



BOARD OF COMMISSIONERS

Greg Dunn, Chairman
Linda Wells, Vice Chair
Herb Frady
Robert Horgan
Peter Pfeifer



STAFF

Christine Venice, County Admin.
William R. McNally, Attorney
Carol Chandler, Executive Asst.
Peggy Butler, Executive Assistant
Karen Morley, Chief Deputy Clerk



MEETING LOCATION

Administrative Complex
Commission Meeting Room
140 Stonewall Avenue
Fayetteville, GA



MEETING TIMES

1st Wednesday each month at
3:30 p.m.
2nd and 4th Thursday each month
at 7:00 p.m.



COMMISSION OFFICE

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The Agenda of Actions

BOARD OF COMMISSIONERS

April 27, 2006

7:00 P.M.

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

PRESENTATION/RECOGNITION:

A. Proclamation for May as Older Americans' Month.

COMMISSIONER WELLS READ AND THE BOARD PRESENTED A PROCLAMATION TO REPRESENTATIVES OF SENIOR SERVICES PROCLAIMING THE MONTH OF MAY AS OLDER AMERICANS' MONTH IN FAYETTE COUNTY.

PUBLIC HEARINGS:

B. Consideration of Petition No. RDP-005-06, Morning Creek, Pod A, Dan Fields of John Wieland Homes and Neighborhoods, Inc., Owner, and Bryan Lightweis, Agent, request approval of the Revised Development Plan for Morning Creek, Pod A for a new site layout due to soil conditions not conducive for septic systems. This property consists of 118.37 acres with 43 single-family dwelling lots. This property is located in Land Lot(s) 193, 194, 223, and 224 of the 5th District, fronts on S.R. 92 North, and is zoned C-S. The Planning Commission recommended approval 3-0. Staff recommended approval.

C. Consideration of Petition No. RDP 006-06, Morning Creek, Pod B, Dan Fields of John Wieland Homes and Neighborhoods, Inc., Owner, and Bryan Lightweis, Agent, request approval of the Revised Development Plan for Morning Creek, Pod A for a new site layout due to soil conditions not conducive for septic systems. This property consists of 248.743 acres with 97 single-family dwelling lots. This property is located in Land Lot(s) 194, 223, and 224 of the 5th District, fronts on S.R. 92 North and Eastin Road, and is zoned C-S. The Planning Commission recommended approval 3-0. Staff recommended approval.

ON MOTION MADE BY COMMISSIONER PFEIFER, SECONDED BY COMMISSIONER HORGAN TO APPROVE PETITION NO. RDP-005-06 AND RDP-006-06 AS PRESENTED. THE MOTION CARRIED 5-0.

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- D. Consideration of proposed amendments to the Fayette County Zoning Ordinance regarding Article III. Definitions, Section 3-20. Cabana (Pool Cabana) presented by the Planning & Zoning Department. The Planning Commission recommended approval 3-0.

ON MOTION MADE BY COMMISSIONER PFEIFER, SECONDED BY COMMISSIONER WELLS TO APPROVE THE AMENDMENTS TO THE FAYETTE COUNTY ZONING ORDINANCE REGARDING ARTICLE III. DEFINITIONS, SECTION 3-20. CABANA (POOL CABANA). THE MOTION CARRIED 5-0.

OLD BUSINESS:

- E. Consideration of request tabled from the April 13 Public Hearing that Old Highway 138 be opened to thru traffic.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED COMMISSIONER HORGAN TO INSTRUCT THE PUBLIC WORKS DEPARTMENT TO REMOVE THE BLOCKADE ON OLD HIGHWAY 138 AT HIGHLAND HILLS SUBDIVISION AND ALSO INVESTIGATE EXPANDING THE ROADWAY TO 20 FEET FOR SAFETY REASONS. THE MOTION FAILED 2-3 WITH CHAIRMAN DUNN, COMMISSIONER WELLS, AND COMMISSIONER PFEIFER VOTING IN OPPOSITION.

NEW BUSINESS:

- F. Consideration of request from Susan Goda to amend the County's Zoning Ordinance, Article VII, Section 7-1 (B) Paragraph 2 which currently requires a 300 foot setback when A-R property adjoins another A-R property for a conditional use for a kennel or veterinary hospital or clinic.

THE BOARD TOOK NO ACTION ON THIS MATTER.

CONSENT AGENDA: COMMISSIONER FRADY REQUESTED ITEM #3 BE REMOVED FOR DISCUSSION. ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER HORGAN TO APPROVE CONSENT AGENDA ITEM NOS. 1, 2, 4, 5, 6, 7, 8, 9, 10, 11 AND 12 AS PRESENTED. THE MOTION CARRIED

1. Approval of staff recommendation to award Bid #549 for Kiwanis ballfield fencing in the amount of \$33,412 to the low bidder Martin-Robbins Fence Company and authorize the Chairman to execute the contract.
2. Approval of staff recommendation to purchase Trace radio read water meters from Badger Meter, Inc. In the amount of \$26,366 and authorize the Chairman to execute the contract.
3. Approval of request to allow the Peachtree City Water and Sewer Authority to serve Mountbrook Subdivision.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER HORGAN TO APPROVE CONSENT AGENDA ITEM NO. 3 AS PRESENTED AND TO INCLUDE IN THE PERMANENT RECORD A COPY OF A LETTER FROM SCARBROUGH AND ROLADER DEVELOPMENT. THE MOTION CARRIED 5-0.

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4. Approval of budget adjustment for the Library for donations in the amount of \$800.00 by increasing the Revenue Account and increasing the Books and Magazines Expenditure Account resulting in a zero impact on the Library's budget.
5. Approval of budget adjustment for the Library from ICLE Satellite in the amount of \$705.00 by increasing the Revenue Account and increasing the Public Relations Expenditure Account resulting in a zero impact on the Library's budget.
6. Approval of budget adjustment to transfer funds in the amount of \$2,250 from the County's Contingency Account to be transferred to the Elections Department Land and Building Rental Account to pay rental fees for polling places used for the March 21, 2006 Special Election.
7. Approval of a budget adjustment to transfer funds in the amount of \$7,046.52 from the County's General Fund to the Sheriff's Department Traffic Division Vehicle Repair Account as a result of insurance reimbursement for a motor vehicle accident.
8. Approval of a budget adjustment to transfer funds in the amount of \$1,403.17 from the County's General Fund to the Sheriff's Department Administration Division Vehicle Repair Service Account as a result of insurance reimbursement for a motor vehicle accident.
9. Approval of a budget adjustment to transfer funds in the amount of \$ 821.17 from the County's General Fund to the Sheriff's Department Traffic Division Vehicle Repair Service Account as a result of insurance reimbursement for a motor vehicle accident.
10. Approval of staff recommendation for a budget adjustment to transfer funds in the amount of \$6,000.00 from the Purchasing Department's Salary Account to its Technical Services Account.
11. Approval of tax abatement for Duchem Industries in the amount of \$7,359.00 plus penalties and interest thereon for 2004 taxes.
12. Approval of minutes for Board of Commissioners meetings held on January 4, 2006 and February 1, 2006.

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.

Jerry Pate: Jerry Pate, 195 Morris Drive, Fayetteville discussed a recent open records request for County documents.

STAFF REPORTS:

SPECIAL CALLED BUDGET MEETING: Executive Assistant Carol Chandler remarked that the Commissioners would hold special called budget workshop meetings on May 2 and May 3, 2006 from 8:30 a.m. to 5:00 p.m. in the Commissioners Conference Room at the Administrative Complex, 140 Stonewall Avenue, Fayetteville.

MAY 3, 2006 COMMISSIONERS MEETING CANCELLED: Executive Assistant Carol Chandler asked for the Board's consideration to cancel the Commission Workshop meeting that was scheduled for Wednesday, May 3rd at 3:30 p.m. because of a lack of agenda items.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY TO CANCEL THE COMMISSION WORKSHOP MEETING SCHEDULED FOR MAY 3, 2006 AT 3:30 P.M. THE MOTION CARRIED 5-0.

LIFEPAK 12 PATIENT MONITOR APPROVED: County Administrator Chris Venice asked for the Board's consideration to approve the purchase of a Lifepak 12 Patient Monitor from Medtronic Emergency Response Systems in the amount of \$25,871.56. She said this was a budgeted item but because it was over \$20,000 it would require Board approval.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY TO APPROVE THE PURCHASE OF A LIFEPAK 12 PATIENT MONITOR FROM MEDTRONIC EMERGENCY RESPONSE SYSTEMS IN THE AMOUNT OF \$25,871.56. THE MOTION CARRIED 5-0.

ARMY CORPS OF ENGINEERS - MEMORANDUM OF AGREEMENT REGARDING LAKE MCINTOSH: Attorney Dennis Davenport asked for the Board's consideration in authorizing the Chairman on behalf of the Board to execute the Memorandum of Agreement from the Army Corps of Engineers for archeological, historic and cultural resources at Lake McIntosh.. He said this was one of the last remaining items prior to the 404 Permit for Lake McIntosh.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER WELLS TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE MEMORANDUM OF AGREEMENT AS PRESENTED. THE MOTION CARRIED 5-0.

EXECUTIVE SESSION: Attorney Dennis Davenport requested an executive session to discuss three legal items with the Board.

Commissioner Frady requested an executive session to discuss two legal items with the Board.

UPDATE BY PUBLIC WORKS DIRECTOR LEE HEARN: Mr. Hearn updated the Board on repairs to some of the County's bridges. He also commented that the work on Hampton Road was now complete and only some striping and shoulder work was left.

EXECUTIVE SESSION: ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY CHAIRMAN DUNN TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS FIVE LEGAL ITEMS. THE MOTION CARRIED 5-0.

LEGAL: Attorney Dennis Davenport and County Administrator Chris Venice discussed a legal matter with the Board.

THE BOARD TOOK NO ACTION ON THIS MATTER.

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THE BOARD TOOK NO ACTION ON THIS MATTER.

LEGAL: Attorney Dennis Davenport reported to the Board on a legal matter.

THE BOARD TOOK NO ACTION ON THIS MATTER.

EXECUTIVE SESSION AFFIDAVIT: ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER PFEIFER TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE EXECUTIVE SESSION AFFIDAVIT AFFIRMING THAT FIVE 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 10:45 p.m.

Karen Morley, Chief Deputy Clerk

