



#### BOARD OF COMMISSIONERS

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

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#### STAFF

Chris Cofty, County  
Administrator  
Carol Chandler, Executive Asst.  
William R. McNally, Attorney  
Karen Morley, Deputy Clerk  
Linda Rizzotto, Deputy Clerk

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#### MEETING LOCATION

Administrative Complex  
Commission Meeting Room  
140 Stonewall Avenue  
Fayetteville, GA

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#### 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

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#### COMMISSION OFFICE

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# The Agenda of Actions

BOARD OF COMMISSIONERS

February 28, 2002

7:00 P.M.

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

**ON BEHALF OF THE BOARD, COMMISSIONER VANLANDINGHAM WELCOMED BOY SCOUT TROUP #276 TO THE MEETING.**

#### **PUBLIC HEARING:**

A. Consideration of Petition No. 1088-01, Russell Welch, Owner/Agent, request to rezone 4.04 acres from A-R to R-72 to develop two (2) single-family residential lots. This property is located in Land Lot 42 of the 5<sup>th</sup> District and fronts on Homers Place. **Staff recommended approval. The Planning Commission recommended approval 5-0.**

**ON MOTION MADE BY VICE CHAIR WELLS, SECONDED BY COMMISSIONER PFEIFER TO APPROVE PETITION NO. 1088-01 AS PRESENTED. THE MOTION CARRIED 4-0. COMMISSIONER FRADY WAS ABSENT.**

B. Consideration of proposed Amendments to the Fayette County Development Regulations regarding Article III. Street Design Standards and Specifications, Section 8-52. Residential Access by the Engineering Department. **The Planning Commission recommended approval 5-0.** *Commissioner Frady has requested this be tabled to the March 14, 2002 Board meeting.*

**CHAIRMAN DUNN STATED DUE TO A REQUEST FROM COMMISSIONER FRADY WHO COULD NOT ATTEND THE MEETING TONIGHT, THE PROPOSED AMENDMENTS TO THE FAYETTE COUNTY DEVELOPMENT REGULATIONS REGARDING ARTICLE III. STREET DESIGN STANDARDS AND SPECIFICATIONS, SECTION 8-52. RESIDENTIAL ACCESS, THIS ISSUE WILL BE DEFERRED TO THE MEETING SCHEDULED FOR MARCH 14, 2002.**

- C. Consideration of adoption of Interim Objectives and Policies to the Fayette County Comprehensive Growth Management Plan to be utilized in the development of a Capital Improvement Program. *This item was tabled at the February 14, 2002 meeting and tonight it will be continued to the March 6, 2002 agenda.*

**CHAIRMAN DUNN ANNOUNCED THIS ISSUE WOULD BE PULLED FROM TONIGHT'S AGENDA, IN ORDER TO GIVE STAFF THE TIME TO ADDRESS IT AND IN ORDER TO GIVE THE BOARD TIME TO REVIEW THE CHANGES REQUESTED. HE STATED THIS MATTER WOULD NOT BE ON AN AGENDA UNTIL STAFF HAS HAD TIME TO COMPLETE THE INFORMATION AND BRING IT BACK TO THE BOARD.**

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**NEW BUSINESS:**

- D. Consideration by the Board to approve in order to proceed with a grant from the Atlanta Highway Enforcement Against Aggressive Traffic. This requires additional funding by the Board in order to implement the grant.

**CHAIRMAN DUNN RECOMMENDED THIS MATTER BE DEFERRED UNTIL THE MARCH 14, 2002 MEETING TO GIVE THE COUNTY ATTORNEY TIME TO DO AN ASSESSMENT OF THE LEGAL REQUIREMENTS.**

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**CONSENT AGENDA: ON MOTION MADE BY VICE CHAIR WELLS, SECONDED BY COMMISSIONER VANLANDINGHAM TO APPROVE THE CONSENT AGENDA AND ADDENDUM TO THE AGENDA AS PRESENTED. THE MOTION CARRIED 4-0. COMMISSIONER FRADY WAS NOT PRESENT AT THE MEETING.**

**NATIONAL PRAYER DAY APPROVED:** Approval to permit use of the fountain area at the Administrative Complex for the National Day of Prayer event that is to be held on May 2, 2002, from 6:30 a.m. to 8:30 a.m.

**RECREATION - BID AWARD FOR SOCCER FIELD LIGHTING TO SOUTHERN OUTDOOR LIGHTING:** Approval to award the bid for soccer field lighting to Southern Outdoor Lighting at a bid price of \$44,442.

**APPROVE SIGN REQUEST FROM THE CHAMBER OF COMMERCE:** Approve request from the Fayette County Chamber of Commerce to erect a sign on the northwest corner of the Old Courthouse from August 20, 2002 through September 3, 2002, to advertise a show case opportunity for small businesses within the south metro area and as a fund raising initiative for the Chamber of Commerce.

**SHERIFF'S DEPARTMENT BUDGET TRANSFER REQUEST APPROVED:** Approval of request to transfer \$4,828.59 from the general budget fund to the Sheriff's Department budget category #130-

5433. This is the result of an accident involving a patrol vehicle.

**SHERIFF'S DEPARTMENT BUDGET TRANSFER REQUEST APPROVED:** Approval of request to transfer \$5,685.69 from the general budget fund to the Sheriff's Department budget category#130-5433 for vehicle repairs due to an accident involving a patrol vehicle.

**SHERIFF'S DEPARTMENT BUDGET TRANSFER REQUEST APPROVED:** Approval of request to transfer \$915.30 from the general budget fund to the Sheriff's Department budget category#130-5433 for vehicle repairs due to an accident involving a Sheriff's Department vehicle.

**TAX AUDITING SERVICES CONTRACT APPROVED WITH MENDELA AND ASSOCIATES:** Approval of request to authorize the Chairman to execute a contract with Mendela and Associates for property tax auditing services.

**WATER SYSTEM APPROVED TO SHUT DOWN CEDARTREE WELL PERMANENTLY AND TEST PAINT SAMPLES FOR PAINTING THE TANK IN PEACHTREE CITY:** Approval of requests from the Water Committee to:

1. Shut down the Cedartree well permanently, and,
2. Test different paint samples on the 250,000 gallon tank in Peachtree City for one year to see which paint works best

**THE COUNTY'S UPDATED EMERGENCY OPERATIONS PLAN APPROVED:** Approval of County's updated Emergency Operations Plan as required every four years by the Georgia Emergency Management Act. Copies of the Plan were forwarded to the Board for its review prior to adoption.

**APPROVAL OF FINANCE DEPARTMENT BUDGET ADJUSTMENTS FOR RESTROOMS AT MCCURRY PARK AND EXTRICATION EQUIPMENT FOR EMERGENCY SERVICES:** Approval of request from the Finance Department for budget adjustments concerning (1) request of \$15,000 to increase the Capital Projects Fund with a transfer from the General Fund Contingency Account to fund additional costs associated with restrooms at south McCurry Park soccer fields, and (2) request of \$3,500 from the General Fund Contingency Account for extrication equipment for Emergency Services.

**BID AWARDED TO BLEND CONSTRUCTION COMPANY IN THE AMOUNT OF \$52,999.00 FOR RESTROOM FACILITIES AT SOUTH MCCURRY SOCCER FIELDS:** Approval of request from Engineering for additional funding for the restroom facilities at McCurry Park.

**MINUTES:** Approval of minutes for Board of Commissioners' meeting held on February 14, 2002.

**DOT CONTRACTS APPROVED FOR RESURFACING:** Approval to authorize the Chairman to execute the following DOT contracts for the resurfacing of 17.870 miles on various county roads:

LAR32 - 39 - 4 (113) C1  
PR-65-1 (113) C1

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**PUBLIC COMMENT:**

Members of the public are allowed up to three minutes each to address the Board on issues of concern other than those items which are on this evening's agenda.

**WES WILKINS:**

Mr. Wilkins commented on the recent problems that he and his neighbors have been experiencing with a telecommunications tower in their vicinity. He mentioned the broadcasts from the tower can be heard distinctly from his TV, radio, stereo, telephone and computers no matter what time of day. Mr. Wilkins asked for help from the Board of Commissioners to protect the children, the homeowner's properties and the quality of life.

**Frank Nuckolls:**

Mr. Nuckolls thanked the Board for what they were doing to help with the recent telecommunications problems.

**STAFF REPORTS:**

**CITY OF FAYETTEVILLE SIGNS INMATE AGREEMENT:** County Attorney McNally reported that Fayetteville had signed the Inmate Agreement that was offered to them. He asked for the Board's authorization to have the Chairman sign on behalf of the county.

**ON MOTION MADE BY COMMISSIONER PFEIFER, SECONDED BY VICE CHAIR WELLS TO AUTHORIZE CHAIRMAN DUNN TO EXECUTE THE INMATE AGREEMENT ON BEHALF OF THE COUNTY. THE MOTION CARRIED 4-0. COMMISSIONER FRADY WAS ABSENT.**

**TOWN OF TYRONE SIGNS THE BILLING AGREEMENT:** County Attorney stated that the Town of Tyrone had signed the Sewer Billing Agreement. He remarked that the county bills for the sewer customers of the City of Fayetteville, who are on county water, and, also, for the Peachtree City Water and Sewer Authority. He said Tyrone has executed the same contract requesting that we give them that service. He requested authorization to have Chairman Dunn sign the Sewer Billing Agreement on behalf of the county.

**ON MOTION MADE BY COMMISSIONER VANLANDINGHAM, SECONDED BY COMMISSIONER PFEIFER TO AUTHORIZE CHAIRMAN DUNN TO EXECUTE THE SEWER BILLING AGREEMENT WITH THE TOWN OF TYRONE. THE MOTION CARRIED 4-0. COMMISSIONER FRADY WAS ABSENT.**

**COUNTY SIGNS THE ADJUSTED ANNEXATION AGREEMENT WITH THE CITY OF FAYETTEVILLE:** County Attorney McNally reported that the City of Fayetteville annexed property off of Redwine Road behind Lakeside on Redwine into the P.K. Dixon property. He said if the Board remembers, it objected to that annexation. He said the City then came back and answered the county's objections by making some adjustments in their annexation requirements. He stated they

have sent over an Agreement which reflects those changes formally, and he asked for authorization on the part of the Board to have the Chairman sign on behalf of the county.

**ON MOTION MADE BY COMMISSIONER PFEIFER, SECONDED BY COMMISSIONER VANLANDINGHAM TO HAVE CHAIRMAN DUNN SIGN THE ANNEXATION AGREEMENT WITH THE CITY OF FAYETTEVILLE. THE MOTION CARRIED 4-0. COMMISSIONER FRADY WAS ABSENT.**

**LANDFILL - GEORGIA WASTE SYSTEMS, INC. CONTRACT APPROVED WITH LIST OF RATES:**

Attorney McNally informed the Board that the county had sent out an RFP for the transfer station. He said we received a response from Georgia Waste Systems, Inc., and they have sent us a contract which was in compliance with the RFP. He said there was one difference and that was that the company wishes to be able to raise the cap, which the county has imposed, by \$3.50, at such time as the current landfill that they are using, closes. He said this would require them to transport the waste further, and they want to be able to raise the price to the commercial haulers who use them, by \$3.50. He requested the motion to accept this contract also include the list of fees which reflects, basically, what we have there currently. He stated that commercial waste was \$30.00 per ton, yard wastes commercially is \$20.00 a ton, and there was no charge for yard waste for individuals. He added that the main difference here was that we had been weighing pickup trucks that came in and they would like to charge a flat fee. He said those with five (5) bags or less would be charged \$4.00 and those with more than five (5) bags would be charged \$8.00.

Chairman Dunn reminded those present that the commercial haulers' rate would go up but the citizens' cost would not, and that yard waste would be free.

**ON MOTION MADE BY VICE CHAIR WELLS, SECONDED BY COMMISSIONER PFEIFER TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE CONTRACT BASED ON THE RFP AND THE ATTACHED LIST OF FEES, AS DISCUSSED BY THE COUNTY ATTORNEY. THE MOTION CARRIED 4-0. COMMISSIONER FRADY WAS ABSENT.**

**RENOVATION OF COUNTY OFFICE SPACE:** Chairman Dunn stated at the last meeting the issue of renovating some of the Commissioner's office space was brought up. He said he has done a lot of research on it and he feels even more strongly about today than he did two weeks ago. He commented it was his intention to bring this before the Board tonight for another vote, but Commissioner Frady was here previously and he felt it was only fair that everyone who voted on the issue before, be here again when he brings the matter up. He said he would wait until we have a full Board before voting on the matter.

**EXECUTIVE SESSION:**

County Attorney McNally said he had one legal item and three items of real estate acquisition for Executive Session.

**ON MOTION MADE BY VICE CHAIR WELLS, SECONDED BY COMMISSIONER PFEIFER TO ADJOURN THE REGULAR SESSION AND AFTER A BRIEF RECESS RECONVENE INTO EXECUTIVE SESSION TO DISCUSS ONE LEGAL ITEM AND THREE ITEMS OF REAL ESTATE ACQUISITION. THE MOTION CARRIED 4-0. COMMISSIONER FRADY WAS ABSENT.**

**REAL ESTATE:**

The County Attorney briefed the Board concerning two matters of real estate acquisition.

**ON MOTION MADE BY VICE CHAIR WELLS, SECONDED BY COMMISSIONER PFEIFER TO AUTHORIZE ATTORNEY MCNALLY TO PROCEED IN THIS MATTER. THE MOTION CARRIED 4-0. COMMISSIONER FRADY WAS ABSENT.**

**REAL ESTATE:**

The Board and the County Attorney discussed a matter of real estate acquisition.

**ON MOTION MADE BY VICE CHAIR WELLS, SECONDED BY COMMISSIONER PFEIFER TO AUTHORIZE THE COUNTY ATTORNEY TO PROCEED IN THIS MATTER. THE MOTION CARRIED 3-1 WITH COMMISSIONER VANLANDINGHAM OPPOSING. COMMISSIONER FRADY WAS ABSENT.**

**LEGAL:**

Chairman Dunn briefed members of the Board concerning a legal matter.

**NO ACTION WAS TAKEN BY THE BOARD.**

**EXECUTIVE SESSION AFFIDAVIT: ON MOTION MADE BY VICE CHAIR WELLS, SECONDED BY COMMISSIONER PFEIFER TO AUTHORIZE CHAIRMAN DUNN TO SIGN THE EXECUTIVE SESSION AFFIDAVIT AFFIRMING THE DISCUSSION OF THREE MATTERS OF REAL ESTATE ACQUISITION AND ONE ITEM OF LEGAL. THE MOTION CARRIED 4-0. COMMISSIONER FRADY WAS ABSENT.**

There being no further business to come before the Board, Chairman Dunn adjourned the meeting at 9:50 p.m.