

The Regular Meeting of the Oconee County Board of Commissioners was held on Tuesday, May 4, 2004, at 7:00 p.m., in Courtroom No. 1, Oconee County Courthouse.

Members Present:

Chairman Melvin Davis
Commissioner Johnny Pritchett
Commissioner Donald H. Norris
Commissioner Margaret S. Hale
Commissioner William E. Wilkes

Staff Present:

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

Wayne Provost, Planning Director
Matt Forshee, Senior Planner
Brad Callender, Planner
Gary Dodd, Utility Director
William White, Projects Coordinator
Mike Leonas, County Engineer

Media Present:

Vinnie Williams, The Oconee Enterprise
Mike D'Avria, Athens Newspapers

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

Minutes: On motion by Commissioner Wilkes and second by Commissioner Norris, Minutes of the April 6, and April 20, 2004 meetings were approved as distributed.

Conditional Use Permit No. 3628 –Harsh: The Board heard Conditional Use Permit No. 3628 by Michael K. and Gabriella Harsh, ±33.301 acres, located on Plantation Drive for a 2-lot subdivision. There was discussion on the amount of right of way the developer should dedicate to Oconee County to provide for a cul-de-sac. Norm Grayson, representing the applicants, stated Mr. Harsh would dedicate a portion of the needed right-of-way, but not all the property for a cul-de-sac.

Commissioner Norris made a motion to deny Conditional Use Permit No. 3628. The motion failed for lack of a second.

Commissioner Hale made a motion to approve Conditional Use Permit No. 3628, with conditions. Commissioner Pritchett seconded the motion. Commissioner Wilkes voted yes. Commissioner Norris voted no. Conditional Use Permit No. 3628 by Michael K. and Gabriella Harsh, ±33.301 acres, located on Plantation Drive was approved with conditions. **See Documentation in Ordinances and Resolutions Book No. 13.**

Conditional Use Permit No. 3703 –Athens Academy: On motion by Commissioner Wilkes and second by Commissioner Hale, the Board unanimously approved Conditional Use Permit No. 3703 by Athens Independent School, a/k/a Athens Academy, ±107.09 acres, located on Spartan Lane, with conditions, for the construction of a new football press box, a track house building, an internal access driveway and a 112 car parking lot to serve the new Arts & Sciences Building. **See Documentation in Ordinances and Resolutions Book No. 13.**

Rezone Request No. 3729 –Sturdivant and King: On motion by Commissioner Norris and second by Commissioner Pritchett, the Board unanimously approved Rezone Request No. 3729 by Roddy Sturdivant and J.D. King, ±9.004 acres, located on Daniels Bridge Road, with conditions, to construct an office building park. **See Documentation in Ordinances and Resolutions Book No. 13.**

Rezone Request No. 3730 –Pete Moss Partners: The Board heard Rezone Request No. 3730 by Pete Moss Partners, LLC, ±40.61 acres, located on Pete Dickens Road, from FP & R-1 MPD to FP & R-1 MPD with modified conditions, to change the architectural styles permitted for the single-family residential master planned development.

Commissioner Norris recused himself from the vote.

On motion by Commissioner Hale and second by Commissioner Wilkes, the Board approved Rezone Request No. 3730 by Pete Moss Partners, LLC, with modified conditions. **See Documentation in Ordinances and Resolutions Book No. 13.**

Conditional Use Permit No. 3732 – Pritchard: On motion by Commissioner Wilkes and second by Commissioner Hale, the Board voted unanimously to table Rezone Request No. 3732 by Carole C. Pritchard, ±92.69 acres, located on Old Farmington Road, for a 2-lot subdivision, to the June 1, 2004 meeting, as requested by the petitioner.

Rezone Request No. 3745 – RJC Land Development: The Board heard Rezone Request No. 3745 by RJC Land Development, Inc., ±34.062 acres, located on Hog Mountain Road, from A-1 to R-3 MPD, for a Mixed Use Master Planned Development.

Attorney for the applicant, Andrea C. Jones, presented a Constitutional Challenge.

Kenneth Beall, representing the applicant, stated the proposed residential Mixed Use Master Planned Development will be built around a two-acre parcel occupied by a single existing residence and will include approximately 51 residential lots, 43 town homes, an amenity area, two landscaped entrances, curb and gutter private streets, sidewalks, green space and storm water management areas. The plan also includes two office buildings.

Bob Cain, Norm Grayson, Wayne Lester and Sabrina Burroughs spoke in favor of the rezone request, referring to the quality of the developer's previous projects and the importance of the building industry in Oconee County.

Speaking in opposition of the rezone request, Mike Floyd, John Duffett, Karen Gergoff, Virginia Chasteen, Darren West, Ashley Hood, Bernadine Bellmor, Bob Kraeling and Bill Maleug expressed concerns for traffic, density, ecological impact, schools, infrastructure and quality of life.

On motion by Commissioner Hale and second by Commissioner Pritchett, the Board voted unanimously to deny Rezone Request No. 3745 by RJC Land Development, Inc., ±34.062 acres, located on Hog Mountain Road, from A-1 to R-3 MPD, for a Mixed Use Master Planned Development.

Street Light Tax District – Bridlegate Subdivision: On motion by Commissioner Norris and second by Commissioner Wilkes, the Board unanimously approved the creation of Street Light Tax District No. C-6A-L1 for Bridlegate Subdivision. **See Documentation in Ordinances and Resolutions Book No. 13.**

Street Light Tax District – Pembrook Estates: On motion by Commissioner Wilkes and second by Commissioner Hale, the Board unanimously approved the creation of Street Light Tax District No. D-1D-L1 for Pembrook Estates. **See Documentation in Ordinances and Resolutions Book No. 13.**

Bridge Repairs: On motion by Commissioner Norris and second by Commissioner Pritchett, the Board unanimously approved the bid of \$33,000 by Engineered Restorations, Inc. for concrete box culvert repairs to bridges on McRee Gin Road over Porters Creek, New High Shoals Road over Robinson Creek and Oliver Bridge Road over Wildcat Creek.

Franklin Grove – Appeal of Zoning Condition: Chairman Davis reported the developers of Franklin Grove Subdivision had withdrawn their appeal of a decision by the Planning Department and County Attorney regarding the location of a detention pond within the stream buffer corridor.

Annexation – City of Bishop: County Attorney Daniel Haygood reported the County has been notified by the City of Bishop that a Petition for Annexation has been received from Catherine H. Ballard for the annexation of ±29.76 acres into the corporate limits of the City of Bishop. Mr. Haygood explained the Joint County Municipality Land Use Classification Dispute Resolution Process. The County has concerns regarding driveways on Price Mill Road and the paving of Cemetery Road and Payne Road. On motion by Commissioner Wilkes and second by Commissioner Norris, the Board unanimously

authorized the County Attorney to notify the City of Bishop of the County's objection to the annexation request and initiate an informal negotiation process whereby the County and the City each appoint three representatives to discuss the matter. The Board unanimously appointed Chairman Davis, Planning Director Wayne Provost or his designee and County Engineer Mike Leonas or his designee to serve as the County's representatives in the negotiation process.

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

- **Civic Center Roof Repairs:** Approved the bid of \$21,300 by Bone Dry Roofing Company for roof repairs to the Oconee County Civic Center.
- **Heritage Park:** Authorized issuing a Request for Proposal for the design, site layout and construction of the main collector road and the initial parking area at Heritage Park, the site layout and construction of a 650' x 120' feeder barn and small show area to make the arena at Heritage Park more viable, and the initial site layout of the Historic Village. The Board also authorized pursuing the Historic Central School House and its relocation to Heritage Park.
- **Regional Solid Waste Management Plan:** Approved a Resolution authorizing the submission of the Updated Regional Solid Waste Management Plan to the Northeast Georgia Regional Development Center and the Georgia Department of Community Affairs. **See Documentation in Ordinances and Resolutions Book No. 13.**

Citizen Remarks:

Virginia Chasteen asked about the process for communicating her opinions to the Board of Commissioners.

Charles Baugh, representing Citizens for Oconee's Future, stated the Board should rescind the ordinance allowing for Master Planned Developments.

Jerry Studdard requested a moratorium on Master Planned Developments. He expressed his concern with people coming from outside Oconee County to "take our golden egg".

Ken Beall reported Planned Unit Developments (PUDs) were replaced by Master Planned Developments (MPDs). He explained Attorney Andrea C. Jones was brought to the meeting by the developer, Bob Cain.

Bernadine Bellmor asked the Board to consider the beauty of Oconee County and find ways to preserve it over the long-term.

Russ Page expressed his appreciation to the Board for a "hard job".

Ashley Hood suggested if a development doesn't break ground within a certain period of time, the property should revert back to the original zoning classification.

There being no further business, the meeting was adjourned.

County Clerk

Chairman

Date