

Organizational Meeting Action Agenda

BOARD OF COMMISSIONERS

January 8, 2004

7:00 P.M.

Chairman Dunn called the meeting to order, offered the Invocation and led the pledge to the Flag.

ORGANIZATION SESSION:

A. Election of Board Chairman for the year 2004.

MOTION WAS MADE BY COMMISSIONER PFEIFER, SECONDED BY COMMISSIONER WELLS TO NOMINATE COMMISSIONER DUNN AS CHAIRMAN OF THE FAYETTE COUNTY BOARD OF COMMISSIONERS FOR THE YEAR 2004. THE MOTION CARRIED 4-1. COMMISSIONER FRADY ABSTAINED.

B. Election of Board Vice Chairman for the year 2004.

MOTION WAS MADE BY COMMISSIONER DUNN, SECONDED BY COMMISSIONER PFEIFER TO NOMINATE COMMISSIONER WELLS AS VICE CHAIRMAN OF THE FAYETTE COUNTY BOARD OF COMMISSIONERS FOR THE YEAR 2004. THE MOTION CARRIED 5-0.

PUBLIC HEARING:

C. Consideration of Petition No. RP-026-03, James H. Rutledge, Jr., Owner, and Sylvia Patterson, Agent, request to revise the recorded final. Plat of Adams Acres Subdivision, Phase II, to add property (5.00 acres) and add density (1 proposed lot) to an existing residential subdivision. This property is located in Land Lot 42 of the 7th District, fronts on Adams Court, and is zoned R-70. The Planning Commission recommended approval 5-0. Staff recommended approval.

MOTION WAS MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER VANLANDINGHAM TO APPROVE PETITION NO. RP-026-03, AS PRESENTED. THE MOTION CARRIED 5-0.D.

Consideration of Petition No. 1117-03, Caroline L. Wilson, Owner, and Joe Simpson-Rich, Agent, request to rezone 25.1 acres from A-R to R-20 to develop a single-family residential subdivision. This property is located in Land Lots 42 and 23 of the 5th District and fronts on Inman Road. The Planning Commission recommended 4-1 with one condition. Staff recommended approval with one condition.

MOTION WAS MADE BY COMMISSIONER VANLANDINGHAM, SECONDED BY COMMISSIONER WELLS, TO REZONE PETITION NO. 1117-03 FROM A-R TO R-40 WITH THE CONDITIONS SO STATED IN THE PROPOSAL. THE MOTION CARRIED 5-0.

- E. Consideration of proposed amendments to the Fayette County Zoning Ordinance regarding Article VII. Conditional Uses, Exceptions, and Modifications, Section 7-6. Transportation Corridor Overlay Zone, A. S.R. 54 West and S.R. 74 South Overlay Zones, 6. Landscape Requirements; B. S.R. 85 North Overlay Zone, 5. Landscape Requirements; and C. General State Route Overlay Zone, 9. Landscape Requirements. The Planning Commission recommended approval 5-0.

MOTION WAS MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY, TO WITHDRAW THIS ITEM PER THE REQUEST OF THE DIRECTOR OF PLANNING. MOTION CARRIED 5-0.

OLD BUSINESS:

- F. Discussion of recommendation from Finance Director Mark Pullium to approve web update contract with Design Previews, Inc. d/b/a 11 Fingers.

COMMISSIONER WELLS REQUESTED THIS ITEM BE TABLED UNTIL THE NEXT MEETING.

NEW BUSINESS:

- G. Consideration to put before the voters of Fayette County an Ordinance that would allow facilities in the unincorporated portion of the county to sell "liquor by the drink."

THE BOARD TOOK NO ACTION ON THIS MATTER.

CONSENT AGENDA: MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY, TO APPROVE THE CONSENT AGENDA AS PRESENTED. THE MOTION CARRIED 5-0.

1. Approve authorization to sign checks combining any of the following two signatures for transactions exceeding \$5,000: Chairman, Vice Chairman, County Administrator.
2. Approve authorization to sign checks for transactions \$4,999 or less: Chairman, Vice Chairman, County Administrator.
3. Approval of the Chairman and Vice Chairman to execute contracts, resolutions, agreements and other documents as approved by the Board of Commissioners.
4. Approval of proposed meeting schedule for 2004.
5. Approve Resolution No. 2004-01 to appropriate funds necessary for the lease payment on the jail expansion and courthouse.

6. Approve Resolution No. 2004-02 renewing Resolution No. 90-07 which imposes a \$1.50 monthly "911" charge upon each exchange access facility subscribed to by telephone subscribers.
7. Approve Resolution No. 2004-03 renewing Resolution adopted on March 25, 1999 which imposes a \$1.00 monthly "911" wireless enhanced charge upon each exchange access facility subscribed to by telephone subscribers.
8. Approval of request from the Sons of Confederate Veterans to place a sign on the old courthouse lawn on April 3 through April 17, 2004 to advertise the annual celebration of Confederate Memorial Day on April 26th.
9. Approval of request from Tax Assessor Ellen Mills to reappoint Therese Ocheltree to a six year term on the Board of Tax Assessors commencing January 1, 2004 and expiring on December 31, 2009.
10. Approval of minutes for Board of Commissioners meetings held on December 3, 2003, December 11, 2003 and Special Called Executive Session held on December 22, 2003.

PUBLIC COMMENT:

Members of the public are allowed up to five minutes each to address the Board on issues of concern other than those items which are on this evening's agenda.

NONE

STAFF REPORTS:

EXECUTIVE SESSION: Attorney Davenport requested an executive session to discuss four legal items.

APPROVAL OF APPOINTMENTS: Chairman Dunn stated there was a request from the Democratic and Republican Parties to approve their new appointments for the four year terms on the Board of Elections.

MOTION WAS MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER VANLANDINGHAM, TO SIGN AND SEND THE AFFIDAVITS TO THE STATE. MOTION CARRIED 5-0.

EXECUTIVE SESSION: MOTION WAS MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER VANLANDINGHAM TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS FOUR LEGAL ITEMS. MOTION CARRIED 5-0.

LEGAL: Attorney Davenport advised the Board on a legal item.

THE BOARD TOOK NO ACTION.

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MOTION WAS MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY, FOR THE ATTORNEY TO PROCEED IN THIS MATTER. MOTION CARRIED 5-0.

LEGAL: Attorney Davenport advised the Board on a legal item.

MOTION WAS MADE BY COMMISSIONER VANLANDINGHAM, SECONDED BY COMMISSIONER FRADY, FOR THE ATTORNEY TO PROCEED IN THIS MATTER. MOTION CARRIED 5-0.

EXECUTIVE SESSION AFFIDAVIT: MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER PFEIFER, TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE EXECUTIVE SESSION AFFIDAVIT AFFIRMING THAT FOUR LEGAL ITEMS WERE DISCUSSED IN EXECUTIVE SESSION. THE MOTION CARRIED 5-0.

There being no further business to come before the Board, Chairman Dunn adjourned the meeting at 9:20 p.m.

Peggy Butler, Chief Deputy Clerk