

The Regular Meeting of the Oconee County Board of Commissioners was held on Tuesday, January 3, 2006, 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:

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

B.R. White, Planning Director
Brad Callender, Planner
Jeff Benko, Finance Director
Chris Thomas, Assistant Utility Director
William White, Projects Coordinator
Mike Leonas, Public Works Director

Media Present:

Vinnie Williams, The Oconee Enterprise
Merritt Melancon, Athens Banner-Herald

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 December 6 and December 20, 2005 meetings were approved as distributed.

Jail and EOC/E911 Project: Wayne Wilbanks, Liz Hudson and Sheriff Scott Berry reported Peter R. Brown Construction was unable to provide Oconee County with responsiveness and priority as Construction Manager at Risk for the Jail and EOC/E911 Project and noted Peter R. Brown Construction was in concurrence. On motion by Commissioner Horton and second by Commissioner Hale, the Board voted unanimously to mutually dissolve the relationship with Peter R. Brown Construction and authorized the Chairman and County Attorney to prepare a contract with New South Construction as Construction Manager at Risk.

E-911 Resolution: On motion by Commissioner Hale and second by Commissioner Horton, the Board unanimously approved a resolution reaffirming the need for E-911 service in Oconee County. **See Documentation in Ordinances and Resolutions Book No. 16.**

Environmental Trust Funds Resolution: On motion by Commissioner Norris and second by Commissioner Luke, the Board unanimously approved a resolution urging the Georgia General Assembly to fully appropriate the Hazardous and Solid Waste Trust Funds and the erosion and sedimentation fee program and to direct future fees and funds collected for specific environmental programs to those purposes for which they are statutorily authorized. **See Documentation in Ordinances and Resolutions Book No. 16.**

PUD Amendment #4791 – Jennings Mill Country Club (Withdrawn): On motion by Commissioner Hale and second by Commissioner Norris, the Board unanimously approved the applicant's request to withdraw PUD Amendment No. 4791 by Jennings Mill Country Club, ± 1.39 acres, located on Lake Pointe Drive.

Rezone Request #4699 – Silver Mills Farms: The Board held a public hearing on Rezone Request No. 4699 by Silver Mills Farms, LLC, ± 1.648 acres, located on Virgil Langford Road, from A-1 to B-2.

Ken Beall, representing the applicant, presented a Constitutional Challenge for Rezone Request No. 4699.

Mr. Beall presented two illustrations of the site showing how it would be impacted by both the current design of the Jennings Mill Road relocation and an alternate design of the road. Mr. Beall stated no development could occur on the property the way the road is currently designed because it splits the property in half.

Public Works Director Mike Leonas said the road relocation design was developed in 2001. The property was purchased by the current owner in April 2005. Mr. Leonas noted GA DOT has approved the right-of-way plans and right-of-way purchases are scheduled to begin early this year. He stated any change in the design would have to go back to GA DOT for approval, thereby postponing the project and adding major expense to the County.

On motion by Commissioner Hale and second by Commissioner Horton, the Board voted unanimously to deny Rezone Request No. 4699 by Silver Mills Farms, LLC. **See Documentation in Ordinances and Resolutions Book No. 16.**

Rezone Request #4792 – Bobby & Nancy Roberts: The Board held a public hearing on Rezone Request No. 4792 by Bobby W. and Nancy Roberts, ± 3.981 acres, located on Clotfelter Road, from A-1 to AR-1. On motion by Commissioner Norris and second by Commissioner Luke, the Board voted unanimously to approve Rezone Request No. 4792, with conditions, to divide the property into two tracts. **See Documentation in Ordinances and Resolutions Book No. 16.**

Conditional Use Permit #4793 – BB&B, LLC: The Board held a public hearing on Conditional Use Permit No. 4793 by BB&B, LLC, ± 1.646 acres, located off Mars Hill Road, for an amenity area within Meridian Subdivision. On motion by Commissioner Luke and second by Commissioner Norris, the Board voted unanimously to approve Conditional Use Permit No. 4793, with conditions, for an amenity area. **See Documentation in Ordinances and Resolutions Book No. 16.**

Rezone Request #4794 – Steven D. Williams: The Board held a public hearing on Rezone Request No. 4794 by Steven D. Williams, et ux, ± 44.636 acres, located on Malcom Bridge Road, from A-1 to R-1. On motion by Commissioner Hale and second by Commissioner Horton, the Board voted unanimously to approve Rezone Request No. 4794, with conditions, for a single family residential subdivision (Malcom Bridge Meadows). **See Documentation in Ordinances and Resolutions Book No. 16.**

Rezone Request #4795 – Charles M. Osborn: The Board held a public hearing on Rezone Request No. 4795 by Charles M. Osborn, et al, ± 83.9 acres, located on Osborne Road, from A-1 to AR-1.

Abe Abouhamdan, representing the applicant, stated a total of 65 residential lots are proposed for the development. Minimum lot area will be 1.0 acre and the proposed homes will be a minimum 2,200 square feet. Mr. Abouhamdan stated the property was not suited for a conservation subdivision due to its size and shape.

Russ Page said a conservation subdivision would be better suited at this location and would conform to the Land Use Plan.

Commissioner Norris made a motion to approve Rezone Request No. 4795 from A-1 to AR-1, with conditions. Commissioner Hale seconded the motion. Commissioners Norris, Hale and Luke voted yes. Commissioner Horton voted no. The motion passed to approve Rezone Request No. 795 by Charles M. Osborn, ± 83.9 acres, located on Osborne Road, from A-1 to AR-1, with conditions, for a single family residential subdivision (Valiant Pastures). **See Documentation in Ordinances and Resolutions Book No. 16.**

Board of Tax Assessors: On motion by Commissioner Luke and second by Commissioner Hale, the Board unanimously appointed Todd Paschal to the Oconee County Board of Tax Assessors for a six-year term, expiring March 31, 2012.

Planning Commission: On motion by Commissioner Norris and second by Commissioner Horton, the Board unanimously appointed William C. "Chuck" Steen to the Oconee County Planning Commission for an unexpired term, expiring September 30, 2007.

Development Authority: On motion by Commissioner Horton and second by Commissioner Hale, the Board unanimously appointed Rick Waller to the Oconee County Development Authority for an unexpired term, expiring December 31, 2006.

Right of Way Abandonment – Treadwell Bridge Road: The Board held a public hearing on a request to abandon the portion of Treadwell Bridge Road within Apalachee Run Subdivision.

There being no objections filed, on motion by Commissioner Luke and second by Commissioner Norris, the Board voted unanimously to abandon that portion of Treadwell Bridge Road. **See Documentation in Ordinances and Resolutions Book No. 16.**

On motion by Commissioner Luke and second by Commissioner Norris, the Board unanimously authorized the Chairman and the County Attorney to negotiate a price for the abandoned right of way with the adjoining land owner.

2006 Commission Meeting Schedule: On motion by Commissioner Horton and second by Commissioner Norris, the Board unanimously approved the 2006 Commission Meeting Schedule.

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

- **Aerial Photography:** Approved the bid of \$114,000 by Land Air Mapping, Inc. for the aerial photography project for Oconee County.
- **Water Main Extension – SR 186 and Dials Mill Road:** Approved the bid of \$932,562 by Heritage Construction Group, Inc. for water line construction along SR 186 and Dials Mill Road.
- **Transportation Agreement:** Approved an agreement with the Oconee County Board of Education for the provision of transportation services for the Parks and Recreation After-school Program.

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