



## *Minutes*

Board of Commissioners  
September 5, 2012  
3:30 P.M.

**Notice:** A complete audio recording of this meeting can be heard by accessing Fayette County's Website at [www.fayettecountyga.gov](http://www.fayettecountyga.gov). Click on "Board of Commissioners," then "County Commission Meetings," and follow the instructions. The entire meeting or a single topic can be heard.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on September 5, 2012 at 3:30 p.m. in the Public Meeting Room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

**Commissioners Present:**

Herb Frady, Chairman  
Robert Horgan, Vice Chairman  
Steve Brown  
Lee Hearn  
Allen McCarty

**Staff Present:**

Jack Krakeel, Interim County Administrator  
Scott Bennett, County Attorney  
Floyd Jones, County Clerk

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**Call to Order.**

Chairman Frady called the September 5, 2012 Board of Commissioners Workshop Meeting to order at 3:33 p.m.

**Acceptance of Agenda.**

Commissioner Horgan moved to accept the Agenda as published. Commissioners Hearn and McCarty seconded the motion. No discussion followed. The motion passed unanimously.

**OLD BUSINESS:**

- 1. Consideration of staff's recommendation to adopt proposed amendments to Ordinance 2012-11- Fayette County Code of Ordinances, Part II County Code, Chapter 3, Alcoholic Beverages, by establishing the correct time for Sunday sales to commence.**

Community Development Director Pete Frisina reminded the Board that during the August 23, 2012 meeting, the Board amended the County's Alcohol Ordinance by adopting Ordinance 2012-11. He reported that the correct times to sell alcohol on Sunday were not included in Ordinance 2012-11, and he asked the Board to

adopt a corrected version of the Ordinance that includes the times when alcohol may be sold on Sundays in Fayette County. He added that the County Marshals are in the transition period of taking over the enforcement of the alcohol sales, and that the officers needed clarity on this issue. Discussion followed.

Commissioner McCarty moved to approve staff's recommendation to adopt proposed amendments to Ordinance 2012-11– Fayette County Code of Ordinances, Part II County Code, Chapter 3, Alcoholic Beverages, by establishing the correct time for Sunday sales to commence, and to authorize the Chairman to sign Ordinance 2012-11 as amended. Commissioner Brown seconded the motion. No discussion followed. The motion passed unanimously. A copy of the request, identified as "Attachment 1", follows these minutes and is made an official part hereof.

### **NEW BUSINESS:**

**1. Discussion by Commissioner Lee Hearn to consider amending Fayette County's Zoning Ordinance as it pertains to the number of dogs and cats permitted on A-R zoned properties.**

Commissioner Hearn explained his concerns about Fayette County's Zoning Ordinance as it pertains to the number of dogs and cats permitted on A-R zoned properties. Specifically, Commissioner Hearn explained that the current Zoning Ordinance does not regulate the numbers of other animals such as pigs, sheep, horses, cows, llamas, or camels in an A-R zoned district, but that it does limit the number of dogs or cats to any combination of three animals in A-R zoned districts. He suggested that if the County is not going to regulate the number of pigs in A-R zoned properties, then it should not regulate how many dogs or cats a person has in the same zoning district.

Community Development Director Pete Frisina explained the current requirements of the current Zoning Ordinance as it regulates the numbers of dogs and cats permitted in A-R zoned properties, clarified issues associated with the deregulation of the numbers of dogs and cats in A-R zoned districts, and answered questions from the Board. Discussion followed.

The Board directed Mr. Frisina to return to a future workshop with recommendations on how to remove the regulations on the numbers of dogs and cats only in A-R zoned properties or districts. Commissioner Hearn added that he wanted to have this issue resolved by the end of the year. The Board took no formal action during this discussion. A copy of the request, identified as "Attachment 2", follows these minutes and is made an official part hereof.

**2. Fire and Emergency Services' staff will present architectural drawings of the proposed Fire Station Number 3 replacement design.**

Deputy Chief Tom Bartlett and his staff set up architectural drawings of the proposed replacement design of Fire Station Number 3, which will be located on a 6.6 acre site at the intersection of Jenkins Road and State Route 74 North in Tyrone. (The drawings were displayed for the attending audience at the end of the workshop meeting.) He updated the Board on the work involved during the Design Development phase of this project, and he informed the Board that the project had entered into the Construction Document phase. He mentioned that the 6.6 acres would also house a future water storage tank, but that the fire station would be constructed on the front half of the property. He then explained the proposed design of Fire Station Number 4, anticipated that it would be open for business around October 2013, and answered questions from the Board.

Commissioner Brown asked for the architectural drawing to include a superimposed picture or schematic showing where the water storage tank would be located in proximity to the fire station. The Board took no formal action and gave no further direction pertaining to this update. A copy of the request, identified as "Attachment 3", follows these minutes and is made an official part hereof.

**3. Discussion of a draft policy for the use of prefabricated speed tables as traffic calming devices.**

Public Works Director Phil Mallon informed the Board that the concept of using prefabricated speed tables has been somewhat considered by Fayette County for at least five years. He informed the Board that during the past years, he has received several phone calls about installing speed tables; however, there is no policy in place related to installing speed tables. He then explained how the speed tables lower traffic speeds, reviewed studies that indicate the effectiveness of speed tables, and offered his recommendations for a potential policy for the installation or implementation of prefabricated speed tables. The Board then gave the following recommendations: 1) a traffic study must show that drivers are actually speeding on the road in order to justify their installation, 2) at least 80% of the property owners who are "downstream" from the speed table have to approve its installation, 3) to consider polling "home owners" instead of "property owners" who may have no vested interest in the installation of speed tables, 4) and to make consideration for neighborhoods without sidewalks. Interim County Administrator Jack Krakeel added that if the Board decided to allow for the installation of speed tables, then it should also consider establishing districts, similar to street light districts, that would eliminate issues associated with collections for funding and maintaining speed tables. Discussion followed.

The Board directed Mr. Mallon to return to the October Workshop meeting with a proposed policy pertaining to the use of prefabricated speed tables based on his recommendations and those provided by the Board. The Board took no formal action during this discussion. A copy of the request, identified as "Attachment 4", follows these minutes and is made an official part hereof.

**Sam Banks:** Mr. Sam Banks, President of The Oaks of Fayette Homeowner's Association, introduced his officers to the Board, and he told the Board of the need for speed reduction measures in his subdivision.

**4. Discussion of conceptual alignments for the Georgia Department of Transportation's (GDOT's) McDonough Road Widening Project (P.I. No. 742870).**

Public Works Director Phil Mallon discussed the conceptual alignments for the Georgia Department of Transportation's (GDOT's) McDonough Road Widening Project, spoke about how the widening project will impact County properties, operations, and services along McDonough Road, and discussed recommendations associated with the proposed project. Mr. Mallon closed his discussion by answering questions from the Board and hearing its recommendations.

The Board consented that each Commissioner would review the information, specifically the supporting material to this request within the next two to three days, and would provide their individual comments to Mr. Mallon to be transmitted to the GDOT. The Board also consented that Mr. Mallon should strive to influence the GDOT to install two median breaks on McDonough Road with one of the breaks to have a traffic signal. The Board further consented that the County should petition the GDOT for the necessary monies to retrofit the County's parking lots and buildings that will be affected by the widening of McDonough Road. The Board took no formal action during this discussion. A copy of the request, identified as "Attachment 5", follows these minutes and is made an official part hereof.

**5. Discussion of additional compliance documents required for Fayette County's Public Works' Title VI Program.**

Public Works Director Phil Mallon explained the need to have additional compliance documents for Fayette County's Public Works' Title VI Program.

The Board directed that the additional compliance documents be placed on the September 13, 2012 Agenda for a formal vote. The Board took no formal action and gave no further direction during this discussion. A copy of the request, identified as "Attachment 6", follows these minutes and is made an official part hereof.

**6. Discussion of conceptual safety and operational improvements for the West Fayetteville Bypass, Phase 3 (SPLOST Project No. R-28b).**

Public Works Director Phil Mallon reminded the Board that it had directed staff to ask the Atlanta Regional Commission (ARC) to reallocate federal aid that was programmed for Phase Three of the West Fayetteville Bypass to the East Fayetteville Bypass, and, simultaneously, the Board asked staff to develop some conceptual plans for low-impact safety and operational improvements along the Phase Three corridor of the West Fayetteville Bypass. He reported that he had those conceptual plans available, and he explained and discussed those plans with the Board. During his presentation, Mr. Mallon highlighted the following five locations, and he gave recommendations for each location: 1) Safety and Operational Improvements- School Zone Improvements, 2) Centerline Alignment through the center of Lester Road, 3) the intersection of Ebenezer Church Road and Lester Road; 4) the intersection of Ebenezer Church Road and Redwine Road, and 5) the intersection of Redwine Road and Harp Road. Mr. Mallon also spoke of the intersection of Harps Road and State Route 85 by explaining that while it is not officially a part of the West Fayetteville Bypass, it does have some relation to the Bypass and it needs safety improvements. Discussion followed.

The Board directed staff to study the intersection of Lester Road and Ebenezer Church Road to determine if a roundabout could be constructed at that location with little or no impact to the property in the area. The Board also directed staff to issue a Request for Proposals for a consultant to help with the design work of the conceptual safety and operational improvements as presented, for staff to determine what design work could be performed in-house, and for staff to provide firmer cost estimates for the recommended improvements for Phase Three of the West Fayetteville Bypass. The Board took no formal action during this discussion. A copy of the request, identified as "attachment 7", follows these minutes and is made an official part hereof.

**7. Update on current SPLOST projects.**

Public Works Director Phil Mallon updated the Board on the current SPLOST projects in Fayette County.

The Board took no formal action, but it reiterated the direction given under New Business Item 6. There are no attachments associated with this update.

**ADMINISTRATOR'S REPORTS:**

There was no Administrator's report given.

**ATTORNEY'S REPORTS:**

There was no Attorney's report given.

**COMMISSIONERS REPORTS:**

There were no Commissioners' reports given.

**EXECUTIVE SESSION:**

There was no Executive Session.

**ADJOURNMENT:**

Commissioner Brown moved to adjourn the September 5, 2012 Board of Commissioners Workshop Meeting. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

The September 5, 2012 Board of Commissioners Workshop Meeting was adjourned at 5:27 p.m.

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Floyd L. Jones, County Clerk

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Herbert Frady, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 27<sup>th</sup> day of September 2012.

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Floyd L. Jones, County Clerk