



BOARD OF COMMISSIONERS

Jack Smith, Chairman
Herb Frady, Vice-Chairman
Robert Horgan
Eric Maxwell
Peter Pfeifer



STAFF

Jack Krakeel, Interim County Administrator
Scott Bennett, County Attorney
Carol Chandler, Executive Assistant
Karen Morley, Chief Deputy Clerk
Floyd Jones, Deputy Clerk



MEETING LOCATION

Public Meeting Room
Administrative Complex
140 Stonewall Avenue
Fayetteville, GA 30214



MEETING TIMES

2nd and 4th Thursday each month at 7:00 pm



COMMISSION OFFICE

Administrative Complex
Suite 100
140 Stonewall Avenue
Fayetteville, GA 30214
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The Agenda of Actions

Board of Commissioners
November 29, 2007
7:00 P.M.

Chairman Smith called the meeting to order.
Commissioner Pfeifer offered the Invocation.
Pledge of Allegiance.

ACCEPTANCE OF AGENDA:

COMMISSIONER FRADY MADE A MOTION AND COMMISSIONER HORGAN SECONDED THE MOTION TO ACCEPT THE AGENDA AS PRESENTED.

CHAIRMAN SMITH REQUESTED THE MAY 22, 2007 BOARD OF COMMISSIONERS BUDGET MEETING MINUTES AS LISTED IN ITEM #13 BE REMOVED FROM THE CONSENT AGENDA AND MOVED TO OLD BUSINESS FOR DISCUSSION. THE MOTION CARRIED 5-0.

PRESENTATION/RECOGNITION:

A. Recognition of Billy Gunnin, long time member of the Fayette County Parks and Recreation Commission.

THE BOARD RECOGNIZED BILLY GUNNIN AND PRESENTED HIM WITH A PLAQUE FOR HIS MANY YEARS OF SERVICE ON THE FAYETTE COUNTY PARKS AND RECREATION COMMISSION.

B. Recognition of Lieutenant Kevin Combs.

THE BOARD RECOGNIZED LIEUTENANT KEVIN COMBS ON HIS PROMOTION TO FIRE OFFICER IN THE FAYETTE COUNTY FIRE AND EMERGENCY SERVICES DEPARTMENT.

PUBLIC HEARING:

C. Consideration of a Packaged Beer and Wine Sales Permit for Reliable Developments Group, Inc. d/b/a BP Food Mart, 166 Corinth Road, Jonesboro, Georgia, Aamera N. Ahmed and Fayeze Ahmed, Owners, and Aamera N. Ahmed, Applicant. This property is located in Land Lot 182 of the 5th District, fronts on Corinth Road and S.R. 54 East, and is zoned C-H. This request is for a Change of Ownership only.

COMMISSIONER FRADY MADE A MOTION AND COMMISSIONER HORGAN SECONDED THE MOTION TO APPROVE THE REQUEST AS PRESENTED. THE MOTION CARRIED 5-0.

- D. Consideration of an amendment to the Fayette County Comprehensive Plan to include the DRAFT "Fayette County Annual Report on Fire Services Impact Fees, including FY 2007 Impact Fees Financial Report, FY 2008-FY 2010 Short Term Work Program and Capital Improvements Element": and approval of a Resolution for the transmittal of said DRAFT document to the Atlanta Regional Commission and the Georgia Department of Community Affairs for their review and approval.

COMMISSIONER PFEIFER MADE A MOTION AND COMMISSIONER HORGAN SECONDED THE MOTION TO SUBMIT THE DRAFT FAYETTE COUNTY ANNUAL REPORT ON FIRE SERVICES IMPACT FEES AND AUTHORIZE THE CHAIRMAN TO EXECUTE A RESOLUTION FOR TRANSMITTAL TO THE ATLANTA REGIONAL COMMISSION AND THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS. THE MOTION CARRIED 5-0.

- E. Consideration of Petition No. 1202-07, Thomas B. Chandler, Owner, and George W. West, Agent, request to rezone 4.02 acres from A-R to O-I to develop a 12-Bed Hospice. This property is located in Land Lot 126 of the 5th District and fronts on S.R. 54 West. Staff recommended approval. The Planning Commission recommended approval 4-0.

COMMISSIONER FRADY MADE A MOTION AND COMMISSIONER PFEIFER SECONDED THE MOTION TO APPROVE PETITION NO. 1202-07 AS PRESENTED. THE MOTION CARRIED 5-0.

- F. Consideration of Petition No. RDP-008-07, River Park Subdivision, John Wieland Homes & Neighborhoods, Inc., Owner, and Lou Courchaine, Agent, request to revise the Development Plan to allow relocation of the Amenity Area plus the addition of a Common Area and increased Right-of-Way at the entrance at S.R. 92 North. This property is located in Land Lots 194, 223, and 224 of the 5th District, fronts on S.R. 92 North and Eastin Road, and is zoned C-S. Staff recommended approval with two (2) conditions. The Planning Commission recommended approval with two (2) conditions 4-0.

COMMISSIONER HORGAN MADE A MOTION AND COMMISSIONER PFEIFER SECONDED THE MOTION TO APPROVE RDP-008-07 WITH TWO RECOMMENDATIONS AS PRESENTED. THE MOTION CARRIED 5-0.

PUBLIC COMMENT:

Rick Price: Rick Price of Fayetteville expressed concern over the possibility of the Board adopting a defined benefit program for County employees.

Angela Wright: Angela Wright of Senoia commented on the four wheeler track located on her property and complaints that had been made to the Marshals Office.

Richard Price: Richard Price of Fayetteville commented on the water level at Lake Horton and suggested this would be a good time for the Water System to make repairs to the boat ramp. He also commented on a small trench located in the grassy area at Lake Horton where people walk and play and the possibility of someone falling down.

Tim Thoms: Tim Thoms of Fayetteville said he would like to comment on the issue regarding water violations and would do so under New Business on the agenda.

Angela Hinton Fonda: Angela Hinton Fonda discussed the issue of a defined benefits pension plan.

CONSENT AGENDA: Chairman Smith reminded the Board that the May 22, 2007 Board of Commissioners' Budget Minutes had been removed and would be discussed under Old Business.

COMMISSIONER FRADY MADE A MOTION AND COMMISSIONER HORGAN SECONDED THE MOTION TO APPROVE CONSENT AGENDA ITEM NOS. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 AND 13 WITH THE EXCEPTION OF THE MAY 22, 2007 BOARD OF COMMISSIONERS' BUDGET MINUTES. THE MOTION CARRIED 5-0.

1. Approval of staff's recommendation for authorization to proceed with the acquisition of a new 2008 Ford Crown Victoria for the Sheriff's Department's new Compliance Officer position, including the execution of tag and title documents, as approved in the FY 08 Budget.
2. Approval of staff's recommendation for authorization to proceed with the acquisition of two new 2008 Ford Crown Victorias for the Traffic Enforcement Division of the Sheriff's Department, including execution of tag and title documents, for two new positions, as approved in the FY 08 Budget.
3. Approval of staff's recommendation for authorization to proceed with the acquiring replacement titles for three vehicles for the Sheriff's Department which were acquired as seized property through the court system.
4. Approval of staff's recommendation for authorization to proceed with the acquisition of a Ford Crown Victoria for the Solicitor's Office, including the execution of tag and title documents, as approved in the FY 08 Budget.
5. Approval of Fire and Emergency Services' request to trade an existing Hurst Power Unit to Municipal Emergency Services, Inc. for a unit of equal value.
6. Approval of Water Committee recommendation for authorization for Mallett Consulting to draw up the specifications and the bid work to install the fence at the mitigation site on Helmer Road.
7. Approval of Water Committee's recommendation to adopt the revised Reservoir Management Plan.
8. Approval of "Proposal for Mitigation Site Assessments, Work Plan Preparations and Construction Support Service" with Eco-South, Inc., Environmental Consultants, for work associated with the Lake McIntosh Reservoir Project and authorization for the Chairman to execute said document.

9. Approval of recommended disposition of tax abatement requests as presented.
10. Approval of recommended disposition of tax refund requests as presented.
11. Approval of budget adjustment for the Parks and Recreation Department in the amount of \$5,230.05 to account 10060110 541320 for a donation from the Youth Softball Association to be used for improvements to softball facilities.
12. Approval of staff's recommendation to award Bid #636 for the Stonewall Administrative Complex Voice and Data Cabling to the low bidder TeleSource, Inc. in the amount of \$27,400.
13. Approval of minutes for the Board of Commissioners' Budget Meeting held on May 22, 2007, Board of Commissioners' regular meeting held on October 25, 2007 and Board of Commissioners' Special Called Meeting held on November 19, 2007.

OLD BUSINESS:

- G. Consideration of allowing the acquisition and installation of waterless urinals throughout county buildings.

COMMISSIONER FRADY MADE A MOTION AND COMMISSIONER HORGAN TO APPROVE THE ACQUISITION AND INSTALLATION OF WATERLESS URINALS THROUGHOUT COUNTY BUILDINGS IN THE AMOUNT OF \$15,000 TO COME OUT OF THE CONTINGENCY FUND. THE MOTION CARRIED 5-0.

- H. Consideration of request by the Road Department to hire a Civil Engineer to assist with S.P.L.O.S.T. and C.I.P. road design, construction and project management activities.

COMMISSIONER PFEIFER MADE A MOTION AND COMMISSIONER HORGAN SECONDED THE MOTION TO APPROVE THE REQUEST TO HIRE A CIVIL ENGINEER TO ASSIST WITH THE S.P.L.O.S.T. AND C.I.P. ROAD DESIGN, CONSTRUCTION AND PROJECT MANAGEMENT ACTIVITIES. THE MOTION CARRIED 5-0.

Addition of May 22, 2007 Board of Commissioners' Budget Minutes:

Chairman Smith asked for the Board's consideration to amend the May 22, 2007 Board of Commissioners' Budget Meeting Minutes regarding the discussion by the representatives of the Development Authority. He said they had not only talked about their budget but they also discussed the location of a Chinese Company that would be locating in Fayette County. He asked that the minutes be amended to reflect that discussion.

CHAIRMAN SMITH MADE A MOTION AND COMMISSIONER FRADY SECONDED THE MOTION TO AMEND THE MAY 22, 2007 BOARD OF COMMISSIONERS' BUDGET MEETING MINUTES TO INCLUDE THE DISCUSSION BY THE REPRESENTATIVES OF THE FAYETTE COUNTY DEVELOPMENT AUTHORITY REGARDING THE LOCATION OF A CHINESE COMPANY THAT WOULD BE LOCATING IN FAYETTE COUNTY. THE MOTION CARRIED 5-0.

NEW BUSINESS:

- I. Discussion of the Mutual Aid and Automatic Aid Agreement with the City of Fairburn.

COMMISSIONER MAXWELL MADE A MOTION AND COMMISSIONER FRADY SECONDED THE MOTION TO ENTER INTO A MUTUAL AID AND AUTOMATIC AID AGREEMENT WITH THE CITY OF FAIRBURN. THE MOTION CARRIED 5-0.

- J. Consideration of a proposed amendment to the County's Water Restrictions Ordinance that would allow for a three-tier fine schedule for violations.

IT WAS THE CONSENSUS OF THE BOARD THAT STAFF DRAW UP AN ORDINANCE AND COME BACK TO THE BOARD AT THE DECEMBER 5, 2007 WORKSHOP MEETING FOR FURTHER DISCUSSION.

COMMISSIONER MAXWELL MADE A MOTION AND COMMISSIONER HORGAN SECONDED THE MOTION TO LOCK ALL IRRIGATION METERS AND DISCONTINUE SERVICE ON THESE METERS BEGINNING THE WEEK OF DECEMBER 3, 2007. THE MOTION CARRIED 3-2 WITH COMMISSIONER FRADY AND COMMISSIONER PFEIFER VOTING IN OPPOSITION.

- K. Discussion of Sheriff's Department Field Operations Division's request to sell 207 Glock handguns to Autrey's Armory in the amount of \$54,582.00; and to use the proceeds to replace emergency lighting equipment, radios, in-car cameras, etc.

COMMISSIONER MAXWELL MADE A MOTION AND COMMISSIONER FRADY SECONDED THE MOTION TO APPROVE THE SHERIFF'S DEPARTMENT FIELD OPERATIONS DIVISION'S REQUEST TO SELL 207 GLOCK HANDGUNS TO AUTREY'S ARMORY IN THE AMOUNT OF \$54,582.00 AND TO USE THE PROCEEDS TO REPLACE EMERGENCY LIGHTING EQUIPMENT, AND RADIOS IN THE SHERIFF'S DEPARTMENT. THE MOTION CARRIED 4-1 WITH COMMISSIONER PFEIFER VOTING IN OPPOSITION.

ADMINISTRATOR'S REPORT

NONE.

ATTORNEY'S REPORT

NONE.

BOARD REPORTS

NONE.

STAFF REPORTS:

NONE.

EXECUTIVE SESSION: County Attorney Scott Bennett requested an Executive Session to discuss one litigation matter.

COMMISSIONER MAXWELL MADE A MOTION AND COMMISSIONER HORGAN SECONDED THE MOTION TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS ONE LITIGATION MATTER. THE MOTION CARRIED 5-0.

LITIGATION: County Attorney Scott Bennett discussed a litigation matter with the Board.

CHAIRMAN SMITH RECONVENED THE MEETING AT THIS TIME.

COMMISSIONER HORGAN MADE A MOTION AND COMMISSIONER FRADY SECONDED THE MOTION TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE EXECUTIVE SESSION AFFIDAVIT AFFIRMING THAT ONE LEGAL MATTER WAS DISCUSSED IN EXECUTIVE SESSION. THE MOTION CARRIED 5-0.

CHAIRMAN SMITH SAID THE BOARD HAD DIRECTED THE COUNTY ATTORNEY TO PROCEED IN THE LEGAL MATTER.

COMMISSIONER MAXWELL MADE A MOTION AND COMMISSIONER HORGAN SECONDED THE MOTION TO ADJOURN THE MEETING AT 9:50 P.M.

Karen Morley, Chief Deputy Clerk