

The Agenda of Actions

BOARD OF COMMISSIONERS

July 22, 2004

7:00 P.M.

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

PRESENTATION:

- A. Presentation of a check by representatives of the Fayetteville Wal-Mart to the Juvenile Court and Victim Witness Assistance Program.

THERESA THAXTON OF WAL-MART PRESENTED A CHECK TO THE BOARD AS A DONATION TO JUVENILE COURT AND THE VICTIM WITNESS ASSISTANCE PROGRAM.

PUBLIC HEARING:

- B. Consideration of proposed amendments to the Fayette County Zoning Ordinance regarding Article VI. District Use Requirements, Section 6-21. M-1 Light Industrial District, B. Permitted Uses, 12. Car wash, 24. Furniture store, 31. Horse show, 44. Paint shop, automobile, 46. Parts store, automobile, 60. Rodeo, 67. Tire recapping, 70. Utilities, public facilities, and C. Conditional Uses, 5. Kennel (See Animal Hospital, etc). The Planning Commission recommended approval 5-0.
- C. Consideration of proposed amendments to the Fayette County Zoning Ordinance regarding Article VI. District Use Requirements, Section 6-19. C-H Highway Commercial District, B. Permitted Uses, 9. Bank, 20. Car Wash, 41. Furniture upholstery shop, 48. Horse show, 76. Rodeo, and C. Conditional Uses, 14. Kennel (See Animal Hospital). The Planning Commission recommended approval 5-0.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY TO APPROVE THE ABOVE AMENDMENTS TO THE FAYETTE COUNTY ZONING ORDINANCE AS PRESENTED. THE MOTION CARRIED 4-0. COMMISSIONER PFEIFER WAS ABSENT.

NEW BUSINESS:

- D. Discussion of the Department of Natural Resources rules for outdoor water use.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER VANLANDINGHAM TO APPROVE THE DEPARTMENT OF NATURAL RESOURCES RULES FOR OUTDOOR WATER USE. THE MOTION CARRIED 4-0. COMMISSIONER PFEIFER WAS ABSENT.

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

1. Approval of request from the Sheriff's Department to transfer \$1,051.35 from the general budget fund to the Fayette County Sheriff's Department budget category vehicle maintenance 10030323-522233.
2. Approval of request from the Finance Department for authorization for the Chairman to execute the annual Appropriation Certificate for FY 2005 for the ACCG-GMA Local Government Equipment Lease Pool.
3. Approval of recommendation from the Director of Purchasing Tim Jones to award bid to Now Plumbing, Inc. for installation of a septic system to take care of problems for Public Works and the North Soccer Complex in the amount of \$121,397.
4. Approval of request from the Fayette Youth Protection Home for FY'2003's last quarter reimbursement in the amount of \$4,416.
5. Approval of request from Director of Business Services Mark Pullium to increase the FY'2004 budget by \$11,036 for additional expenses incurred for residential care at the Fayette County Youth Protection Homes.
6. Approval of Agreement between the Recreation Department and the Fayette County Youth Soccer League executed by its new president and authorization for the Chairman to execute same.
7. Approval of minutes for Board of Commissioners meetings held on June 24, 2004 and July 7, 2004.

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:

EXECUTIVE SESSION: Attorney McNally requested an executive session to discuss five legal items and one real estate matter.

Chairman Dunn requested an executive session to discuss one legal item.

EXECUTIVE SESSION: ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS SIX LEGAL ITEMS AND ONE REAL ESTATE MATTER. THE MOTION CARRIED 4-0.

COMMISSIONER PFEIFER WAS ABSENT.

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

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

REAL ESTATE: Attorney McNally discussed a real estate matter with the Board.

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

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

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER VANLANDINGHAM TO AUTHORIZE ATTORNEY MCNALLY TO PROCEED IN THIS MATTER. THE MOTION CARRIED 3-1 WITH CHAIRMAN DUNN VOTING IN OPPOSITION. COMMISSIONER PFEIFER WAS ABSENT.

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

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

LEGAL: Attorney Dennis Davenport reviewed a legal item with the Board.

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

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

THE BOARD TOOK NO ACTION ON THIS MATTER.

LEGAL: Chairman Dunn discussed a legal matter with the Board and the Attorneys.

THE BOARD TOOK NO ACTION ON THIS MATTER.

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 SIX LEGAL

ITEMS AND ONE REAL ESTATE MATTER WAS DISCUSSED IN EXECUTIVE SESSION. THE MOTION CARRIED 4-0. COMMISSIONER PFEIFER WAS ABSENT.

There being no further business to come before the Board, Chairman Dunn adjourned the meeting at 8:20 p.m.

Karen Morley, Chief Deputy Clerk