



**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**

2<sup>nd</sup> and 4<sup>th</sup> Thursday each month at 7:00 pm



**COMMISSION OFFICE**

Administrative Complex  
Suite 100  
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Fayetteville, GA 30214  
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# *Action Agenda*

Board of Commissioners  
August 14, 2008  
7:00 P.M.

## **Call to Order, Invocation and Pledge of Allegiance.**

Chairman Smith called the August 14, 2008 Board of Commissioners Meeting to Order at 7:02 p.m. Commissioner Pfeifer led the audience in the invocation. Chairman Smith led the audience in the Pledge of Allegiance.

## **Acceptance of Agenda.**

Commissioner Horgan moved to accept the agenda. Commissioner Frady seconded the motion. Commissioner Horgan asked for the agenda to be amended in order to have a presentation from District Four Emergency Preparedness Director Charles Reneau to take place after Public Hearing. Commissioner Frady seconded the amendment to the motion. The motion passed unanimously.

## **PUBLIC HEARING:**

### **A. Consideration of Resolution 2008-12 establishing millage rates and levying ad valorem taxes for 2008.**

Assistant Finance Director Toni Jo Howard said the Board of Education has voted to increase their millage rate meaning they will have to hold a series of three public hearings. She said, in lieu of that, Resolution 2008-12 can be voted on at the August 28, 2008 meeting which would allow the Board of Education to complete their public hearings.

No one spoke in favor of or in opposition to Resolution 2008-12.

Chairman Smith said the adoption of the millage rates and the levying ad valorem taxes would be deferred to the August 28, 2008.

## **PRESENTATION:**

District Four Emergency Preparedness Director Charles Reneau spoke to the Commissioners about the August 11, 2008, pandemic influenza exercise held in Fayette County and the exceptional job performed by the Fayette County community during the exercise.

**PUBLIC COMMENT:**

**Andrea Lyle:** Ms. Lyle expressed concern about the crime at the Fayette Pavilion and asked for Fayette County to work with the City of Fayetteville in order to reduce the crime. She also stated that she did not want Commissioner Pfeifer to leave. Chairman Smith said this Board is always ready and willing to work with any of the jurisdictions within the County to whatever extent is allowed by law and budget constraints. He suggested that Ms. Lyle make her plead to the City of Fayetteville since the County has no jurisdictional authority to operate within the city unless the city asks for it.

**James Alexander:** Mr. Alexander said he has begun construction of a fence but is having difficulty constructing the fence in compliance with the Fayette County Zoning Ordinance. He asked if the Board would allow him to construct a taller fence since he is running into some problems. Chairman Smith said what Mr. Alexander was asking for was a variance, and there was a procedure for that. He directed Mr. Pete Frisina to discuss the variance procedure with Mr. Alexander.

**Victor Remeneski:** Mr. Remeneski expressed concern about the decrease in funds coming from the State, counties and cities because of the general economic slump the nation is experiencing. He said his real estate taxes were rising every year and he was concerned about the new pension plan for County employees.

**Andrea Lyle:** Ms. Lyle returned to say she also was concerned about the defined benefit plan.

**CONSENT AGENDA:**

Commissioner Pfeifer moved to approve Consent Agenda Items 1-6. Commissioner Horgan seconded the motion. The motion passed unanimously.

1. **Approval to release the County's possible interest in the property known as the "Old Stop Courthouse".**
2. **Authorization for the Chairman to execute the Federal Annual Certification Report as requested by Sheriff Randall Johnson.**
3. **Approval for staff to advertise proposed amendments to the Fayette County Zoning Ordinance regarding Article VII. Conditional Uses, Exceptions, and Modifications, Section 7-1. Conditional Use Approval, B. Conditional Uses Allowed, 23. Home Occupation, as presented by the Planning and Zoning Department. This item was last discussed during the June 4, 2008 Wednesday Workshop.**
4. **Approval of permission for staff to advertise recommended revision of "suggested planting materials" in the Article V. Buffer and Landscape Ordinance of the Fayette County Development Regulations. This item was last discussed during the July 2, 2008 Wednesday Workshop.**
5. **Approval of the Road Department's recommendation to award annual contract for asphalt (Bid #671) to The Lions Group Paving with alternative award to E.R. Snell Contractor, Inc. (Tyrone Plant).**
6. **Approval of the Road Department's recommendation to award annual contract for CRS-2H tack material, bid #672, to Blacklidge Emulsions, Inc.**

**7. Approval of the July 24, 2008 Regular Session Minutes.**

Commissioner Pfeifer moved to not approve the July 24, 2008 minutes due to their form. The motion died for lack of a second. Commissioner Horgan moved to approve Consent Agenda Item 7. Commissioner Frady seconded the motion. The motion passed with a 4-1 vote with Commissioner Pfeifer voting in opposition.

**OLD BUSINESS:**

**B. Consideration of the proposed amendments to the Fayette County Zoning Ordinance regarding Article V. General Provisions, Section 5-17. Height Limitations of Walls and Fences, Section 5-11. Common Area, and Article III. Definitions, Common Area, Fence and Wall as presented by the Planning and Zoning Department. THE PLANNING COMMISSION RECOMMENDED APPROVAL WITH MODIFICATIONS IN A 4-1 VOTE. This item was tabled following the July 24, 2008 Public Hearing.**

Commissioner Pfeifer moved to approve the proposed amendments to the Fayette County Zoning Ordinance regarding Article V. General Provisions, Section 5-17. Height Limitations of Walls and Fences, Section 5-11. Common Area, and Article III. Definitions, Common Area, Fence and Wall to become effective on October 1, 2008. Commissioner Horgan seconded the motion. The motion passed in a 4-1 vote with Commissioner Maxwell voting in opposition.

**C. Consideration of proposed revisions to Fayette County's Extent of Service/Level of Service (EOS/LOS) Policy for Stormwater Management. This item was last discussed during the March 5, 2008 Wednesday Workshop.**

Commissioner Horgan moved to adopt the proposed revisions to Fayette County's Extent of Service/Level of Service (EOS/LOS) Policy for Stormwater Management. Commissioner Maxwell seconded the motion. The motion passed unanimously.

**NEW BUSINESS:**

**D. Consideration of a request to improve the 0.5 mile section of Snead Road "west" of Old Greenville Road.**

Commissioner Frady moved to improve the 0.5 mile section of Snead Road "west" of Old Greenville Road utilizing Option Two, also known as the Binder and Overlay Option, with a 60' right-of-way to include up to an additional 6" of Graded Aggregate Base (GAB), if necessary, with funding provided from the Contingency Fund. Commissioner Horgan seconded the motion. The motion passed unanimously.

**E. Consideration of a proposed Resolution and Intergovernmental Agreement with Clayton County for repair and improvements to the Helmer Road Bridge over Camp Creek.**

Commissioner Frady moved to authorize the Chairman to sign Resolution 2008-11 and the Intergovernmental Agreement with Clayton County for repair and improvements to the Helmer Road Bridge over Camp Creek with funding provided from the Contingency Fund. Commissioner Horgan seconded the motion. The motion passed unanimously.

**F. Discussion of proposal to construct a pedestrian access across the West Fayetteville Bypass- Phase I project currently under construction.**

The consensus of the Board was “to allow the road to proceed” without any further direction given.

**ADMINISTRATOR’S REPORT**

None.

**ATTORNEY’S REPORT**

**Fayette Senior Services Lease and Operating Agreement:** Commissioner Maxwell moved to authorize the Chairman to sign the Lease and Operating Agreement with Fayette Senior Services. Commissioner Horgan seconded the motion. The motion passed unanimously.

**Atlanta Regional Commission Transportation Plan Grant:** Commissioner Horgan moved to authorize the Chairman to sign the ARC Grant Agreement for Transportation Study. Commissioner Frady seconded the motion. The motion passed unanimously.

**Emergency Water Purchase Agreement:** Commissioner Horgan moved to authorized the Chairman to sign the Emergency Water Purchase Agreement between Fayette County and the Clayton County Water Authority with the cost to be borne by the Fayette County Water System, and for said cost not to exceed 50% of the connection cost. Commissioner Frady seconded the motion. The motion passed unanimously.

**Lantz Construction Water Line Extension Contract:** Commissioner Horgan moved to authorize the Chairman to sign the annual contract for Water Line Extensions with Lantz Construction. Commissioner Frady seconded the motion. The motion passed unanimously.

**STAFF REPORTS**

**Amendment to C.W. Matthews Contract:** Commissioner Horgan moved to amend the County’s existing contract with C.W. Matthews for Asphalt Resurfacing by adding Ebenezer Road, from State Route 54 to Ebenezer Church Road, to the list of roads approved for milling and patching at a cost of approximately \$238,000 provided from SPLOST funds. Commissioner Pfeifer seconded the motion. The motion passed unanimously.

**BOARD REPORTS**

None.

**EXECUTIVE SESSION**

None.

## **ADJOURNMENT**

Commissioner Frady moved to adjourn the August 14, 2008 Board of Commissioners Meeting. Commissioner Horgan seconded the motion. The motion passed unanimously.

Chairman Smith adjourned the August 14, 2008 Board of Commissioners Meeting at 9:12 p.m.

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**Floyd L. Jones, Deputy Clerk**