

The Board of Commissioners of Fayette County, Georgia met in Official Session on Thursday, October 14, 2004, at 7:00 p.m. in the public meeting room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

COMMISSIONERS PRESENT: Greg Dunn, Chairman  
Linda Wells, Vice Chair  
Herb Frady  
Peter Pfeifer  
A.G. VanLandingham

STAFF MEMBERS PRESENT: William R. McNally, County Attorney  
Dennis Davenport, County Attorney  
Carol Chandler, Executive Assistant  
Peggy Butler, Chief Deputy Clerk

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Chairman Dunn called the meeting to order, offered the invocation and led the pledge to the flag.

**PRESENTATION:**

The Board of Commissioners presented a proclamation to the 4-H Club of Fayette County proclaiming October 11-16 as "4-H Week in Fayette County." Chairman Dunn commented that it was wonderful that these young people were taking their time and energy to do good things for the community and themselves. He said the leadership in the community often came from people who started out just like these young people had.

**PUBLIC HEARING:**

**PERMIT FOR METRO SPORTS BAR:**

County Attorney Bill McNally read the consideration of a distilled spirit/beer/wine pouring permit for Metro Sports Bar, 1950 Highway 85 North, Jonesboro, GA. Amy McKnight, owner/applicant. This property is located in Land Lot 248 of the 5<sup>th</sup> District, fronts on Highway 85 North, and is zoned C-H. This is for a new location. Attorney McNally said they had reviewed this application and from the materials submitted, it met the requirements for the issuance of the license.

Chairman Dunn asked if there was anyone in the audience who wished to speak for or against this application. No one spoke for or against this application.

Motion was made by Commissioner Wells, seconded by Commissioner Pfeifer, to approve the petition for the Metro Sports bar as presented. Motion carried 5-0. A copy the application, identified as "Attachment No. 1", follows these minutes and is made an official part hereof.

**PERMIT FOR BIG DAVE'S COUNTRY STORE:**

Attorney McNally read the consideration of a Beer/Wine Packaged Sales Permit for Big Dave's Country Store, 2708 S.R. 92 South, Fayetteville, GA., Amy E. Chaves and Martha Davis, Owners, and Amy E. Chaves, Applicant. This property is located in Land Lot 117 of the 4<sup>th</sup>

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District and is zoned C-C. This is for a change of ownership. Attorney McNally said they had reviewed the materials submitted on this application and it met the requirements for approval.

Chairman Dunn asked if there was anyone in the audience who wished to speak for or against this application. No one spoke for or against this application.

Motion was made by Commissioner Wells, seconded by Commissioner Pfeifer, to approve the permit for Big Dave's as presented. Motion carried 5-0. A copy of the application, identified as "Attachment No. 2", follows these minutes and is made an official part hereof.

**NEW BUSINESS:**

**REQUEST FROM THE FAYETTE FLYERS OF GEORGIA:**

David Keller, the club president of the Fayette Flyers of Georgia Radio Control Model Airplane Club said he was speaking as a representative of those who had an interest in this hobby. He said his primary purpose of his presentation was to provide the Board with a greater knowledge of radio-controlled aircraft and ask the Board to consider the study of a recreational facility within Fayette County for the purpose of supporting the hobby of radio-controlled airplanes, cars, boats and model rockets. He said their organization was dedicated to flying radio-controlled aircraft. He said they had lost membership over the past years due to losing flying fields. He said their membership ran from 8 year old members to members who were more than 80 years old. He said their membership primarily came from Fayette County but they welcomed members from throughout the metro Atlanta area.

He said their club was founded in 1977. He said over the last 27 years they had six different flying fields. He said the typical pattern for them was that they could locate a facility but could not keep it long enough to develop it.

He said their club was governed by bylaws approved through the AMA (Academy of Model Aeronautics). He said they had safety rules and field rules that further governed their activities to ensure that all members were safe and considerate members of the local community. He said he had several members of his organization with him tonight.

Mr. Keller said all members of their club are required to join AMA, which is a national organization that promoted and controlled the hobby sport of radio-controlled airplanes, boats, cars and model rockets. He said AMA provides \$2.5 million of liability coverage to each member and to site owners and the club itself.

He said the club was community oriented. He said they had done several fund raisers for charitable contributions to various organizations. He said one of their members had been very involved with the Fayette Schools and the Science Olympiad.

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He said they were asking the Board for assistance in locating a flying field. He said that would entail a runway, taxi area, pits, place for spectators, parking and land sufficient for overflying. He said the area should include approximately 40 acres.

He said the airplanes they flew weighed from less than a pound to up to 50 pounds. He said as a club they hosted a lot of activities. He said for the past three years they had hosted the Southeast Electric Flight Festival. He said this festival brought a lot of money into the community.

Commissioner Pfeifer asked about the overflight areas. Mr. Keller said the AMA said they did not want the planes flying over residential areas, highways and areas of public use where if an airplane were to come down there would be a potential for damage.

Commissioner Pfeifer asked what kind of noises were generated from these planes. Mr. Keller said they were more than 70/80 decibels. He said they had requirements for mufflers and to maintain reasonable noise levels.

Commissioner Frady asked when did they had these flights. Mr. Keller responded that they did not fly before 9:00 a.m., Monday thru Sunday.

Commissioner VanLandingham asked if the area the club was asking the Board to help secure have to be fenced. Mr. Keller said it did not have to be but he said for most of the flying fields they had put a fence and gate for liability purposes.

Chairman Dunn asked exactly what were they actually asking the Board to do. Mr. Keller said the reality of it was they were able to find a facility but not able to keep one. He said they could pay a reasonable lease. They said they would like to bring their annual event back to Fayette County which would also bring revenue into the County.

Chairman Dunn asked why their membership was declining. Mr. Keller said not being able to stay in one place, members moved on to another club.

Commissioner Frady asked what did they did to improve the property. Mr. Keller said they wold keep it low cut and seed a runway with Bermuda grass.

Chairman Dunn asked what percentage of the members were from Fayette County. Mr. Keller said about 54% were Fayette County residents.

The Commissioners said there was a piece of property on Redwine and Highway 74 that they hoped to get the deed to soon. The Board said they would look at it for a possible site for the club.

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Commissioner Wells said that Anita Godbee, the Recreation Director, would know if there was anything the County currently had that would be remotely possible. She said that would be a good place to start.

Commissioner Pfeifer said he would like to see the Recreation Department involved.

**CONSENT AGENDA:** Motion was made by Commissioner Wells, seconded by Commissioner VanLandingham, to approve the Consent Agenda as presented. Motion carried 5-0.

**BID AWARD TO METRO ASPHALT PAVING:**

Recommendation by Anita Godbee, Director of Parks and Recreation, to award the bid for the paving of the Kiwanis T-ball parking lot to the low bidder, Metro Asphalt Paving, in the amount of \$41,411. A copy of the contract, identified as "Attachment No. 3", follows these minutes and is made an official part hereof.

**SALE OF UNSERVICEABLE ITEMS:**

Approval to sell unserviceable items at the October 16, 2004 auction.

**APPOINTMENT TO THE MCINTOSH TRAIL COMMUNITY SERVICE BOARD:**

Appointment of Ken Schall to the McIntosh Trail Community Service Board for a two year term commencing retroactively to July 1, 2004 and ending June 30, 2006.

**MYSTERY SHOPPER AGREEMENT:**

Execution of agreement between Fayette County and "A Customer's Point of View" for mystery shopper services. A copy of the agreement, identified as "Attachment No. 4," follows these minutes and is made an official part hereof.

**DONATION TO THE LIBRARY FROM ALLAN VIGIL FORD:**

Approval to accept a \$250.00 donation to the Library from Allan Vigil Ford and to make appropriate budget adjustments.

**STREET LIGHT DISTRICT - HORSEMEN'S RUN:**

Approval of Horsemen's Run (Phase Three) subdivision as a Street Light District in Fayette County. A copy of the request, identified as "Attachment No. 5", follows these minutes and is made an official part hereof.

**BOARD MINUTES APPROVED:**

Approval of minutes for Board of Commissioners meeting held on October 6, 2004.

**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.

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**CHRIS BORCIK**, 125 Scenic Court, Fayetteville, stated he was a member of the Church of Jesus Christ of the Latter Day Saints. He asked the Board to reconsider his request to use Heritage Park to hold a Christmas celebration in December. He said they had done this last year on December 21 and it provided an opportunity for area church choirs to sing at the park. He said this was well received by those who attended. He said when he submitted the request again this year he was told that the Board was reconsidering policies as in regards to the use of Heritage Park. He said he was hoping they would table this agenda until the end of the year and attend the event.

Chairman Dunn said he wanted to clarify that they were studying the situation and were not ready to vote on it. He said it was a difficult issue. They were not just talking about Heritage Park but all County facilities. He said there were hundreds of people who made requests throughout the year. He said they were trying to come up with a policy that would be fair to everyone but not put the County in a position where things that would not fit our community would be happening on County taxpayer property.

Commissioner Wells said they were able to agree on some issues but not all of them. She said they had about six items that were still not resolved. She said in the meantime everything had been suspended and they were making no exceptions.

**STAFF REPORTS:**

**BILL MCNALLY:** Attorney McNally requested an Executive Session to discuss three legal items.

**EXECUTIVE SESSION:** Motion was made by Commissioner Wells, seconded by Commissioner Frady, to adjourn to Executive Session to consider three legal items. Motion carried 5-0.

**LEGAL:** Attorney Davenport discussed a legal item with the Board.

Motion was made by Commissioner Wells, seconded by Commissioner VanLandingham, for the attorney to proceed in this matter. Motion carried 5-0.

**LEGAL:** Attorney McNally discussed a legal item with the Board.

The Board took no action on this matter.

**LEGAL:** Attorney McNally discussed a legal item with the Board.

Motion was made by Commissioner Wells, seconded by Commissioner Dunn, for the attorney to proceed in this matter. Motion carried 5-0.

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**EXECUTIVE SESSION AFFIDAVIT:** Motion was made by Commissioner Wells, seconded by Commissioner VanLandingham, authorizing the Chairman to executive the Executive Session Affidavit affirming three legal items were discussed in Executive Session. Motion carried 5-0. A copy of the Affidavit, identified as "Attachment No. 6," follows these minutes and is made an official part hereof.

There being no further business to come before the Board, Chairman Dunn adjourned the meeting at 9:00 p.m.

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Peggy Butler, Chief Deputy Clerk

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Gregory M. Dunn, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 28th day of October 2004.

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Peggy Butler, Chief Deputy Clerk