chamber of Commerce President Charles Grimes presented a letter from the Chamber urging the Board of Commissioners to vote in favor of the reservoir agreement in order to assure an ample supply of water for the future of Oconee County. Chuck Williams reiterated Mr. Harden's comments and said this is a time for vision and leadership.

Finance Director Jeff Benko stated the projections and considerations used to calculate the affordability factor are realistic, affordable and conservative. He said he was confident the Enterprise Fund can support the intergovernmental agreement. Utility Director Chris Thomas noted the Board of Commissioners increased the water availability fee this year. He said expenditures from the Enterprise Fund could also be adjusted as needed.

Chairman Davis stated the Hard Labor Creek Reservoir is the only water source option that would give Oconee County the water needed by 2014. He also noted the reservoir is the least expensive of the options. Commissioner Hale said the county should review options within Oconee County in more detail.

Commissioner Luke made the motion to authorize the Chairman and County Clerk to execute the Intergovernmental Reservoir and Water Supply and Treatment Agreement between Walton County Water and Sewerage Authority, Oconee County and Walton County. Commissioner Norris seconded the motion. Commissioners Luke and Norris voted yes. Commissioners Hale and Horton voted no. Chairman Davis voted yes. The motion passed.

**Land Application System Upgrade:** Assistant Utility Director John Hatcher requested the Board approve an upgrade to the Rocky Branch Land Application System to allow for the treatment of 1.0 million gallons per day of wastewater to reuse quality standards. Mr. Hatcher estimated a cost of \$8 million to \$10 million and a two-year construction period. He stated that while some flow could be

diverted to the Calls Creek Wastewater Plant from the LAS site, it would require expensive trunk line upgrades to carry the flow.

Lee Becker, representing Friends of Barber Creek, used a PowerPoint presentation to supplement his requests to the Board of Commissioners to (1) agree to hold discharge water from the Rocky Branch sewage treatment plant in storage facilities when Barber Creek is flooding, rather than discharge into the Creek; (2) treat effluent from the Rocky Branch sewage treatment plant to the highest level possible with the technology available and, at a minimum, to the level of treatment at the Hill Plant in Gwinnett County for water being discharged into Lake Lanier; and (3) set up a system of independent monitoring of the Rocky Branch sewage treatment plant, its effluent, and Barber Creek. Mr. Becker asked the Board to take action on the requests at this time.

Chairman Davis explained Mr. Becker's requests were operational issues and said the Board of Commissioners will review and discuss these items at the appropriate time when facility operational matters are considered. He noted EPD has stringent reporting requirements for monitoring the sewage treatment plant.

Administrative Officer Alan Theriault said if the Board found in favor of proceeding with an upgrade to the land application system, the next step would be to employ a project manager to assist in the development of a Request for Qualifications from engineering firms that have the prerequisite experience in membrane filtration plant design and to assist in determining the methodology for completing the project.

On motion by Commissioner Norris and second by Commissioner Horton, the Board voted unanimously to upgrade the Rocky Branch Land Application System to allow for the treatment of 1.0 million gallons per day of wastewater to reuse quality standards.

**Unified Development Code Amendments:** On motion by Commissioner Horton and second by Commissioner Hale, the Board unanimously approved the amendments to the Unified Development Code as presented by Planning Director B.R. White. The Board directed the Planning Director to make the changes in the Unified Development Code and to renumber any such paragraphs or pages as necessary to reflect the amendments. *See Documentation in Ordinances and Resolutions Book No. 17.*

**Indemnification of County Officials and Employees:** On motion by Commissioner Hale and second by Commissioner Luke, the Board unanimously approved a Resolution to Provide for Indemnification of County Officials and Employees. *See Documentation in Ordinances and Resolutions Book No. 17.*

**Rezone Request #5317 – Silver Mill Farms, LLC:** On motion by Commissioner Hale and second by Commissioner Luke, the Board voted unanimously to postpone action on Rezone Request #5317 by Silver Mill Farms, LLC, ±1.648 acres, located on Virgil Langford Road, from A-1 to B-2, to the December 4, 2007 Board of Commissioners meeting.

**Variance Request #12636 – Irvin L. Alhadeff:** On motion by Commissioner Luke and second by Commissioner Horton, the Board voted unanimously to postpone action on Variance Request #12636 by Irvin L. Alhadeff, ±14.47 acres, located on Whipoorwill Road, to the October 4, 2007 Board of Commissioners meeting, as requested by the applicant.

**Consent Agenda:** On motion by Commissioner Hale and second by Commissioner Horton, the Board unanimously approved the following Consent Agenda items:

- **Northwest Woods Water System:** Approved the bid of \$1,149,970 by Universal Watermain, Inc. for construction of the Northwest Woods water main for fire protection.
- **Sewer Request – City of Bogart:** Approved the request for 750 gpd of sewer capacity by the City of Bogart for a .522 acre parcel at the intersection of the Atlanta Highway and S. Burson Avenue.
- **Disposition of County Property:** Approved the disposition of 0.998 acres of county property adjacent to the Bogart Christian Church (Parcel No. BO-02-018) by sealed bids.

**Executive Session:** On motion by Commissioner Hale and second by Commissioner Luke, the Board voted unanimously to adjourn into Executive Session to discuss land acquisition, personnel matters and pending litigation. No action was taken.

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

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

**Elder Mill Park:** On motion by Commissioner Horton and second by Commissioner Luke, the Board voted unanimously to continue with the GLCP grant request for the proposed Elder Mill Park as originally submitted, providing no monetary funding obligation from the County, only in-kind funding.

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

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Date

DRAFT