

The Regular Meeting of the Oconee County Board of Commissioners was held on Tuesday, October 6, 2009, in the Commission Meeting Chambers at the Oconee County Courthouse.

Members Present: Chairman Melvin Davis  
Commissioner Jim Luke  
Commissioner John Daniell  
Commissioner Margaret Hale  
Commissioner Chuck Horton

Staff Present: County Clerk Gina M. Lindsey  
Alan Theriault, Administrative Officer  
County Attorney Daniel Haygood  
  
BR White, Planning Director  
Brad Callender, Planner  
Krista Gridley, Planner  
Jason Gantt, Planner  
Chris Thomas, Utility Director  
Jeff Benko, Finance Director  
Steve Hansford, Code Enforcement Director  
Rusty Haygood, Econ Develop Director  
Lisa Davol, Acting Parks and Recreation Director  
Jeff Gearhart, Information Technology

Media Present: Vinnie Williams, The Oconee Enterprise  
Blake Giles, The Oconee Enterprise  
Joe Vanhoose, Athens Banner Herald

Chairman Davis began the meeting with a moment of silence. 4-H Council Co-Presidents Blake Kennedy and Tyler Beckett led the Pledge of Allegiance.

**Approval of the Agenda:** On motion by Commissioner Hale and second by Commissioner Daniell, the agenda for the October 6, 2009 meeting was unanimously approved as submitted.

**Commissioners Remarks:** None.

**Citizen Remarks:** Russ Page requested the county move forward with the study of a Transfer of Development Rights (TDR) program. Jim Butler spoke on the Organization Policy and recommended the Board rescind the ordinance and allow the citizens to vote on the matter in a referendum. Mr. Butler also recommended the Board prepare a single document which can be passed through the General Assembly reflecting how the Oconee County Government is currently established.

**Minutes:** On motion by Commissioner Luke and second by Commissioner Daniell, Minutes of the September 1 and September 29, 2009 meetings were approved as distributed.

**4-H Recognition:** The Board of Commissioners recognized and commended the following State 4-H winners and participants at the 2009 State Congress Competition: Lauren Morris – State Winner in Outdoor Recreation; Kyle Beckett – Second in Dairy Foods; Tyler Beckett - third in Public Speaking; Jasmine Krasle – third in Conservation of Natural Resources; Taylor Gazda – Master Showman in Beef Heifers and Master Showman in Steers; Camille Odom – Master Showman in Market Lambs and Master Showman in Breeding Ewes; Patrick Savelle – Master Showman in Commercial Dairy Heifers; and, Josh Daniel, Hunter Grayson, Camille Odom and Patrick Savelle – Livestock Judging Team.

The Board of Commissioners presented a Proclamation proclaiming October 4 – 10, 2009 as National 4-H Week in Oconee County.

**Unified Development Code Amendments:** The Board held a public hearing on proposed amendments to the Oconee County Unified Development Code. Planning Director BR White presented a brief overview of the remaining proposed amendments relating to manufactured homes, parking requirements for exterminators, water availability requirements, residential roof requirements and garage apartments & guest houses. There were no public comments on the proposed amendments. On motion by Commissioner Daniell and second by Commissioner Hale, the Board unanimously approved the amendments to the Oconee County Unified Development Code as presented. ***See Documentation in Ordinances and Resolutions Book No. 18.***

**Water and Sewerage Refunding Revenue Bonds, Series 2009:** County Attorney Daniel Haygood reported the Supplemental Bond Resolution for the Water and Sewerage Refunding Revenue Bonds, Series 2009 was not ready for action by the Board. The Board will hold a special called meeting on October 13, 2009, prior to the Economic Development Work Session, for this purpose. Finance Director Jeff Benko reported the County has received a double A rating for the bond issue.

**Rezone Request No. 5871 – New Life Apostolic Church:** The Board held a Public Hearing on Rezone Request # 5871 by New Life Apostolic Church of Watkinsville, Inc., ±2.5 acres located on Hog Mountain Road, from AR-1 to O-I-P.

Commissioner Luke recused himself from the discussion and vote.

Staff Report presentations for Rezone Request #5871, Special Use Request #5872, Special Exception Variance Request #5873-A, Special Exception Variance Request #5873-B, Special Exception Variance Request #5873-C, Hardship Variance Request #5873-D, Hardship Variance Request #5873-E and Hardship Variance Request #5873-F were made at the same time by Planner Brad Callender.

Scott Clack, representing the applicant, said the church plans an 8,800 sq. ft. addition to the existing sanctuary. He explained many of the UDC requirements cannot be met due to the limited size of the property. The applicant proposes to eliminate one of the three existing entrances to the church, and designating one entrance as an “enter only” and one entrance as an “exit only”. No additional parking spaces are planned.

Pastor Tim Hammond noted a church has been located on this site since 1972.

No one from the public spoke on the Rezone Request.

On motion by Commissioner Horton and second by Commissioner Hale, the Board voted unanimously to approve Rezone Request No. 5871 by New Life Apostolic Church of Watkinsville, Inc., from AR-1 to O-I-P, with conditions. ***See Documentation in Ordinances and Resolutions Book No. 18.***

**Special Use Request No. 5872 – New Life Apostolic Church:** The Board held a public hearing on Special Use Request # 5872 by New Life Apostolic Church of Watkinsville, Inc., ±2.5 acres located on Hog Mountain Road, for a community scale church.

Commissioner Luke recused himself from the discussion and vote.

No one from the public spoke on the Special Use Request.

On motion by Commissioner Hale and second by Commissioner Horton, the Board voted unanimously to approve Special Use Request No. 5872 by New Life Apostolic Church of Watkinsville, Inc., with conditions. ***See Documentation in Ordinances and Resolutions Book No. 18.***

**Special Exception Variance Request No. 5873(A) – New Life Apostolic Church:** The Board held a public hearing on Special Exception Variance Request # 5873-A by New Life Apostolic Church of Watkinsville, Inc., ±2.5 acres located on Hog Mountain Road, to eliminate the required parking lot buffer adjacent to residentially zoned property.

Commissioner Luke recused himself from the discussion and vote.

No one from the public spoke on the Special Exception Variance Request.

On motion by Commissioner Daniell and second by Commissioner Horton, the Board voted unanimously to approve Special Exception Variance Request No. 5873-A by New Life Apostolic Church of Watkinsville, Inc. ***See Documentation in Ordinances and Resolutions Book No. 18.***

**Special Exception Variance Request No. 5873(B) – New Life Apostolic Church:** The Board held a public hearing on Special Exception Variance Request # 5873-B by New Life Apostolic Church of Watkinsville, Inc., ±2.5 acres located on Hog Mountain Road, to eliminate the requirement to install curb and gutter throughout the parking lot.

Commissioner Luke recused himself from the discussion and vote.

No one from the public spoke on the Special Exception Variance Request.

On motion by Commissioner Hale and second by Commissioner Daniell, the Board voted unanimously to approve Special Exception Variance Request No. 5873-B by New Life Apostolic Church of Watkinsville, Inc. **See *Documentation in Ordinances and Resolutions Book No. 18.***

**Special Exception Variance Request No. 5873(C) – New Life Apostolic Church:** The Board held a public hearing on Special Exception Variance Request # 5873-C by New Life Apostolic Church of Watkinsville, Inc., ±2.5 acres located on Hog Mountain Road, to eliminate the required buffer adjacent to residentially zoned property.

Commissioner Luke recused himself from the discussion and vote.

No one from the public spoke on the Special Exception Variance Request.

On motion by Commissioner Daniell and second by Commissioner Hale, the Board voted unanimously to approve Special Exception Variance Request No. 5873-C by New Life Apostolic Church of Watkinsville, Inc. **See *Documentation in Ordinances and Resolutions Book No. 18.***

**Hardship Variance Request No. 5873(D) – New Life Apostolic Church:** The Board held a public hearing on Hardship Variance Request # 5873-D by New Life Apostolic Church of Watkinsville, Inc., ±2.5 acres located on Hog Mountain Road, to increase the maximum number of driveways allowed on an arterial road.

Commissioner Luke recused himself from the discussion and vote.

No one from the public spoke on the Hardship Variance Request.

On motion by Commissioner Hale and second by Commissioner Horton, the Board voted unanimously to approve Hardship Variance Request No. 5873-D by New Life Apostolic Church of Watkinsville, Inc. **See *Documentation in Ordinances and Resolutions Book No. 18.***

**Hardship Variance Request No. 5873(E) – New Life Apostolic Church:** The Board held a public hearing on Hardship Variance Request # 5873-E by New Life Apostolic Church of Watkinsville, Inc., ±2.5 acres located on Hog Mountain Road, to reduce the private access drive pavement width and access requirements.

Commissioner Luke recused himself from the discussion and vote.

No one from the public spoke on the Hardship Variance Request.

On motion by Commissioner Daniell and second by Commissioner Hale, the Board voted unanimously to approve Hardship Variance Request No. 5873-E by New Life Apostolic Church of Watkinsville, Inc. **See *Documentation in Ordinances and Resolutions Book No. 18.***

**Hardship Variance Request No. 5873(F) – New Life Apostolic Church:** The Board held a public hearing on Hardship Variance Request # 5873-F by New Life Apostolic Church of Watkinsville, Inc., ±2.5 acres located on Hog Mountain Road, to eliminate the requirement to install deceleration lanes and acceleration tapers at the project entrances.

Commissioner Luke recused himself from the discussion and vote.

No one from the public spoke on the Hardship Variance Request.

On motion by Commissioner Daniell and second by Commissioner Horton, the Board voted unanimously to approve Hardship Variance Request No. 5873-F by New Life Apostolic Church of Watkinsville, Inc. **See *Documentation in Ordinances and Resolutions Book No. 18.***

**Rezone Request No. 5880 – Zachary W. McElroy:** The Board held a Public Hearing on Rezone Request No. 5880 by Zachary W. McLeroy, ±147.79 acres located on Malcom Bridge Road, from R-1 MPD and F-P to A-1.

Planner Krista Gridley presented the Staff Report.

Ken Beall, representing the applicant, explained it was not feasible to develop the property as a residential master planned development due to excessive blue granite. The applicant is requesting to rezone the property back to the original zoning classification.

No one from the public spoke on the Rezone Request.

On motion by Commissioner Hale and second by Commissioner Daniell, the Board voted unanimously to approve Rezone Request No. 5880 by Zachary W. McLeroy, ±147.79 acres located on Malcom Bridge Road, from R-1 MPD and F-P to A-1, with one condition. **See Documentation in Ordinances and Resolutions Book No. 18.**

**Board of Elections and Registration Appointments:** On motion by Commissioner Luke and second by Commissioner Daniell, the Board unanimously appointed Terrell Jones and Gene Lyon to the Oconee County Board of Elections and Registration for four-year terms expiring December 31, 2013.

**Library Board Appointments:** On motion by Commissioner Horton and second by Commissioner Hale, the Board unanimously appointed Janet Stratton and Robert Wyatt to the Oconee County Library Board for five-year terms expiring December 31, 2014.

**Recreational Affairs Committee – Increase In Membership:** On motion by Commissioner Hale and second by Commissioner Luke, the Board unanimously approved a resolution to increase the number of members serving on the Citizens Advisory Committee on Recreational Affairs from 7 members to 9 members. **See Documentation in Ordinances and Resolutions Book No. 18.**

**Recreational Affairs Committee Appointments:** On motion by Commissioner Luke and second by Commissioner Horton, the Board unanimously appointed Terri Ash, Keith Bradberry, Mark Collins and Leslie Hunsinger to the Oconee County Citizens Advisory Committee on Recreational Affairs for two-year terms expiring September 30, 2011.

**Community Forum:** The Board discussed the format for a public meeting to be held at 7:00 p.m. on October 20, 2009 at the Oconee County Civic Center. It was agreed the meeting would be conducted as a “Town Hall” meeting where citizens will be afforded the opportunity to make comments and ask questions of the Board of Commissioners. Administrative Officer Alan Theriault will facilitate the meeting. Board members will be available 30 minutes prior to and following the meeting for individual discussions with citizens.

**Media Advertising:** The Board held a discussion on the various advertising mediums and where to spend discretionary advertising dollars. The Board expressed their desire to reach more people with the advertisements for committee vacancies. It was noted the Oconee Leader is free and mailed to county citizens and the Oconee Enterprise is paid circulation.

Mary Mellein said it would be difficult to evaluate where an advertisement would reach the most citizens. Kate McDaniel suggested advertising in both newspapers. Maridee Williams encouraged the Board to allow county departments to make their own advertising decisions. Russ Page said advertisements should be placed in the newspaper that covers the county government. Keith Bradberry noted more advertising and more circulation is needed. Lee Becker warned not to equate circulation figures with exposure. Monica Ali suggested “eye-catching” advertisements.

The Commissioners considered it to be in the county’s best interest to experiment with a different advertising medium in order to compare the outcome. By consensus, the Board agreed the next advertisement for committee vacancies would be placed in the Oconee Leader.

**Hillcrest Well and Sale of Water to Walton County:** The Board discussed the recommendation to upgrade the Hillcrest Well and sell 500,000 gallons of water per day to Walton County. Utility Director Chris Thomas said the estimated cost of the well upgrade is \$300,000.00 and would be funded with 2004 SPLOST funds. He estimated the county would receive \$200,000.00 in the first year if the water is sold to Walton County. Mr. Thomas said

Walton County is not expecting this to be a permanent water source and it would be advantageous for Oconee County to have a dependable back-up water source.

Commissioner Daniell made the motion to authorize an upgrade to the Hillcrest well at a cost not to exceed \$300,000.00 and to make available up to 500,000 gallons per day to Walton County. Commissioner Luke seconded the motion. Commissioners Daniell, Luke and Hale voted yes. Commissioner Horton voted no. The motion was approved.

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

- **Mars Hill Road/SR 53 Widening Project, Phase I – Utility Relocation Design:** Authorized the issuance of a request for proposals for utility relocation design for the Mars Hill Road/SR 53 Improvements Project, Phase I.
- **Jennings Mill Parkway Utility Relocations:** Awarded the contract for the Jennings Mill Parkway utility relocations to Gary's Grading & Pipeline Co., Inc. at the low bid amount of \$489, 558.00.

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

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County Clerk

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Chairman

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Date