

The Regular Meeting of the Oconee County Board of Commissioners was held on Tuesday, June 6, 2006, at 7:00 p.m., in Courtroom No. 1, 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 Attorney Mike Pruett County Clerk Gina M. Lindsey Jeff Benko, Finance Director BR White, Planning Director Brad Callender, Planner Sandy Thursby, Planner Krista Gridley, Planner William White, Project Coordinator Mike Leonas, Public Works Director
Media Present:	Vinnie Williams, The Oconee Enterprise

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

Minutes: On motion by Commissioner Luke and second by Commissioner Horton, Minutes of the May 2, May 16 and May 30, 2006 meetings were approved as distributed.

FY 2006 Budget – Amend and Revise: Finance Director Jeff Benko requested approval to amend and revise the FY 2006 Budget in preparation for the fiscal year closeout and commencement of the County’s comprehensive audit.

Following extensive discussion, Commissioner Norris made a motion to amend and revise the FY 2006 Budget and to approve the FY 2007 Budget and Fee Schedule as previously presented. The motion failed for lack of a second. No further motion was made. Chairman Davis said the amendment of the FY 2006 Budget would come back to the Board for action at a later date.

FY 2007 Budget Adoption: On motion by Commissioner Hale and second by Commissioner Luke, the Board unanimously approved the FY 2007 Budget and Fee Schedule as proposed and submitted at the May 30, 2006 budget hearing. ***See Documentation in Ordinances and Resolutions Book No. 16.***

Rezone Request #4992 – Daniel D. Casto, et al: The Board held a public hearing on Rezone Request No. 4992 by Daniel D. Casto et al, 263.12 acre, located on Dials Mill Road, from A-1 to AR-1.

On motion by Commissioner Horton and second by Commissioner Hale, the Board voted unanimously to approve Rezone Request No. 4992 from A-1 to AR-1 and FP, with conditions, for a single family residential subdivision (Wildflower Meadows). ***See Documentation in Ordinances and Resolutions Book No. 16.***

Rezone Request #4993 – ALP Development, Inc.: The Board held a public hearing on Rezone Request No. 4993 by ALP Development, Inc., ±421.84 acres, located on U.S. Hwy. 441, from AR-5 and FP to Modified AR-5 and FP.

John Stell, representing the applicant, said the owners are petitioning for a rezone modification to allow buildings within 50’ of the 100 year flood plain, to allow septic tanks and drain fields adjacent to the 100 year flood plain and to allow the existing access easement to remain in its original location on the site.

John Dowd, Tony Glenn, Michael Reuter, Teresa Paninski, Russ Page, Courtney Gale, Rosemary Franklin, Lee Ann Mitchell, April Franklin, Jim Buonaccorsi, Bob Kraeling, Rebecca Wood, Craig Ellefson, Joey Westman, Paul Paninski, Lorraine Thompson and Tim Sweatman spoke in opposition to the modification request, expressing concerns for the ecological and environmental impact of reducing the flood plain buffer. Several asked that the developer preserve an area for a river walk along the Apalachee River.

Commissioner Norris made a motion to approve Rezone Request No. 4993, with conditions. The motion failed for lack of a second.

Commissioner Horton made a motion to deny Rezone Request No. 4993. The motion failed for lack of a second.

Commissioner Hale made a motion to approve Rezone Request No. 4993, with modified conditions. Commissioner Luke seconded the motion. Commissioners Hale, Luke and Norris voted yes. Commissioner Horton voted no. Rezone Request No. 4993 by ALP Development, Inc. was approved. ***See Documentation in Ordinances and Resolutions Book No. 16.***

Rezone Request #4994 – Lindsey N. Greeson: The Board held a public hearing on Rezone Request No. 4994 by Lindsey N. Greeson, ±6.86 acres, located on Epps Bridge Parkway and Tanglebrook Drive, from B-2 and MH to B-2 and FP.

Kenneth Beall, representing the applicant, presented a Constitutional Challenge. Mr. Beall also presented a March 30, 2006 letter from the Oconee County Utility Department stating water and sewer capacity is available for a commercial project at the site, a May 24, 2006 letter from the Oconee County Utility Department stating sewer capacity is not available for additional residential mobile homes and a page of representative architecture photographs.

Mr. Beall stated the developer has agreed to the following additional conditions:

1. With the exception of incidental earthwork necessary to construct the required improvements to Tanglebrook Drive, the developer agrees to leave the area identified as Lot No. 3 (former oxidation pond location) on the submitted rezone concept plan dated April 5, 2006, in its current unimproved vegetative condition.
2. The developer agrees to reduce the overall building square footage from 56,600 SF to 43,424 SF (this equates to a 23% reduction in total square footage).
3. The developer agrees that no access or driveway of any kind is to be constructed from Tanglebrook Drive to the area identified as Lot No. 3 of the above mentioned plan.

Several residents of the Tanglebrook neighborhood spoke in opposition to the rezone request. Chris Lloyd said he was not opposed to development but commercial development was not appropriate for this tract. Neil Priest expressed concerns for traffic safety. Jan Brooks was concerned the cul de sac would be used as a turn-around. Tricia Reeves also spoke about safety concerns. Ed Perkins was opposed to commercial development backing up to the residential neighborhood. Ron Taylor said the Future Land Use Map designates the area as office-professional. Susan Pittman had issues with noise pollution. Cindy Rutherford was concerned with light pollution and glare. Pat Priest expressed concern for the environmental impact and runoff from the impervious paving. Patrick Haggard questioned the plans for the remainder of the tract. Kim Joyner stated office-professional development should occur as a buffer between commercial and residential development. Mark Ellison said it would be difficult to realign Tanglebrook Drive due to the location of utilities and the bridge. Steve Crowell said residential development of the property would be just as economically feasible. Larry Benson agreed with all the comments.

Kenneth Beall explained average daily trips and peak hour trips. He stated the developer would pay for all upgrades and the development would not be a burden to the residents of Tanglebrook Subdivision. Mr. Beall said after the development, the residents would have two ways to access the neighborhood. He noted the rezone concept plan meets all zoning criteria and a reduction in public safety calls to the mobile home park would be a gain to the county.

Commissioner Hale and Commissioner Horton asked questions regarding traffic safety. Public Works Director Mike Leonas stated the addition of a right turn lane would involve significant reconstruction of the Tanglebrook Drive/Epps Bridge Parkway intersection. Commissioner Horton said he believes the Future Land Use Map designated this tract as OIP.

On motion by Commissioner Horton and second by Commissioner Hale, the Board voted unanimously to deny Rezone Request No. 4994. ***See Documentation in Ordinances and Resolutions Book No. 16.***

Rezone Request #4995 – H. Verlyn Hammond: The Board held a public hearing on Rezone Request No. 4995 by H. Verlyn Hammond, ±44.74 acres, located on Lenru Road and Clotfelter Road, from A-1 to R-1.

On motion by Commissioner Norris and second by Commissioner Horton, the Board unanimously approved Rezone Request No. 4995, with conditions, for a single family residential subdivision (Avalon). ***See Documentation in Ordinances and Resolutions Book No. 16.***

Rezone Request #4996 – Michael Thornton: The Board held a public hearing on Rezone Request No. 4996 by Michael A. Thornton, ±4.66 acres, located on S.R. 53, from A-1 to B-1.

On motion by Commissioner Hale and second by Commissioner Horton, the Board unanimously approved Rezone Request No. 4996, with conditions, for a retail commercial building.

See Documentation in Ordinances and Resolutions Book No. 16.

Rezone Request #4998 – W.H. Britt: The Board held a public hearing on Rezone Request No. 4998 by W.H. Britt, ±5.023 acres, located on Moores Ford Road, from A-1 to AR-2.

On motion by Commissioner Hale and second by Commissioner Horton, the Board unanimously approved Rezone Request No. 4998, with conditions, to divide the property into two (2) residential lots.

See Documentation in Ordinances and Resolutions Book No. 16.

Jail/E911/EOC Project Financing: On motion by Commissioner Horton and second by Commissioner Hale, the Board unanimously approved a Lease-Purchase Agreement through Wachovia Bank and the Association County Commissioners of Georgia in the amount of \$9,000,000, for a term of ten (10) years, at the bid rate of 3.85%, to complete the Jail/E911/EOC Project. The Board also authorized the Chairman and Finance Director to execute all necessary documents.

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

- **Intergovernmental Agreement - UOBWA:** Approved an Intergovernmental Agreement with the Upper Oconee Basin Water Authority for the acquisition of 5.17 acres for anticipated recreational use, at an expense to Oconee County of not less than 25% nor more than 33 1/3% of the \$165,000-plus cost.
- **Pumper Truck:** Approved the bid by Clay Fire Apparatus, for a Sutphen S-2 Pumper, at a cost not to exceed \$282,961.00.
- **Roadside Spraying:** Approved the bid of \$19,079.76 by DeAngelo Brothers, Inc. for the FY 2007 Oconee County Roadside Spraying Program.
- **Crack Sealing:** Approved the bid of \$67,206 by Advanced Asphalt Coating, Inc. for the FY 2007 County Road Crack Sealing Program.
- **Oconee Community Complex – Change Order:** Approved a change order to the contract with F.E. Sims Enterprises, Inc. for the Oconee Community Complex Project in the amount of \$82,034.00 to meet changes in the DOT specifications for right-of-way construction on GA Hwy. 53.

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

County Clerk

Chairman

Date