



#### **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**

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



#### **COMMISSION OFFICE**

Administrative Complex  
Suite 100  
140 Stonewall Avenue  
Fayetteville, GA 30214  
Phone: 770.460.5730 Ext. 5400  
Fax: 770.460.9412

#### **Web Site:**

[www.fayettecountyga.gov](http://www.fayettecountyga.gov)

#### **e-mail contact:**

[administration@fayettecountyga.gov](mailto:administration@fayettecountyga.gov)

# The Agenda of Actions

## **BOARD OF COMMISSIONERS**

**August 10, 2006**

**7:00 P.M.**

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

### **OLD BUSINESS:**

- A. Discussion of an annexation request from the Town of Tyrone for James R. Heath, consisting of 16.695 acres in Land Lot 147 of the 7<sup>th</sup> District and fronts on Trickum Creek Road.

**MOTION WAS MADE BY CHAIRMAN DUNN, SECONDED BY COMMISSIONER WELLS, TO OBJECT TO THE ANNEXATION REQUEST BASED ON VIOLATION OF THE LAND USE PLAN WITH REGARD TO INCREASED DENSITY. THE MOTION CARRIED 4-1 WITH COMMISSIONER FRADY VOTING IN OPPOSITION.**

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

1. Approval of tax abatements and tax refunds as recommended.
2. Approval of request for a curb cut on the TDK Extension.
3. Approval of Water Committee recommendation to award bid for Horton Creek Park Fencing and Walking Trails to Massana Construction in the amount of \$166,640.
4. Approval of request by Traffic Enforcement Division of the Sheriff's Office for permission to dispose of unserviceable uniform clothing items.
5. Approval of \$1,639,326 of the 2005 Insurance Premium Tax for rolling back the millage rate for 2006 for the Unincorporated area of Fayette County.
6. Consideration of approval for the specified streets in Vickery Lane Subdivision to be authorized for the use of motorized cart travel per Ordinance 95-10, Streets in Vickery Lane Subdivision include: Vickery Lane, Kyle Court, Waters Way and Tranquil Court.

**Agenda of Actions**  
**August 10, 2006**  
**Page 2**

7. Approval of request by the Department of Fire and Emergency Services to adopt recommended changes to four County ordinances.
8. Approval of minutes for Board of Commissioners meeting held on July 27, 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.

**THERE WAS NO PUBLIC COMMENT**

**STAFF REPORTS:**

**LEE HEARN, DIRECTOR OF PUBLIC WORKS**, said he was speaking on behalf of Scott Gilbert of the Fayette County Historical Society with a request to place a historical marker within the right-of-way on Ebenezer Road. The marker would be located three feet on the right-of-way.

**MOTION WAS MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER PFEIFER, TO ALLOW THE HISTORICAL MARKER TO BE PLACED ON THE COUNTY'S RIGHT-OF-WAY AND DECLARE IT A HISTORICAL SITE. THE MOTION CARRIED 5-0.**

**DENNIS DUTTON, ZONING ADMINISTRATOR**, informed the Board of an annexation request from Peachtree City by Levitt & Sons. This was for a 400.306 acre track to be developed by John Wieland Homes. The second request was for an adjoining 379.493 acre track and an existing 89.146 track, which was already in the city, to be rezoned for limited use residential (LRU) and open space.

**MOTION WAS MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER WELLS, TO WRITE A LETTER TO PEACHTREE CITY TO EXPLAIN THEIR POSITION AND REQUEST THAT THEY CONSIDER LESSER DENSITY IN THE AREA THEY PLAN TO ANNEX. THE MOTION CARRIED 5-0.**

**DENNIS DUTTON, ZONING ADMINISTRATOR**, informed the Board of an annexation and rezoning request from Peachtree City by Group VI. The property is located off of SR 74 South within the Mills Farms subdivision. The purpose of this annexation was for annexation and rezoning to develop a multi building professional and medical office complex with overall square footage of 100,000 sq.ft. and a retail component.

**MOTION WAS MADE BY COMMISSIONER PFEIFER, SECONDED BY COMMISSIONER HORGAN, TO OBJECT TO THIS ANNEXATION AND REZONING REQUEST BASED ON THE VIOLATION OF THE LAND USE PLAN. THE MOTION CARRIED 5-0.**

**ASSISTANT ATTORNEY DENNIS DAVENPORT** requested an Executive Session to discuss two legal items.

**MOTION WAS MADE BY COMMISSIONER WELLS, SECONDED BY CHAIRMAN DUNN, TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS TWO LEGAL ITEMS. THE MOTION CARRIED 5-0.**

**EXECUTIVE SESSION:**

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

**IT WAS THE CONSENSUS OF THE BOARD FOR THE ATTORNEY TO PROCEED IN THIS MATTER.**

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

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

**EXECUTIVE SESSION AFFIDAVIT: MOTION WAS MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER PFEIFER, TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE EXECUTIVE SESSION AFFIDAVIT AFFIRMING THAT TWO 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 7:58 p.m.

---

Peggy Butler, Chief Deputy Clerk

