



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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Action Agenda

Board of Commissioners
January 24, 2008
7:00 P.M.

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

Acceptance of Agenda

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

PUBLIC HEARING:

A. Consideration of Petition No. 1204-07, Roza K. Adamczyk and Rosa E. Clemente, Owners, and Attorney Newton Galloway of Galloway & Lyndall, LLP, Agent, request to rezone 9.70 acres from A-R to O-I to develop a Medical Office Park. This property is located in Land Lots 7 and 8 of the 7th District and fronts on Huiet Road and Lester Road. Staff recommended denial. The Planning Commission recommended denial 5-0.

COMMISSIONER FRADY MADE A MOTION AND COMMISSIONER PFEIFER SECONDED THE MOTION TO ACCEPT THE PETITIONERS' REQUEST FOR A CONTINUANCE TO THE MARCH 27TH BOARD OF COMMISSIONERS' MEETING. THE MOTION CARRIED 5-0.

B. Consideration of Petition No. RP-041-07, Case Estates Subdivision, Wanda C. Case, Owner/Agent, request to revise the Final Plat to subdivide Lot 2 into three (3) lots and to reduce the acreage of Lot 1. This property is located in Land Lots 44 and 45 of the 7th District, fronts on Sandy Creek Road, and is zoned R-70. Staff recommended approval with four (4) recommended conditions. The Planning Commission recommended approval 5-0.

COMMISSIONER FRADY MADE A MOTION AND COMMISSIONER HORGAN SECONDED THE MOTION TO APPROVE PETITION NO. RP-041-07 AS PRESENTED WITH THE FOUR (4) RECOMMENDED CONDITIONS. THE MOTION CARRIED 5-0.

- C. 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, A. S.R. 54 West Overlay Zone, 4. Architectural Standards; B. S.R. 85 North Overlay Zone, 4. Architectural Standards; and C. General State Route Overlay Zone, 4. Architectural Standards as presented by the Planning and Zoning Department. The Planning Commission recommended approval 5-0.

COMMISSIONER FRADY MADE A MOTION AND COMMISSIONER PFEIFER SECONDED THE MOTION TO APPROVE THE AMENDMENTS TO THE FAYETTE COUNTY ZONING ORDINANCE REGARDING ARTICLE VII. CONDITIONAL USES, EXCEPTIONS, AND MODIFICATIONS, SECTION 7-6. TRANSPORTATION CORRIDOR OVERLAY ZONE, A. S.R. 54 WEST OVERLAY ZONE, 4. ARCHITECTURAL STANDARDS; B. S.R. 85 NORTH OVERLAY ZONE, 4. ARCHITECTURAL STANDARDS AND C. GENERAL STATE ROUTE OVERLAY ZONE, 4. ARCHITECTURAL STANDARDS AS PRESENTED. THE MOTION CARRIED 5-0.

- D. Consideration of proposed amendments to the Fayette County Zoning Ordinance regarding Article III. Definitions and Article V. General Provisions, Section 5-10. Accessory Structures and Section 5-11. Guest House as presented by the Planning and Zoning Department. The Planning Commission recommended approval 5-0.

COMMISSIONER FRADY MADE A MOTION AND COMMISSIONER HORGAN SECONDED THE MOTION TO APPROVE THE AMENDMENTS TO THE FAYETTE COUNTY ZONING ORDINANCE REGARDING ARTICLE III. DEFINITIONS AND ARTICLE V. GENERAL PROVISIONS, SECTION 5-10. ACCESSORY STRUCTURES AND SECTION 5-11. GUEST HOUSE AS PRESENTED. THE MOTION CARRIED 5-0.

PUBLIC COMMENT:
NONE.

CONSENT AGENDA: COMMISSIONER HORGAN MADE A MOTION AND COMMISSIONER PFEIFER SECONDED THE MOTION TO APPROVE THE CONSENT AGENDA AS PRESENTED. THE MOTION CARRIED 5-0.

1. Approval of contract with One Source Counseling and Employee Assistance Program Services as the new Employee Assistance Plan provider effective January 1, 2008.
2. Acceptance of the letter of engagement with Cherry, Bekaert & Holland, L.L.P., the County's auditing firm, to determine the County's compliance with Municipal Solid Waste Landfill Criteria of the Resource Conservation Recovery Act, and authorization for the Chairman to execute said letter.
3. Approval of minutes for Board of Commissioners' Special Called Budget Workshop held on May 24, 2007 and Board of Commissioners' meetings held on January 2, 2008 and January 10, 2008.

OLD BUSINESS:

- E. Approval of staff's recommendation to award contract to C & M Equipment, Inc. for fuel tank upgrades at the Public Works/Fleet Maintenance Facility in the amount of \$290,800.

COMMISSIONER FRADY MADE A MOTION AND COMMISSIONER PFEIFER SECONDED THE MOTION TO APPROVE STAFF'S RECOMMENDATION TO AWARD CONTRACT TO C & M EQUIPMENT, INC. FOR FUEL TANK UPGRADES AT THE PUBLIC WORKS/FLEET MAINTENANCE FACILITY IN THE AMOUNT OF \$290,800. THE MOTION CARRIED 5-0.

- F. Approval of staff's recommendation to transfer \$133,450 from the Contingency Fund to Fleet Maintenance Account #37540900-541210 (project code P7019) to complete the underground storage tank upgrades at the Public Works/Fleet Maintenance Facility.

COMMISSIONER FRADY MADE A MOTION AND COMMISSIONER HORGAN SECONDED THE MOTION TO APPROVE STAFF'S RECOMMENDATION TO TRANSFER \$133,450 FROM THE CONTINGENCY FUND TO FLEET MAINTENANCE ACCOUNT #37540900-541210 (PROJECT CODE P7019) TO COMPLETE THE UNDERGROUND STORAGE TANK UPGRADES AT THE PUBLIC WORKS/FLEET MAINTENANCE FACILITY. THE MOTION CARRIED 5-0.

- G. Approval of the Water Committee's recommendation for approval of a drainage easement agreement between Fayette County, PCH Investments, LLC, and Sequoia Golf Planterra Ridge, LLC., owners of the Planterra Ridge Golf Course.

COMMISSIONER PFEIFER MADE A MOTION AND COMMISSIONER HORGAN SECONDED THE MOTION TO APPROVE THE WATER COMMITTEE'S RECOMMENDATION FOR APPROVAL OF A DRAINAGE EASEMENT AGREEMENT BETWEEN FAYETTE COUNTY, PCH INVESTMENTS, LLC, AND SEQUOIA GOLF PLANTERRA RIDGE, LLC, OWNERS OF THE PLANTERRA RIDGE GOLF COURSE. THE MOTION CARRIED 5-0.

Chairman Smith requested that the Executive Session portion of the agenda be moved to this location on the agenda.

EXECUTIVE SESSION:

COMMISSIONER FRADY MADE A MOTION AND COMMISSIONER HORGAN SECONDED THE MOTION TO MOVE THE EXECUTIVE SESSION PORTION OF THE AGENDA TO THIS LOCATION ON THE AGENDA AND FOR THE BOARD TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS ONE LITIGATION MATTER. THE MOTION CARRIED 5-0.

COMMISSIONER FRADY MADE A MOTION AND COMMISSIONER HORGAN SECONDED THE MOTION TO ADJOURN THE EXECUTIVE SESSION AND RECONVENE TO THE OPEN MEETING. THE MOTION CARRIED 5-0.

LITIGATION:

Chairman Smith stated that the Board had met in Executive Session and discussed a matter of litigation and the Board had authorized the Attorney to proceed in this matter.

EXECUTIVE SESSION AFFIDAVIT:

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

ADMINISTRATOR'S REPORT

FAYETTE COUNTY PUBLIC LIBRARY: Interim County Administrator Jack Krakeel reported to the Board that the Fayette County Public Library would be closed to patrons after 12:00 noon on Friday, February 1st due to the installation of new shelving and the relocation of existing shelving at the Library.

ATTORNEY'S REPORTS

TEMPORARY CONSTRUCTION EASEMENT FOR THE WIDENING OF JIMMY MAYFIELD BOULEVARD:

Attorney Scott Bennett asked for the Board's consideration to approve a temporary construction easement for the City of Fayetteville's widening of Jimmy Mayfield Boulevard and authorization for the Chairman to execute said Agreement.

COMMISSIONER FRADY MADE A MOTION AND COMMISSIONER HORGAN SECONDED THE MOTION TO APPROVE A TEMPORARY CONSTRUCTION EASEMENT FOR THE CITY OF FAYETTEVILLE'S WIDENING OF JIMMY MAYFIELD BOULEVARD AND AUTHORIZATION FOR THE CHAIRMAN TO EXECUTE SAID AGREEMENT. THE MOTION CARRIED 5-0.

TEMPORARY DRIVEWAY EASEMENT FOR THE D.O.T. TO RESTORE A DRIVEWAY AS A RESULT OF THE WIDENING OF S.R. 74 NEAR S.R. 85:

Attorney Scott Bennett asked for the Board's consideration to approve a temporary driveway easement for the Department of Transportation to restore a driveway as a result of the widening of S.R. 74 near S.R. 85 and authorization for the Chairman to execute said Agreement.

COMMISSIONER HORGAN MADE A MOTION AND COMMISSIONER PFEIFER SECONDED THE MOTION TO APPROVE A TEMPORARY DRIVEWAY EASEMENT FOR THE D.O.T. TO RESTORE A DRIVEWAY AS A RESULT OF THE WIDENING OF S.R. 74 NEAR S.R. 85 AND AUTHORIZATION FOR THE CHAIRMAN TO EXECUTE SAID AGREEMENT. THE MOTION CARRIED 5-0.

BOARD REPORTS

GRAND OPENING OF THE NEW SENIOR CENTER: Commissioner Pfeifer commented on the grand opening of the new Senior Center and suggested that all former Commissioners who participated in this endeavor be invited to attend the grand opening.

Chairman Smith directed Executive Assistant Carol Chandler to make sure that this was done.

STAFF REPORTS

NONE.

ADJOURNMENT

COMMISSIONER FRADY MADE A MOTION AND COMMISSIONER HORGAN SECONDED THE MOTION TO ADJOURN THE MEETING AT 8:30 P.M. THE MOTION CARRIED 5-0.

Karen Morley, Chief Deputy Clerk