



BOARD OF COMMISSIONERS

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



STAFF

Chris Cofty, 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
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The Agenda of Actions

BOARD OF COMMISSIONERS

December 9, 2004

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 Chief Marshal Butch Hall upon his retirement after 29 years of service to Fayette County.

CHIEF MARSHAL BUTCH HALL WAS RECOGNIZED AND COMMENDED FOR HIS 29 YEARS OF SERVICE TO FAYETTE COUNTY.

PUBLIC HEARING

- B. Consideration of Petition No. 1133-04, Reese Developers, Inc., Owners, and Tom Reese, Agent, request to rezone 20.66 acres from A-R to O-I to develop an Office Park consisting of 22 lots. This property is located in Land Lot 253 of the 4th District and fronts on S.R. 85 South and McBride Road. The Planning Commission recommended denial (5-0). Staff recommended denial. **ON MOTION MADE BY COMMISSIONER VANLANDINGHAM, SECONDED BY COMMISSIONER FRADY TO APPROVE PETITION NO. 1133-04. THE MOTION FAILED 2-3 WITH CHAIRMAN DUNN, COMMISSIONER WELLS AND COMMISSIONER PFEIFER VOTING IN OPPOSITION.**

- C. Consideration of proposed amendments to the Fayette County Zoning Ordinance, Article III. Definitions, Section 3-43. Family. The Planning Commission recommended approval as submitted (5-0). **ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY TO APPROVE AMENDMENTS TO THE FAYETTE COUNTY ZONING ORDINANCE, ARTICLE III. DEFINITIONS, SECTION 3-43. FAMILY. THE MOTION CARRIED 5-0.**

NEW BUSINESS:

- D. Consideration of appointment to the at-large seat on the Planning Commission currently held by Bill Beckwith.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY TO REAPPOINT BILL BECKWITH TO THE AT-LARGE SEAT ON THE PLANNING COMMISSION FOR A THREE YEAR TERM COMMENCING ON JANUARY 1, 2005 AND EXPIRING ON DECEMBER 31, 2007. THE MOTION CARRIED 5-0.

- E. Consideration of appointment to District 3 Post on the Planning Commission to replace Bob Harbison who is retiring and relocating.

IT WAS THE CONSENSUS OF THE BOARD TO TABLE THIS ITEM TO THE JANUARY 5, 2005 COMMISSIONERS' MEETING.

- F. Consideration of appointment to the at-large position on the Zoning Board of Appeals for a three year term commencing January 1, 2005 and expiring on December 31, 2007.

ON MOTION MADE BY COMMISSIONER VANLANDINGHAM, SECONDED BY COMMISSIONER WELLS TO REAPPOINT TOM MAHON TO THE AT-LARGE SEAT ON THE ZONING BOARD OF APPEALS FOR A THREE YEAR TERM COMMENCING ON JANUARY 1, 2005 AND EXPIRING ON DECEMBER 31, 2007. THE MOTION CARRIED 5-0.

- G. Consideration of appointment to the at-large position on the Zoning Board of Appeals for a three year term commencing January 1, 2005 and expiring on December 31, 2007.

ON MOTION MADE BY COMMISSIONER VANLANDINGHAM, SECONDED BY COMMISSIONER WELLS TO REAPPOINT LARRY BLANKS TO THE AT-LARGE SEAT ON THE ZONING BOARD OF APPEALS FOR A THREE YEAR TERM COMMENCING ON JANUARY 1, 2005 AND EXPIRING ON DECEMBER 31, 2007. THE MOTION CARRIED 5-0.

- H. Consideration of appointment to the at-large position on the Zoning Board of Appeals for a three year term commencing January 1, 2005 and expiring on December 31, 2007.

ON MOTION MADE BY COMMISSIONER VANLANDINGHAM, SECONDED BY COMMISSIONER WELLS TO REAPPOINT RON MABRA TO THE AT-LARGE SEAT ON THE ZONING BOARD OF APPEALS FOR A THREE YEAR TERM COMMENCING ON JANUARY 1, 2005 AND EXPIRING ON DECEMBER 31, 2007. THE MOTION CARRIED 5-0.

- I. Discussion by Commissioner VanLandingham regarding the County's administration of the Family Medical Leave Act (FMLA).

ON MOTION MADE BY COMMISSIONER VANLANDINGHAM, SECONDED BY COMMISSIONER FRADY TO AMEND THE COUNTY'S POLICY REGARDING ADMINISTRATION OF THE FAMILY MEDICAL LEAVE ACT (FMLA). THE MOTION FAILED 2-3 WITH CHAIRMAN DUNN, COMMISSIONER WELLS AND COMMISSIONER PFEIFER VOTING IN OPPOSITION.

- J. Consideration of Agreement with the Public Defender's Office to provide indigent defense services.

IT WAS THE CONSENSUS OF THE BOARD TO TABLE THIS ITEM TO THE JANUARY 5, 2005 COMMISSIONERS' MEETING.

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

1. Approval of request from Director of Purchasing Tim Jones to award bid to low bidder SSFW Landscape Management for grass mowing at Brooks Park in the amount of \$1,122.50 per month and mowing at Kiwanis Park in the amount of \$2,243.75 per month and award bid to low bidder SIG Facility Management for grass mowing at McCurry Park in the amount of \$1,950 per month.
2. Approval of request from Chief Tax Assessor Ellen Mills to approve abatement of taxes for assets or real estate for four properties that are either not taxable or are duplicated.
3. Approval of request from Chief Jack Krakeel of Fire and Emergency Services for authorization to submit a grant request to the Georgia Emergency Management Agency for funding to assist the county in acquisition of additional emergency warning sirens.

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4. Approval of request from Water System Director Tony Parrott to approve a request from the Peachtree City Park and Recreation Department to place a flyer in Peachtree City residents' water bills regarding a needs assessment survey.
5. Approval of Agreement with Georgia Department of Natural Resources for reimbursement from the Hazardous Waste Trust Fund in the amount of \$87,469.
6. Approval of minutes for Board of Commissioners meeting held on November 18, 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:

DISCUSSION OF A SENIOR CENTER: Commissioner VanLandingham asked for the Board's consideration in committing its assistance to the building of a senior citizens recreation center.

ON MOTION MADE BY COMMISSIONER VANLANDINGHAM, SECONDED BY CHAIRMAN DUNN THAT THE BOARD VOTE TO SUPPORT THE CONSTRUCTION OF A SENIOR SERVICES RECREATION CENTER. THE MOTION CARRIED 4-1 WITH COMMISSIONER WELLS VOTING IN OPPOSITION.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER VANLANDINGHAM THAT STAFF PROCEED TO GATHER ALL INFORMATION PERTINENT TO THIS PROJECT INCLUDING THE SIZE OF THE BUILDING, HOW MANY PEOPLE WOULD NEED TO BE ACCOMMODATED AND HOW MUCH MONEY WOULD BE SPENT AND FURNISH THIS INFORMATION TO THE BOARD AS SOON AS POSSIBLE. THE MOTION CARRIED 4-1 WITH COMMISSIONER WELLS VOTING IN OPPOSITION.

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

EXECUTIVE SESSION: ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER PFEIFER TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS FIVE LEGAL ITEMS. THE MOTION CARRIED 5-0.

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LEGAL: County Attorney Bill McNally and Chief Jack Krakeel discussed a legal item with the Board.

ON MOTION MADE BY COMMISSIONER VANLANDINGHAM, SECONDED BY COMMISSIONER WELLS TO AUTHORIZE ATTORNEY MCNALLY TO PROCEED IN THIS MATTER. THE MOTION CARRIED 3-2 WITH CHAIRMAN DUNN AND COMMISSIONER PFEIFER VOTING IN OPPOSITION.

LEGAL: County Attorney Bill McNally reported to the Board on a legal matter.

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

LEGAL: Attorney McNally advised the Board on a legal item.

THE BOARD TOOK NO ACTION ON THIS MATTER.

LEGAL: Attorney McNally and Attorney Dennis Davenport advised the Board on a legal item.

THE BOARD TOOK NO ACTION ON THIS MATTER.

LEGAL: Attorney McNally advised 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 PFEIFER TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE EXECUTIVE SESSION AFFIDAVIT AFFIRMING THAT FIVE LEGAL ITEMS WERE 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 11:00 p.m.

Karen Morley, Chief Deputy Clerk