



BOARD OF COMMISSIONERS

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



STAFF

Christine Venice, County Admin.
Dennis Davenport, 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

March 23, 2006

7:00 P.M.

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

PRESENTATION:

- A. Presentation by Representative Virgil Fludd recognizing the efforts of members of the County's Department of Fire and Emergency Services.

STATE REPRESENTATIVE VIRGIL FLUDD RECOGNIZED THE EFFORTS OF MEMBERS OF THE COUNTY'S DEPARTMENT OF FIRE AND EMERGENCY SERVICES AND PRESENTED A RESOLUTION HONORING THEM.

PUBLIC HEARING:

- B. Consideration of Petition No. T-016-06, Fayette Presbyterian Church, Inc., Owners, and Southeast Towers, LLC, Agent, request to construct a 195 foot Monopole Telecommunications Tower plus a four (4) foot lightning rod. This property is located in Land Lots 189 and 190 of the 5th District, consists of 20.69 acres, fronts on S.R. 92 North, and is zoned R-20. Proposed tower does not comply with the 1,000 foot setback from thirteen (13) off-site residences. The Planning Commission recommended denial 5-0. Staff recommended denial.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER PFEIFER TO DENY PETITION NO. T-016-06. THE MOTION CARRIED 4-0.

- C. Consideration of Petition No. 1167-06, Thomas M. Owen, Owner, and Timothy P. Harper, Agent, request to rezone 9.00 acres from R-70 to O-I to develop a Medical and Related Office Park. This property is located in Land Lot 129 of the 5th District and fronts on Sandy Creek Road. The planning commission recommended approval subject to the two (2) recommended conditions 4-1. Staff recommended approval with two (2) recommended conditions.

ON MOTION MADE BY COMMISSIONER PFEIFER, SECONDED BY COMMISSIONER WELLS TO APPROVE PETITION NO. 1167-06 WITH THE TWO CONDITIONS. THE MOTION CARRIED 4-0.

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- D. Consideration of Petition No. 1168-06, Richard Love, Owner, and Pamela Young, Agent, request to rezone 4.84 acres from A-R to R-70 to develop two (2) single-family dwelling lots. This property is located in Land Lot 226 of the 5th District and fronts on New Hope Road. The planning commission recommended approval subject to the two (2) conditions 4-1. Staff recommended approval with two (2) recommended conditions.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY TO APPROVE PETITION NO. 1168-06 WITH TWO CONDITIONS. THE MOTION CARRIED 4-0.

- E. Consideration of Petition No. 1169-06, Mary Ann Abna Estate, Owner, and Robert Mooney d/b/a Cobblestone South Development, Agent, request to rezone 5.3 acres from A-R to O-I to develop three (3) O-I lots. This property is located in Land Lot 70 of the 7th District and fronts on S.R. 54 West. Improperly advertised. Will be readvertised for a future date.

CHAIRMAN DUNN REMARKED THAT THIS WOULD BE READVERTISED FOR A FUTURE DATE.

- F. Consideration of Petition No. 1170-06, Mary Ann Abna Estate, Owner, and Robert Mooney d/b/a Cobblestone South Development, Agent, request to rezone 35.13 acres from A-R to R-40 to develop a single-family residential subdivision consisting of 23 single-family dwelling lots. This property is located in Land Lot 70 of the 7th District and fronts on S.R. 54 West. Improperly advertised. Will be readvertised for a future date.

CHAIRMAN DUNN REMARKED THAT THIS WOULD BE READVERTISED FOR A FUTURE DATE.

- G. Consideration of proposed amendments to the Fayette County Subdivision Regulations regarding Section 5. The Subdivision Plat and Section 6. Minimum Design Standards as presented by the Engineering Department. The Planning Commission recommended approval 5-0.

ON MOTION MADE BY COMMISSIONER PFEIFER, SECONDED BY COMMISSIONER WELLS TO APPROVE THE AMENDMENTS TO THE FAYETTE COUNTY SUBDIVISION REGULATIONS REGARDING SECTION 5. THE SUBDIVISION PLAT AND SECTION 6. MINIMUM DESIGN STANDARDS. THE MOTION CARRIED 4-0.

- H. Consideration of a Packaged Beer Sales License for 92 Mini Mart /Geo H. Green Oil, Inc., 1493 S.R. 92 North, Fayetteville, Georgia. William P. Wyatt, Sr. and Edward C. Wyatt, Co-Owners, and John T. Bushaw, Applicant. This property is located in Land Lot 256 of the 13th District, fronts on S.R. 92 North, and is zoned C-H. This request is for a change of ownership.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY TO APPROVE THE CHANGE OF OWNERSHIP FOR THE PACKAGED BEER SALES LICENSE FOR 92 MINI MART/ GEO H. GREEN OIL, INC., 1493 S.R. 92 NORTH, FAYETTEVILLE. THE MOTION CARRIED 4-0.

- I. Discussion of a request that Old Highway 138 be opened for thru traffic.

THE SHENANDOAH HOMEOWNERS ASSOCIATION REQUESTED THAT THIS ITEM BE TABLED TO THE APRIL 13TH COMMISSION MEETING.

CONSENT AGENDA: COMMISSIONER FRADY REQUESTED THAT ITEM #6 BE TABLED TO THE APRIL 5TH COMMISSION MEETING. CHAIRMAN DUNN NOTED THAT THE SHERIFF'S DEPARTMENT REQUESTED THAT ITEM #9 BE WITHDRAWN FROM THE AGENDA. ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER PFEIFER TO APPROVE THE CONSENT AGENDA ITEM NOS. 1, 2, 3, 4, 5, 7, 8, 10, AND 11 AS PRESENTED. THE MOTION CARRIED 4-0.

1. Approval of Bid #543 to low bidder Metro Asphalt Paving Company in the amount of \$18,928 for Station 4 asphalt overly.
2. Approval of Finance Director's recommendation to use \$4,050 of contingency funds to purchase the Mitel 3300 CX phone system for the Animal Shelter.
3. Approval to transfer funds originally budgeted in contingency into department line items to cover gasoline expenditures.
4. Approval to transfer funds originally budgeted to contingency into department line items to cover expenditures for performance and benefits.
5. Approval to transfer funds originally budgeted to contingency item department line items to cover expenditures for computer equipment.
6. Approval of request by the Water System for additional fencing to secure the park at Lake Horton.

COMMISSIONER FRADY REQUESTED THIS ITEM BE TABLED TO THE APRIL 13TH COMMISSION MEETING.

7. Approval to use remaining funding in the amount of \$159,368.16 from a Department of Homeland Security grant for the purchase of portable radios. The Department of Homeland Security and the Georgia Emergency Management Agency have approved our request for utilizing the remaining grant funds for this purpose.
8. Approval of staff recommendation to award Bid #546, Water System Painting, to the low bidder, GDE Renovations, Inc., for \$57,063 for painting of the Crosstown Water Treatment Plant and the Lake Peachtree Pumping Station and authorization for execution of subsequent contract by the Chairman.
9. Approval to replace 2001 Chevrolet Impala Vin #2G1WF52E519274499 with 98,000 miles driven by an investigator in the CID division. *(Tabled from February 23, 2006 and March 9, 2006 Commission*

Meetings.

SHERIFF'S OFFICE REQUESTED THIS ITEM BE WITHDRAWN FROM THE AGENDA.

10. Approval of Resolution No. 2006-08 authorizing use of credit cards for payment of any and all taxes, fees, and other costs imposed by the County, to the extent allowed by state law.
11. Approval of minutes for Board of Commissioners meetings held on December 7, 2005 and February 23, 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.

NONE.

STAFF REPORTS:

REQUEST FROM THE TOWN OF WOOLSEY: Attorney Davenport said the County had received a request from the Town of Woolsey to perform some plan review services for the Town. He said the County currently provided services with respect to erosion and sedimentation control, flood plain review and things of that nature. He said this would be in addition to the current services that the County provides. He said staff had reviewed this and outlined some terms and conditions which total \$1,300 for the County to do the plan review for the proposed subdivision. He asked for the Board's consideration to authorize the Chairman to sign a letter outlining these terms and conditions to the Town of Woolsey. He said if this was acceptable to the Town, the County would perform this service in the amount of \$1,300.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY TO AUTHORIZE THE CHAIRMAN TO SIGN A LETTER TO THE TOWN OF WOOLSEY OUTLINING THE TERMS AND CONDITIONS FOR THE COUNTY TO PERFORM SOME PLAN REVIEW SERVICES FOR THE TOWN IN THE AMOUNT OF \$1,300. THE MOTION CARRIED 4-0.

EXECUTIVE SESSION: Commissioner Frady requested an executive session to discuss one legal item

Assistant County Attorney Dennis Davenport requested an executive session to discuss three legal items.

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

LEGAL: Commissioner Frady discussed a legal item with the Board.

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

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

THE BOARD TOOK NO ACTION ON THIS ITEM.

LEGAL: Attorney Dennis Davenport discussed a legal matter with the Board.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER PFEIFER TO AUTHORIZE ATTORNEY DAVENPORT TO PROCEED IN THIS MATTER. THE MOTION CARRIED 4-0.

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 FRADY TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE EXECUTIVE SESSION AFFIDAVIT AFFIRMING THAT FOUR 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 9:15 p.m.

Karen Morley, Chief Deputy Clerk