

The Regular Meeting of the Oconee County Board of Commissioners was held on Tuesday, October 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

Jeff Benko, Finance Director
BR White, Planning Director
Brad Callender, Planner
Krista Gridley, Planner
Sandy Thursby, Planner
Wayne Provost, Strategic Planning Director
Melissa Henderson, Code Enforcement Director
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 September 5 and September 19, 2006 meetings were unanimously approved as distributed.

Unified Development Code: The Board held the Second Reading of the Oconee County Unified Development Code (UDC). Strategic and Long-range Planning Director Wayne Provost indicated the zoning maps and a copy of the proposed Unified Development Code were located at the front of the room for public viewing.

Mr. Provost recommended 17 revisions to the Unified Development Code since its presentation at the First Reading on September 5, 2006. The proposed amendments related to banners, illuminated signs, size of temporary signs, primary conservation areas, suitability of land, standards of stormwater management, preliminary plats and site plans, digital submission requirements, special tax districts and procedures for appeals. A copy of the proposed revisions were available at the back of the room for public inspection.

The Board opened the public hearing for comments and questions. Kate McDaniel questioned the time limitation for displaying political banners. Mr. Provost explained the UDC addresses political banners as temporary signs which are allowed for the duration of the event. Alec Hodson, representing the Athens Area Homebuilders Association, expressed appreciation for the county's willingness to work together in drafting the language of the Code in a way to best meet the needs of the community.

There being no further discussion, the public hearing was closed.

On motion by Commissioner Horton and second by Commissioner Hale, the Board voted unanimously to adopt the Oconee County Unified Development Code, with the seventeen amendments as presented, to be effective November 1, 2006. **See Documentation in Ordinances and Resolutions Book No. 16.**

Rezone Requests #5146 and #5147—Plum Creek Timberlands, L.P.: Planning Director B.R. White read a letter dated October 3, 2007 from Fernando Arias, Real Estate Development Manager of Plum Creek Timberlands, L.P. Mr. Arias expressed concern of a possible conflict of interest at the September 18, 2006 Planning Commission meeting where Rezone Requests #5146 and #5147 were heard.

On motion by Commissioner Hale and second by Commissioner Horton, the Board voted unanimously to return Rezone Requests #5146 and #5147 to the Planning Commission to be heard and voted on again at their October 16, 2006 meeting and to place these items on the November 7, 2007 Board of Commissioners agenda for action.

Street Light Tax District – Lee Ridge Subdivision: On motion by Commissioner Horton and second by Commissioner Luke, the Board unanimously approved the creation of Street Light Tax District No. C-5C-L1 for Lee Ridge Subdivision. **See Documentation in Ordinances and Resolutions Book No. 16.**

Rezone Request #5145 –Bill Nguyen, et al: The Board held a public hearing on Rezone Request No. 5145 by Bill Nguyen, et al, ±67.7 acres, located on S.R. 53, from A-1 to AR-1.

Josh Bowen, representing the applicant, said the property is located along S.R. 53 adjacent to the Oconee County/Barrow County line. He stated the owner proposes to develop at 54 lot single-family residential subdivision. No one spoke in opposition to the rezone request.

On motion by Commissioner Norris and second by Commissioner Hale, the Board unanimously approved Rezone Request No. 5145 by Bill Nguyen, et al, from A-1 to AR-1 with conditions (Brookfield). **See Documentation in Ordinances and Resolutions Book No. 16.**

Rezone Request #5150 – Epps Bridge Parkway, LLC, et al: The Board held a public hearing on Rezone Request No. 5150 by Epps Bridge Parkway, LLC, et al, ±42.198 acres, located on Epps Bridge Parkway and Jordan Drive, from B-2 to B-2 with modifications.

Commission Norris recused himself from the discussion and vote due to a conflict.

Kenneth Beall, representing the applicants, stated the owners are petitioning for a modification of the original rezone in order to modify the approved development plan to allow a private bridge to be constructed across McNutt Creek to a site in Athens-Clarke County. The site has been selected by the Catholic Archdiocese of Atlanta for the new St. Joseph Catholic Church and School Campus. Mr. Beall said the private bridge would provide a secondary access to the campus from the Boulevard Parkway/Epps Bridge Parkway/Tanglebrook Drive intersection.

Architect Charles Porter presented a sketch of the proposed church campus and noted 35% of the parishioners reside in Oconee County. No one spoke in opposition to the rezone request.

The Board had questions regarding the increased traffic at the Boulevard Parkway/Epps Bridge Parkway/Tanglebrook Drive intersection. Public Works Director Mike Leonas said the county's future traffic projections for Parkway Boulevard were based solely on the shopping center development and noted future plans call for connecting the road to Jennings Mill Parkway.

The Board discussed the possibility of Athens-Clarke County denying the Special Use Permit application submitted by St. Joseph Catholic Church. It was suggested an additional condition be placed on the rezone requiring the use of the private bridge be limited to providing ingress and egress for the church and its associated school for grades up to the 8th grade.

On motion by Commissioner Luke and second by Commissioner Horton, the Board unanimously approved Rezone Request No. 5150 by Epps Bridge Parkway, LLC, et al, ±42.198 acres, located on Epps Bridge Parkway and Jordan Drive, from B-2 to B-2 with modifications, with conditions, to allow for the construction of a private bridge across McNutt Creek. **See Documentation in Ordinances and Resolutions Book No. 16.**

Conditional Use Permit #5151 – Thornwood Properties, LLC: The Board held a public hearing on Conditional Use Permit No. 5151 by Thornwood Properties, LLC, ± 21.15 acres, located on U.S. Hwy. 441 and Bishop Farms Parkway, to construct a community scale church.

Kenneth Beall, representing the applicants, said the proposed New Life Apostolic Church will include a single-story 54,700 sq. ft. church building, a parsonage, two accessory structures and a ball field for recreational use. No one spoke in opposition to the conditional use permit request.

On motion by Commissioner Hale and second by Commissioner Horton the Board unanimously approved Conditional Use Permit No. 5151 by Thornwood Properties, LLC, with conditions, to construct a community scale church (New Life Apostolic Church). **See Documentation in Ordinances and Resolutions Book No. 16.**

Rezone Request #5152 – James G. Hicks: The Board held a public hearing on Rezone Request No. 5152 by James G. Hicks, ±28.67 acres, located on Cole Springs Road, from A-1 to AR-1.

Abe Abouhamdan, representing the applicant, said the single-family residential subdivision will feature twenty-two 1-acre lots with larger lots along its eastern boundary to create a better transition and buffer to the adjacent AR-5 subdivision. Minimum square footage of the proposed homes will be 2,200 sq. ft.

King Howington, developer of The Estates at Cole Springs, spoke in opposition to the rezone request. He stated the proposed use of the property did not conform to the surrounding "transitional/agricultural" uses in the area. Mr. Howington noted 5-acre lots should be required.

On motion by Commissioner Luke and second by Commissioner Horton, the Board unanimously denied Rezone Request No. 5152. **See Documentation in Ordinances and Resolutions Book No. 16.**

Rezone Request #5153 – Donald M. and Imogene O. Wilbanks: The Board held a public hearing on Rezone Request No. 5153 by Donald M. and Imogene O. Wilbanks, ±3.0 acres, located on New High Shoals Road, from A-1 to AR-2.

Kim Ramsey, representing the applicants, stated the owners are requesting to subdivide the proposed ±3.0 acre tract from the parent property to construct a single-family residence. No one spoke in opposition to the rezone request.

On motion by Commissioner Hale and second by Commissioner Horton, the Board unanimously approved Rezone Request No. 5153, with conditions. **See Documentation in Ordinances and Resolutions Book No. 16.**

Development Authority: On motion by Commissioner Luke and second by Commissioner Norris, the Board unanimously appointed Larry Benson, Pattie W. Ivy, John Morrison and Rick Waller to the Oconee County Development Authority for a two-year term expiring December 31, 2008.

Board of Elections and Registration: On motion by Commissioner Horton and second by Commissioner Luke, the Board unanimously appointed Pat Hayes to the Oconee County Board of Elections and Registration for a four-year term expiring December 31, 2010.

Library Advisory Board: On motion by Commissioner Hale and second by Commissioner Norris, the Board unanimously appointed Art Zimmerman and Brian Hawkins to the Oconee County Library Advisory Board for a five-year term expiring December 31, 2011. Commissioner Luke abstained.

Network Telephony – Voice over Internet Protocol: IT Director Paula Nedza reported the sole bid from BellSouth for Phase II of the Voice over Internet Protocol project had been evaluated for the most cost effective solution. To simplify the evaluation, the costs were broken into three areas: 1) Internal Wiring, 2) Equipment, and 3) Fiber backbone.

Ms. Nedza recommended proceeding with the internal wiring for the Health Department, EOC/E911, Jail, Frank Norris Building, Government Annex, Road Department, Civic Center, Herman C. Michael Park and the Oconee Community Complex at a cost of \$134,936.57. Ms. Nedza also recommended proceeding with the purchase of equipment for the Jail and EOC/E911 at a cost of \$76,623.63.

On motion by Commissioner Norris and second by Commissioner Luke, the Board voted unanimously to proceed with Phase II of the Voice over Internet Protocol project as recommended for a total cost of \$211,560.20.

Property and Liability Insurance: On motion by Commissioner Hale and second by Commissioner Horton, the Board unanimously approved the renewal of the ACCG-IRMA contract for Property and Liability Insurance with a \$10,000 deductible, effective October 1, 2006. The contribution for 2006-2007 is not to exceed \$184,463.

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

- **Pension Plan Amendment:** Approved Amendment No. 2 to the ACCG Defined Benefit Plan for Oconee County employees to address the collection of overpayments, regardless of who is at fault, from future payments due from the Trust to the participant or his beneficiary.

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

County Clerk

Chairman

Date