



BOARD OF COMMISSIONERS

Greg Dunn, Chairman
Linda Wells, Vice Chair
Herb Frady
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

January 12, 2006

7:00 P.M.

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

PUBLIC HEARING:

- A. Consideration of Petition No. 1158-05, John Horney, Marc Heilweil, and Donald Keough, Owners, and Rod Wright of Peachstate Land Development, Inc., Agent, request to rezone 393.98 acres from A-R to EST to develop a proposed subdivision consisting of 61 lots. This property is located in Land Lots 139, 140, 141, 148, 149, and 150 of the 4th District and fronts on S.R. 92 South. The Planning Commission recommended approval subject to the one (1) recommended condition (5-0). Staff recommended approval subject to one (1) recommended condition.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY TO APPROVE PETITION NO. 1158-05 WITH ONE RECOMMENDED CONDITION. THE MOTION CARRIED 4-0.

- B. Consideration of Petition No. 1159-05, Dorothy Q. Reeves, Managing Member of Morning Creek, LLC, a Georgia Limited Liability Company, Owner, and Dan Fields, Vice President of John Wieland Homes, Agent, request to rezone 249.011 acres from R-70 to C-S to develop a proposed subdivision consisting of 97 lots. This property is located in Land Lots 223, 224, and 194 of the 5th District and fronts on S.R. 92 North and Eastin Road. The Planning Commission recommended approval subject to the one (1) recommended condition (5-0). Staff recommended approval subject to one (1) recommended condition.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER PFEIFER TO APPROVE PETITION NO. 1159-05 WITH ONE RECOMMENDED CONDITION. THE MOTION CARRIED 4-0.

- C. Consideration of Petition No. 1160-05, Dorothy Q. Reeves, Managing Member of Morning Creek, LLC, a Georgia Limited Liability Company, Owner, and Dan Fields, Vice President of John Wieland Homes, Agent, request to rezone 118.37 acres from R-70 to C-S to develop a proposed subdivision consisting of 45 lots. This property is located in Land Lots 223, 224, 225, and 226 of the 5th District and fronts on S.R. 92 North. The Planning Commission recommended approval subject to the two (2) recommended conditions (5-0). Staff recommended approval subject to two (2) recommended conditions.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY TO APPROVE PETITION NO. 1160-05 WITH TWO RECOMMENDED CONDITIONS. THE MOTION CARRIED 4-0.

- D. Consideration of proposed amendments to the Fayette County Subdivision Regulations regarding Section 6. Minimum Design Standards, 6-5.3 Street Length as presented by the Engineering Department. The Planning Commission recommended approval (5-0).

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER PFEIFER TO APPROVE THE AMENDMENTS TO THE FAYETTE COUNTY SUBDIVISION REGULATIONS REGARDING SECTION 6. MINIMUM DESIGN STANDARDS, 6-5.3 STREET LENGTH AS PRESENTED. THE MOTION CARRIED 4-0.

- E. Consideration of proposed amendments to the Fayette County Development Regulations regarding Division 4. Flood Hazard Reduction, Section 8-154. Standards for subdivision proposals as presented by the Engineering Department. The Planning Commission recommended approval (5-0).

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER PFEIFER TO APPROVE THE AMENDMENTS TO THE FAYETTE COUNTY DEVELOPMENT REGULATIONS REGARDING DIVISION 4. FLOOD HAZARD REDUCTION. SECTION 8-154. STANDARDS FOR SUBDIVISION PROPOSALS AS PRESENTED. THE MOTION CARRIED 4-0.

CONSENT AGENDA: ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER PFEIFER TO APPROVE THE CONSENT AGENDA AS PRESENTED. THE MOTION CARRIED 4-0.

1. Approval of request from the Director of Purchasing to approve the Water System's request to trade in a worn out 1988 loader/backhoe and use those funds toward the purchase of a new loader/backhoe.
2. Approval of Notice to Proceed to Mallett Consulting for road resurfacing projects to be funded by S.P.L.O.S.T. revenues.
3. Approval of Resolution No. 2006-04 establishing qualifying fees for 2006 general elections in Fayette County.
4. Approval of minutes for Board of Commissioners meeting held on December 15, 2005.

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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John Thompson: John Thompson, who lives in Fox Hollow Farms, commented on the increased traffic on S.R. 92 and how difficult it was for residents to get in and out of the subdivision.

STAFF REPORTS:

ATTORNEY MCNALLY: Attorney McNally asked for the Board's consideration to authorize the Chairman to execute an agreement allowing the D.O.T. the easement rights to have the road right-of-way extended over to and including the waterline at S.R. 85 and Morning Creek Bridge.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER WELLS TO AUTHORIZE THE CHAIRMAN TO EXECUTE AN AGREEMENT ALLOWING THE D.O.T. THE EASEMENT RIGHTS TO HAVE THE ROAD RIGHT-OF-WAY EXTENDED OVER TO AND INCLUDING THE WATERLINE AT S.R.85 AND MORNING CREEK BRIDGE. THE MOTION CARRIED 4-0.

EXECUTIVE SESSION: Attorney McNally requested an executive session to discuss two legal items.

RESOLUTION NO. 2006-05 - SUPPORT OF HOUSE BILL 962 REGARDING THE FAIR ANNEXATION ACT:

Chairman Dunn asked for the Board's consideration in authorizing him to execute a Resolution No. 2006-05 supporting House Bill 962 regarding the Fair Annexation Act. He said this would level the playing field for annexation actions between the cities and counties. He said the Resolution would be sent to the State House showing the County's support of the Bill in its current format.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER PFEIFER TO AUTHORIZE THE CHAIRMAN TO EXECUTE RESOLUTION NO. 2006-05 FOR ADOPTION AND SUBMITTAL TO THE STATE HOUSE. THE MOTION CARRIED 4-0.

EXECUTIVE SESSION: ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER PFEIFER TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS TWO LEGAL ITEMS. THE MOTION CARRIED 4-0.

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

THE BOARD TOOK NO ACTION ON THIS MATTER.

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

IT WAS THE CONSENSUS OF THE BOARD THAT ATTORNEY DAVENPORT PROCEED IN 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 TWO LEGAL ITEMS WERE DISCUSSED IN EXECUTIVE SESSION. THE MOTION CARRIED 4-0.

There being no further business to come before the Board, Chairman Dunn adjourned the meeting at 8:45 p.m.

