

The Regular Meeting of the Oconee County Board of Commissioners was held on Tuesday, September 6, 2005, 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
County Attorney Daniel Haygood
County Clerk Gina M. Lindsey

Jeff Benko, Finance Director
Matt Forshee, Planning & Economic Develop
B.R. White, Asst. Planning Director
Mike Leonas, Public Works Director
William White, Project Coordinator
Gary Dodd, Utility Director
Don Oliver, Interim Parks & Recreation Director

Media Present:

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

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

Minutes: On motion by Commissioner Horton and second by Commissioner Luke, Minutes of the August 2 and August 30, 2005 meetings were approved as distributed.

Rezone Request #4590 – Nicholas M. Bath: The Board held a public hearing on Rezone Request No. 4590 by Nicholas M. Bath, ± 2.661 acres, located on Hog Mountain Road, from OIP to OBP.

On motion by Commissioner Horton and second by Commissioner Norris, the Board unanimously approved Rezone Request No. 4590, with conditions, for the development of an office park (Oconee Meadows Office Park). ***See Documentation in Ordinances and Resolutions Book No. 15.***

Rezone Request #4591 – Steve Ebbert, Tom Little & Jim Timberlake: The Board held a public hearing on Rezone Request No. 4591 by Steve Ebbert, Tom Little and Jim Timberlake, ± 3.37 acres, located on Hog Mountain Road, from AR-1 to B-1.

The Presentation and Public Hearing for Rezone Request No. 4591 and Rezone Request No. 4592 were held at the same time.

Ken Beall, representing the applicants, submitted a Constitutional Challenge for Rezone Request No. 4591.

Mr. Beall stated the property owners propose to develop an up-scale business park subdivision featuring two lots fronting Hog Mountain Road to be developed under the B-1 zoning classification and three lots fronting a proposed interior street to be developed under the OIP zoning classification. Access to the development will occur from Hog Mountain Road and from Daniels Bridge Road. Mr. Beall noted the development trends along Hog Mountain Road are commercial and office-institutional.

Speaking in opposition to the rezone request, Lee Becker, Amy Roller, David Kelley, Bob Kraeling and Eleanor Cotton expressed concerns for spot zoning and traffic safety at the intersection of Daniels Bridge Road and Hog Mountain Road.

Public Works Director Mike Leonas reported the County is currently involved in a joint project with GA DOT to provide signalization and left turn lanes at this intersection. The intersection improvement project is expected to be completed in May 2006.

Mr. Beall stated the applicants were agreeable to constructing central left turn lanes at the development's access points on Hog Mountain Road and Daniels Bridge Road, as well as eliminating the proposed access point on Daniels Bridge Road, closest to the intersection.

On motion by Commissioner Hale and second by Commissioner Norris, the Board unanimously approved Rezone Request No. 4591, from AR-1 to B-1, with conditions, for the development of a business park subdivision (Old Farm Center). **See Documentation in Ordinances and Resolutions Book No. 15.**

Rezone Request #4592 – Steve Ebbert, Tom Little & Jim Timberlake: The Board held a public hearing on Rezone Request No. 4592 by Steve Ebbert, Tom Little and Jim Timberlake, ± 3.37 acres, located on Hog Mountain Road, from AR-1 to OIP.

The Presentation and Public Hearing for Rezone Request No. 4591 and Rezone Request No. 4592 were held at the same time.

Ken Beall, representing the applicants, submitted a Constitutional Challenge for Rezone Request No. 4592.

On motion by Commissioner Hale and second by Commissioner Horton, the Board unanimously approved Rezone Request No. 4592, from AR-1 to OIP, with conditions, for the development of a business park subdivision (Old Farm Center). **See Documentation in Ordinances and Resolutions Book No. 15.**

Cultural and Recreational Affairs Committee – Cultural and Tourism Subcommittee Appointment: On motion by Commissioner Norris and second by Commissioner Luke, the Board voted unanimously to appoint Stacy Koffman to the Citizens Advisory Committee on Cultural and Recreational Affairs – Cultural and Tourism Subcommittee for a two-year term, expiring September 30, 2007.

New Park Name: On motion by Commissioner Hale and second by Commissioner Horton, the Board unanimously approved “Oconee Community Complex” as the name for the new park on Hwy. 53

New Park Construction: On motion by Commissioner Hale and second by Commissioner Horton, the Board voted unanimously to award the New Park Construction Contract to F.E. Sims Enterprises, Inc. and to authorize the Chairman to execute the necessary documents for a base bid of \$7,276,562.00; the addition of Alternate #5 for gravity sewer installation in the amount of \$170,000.00; the deduction of Alternate #6 for tree planting in the amount of \$82,216.25; for a total contract amount of \$7,364,345.75. Separate from the initial contract, but standing as a potential add-on allowance, is \$250,000.00 for the maintenance facility. The Board authorized Staff to negotiate with F.E. Sims Enterprises, Inc. to provide for the youth sports complexes as a change order and return to the Board of Commissioners at the earliest possible time with a recommendation.

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

Comprehensive Plan Update: Approved an Agreement with Ross & Associates for consultant services for the Oconee County Joint Comprehensive Plan 10th Year Update. Phase I (FY 2006) will cover the Future Land Use Map Amendment, the Community Assessment and the Plan for Public Participation at a cost of \$53,280. Phase II (FY 2007) will include the implementation of the public participation component and the completion of the Community Agenda at a cost of \$52,925.

Executive Session: On motion by Commissioner Luke and second by Commissioner Hale, the Board adjourned into Executive Session to discuss litigation matters.

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

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

Garrett vs. Oconee County: On motion by Commissioner Luke and second by Commissioner Horton, the Board unanimously authorized the Chairman to enter into a Consent Agreement pertaining to the zoning lawsuit filed by Richard H. Garrett, Jr. against Oconee County.

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

County Clerk

Chairman

Date