



BOARD OF COMMISSIONERS

Greg Dunn, Chairman
Linda Wells, Vice Chair
Herb Frady
Peter Pfeifer
A.G. VanLandingham



STAFF

Chris Venice, Acting County
Administrator
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

Administrative Complex
Suite 100
140 Stonewall Avenue
Fayetteville, GA 30214
Phone: 770.460.5730 Ext. 5400
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The Agenda of Actions

BOARD OF COMMISSIONERS

April 28, 2005

7:00 P.M.

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

PRESENTATION/RECOGNITION:

A. Recognition of Eagle Scout Ryan C. Caudelle.

THE BOARD RECOGNIZED RYAN CAUELLE FOR HIS ACHIEVEMENT AS AN EAGLE SCOUT.

PUBLIC HEARING:

B. Consideration of Petition No. RP-033-05 for a Revised Final Plat, Tunis Trace Subdivision, Vincent Crow, Owner, and Carl Christensen, Agent. The request is to subdivide Lot 17 which consists of 7.84 acres into three (3) single-family dwelling lots. This property is located in Land Lot 54 of the 5th District, fronts on Marron Road and Inman Road, and is zoned R-20. The Planning Commission recommended approval subject to the recommended condition 5-0. Staff recommended approval subject to one (1) recommended condition.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER PFEIFER TO APPROVE PETITION NO. RP-033-05. THE MOTION CARRIED 3-2 WITH COMMISSIONER WELLS AND CHAIRMAN DUNN VOTING IN OPPOSITION.

C. Consideration of Petition No. 1140-05, Susan and Ronald May, Owners/Agents, request to rezone 0.973 acres from R-40 to O-I to develop Office Uses. This property is located in Land Lot 199 of the 13th District and fronts on S.R. 138, Old Highway 138, and Highland Drive. The Planning Commission recommended approval subject to the recommended condition 5-0. Staff recommended approval subject to one (1) recommended condition.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER PFEIFER TO APPROVE PETITION NO. 1140-05 WITH RECOMMENDED CONDITION. THE MOTION CARRIED 5-0.

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- D. Consideration of Petition No. 1141-05, Robert and Donna Price, Owners, and Carl Lange and Melissa Harris, Agents, request to rezone 5.6381 acres from A-R to O-I to develop Office Uses. This property is located in Land Lot 18 of the 6th District and fronts on S.R. 74 South. The planning commission recommended approval subject to the 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. 1141-05 WITH ONE RECOMMENDED CONDITION. THE MOTION CARRIED 5-0.

- E. Consideration of proposed amendments to the Fayette County Zoning Ordinance regarding Article VII. Conditional Uses, Exceptions, and Modifications, 7-1., B. Conditional Uses Allowed, 3. Automobile, Truck, Farm Equipment, or Motorcycle Sales and Repairs as presented by the Zoning Department. The Planning Commission recommended approval 5-0.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER VANLANDINGHAM TO APPROVE THE AMENDMENTS TO THE FAYETTE COUNTY ZONING ORDINANCE REGARDING ARTICLE VII. CONDITIONAL USES, EXCEPTIONS, AND MODIFICATIONS 7-1, B. CONDITIONAL USES ALLOWED, 3. AUTOMOBILE, TRUCK, FARM EQUIPMENT, OR MOTORCYCLE SALES AND REPAIRS. THE MOTION CARRIED 5-0.

NEW BUSINESS:

- F. Presentation by DART, A New Beginning, Inc.

THE BOARD TOOK NO ACTION ON THIS MATTER.

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

1. Approval of request from Director of Business Services Mark Pullium to authorize the Chairman to execute documents to complete lease schedules with the Georgia Municipal Association (GMA) as required for processing draw requests 203-6 and 203-7 related to equipment purchased by the County.
2. Approval of request from the Cooperative Extension Service to give the county ownership of four new computers that are the matching funds computers that the County and U.G.A. purchased 25/75 split.
3. Approval of recommendation from Chief Jack Krakeel of Emergency Services' to increase project #P6012 in the amount of \$500 (Severe Weather Warning System) and donation revenue for donation received from Georgia Power Company to be used for siren installation.
4. Approval of recommendation from the Sheriff's Department to increase overtime expenditure \$2,806.77 and miscellaneous revenue for check received from the U.S. Department of Justice for overtime incurred in a joint investigation, net impact zero.
5. Approval of request from the Director of Animal Control Miguel Abi-Hassan for budget adjustment

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increasing animal Shelter's Building Maintenance Expenditure Account and Revenue Account for a \$5,000 donation from Fayette County Humane Society to purchase a Solartube.

6. Approval of Agreement with the City of Fayetteville for the County to provide Animal Control services for the City (new Agreement will replace existing one).
7. Approval of minutes for Board of Commissioners meetings held on March 24, 2005 and April 6, 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.

Denise Mask: Denise Mask, 442 Kelly Road, Brooks commented on the amended noise ordinance.

Greg Mask: Greg Mask, 442 Kelly Road, Brooks commented on the amended noise ordinance.

Andrew Matusek: Andrew Matusek, Ebenezer Road commented on the amended noise ordinance.

Roxanne Blessitt: Roxanne Blessitt, 240 Marron Road, Fayetteville commented on the amended noise ordinance.

Stephanie Higgin: Stephanie Higgin, Old Norton Road, Fayetteville commented on her neighbors removal of trees. She said one of her neighbors built a shed and was unaware of the property line. She also expressed concern about an abandoned piece of property near her home.

Toby Blanton: Toby Blanton, 384 Kelly Road, Brooks commented on a motor cross track.

STAFF REPORTS:

ANIMAL CONTROL AGREEMENT WITH THE TOWN OF WOOLSEY: Attorney McNally asked for the Board's consideration in authorizing the Chairman to execute the Animal Control Agreement with the Town of Woolsey.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE ANIMAL CONTROL AGREEMENT WITH THE TOWN OF WOOLSEY. THE MOTION CARRIED 5-0.

ANIMAL CONTROL AGREEMENT WITH THE CITY OF PEACHTREE CITY: Attorney McNally asked for the Board's consideration in authorizing the Chairman to execute the Animal Control Agreement with the City of Peachtree City.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE ANIMAL CONTROL AGREEMENT WITH THE CITY OF PEACHTREE CITY. THE MOTION CARRIED 5-0.

EXECUTIVE SESSION: Attorney McNally requested an executive session to discuss one legal item.

EXECUTIVE SESSION: ON MOTION MADE BY COMMISSIONER VANLANDINGHAM, SECONDED BY COMMISSIONER WELLS TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS ONE LEGAL ITEM. THE MOTION CARRIED 5-0.

LEGAL: Attorney McNally requested an executive session to discuss one legal item.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER WELLS TO AUTHORIZE ATTORNEY MCNALLY TO PROCEED IN THIS MATTER. THE MOTION CARRIED 5-0.

EXECUTIVE SESSION AFFIDAVIT: ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER VANLANDINGHAM TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE EXECUTIVE SESSION AFFIDAVIT AFFIRMING THAT ONE LEGAL ITEM WAS 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 8:55 p.m.

Karen Morley, Chief Deputy Clerk