

The Agenda Setting Meeting of the Oconee County Board of Commissioners was held on Tuesday, January 29, 2008, 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  
Rusty Haygood, Econ Development Director  
John Hatcher, Utility Director  
Wayne Provost, Strategic Planning Director  
Emil Beshara, Public Works Director  
BR White, Planning Director  
Steve Hansford, Code Enforcement Director  
William White, Project Coordinator  
John Gentry, Parks and Recreation Director  
Bruce Thaxton, Fire Chief

Media Present:

Vinnie Williams, The Oconee Enterprise  
Blake Giles, The Oconee Enterprise  
Adam Thompson, Athens Banner Herald

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

Chairman Davis recognized Instructor Lance Bardsley and members of his political science class from Gainesville State College that were in attendance to observe the procedures of local government.

**Proclamation – Courtney Gale Day:** Chairman Davis read a proclamation of the Board of Commissioners proclaiming February 3, 2008 as Courtney Gale Day in Oconee County in recognition of Ms. Gale's services and contributions to our community and in honor of her courage during a recent confrontation while performing extra-duty as a security guard. The proclamation will be presented to Ms. Gale's family at a benefit barbeque on February 3, 2008.

**Rocky Branch Water Reclamation Facility RFP:** Jimmy Parker of Precision Planning, Inc. presented an update on the Request For Proposal for engineering services related to the design of the proposed Rocky Branch Water Reclamation Facility. Mr. Parker said nine proposals were received on December 20, 2007. The proposals were reviewed and evaluated by a Review Team comprised of Administrative Officer Alan Theriault, Utility Director John Hatcher, Public Works Director Emil Beshara and Consultants Jimmy Parker and Jim Sunta.

Mr. Parker stated the Review Team recommended the short listing of three design firms, HSF Engineering, Inc., Wiedeman & Singleton, Inc. and Brown & Caldwell. He requested the Board authorize the Review Team to invite the three firms to conduct additional presentations, interviews and negotiations. The Review Team will submit a final recommendation for consultant selection to the Board at its February 26, 2008 meeting.

By consensus, the Board authorized proceeding with the short list interviews and negotiations.

Tim Price, speaking on behalf of the Board of Directors of the Friends of Barber Creek, requested that no water be released into Barber Creek from the Rocky Branch WRF in times of flooding, that the effluent from the Rocky Branch WRF be treated to the highest level technology allows, and that a system for independent monitoring of the operation be provided.

**Transfer of Development Rights Program:** Strategic & Long-Range Planning Director Wayne Provost presented a recommendation to the Board to create a committee to study a potential Transfer of Development Rights (TDR) Program for Oconee County. Mr. Provost noted that while a TDR Program is a complicated endeavor and a relatively new planning tool for green space/open space/agricultural preservation, it also has the potential to enhance these preservation efforts.

By consensus, this item will be placed on the Consent Agenda for February 5, 2008.

**Impact Fee Program:** Bill Ross, Sr. and Bill Ross, Jr. of Ross & Associates presented a proposal to perform an assessment of an Impact Fee Program for Oconee County. The consultants presented an overview of impact fees using a power point slide presentation.

Bill Ross, Sr. said the Georgia Development Impact Fee Act allows impact fees to be used for seven purposes: water, wastewater, roads, stormwater, parks, public safety and libraries. He explained the requirements of the law for local governments that wish to charge new development for a portion of the additional capital facilities needed to serve it. Bill Ross, Jr. noted impact fees can provide a valuable source of revenue, ensuring that new development pays for the public facilities it requires, rather than the costs being borne by all taxpayers of the county.

Strategic & Long-Range Planning Director Wayne Provost reported the Athens Area Home Builders Association has expressed concerns regarding the proposed impact fee assessment and has recommended the Board of Commissioners appoint a citizens committee to study the concept of impact fees and to determine if the use of impact fees would be beneficial to Oconee County.

Jason Dickens, President of the Athens Area Home Builders Association, requested the Board consider the establishment of a citizens study committee to review the need for impact fees and make a recommendation to the Board of Commissioners, prior to undertaking an assessment report.

By consensus, the Board directed Strategic & Long-Range Planning Director Wayne Provost to come back to the February 26, 2008 Board of Commissioners meeting with a specific recommendation for a citizens committee approach to studying impact fees.

**Prescribed Fire Resolution:** On motion by Commissioner Hale and second by Commissioner Horton, the Board unanimously approved a Resolution supporting the appropriate and continued use of prescribed fire burns. ***See Documentation in Ordinances and Resolutions Book No. 18.***

**E911 Charge for Voice over Internet Protocol:** The Board held a Public Hearing on a Resolution to impose an E911 charge of \$1.50 per month on each wireless Voice Over Internet Protocol connection within Oconee County, to be effective July 1, 2008. Administrative Officer Alan Theriault stated the fee would be applied to offset the cost of providing Enhanced 911 services for the citizens of Oconee County.

No one spoke in favor or in opposition to the proposed resolution.

The Board will take final action on this resolution at their February 5, 2008 meeting.

**Statewide Franchises – Franchise Fee:** The Board held a Public Hearing on a Resolution establishing a franchise fee of 5% of annual gross revenues generated by any cable or video service provider serving Oconee County under a state issued franchise. Administrative Officer Alan Theriault reported AT&T has applied for a state franchise through the Corporation Division of the Office of the Secretary of State. In order to ensure the franchise fees are paid to Oconee County, the franchise fee rate must be filed with the Secretary of State.

No one spoke in favor or in opposition to the proposed resolution.

The Board will take final action on this resolution at their February 5, 2008 meeting.

**Food Service Ordinance:** The Board held the First Reading of an Ordinance adopting the Georgia Food Service Rules and Regulations, as adopted by the Oconee County Board of Health.

No one spoke in favor or in opposition to the proposed ordinance.

The Board will take final action on this ordinance at their February 5, 2008 meeting.

**Bear Creek Reservoir Recreational Project Intergovernmental Agreement:**

Commissioner Luke reported the Upper Oconee Basin Water Authority is pursuing an Intergovernmental Agreement with the four member counties (Athens-Clarke County, Barrow County, Jackson County and Oconee County) to develop and operate recreational facilities for the public's use at the Bear Creek Reservoir. The total cost of the project is not to exceed \$300,000 with each member county sharing in 25% of the cost.

By consensus, this item will be placed on the Consent Agenda for February 5, 2008.

**Budget Meeting Schedule – FY 2009:** Finance Director Jeff Benko presented the Fiscal Year 2009 Budget Submittal Plan. By consensus, this item will be placed on the Consent Agenda for February 5, 2008.

**February 5, 2008 Agenda:** The agenda for the February 5, 2008 meeting was read by County Clerk Gina M. Lindsey.

**Citizen Remarks:** Russ Page announced a Farmland Protection meeting will be held at the Government Annex on February 21, 2008 at 7:00 p.m.

Mary Mellein asked the Board to ensure the proposed Impact Fee Study Committee is balanced with key stakeholders.

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

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

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

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