

The Regular Meeting of the Oconee County Board of Commissioners was held on Tuesday, December 2, 2008, in the Commission Meeting Chambers at the Oconee County Courthouse.

Members Present: Chairman Melvin Davis
Commissioner Jim Luke
Commissioner Don Norris
Commissioner Margaret Hale
Commissioner Chuck Horton

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

Emil Beshara, Public Works Director
BR White, Planning Director
Brad Callender, Planner
Krista Gridley, Planner
Jason Gantt, Planner
Chris Thomas, Utility Director
William White, Project Coordinator
Jeff Benko, Finance Director
John Gentry, Parks and Recreation Director
Steve Hansford, Code Enforcement Director
Rusty Haygood, Econ Develop Director
Capt. Jimmy Williams, Sheriff's Office

Media Present: Vinnie Williams, The Oconee Enterprise
Adam Thompson, Athens Banner-Herald

Chairman Davis began the meeting with a moment of silence. GCAPS Students Haley Brown, Bermet Nishanova and Mike Pizavek led the Pledge of Allegiance.

Chairman Davis introduced Senator Bill Cowsert.

Minutes: On motion by Commissioner Luke and second by Commissioner Horton, Minutes of the November 4, 2008 meeting were approved as distributed. Commissioner Hale recused herself from the vote.

On motion by Commissioner Norris and second by Commissioner Hale, Minutes of the November 20 and November 25, 2008 meetings were approved as distributed.

Georgia Civic Awareness Program for Students: The Board recognized the members of the 2008 Georgia Civic Awareness Program for Students (GCAPS) of Oconee County. Commissioner Hale explained the program is in its third year and is designed to provide students with the opportunity to learn firsthand the roles and services that local and state governments fulfill.

2009 SPLOST Allocations: On motion by Commissioner Hale and second by Commissioner Horton, the Board unanimously approved the prioritization of 2009 SPLOST projects and allocations as follows:

G.O. Bond – Recreation	\$4.8 Million
Jail/EOC/911 Lease Purchase	\$6.0 Million
Roads	\$8.0 Million
Water and Sewer	\$6.8 Million
Fire	\$3.9 Million
Radio System	\$3.2 Million
Parks/ Historic & Scenic Preservation	\$1.1 Million
Farmland Protection	\$0.5 Million

December Agenda Setting Meeting: On motion by Commissioner Norris and second by Commissioner Hale, the Board voted unanimously to change the December 30, 2008 agenda setting meeting date to December 16, 2008.

2009 SPLOST Intergovernmental Agreement and Call for Referendum: County Attorney Daniel Haygood discussed the 2009 SPLOST Intergovernmental Agreement and the Resolution calling for the 2009 SPLOST referendum. Mr. Haygood said the Board of Commissioners and the Cities need to adopt the Intergovernmental Agreement and the Board will then need to adopt a Resolution calling for the referendum on March 17, 2009. By consensus, the Board will act on these items at the December 16, 2008 meeting.

Concept Plan – Bishop Development Properties Rezone No. 081-B: On motion by Commissioner Horton and second by Commissioner Luke, the Board unanimously approved a new concept plan relating to rezoning condition #3 of Rezone #081-B by Bishop Development Properties, located on the southwest corner of the SR 53/Loch Lomond Circle intersection, allowing for connection to Loch Lomond Circle.

Rezone Request No. 5397 – Lance and Anglin: The Board held a public hearing on Rezone Request No. 5397 by Delores N. Lance and Dorothy N. Anglin, ±9.102 acres, located on Daniells Bridge Road and SR Loop 10, from AR-1 to OBP.

Planner Brad Callender presented the staff report.

Jeff DeLoach, representing the applicants, was late to arrive. The hearing was opened for public comment.

Lee Becker, Eleanor Cotton, Ralph Johnson, Joe Mann, Ben Goss, Sarah Bell and Mick Miner spoke in opposition to the rezone request. Concerns were expressed primarily for increased traffic volume and the safety of Daniells Bridge Road. A petition was submitted from area residents requesting the denial of the rezone request.

Public Works Director Emil Beshara spoke at length on a safety analysis performed on Daniells Bridge Road and the proposed road improvement project. Mr. Beshara noted the speed limit was 45 mph with an advisory of 35 mph in the curve. He stated there were no recorded accidents in the curve and an insignificant number of speeders. Mr. Beshara said road infrastructure improvements would be addressed at the permitting stage.

Jeff DeLoach said the applicants have made a real effort to contribute to the future improvements to Daniells Bridge Road and noted the project was the highest and best use of the property.

Commissioner Hale made a motion to deny Rezone Request No. 5397 by Delores N. Lance and Dorothy N. Anglin. The motion died for lack of a second.

Commissioner Horton made a motion to approve Rezone Request No. 5397 by Delores N. Lance and Dorothy N. Anglin, with conditions. Commissioner Luke seconded the motion. Commissioners Horton, Luke and Norris voted yes. Commissioner Hale voted no. Rezone Request No. 5397 by Delores N. Lance and Dorothy N. Anglin, ±9.102 acres, located on Daniells Bridge Road and Loop SR 10, from AR-1 to OBP, was approved with conditions. **See Documentation in Ordinances and Resolutions Book No. 18.**

Special Use Request No. 5783 – Watkinsville First United Methodist Church: The Board held a public hearing on Special Use Request No. 5783 by Watkinsville First United Methodist Church, Inc., ±9.022 acres, located on U.S. Highway 441 and New High Shoals Road, to expand an existing a community scale church facility.

Planner Brad Callender presented the staff report.

Abe Abouhamdan, representing the applicant, said the proposed expansion includes an addition to the existing sanctuary and two new buildings. Mr. Abouhamdan said the project will be constructed in phases.

No one spoke in opposition to the variance request.

On motion by Commissioner Hale and second by Commissioner Norris, the Board unanimously approved Special Use Request No. 5783 by Watkinsville First United Methodist Church, Inc., ±9.022 acres, located on U.S. Highway 441 and New High Shoals Road, to expand an existing a community scale church facility, with conditions. **See Documentation in Ordinances and Resolutions Book No. 18.**

Keep Oconee County Beautiful Commission Appointment: On motion by Commissioner Luke and second by Commissioner Hale, the Board unanimously appointed Tracey Stewart to the Keep Oconee County Beautiful Commission to fill an unexpired term, expiring June 30, 2010.

Land Use and Transportation Planning Committee Appointment: On motion by Commissioner Hale and second by Commissioner Luke, the Board unanimously appointed Chris Herring to the Land Use and Transportation Planning Committee to fill an unexpired term, expiring September 30, 2009.

2009 Board of Commissioners Meeting Schedule: On motion by Commissioner Luke and second by Commissioner Horton, the Board unanimously approved the 2009 Board of Commissioners meeting schedule.

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

- **2008 Tax Digest Error and Release Order:** Approved the 2008 Tax Digest Error and Release Order as recommended by Tax Commissioner Harriette Browning.
- **2009 Alcohol License Renewals:** Approved the 2009 Beer and/or Wine Licenses for Bells Food Store, Racetrac Petroleum, Kroger, T's Corner, A.J.'s Food Store, Fast Phil's, Publix, Wal-Mart, Oconee Fast Mart, Golden Pantry #77, Golden Pantry #15, Oconee Food Mart, Athens Shell, Bibb Distributing Company, Leon Farmer & Company, Northeast Sales Distributing and Taqueria La Parrilla.
- **Employee Retirement Plan:** Approved a "one-time window of opportunity" for the retirement of employees that are or will be 62 or older at the end of calendar year 2008 as presented at the November 25, 2008 Board of Commissioners meeting.
- **Wastewater Treatment Capacity:** Approved the following recommendations regarding the Rocky Branch WWTP upgrade, the Calls Creek WWTP upgrade and the methodology of calculating sewerage plant availability, as presented at the November 25, 2008 Board of Commissioners meeting:
 - 1) Continue engineering on the Rocky Branch WWTP until completion;
 - 2) Approve the immediate upgrade of the Calls Creek WWTP and the associated trunk lines to the permitted 1mgd, utilizing funding of \$1.5 million from capacity fees and \$1.5 million from SPLOST funds;
 - 3) Cease negotiations with Southern champion to achieve the Guaranteed Maximum Price (GMP) for the Rocky Branch plant and place the project on hold; and,
 - 4) Adopt a policy that (a) utilizes actual plant flows of 80% of total plant capacity to determine sewerage availability, (b) limits the amount of capacity that can be sold to not more than 175% of total plant capacity and (c) provides that any additional capacity realized be restricted to commercial usage.

Silver Mill Farms v. Oconee County: County Attorney Daniel Haygood reported the Silver Mill Farms v. Oconee County zoning lawsuit was dismissed.

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

County Clerk

Chairman

Date