



#### BOARD OF COMMISSIONERS

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



#### STAFF

Chris Venice, Acting County Administrator  
Dennis Davenport, Asst. City Atty  
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

1<sup>st</sup> Wednesday each month at  
3:30 p.m.  
2<sup>nd</sup> and 4<sup>th</sup> 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](http://www.fayettecountyga.gov)

#### e-mail contact:

[administration@fayettecountyga.gov](mailto:administration@fayettecountyga.gov)

# The Agenda of Actions

## BOARD OF COMMISSIONERS

June 23, 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. Donation of framed Fayette County Map, Circa 1866 to the County by the Fayette Heritage Project Committee.

**PETE FRISINA, TONY PARROTT AND JOHN DUFRESNE OF THE FAYETTE HERITAGE PROJECT COMMITTEE PRESENTED A FRAMED FAYETTE COUNTY MAP CIRCA 1866 TO THE BOARD.**

#### PUBLIC HEARING:

B. Consideration of adoption of the budget for fiscal year beginning July 1, 2005 and ending June 30, 2006.

**ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER PFEIFER TO ADOPT RESOLUTION NO. 2005-08 APPROVING THE ANNUAL BUDGET IN THE AMOUNT OF \$196,825,137 FOR FISCAL YEAR BEGINNING JULY 1, 2005 AND ENDING JUNE 30, 2006 WITH MERIT PAY FUNDS, GASOLINE FUNDS AND COMPUTER EQUIPMENT FUNDS IN THE AMOUNT OF \$1,232,984 BEING MOVED INTO THE CONTINGENCY FUND FOR DISBURSEMENT TO ALL DEPARTMENTS AS NEEDED. THE MOTION CARRIED 5-0.**

C. Consideration of Petition No. 1143-05, Dorothy Price and Patricia Price, Owners, and L.H. (Dan) Davis, Jr., Agent, request to rezone 2.77 acres from A-R to C-H to develop a Convenience Store/Service Station and a secondary building. This property is located in Land Lot 70 of the 5<sup>th</sup> District and fronts on Price Road and S.R. 85 South. The Planning Commission recommended approval with conditions 4-1. Staff recommended approval with conditions.

**ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY TO APPROVE PETITION NO. 1143-05 WITH TWO CONDITIONS. THE MOTION CARRIED 5-0.**

**Agenda of Actions**  
**June 23, 2005**  
**Page 2**

- D. Consideration of proposed Amendments to the Fayette County Zoning Ordinance regarding Article V. General Provisions, Section 5-9. Single-Family Dwelling, A. Additions to A Single-Family Structure (the Planning Commission recommended approval 5-0); and adoption of a Resolution exempting certain building additions from maximum square footage requirements.

**ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER PFEIFER TO APPROVE ORDINANCE NO. 2005-16 - AMENDMENTS TO THE FAYETTE COUNTY ZONING ORDINANCE REGARDING ARTICLE V. GENERAL PROVISIONS, SECTION 5-9. SINGLE-FAMILY DWELLING, A. ADDITIONS TO A SINGLE-FAMILY STRUCTURE; AND ADOPTION OF RESOLUTION NO. 2005-07 EXEMPTING CERTAIN BUILDING ADDITIONS FROM MAXIMUM SQUARE FOOTAGE REQUIREMENTS. THE MOTION CARRIED 3-2 WITH COMMISSIONER FRADY AND COMMISSIONER VANLANDINGHAM VOTING IN OPPOSITION.**

**OLD BUSINESS:**

- E. Discussion by Greg Mask regarding changes to the County's Noise Ordinance.

**THE BOARD TOOK NO ACTION ON THIS MATTER.**

**CONSENT AGENDA: COMMISSIONER PFEIFER REQUESTED ITEM NO. 3 BE REMOVED AND CHAIRMAN DUNN REQUESTED ITEM NO. 5 BE REMOVED. ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER VANLANDINGHAM TO APPROVE THE CONSENT AGENDA ITEM NOS. 1, 2, 4, 6, 7, 8, 9, 10, 11, 12 and 13 AS PRESENTED. THE MOTION CARRIED 5-0.**

1. Approval of Water Committee recommendation for Peachtree City Water and Sewerage Authority to place a telephone pole with an antenna on the Crabapple tank site to monitor the Tyrone sewer pump station.
2. Approval of request from the Town of Brooks for the Fayette County Board of Elections to conduct all facets of the Town election scheduled for this November including advertising, qualifying, supervising the election and counting votes. The Town will reimburse the County for any expenses incurred.
3. Approval of Water Committee recommendation to adopt the changes to the operations at Lake Horton, Lake Kedron and Starr's Mill.

**COMMISSIONER PFEIFER REQUESTED ITEM NO. 3 BE REMOVED.**

4. Approval of recommendation from the Director of Parks and Recreation Anita Godbee for a budget adjustment to increase Revenues and Expenditures in the amount of \$34,000 for self-sustaining services line item.
5. Approval to retain Mallett Consulting, Inc. to provide Project Management Services for Phase I of the transportation projects funded by Fayette County Special Purpose Local Sales Tax.

**CHAIRMAN DUNN REQUESTED ITEM NO. 5. BE REMOVED.**

**Agenda of Actions**  
**June 23, 2005**  
**Page 3**

6. Approval of request from the Director of Animal Control Miguel Abi-Hassan for a budget adjustment to recognize \$15,000 donated funds from the Fayette County Humane Society to be used as follows: \$3,000 for cages for "cat maternity ward" and \$12,000 to be applied to cost of new flooring which has been approved as a capital project for FY 2006.
7. Approval of recommendation from Director of Purchasing Tim Jones to award Bid #520 (Demolition) to the overall low bidder Reliable Demolition at a price of \$20,000.
8. Approval of recommendation from Director of Purchasing Tim Jones to award Bid #521 (Filter Repair) to low bidder Rehab Construction Company, Inc. at a price of \$79,500.
9. Approval of recommendation from Director of Purchasing Tim Jones to award annual maintenance support to sole source vendor Tyler Technologies, Inc. - Munis Division for the total annual amount of \$39,646.25.
10. Approval of recommendation from Director of Business Services to use the CPI-W Urban Wage Earners and Clerical Workers as the basis for the County COLA program beginning with FY 2007.
11. Approval of request from the Director of Animal Control Miguel Abi-Hassan to refund client the sum of \$60 from account 10030002-346110.
12. Approval to approve/deny tax refunds as recommended.
13. Approval of minutes for Board of Commissioners' meeting held on June 9, 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.

**WILL MASK:** Will Mask, 442 Kelley Road, Brooks commented on the noise ordinance.

**ALLAN PAYNE:** Allan Payne, 148, Hawn Road, Fayetteville commented on the noise ordinance.

**DEBBIE BILLER-ANTOINE:** Debbie Biller-Antoine, 155 Hawn Road, Fayetteville commented on the noise ordinance.

**RODNEY DICKSON:** Rodney Dickson, 890 South Jeff Davis, Fayetteville commented on the noise ordinance.

**DENISE MASK:** Denise Mask, 442 Kelley Road, Brooks commented on the noise ordinance.

**STAFF REPORTS:**

**EXECUTIVE SESSION:** Assistant County Attorney Dennis Davenport requested an executive session to discuss six legal items.

Commissioner Frady requested an executive session to discuss one legal item.

**EXECUTIVE SESSION:** ON MOTION MADE BY COMMISSIONER VANLANDINGHAM, SECONDED BY COMMISSIONER FRADY TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS SEVEN LEGAL ITEMS. THE MOTION CARRIED 5-0.

**LEGAL:** Commissioner Frady discussed a legal item with the Board.

**THE BOARD TOOK NO ACTION ON THIS MATTER.**

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

**THE BOARD TOOK NO ACTION ON THIS MATTER.**

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

**THE BOARD TOOK NO ACTION ON THIS MATTER.**

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

**ON MOTION MADE BY COMMISSIONER VANLANDINGHAM, SECONDED BY COMMISSIONER WELLS TO AUTHORIZE ASSISTANT COUNTY ATTORNEY DENNIS DAVENPORT TO PROCEED IN THIS MATTER. THE MOTION CARRIED 5-0.**

**LEGAL:** Assistant County Attorney Dennis Davenport reported to the Board on a legal item.

**THE BOARD TOOK NO ACTION ON THIS MATTER.**

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

**THE BOARD TOOK NO ACTION ON THIS MATTER.**

**LEGAL:** Assistant County Attorney Dennis Davenport updated the Board on a legal item.

**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

**Agenda of Actions**  
**June 23, 2005**  
**Page 5**

**SESSION AFFIDAVIT TO AFFIRM THAT SEVEN 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 10:40 p.m.

---

Karen Morley, Chief Deputy Clerk