



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
Fax: 770.460.9412

Web Site:

www.fayettecountyga.gov

e-mail contact:

administration@fayettecountyga.gov

The Agenda of Actions

BOARD OF COMMISSIONERS

May 26, 2005

7:00 P.M.

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

PUBLIC HEARING:

A. Consideration of a Packaged Beer and Wine Sales Permit for Quik Trip #807, 1846 S.R. 85 North, Fayetteville, Georgia. Quik Trip Corporation, Owner and James Allen Kubala, Applicant. This property is located in Land Lots 232 and 233 of the 5th District, fronts on S.R. 85 North and S.R. 279 and is zoned C-H.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY TO APPROVE THE PACKAGED BEER AND WINE SALES PERMIT FOR QUIK TRIP #807. THE MOTION CARRIED 5-0.

B. Consideration of Petition No. 1142-05, Kevin and Karen Hannani, Owners, and South East Georgia Home Builders, Inc., Agent, request to rezone 1.477 acres from R-20 to A-R to be combined with a 1.284 acre tract and a 4.614 acre tract for a total lot size of 7.38 acres to develop one (1) single-family dwelling lot. This property is located in Land Lot 6 of the 5th District and fronts on McBride Road. The Planning Commission recommended approval subject to the recommended conditions 5-0. Staff recommended approval with recommended conditions.

ON MOTION MADE BY COMMISSIONER VANLANDINGHAM, SECONDED BY COMMISSIONER WELLS TO APPROVE PETITION NO. 1142-05 WITH TWO RECOMMENDED CONDITIONS. THE MOTION CARRIED 5-0.

C. Consideration of proposed amendment to the Fayette County Development Regulations regarding Article XIII. Post-Development Stormwater Management for New Development and Redevelopment as presented by the Engineering Department. The Planning Commission recommended approval with one (1) condition 5-0 as follows: If the State permits the plan to be approved by a registered landscape architect, the county will approve such addition to the ordinance.

D. Consideration of proposed amendments to the Fayette County Development Regulations regarding Article VII. Watershed Protection Ordinance, Section 8-201. Watershed Protection Areas, 12. State Water; Section 8-202. Applicability, B. Small Water Supply Watersheds, 1., 2., and 4., and F. State Waters; Section 8-203. Restrictions, F., 1., 2., and 3. and amend lettering of remaining sections by changing existing F. to G. and G. to H. as presented by the Engineering Department. The

AFTER A BRIEF DISCUSSION, IT WAS THE CONSENSUS OF THE BOARD TO TABLE ITEM C. AND D. TO THE JUNE 9, 2005 BOARD OF COMMISSIONERS' MEETING.

- E. Consideration of proposed amendments to the Fayette County Development Regulations regarding Article VIII. Off-Street Parking and Service Requirements, Section 8-223. Location and Surface of Parking Areas as presented by the Engineering Department. The Planning Commission recommended approval as submitted 5-0.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER VANLANDINGHAM TO APPROVE AMENDMENTS TO THE FAYETTE COUNTY DEVELOPMENT REGULATIONS REGARDING ARTICLE VIII. OFF-STREET PARKING AND SERVICE REQUIREMENTS, SECTION 8-223. LOCATION AND SURFACE OF PARKING AREAS. THE MOTION CARRIED 5-0.

- F. Consideration of proposed amendments to the Fayette County Development Regulations regarding Article III. Street Design Standards and Specifications, Section 8-52. Residential access (a) Residential driveway cuts and (a)(1); (3) Exceptions, (c) Circular driveways; Section 8-48. Minimum right-of-way widths and dedication requirements, (1) Minimum right-of-way and pavement widths, Minimum Pavement Width as presented by the Engineering Department. The Planning Commission recommended approval as submitted 5-0.

AFTER A BRIEF DISCUSSION, IT WAS THE CONSENSUS OF THE BOARD TO TABLE THIS ITEM TO THE JUNE 9, 2005 BOARD OF COMMISSIONERS' MEETING.

- G. Consideration of proposed amendments to the Fayette County Zoning Ordinance regarding Article III. Definitions, Section 3-12. Building Height as presented by the Zoning Department. 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 REGARDING ARTICLE III, DEFINITIONS, SECTION 3-12. BUILDING HEIGHT. THE MOTION CARRIED 5-0.

- H. Consideration of proposed amendments to the Fayette County Zoning Ordinance regarding Article VII. Conditional Uses, Exceptions, and Modifications, Section 7-6. Transportation Corridor Overlay Zone, B. S.R. 85 North Overlay Zone, 4. Architectural Standards, a. as presented by the Zoning Department. The Planning Commission recommended approval as submitted 5-0.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER PFEIFER TO APPROVE AMENDMENTS TO THE FAYETTE COUNTY ZONING ORDINANCE REGARDING ARTICLE VII. CONDITIONAL USES, EXCEPTIONS AND MODIFICATIONS, SECTION 7-6. TRANSPORTATION CORRIDOR OVERLAY ZONE, B. S.R. 85 NORTH OVERLAY ZONE, 4. ARCHITECTURAL STANDARDS A. THE MOTION CARRIED 5-0.

NEW BUSINESS:

Addendum to this Agenda: Consideration of proposed annexation from the Town of Tyrone for 2.54 acres in Land Lot 107 of the 7th District, fronting on Farr and Tyrone Roads and owned by Johnny D. and Jo B. Rusin.

ON MOTION MADE BY COMMISSIONER VANLANDINGHAM, SECONDED BY COMMISSIONER WELLS THAT THE BOARD NOT OBJECT TO THE ANNEXATION REQUEST FROM THE TOWN OF TYRONE. THE MOTION CARRIED 5-0.

OLD BUSINESS:

- I. Further discussion by Director of Public Works Lee Hearn of the Intergovernmental Agreement for Johnson Road over Line Creek Bridge Replacement-Fulton County Project No. T178.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER WELLS THAT FAYETTE COUNTY NOT PARTICIPATE IN THE ROAD IMPROVEMENTS AT LINE CREEK BRIDGE. THE MOTION CARRIED 4-1 WITH CHAIRMAN DUNN VOTING IN OPPOSITION.

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

1. Approval of request from the Engineering Department to accept North Castle Subdivision as a street light district in Fayette County.
2. Approval of recommendation from the Water Committee to install a waterline to take the two meters serving Parks and Recreation in Brooks off the Brooks system and begin serving them from the Fayette County Water System waterline.
3. Approval of recommendation from Director of Purchasing Tim Jones to award Bid #R511 for Uniform Rental Service to low bidder UniFirst Corporation at an annual price of \$24,154.
4. Approval of recommendation from Director of Parks and Recreation Anita Godbee to award Project Management Services for Phase 1 of Kenwood Park to Mallett Consulting, Inc. in the amount of \$65,000.
5. Approval of request from the Tax Assessor's Office to terminate the contract of Mendola and Associates.
6. Approval of recommendation from the Director of Purchasing Tim Jones to award Bid #518 (Hauling) to low bidder Tucker Trucking Enterprises D/B/A Spiderman Trucking at a price of \$55 per hour.
7. Approval of recommendation from the Director of Purchasing Tim Jones to award Bid #519 (EMS Gear) to low bidder NAFECO, Inc. at a price of \$552.88 per set.
8. Approval of recommendation from the Director of the Library Chris Snell to recognize donation from the Board of Education in the amount of \$2,000 increasing revenue and books and magazines expenditure (receipt #253138 dated 4/12/2005), zero impact.

9. Approval of request from the Sheriff's Department to transfer insurance reimbursement in the amount of \$1,201.50 from the General Fund to Sheriff's Department Criminal Investigations Division budget account code 10030321-522233.
10. Approval of request from the Sheriff's Department to transfer insurance reimbursement in the amount of \$324.00 from the General Fund to Sheriff's Department Criminal Investigations Division budget account code 10030321-522233.
11. Approval of request from the Sheriff's Department to transfer funds in the amount of \$1,280.39 from the General Fund to Sheriff's Department Vehicle Maintenance Budget Category 10030323-522233.
12. Approval of request from the Sheriff's Department to transfer funds in the amount of \$999.45 from the General Fund to Sheriff's Department Vehicle Maintenance Budget Category 10030323-522233.
13. Approval of request from the Director of Human Resources Connie Boehnke for funds in the amount of \$500 to be transferred from Seminars & Dues, object #523600 to Salaries and Benefits, object #511105 in the Permits and Inspections Department.
14. Approval of request from Chief Appraiser Ellen Mills to fully or partially abate 18 tax bills on assets and real property which are determined not taxable to Fayette County in the amount of \$14,744.31.
15. Approval of request from Chief Jack Krakeel of Emergency Services to transfer \$6,508.24 from Fire Operations Contingency account 27030520-579000 into Fire Operations Vehicle Repair account 27030520-522233 for repair of motor in fire apparatus.
16. Approval of minutes for Board of Commissioners meeting held on April 14, 2005, April 28, 2005 and May 4, 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.

Charlie Boyle: Charlie Boyle, 250 Country Squire Drive, Fayetteville commented on a bad odor coming from a City sewer line near his home in Chanticlear Subdivision.

Johnnie Jones: Johnnie Jones, 110 Lawson Lane, North Fayette area questioned the progress on Kenwood Park in the North Fayette area.

STAFF REPORTS:

EXECUTIVE SESSION: Attorney Dennis Davenport requested an executive session to discuss five legal matters.

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

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

THE BOARD TOOK NO ACTION ON THIS MATTER.

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

THE BOARD TOOK NO ACTION ON THIS MATTER.

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

THE BOARD AUTHORIZED ATTORNEY MCNALLY TO PROCEED IN THIS MATTER.

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

THE BOARD TOOK NO ACTION ON THIS MATTER.

LEGAL: Attorney Davenport updated the Board on a legal matter.

THE BOARD TOOK NO ACTION ON THIS MATTER.

EXECUTIVE SESSION AFFIDAVIT: ON MOTION MADE BY COMMISSIONER VANLANDINGHAM, SECONDED BY COMMISSIONER WELLS TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE EXECUTIVE SESSION AFFIDAVIT AFFIRMING THAT FIVE LEGAL MATTERS 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 9:30 p.m.

Karen Morley, Chief Deputy Clerk