



# The Agenda of Actions

BOARD OF COMMISSIONERS

July 11, 2002

7:00 P.M.

## 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

Administrative Complex  
Suite 100  
140 Stonewall Avenue  
Fayetteville, GA 30214  
Phone: 770.460.5730 Ext. 5400  
Fax: 770.460.9412

## Web Site:

[www.admin.co.fayette.ga.us](http://www.admin.co.fayette.ga.us)

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fayette6@admin.co.fayette.ga.us

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

## PRESENTATION/RECOGNITION:

- A. Presentation by Jim Triplet of the Government Finance Officers' Association to present the County's Audit and Budget Awards.

***MR. JIM TRIPLET, FINANCE OFFICER, AND CURRENT PRESIDENT OF THE GEORGIA GOVERNMENT FINANCE OFFICER'S ASSOCIATION PRESENTED THE FINANCIAL EXCELLENCE AND REPORTING AWARD AS WELL AS THE DISTINGUISHED BUDGET PRESENTATION AWARD FOR THE FISCAL YEAR BEGINNING JULY 1, 2001. FINANCE DIRECTOR MARK PULLIUM ACCEPTED THE AWARDS ON BEHALF OF THE COUNTY.***

## OLD BUSINESS:

- B. Consideration of the Youth Association contract.

***ON MOTION MADE BY VICE CHAIR WELLS, SECONDED BY CHAIRMAN DUNN TO ADOPT THE YOUTH ASSOCIATION CONTRACT TITLED "AGREEMENT FOR FACILITY USE WITH FAYETTE COUNTY RECREATION", WITH EXHIBITS A AND B ATTACHED HERETO". THE MOTION CARRIED 4-0. COMMISSIONER FRADY WAS ABSENT.***

- C. Discussion by Dan Hudson regarding partial paving of Quarters Road from the end of current pavement in High Grove West to the Intersection of Alexander Ware Place.

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

***CONSENT AGENDA: ON MOTION MADE BY VICE CHAIR WELLS, SECONDED BY COMMISSIONER PFEIFER TO APPROVE THE CONSENT AGENDA AS PRESENTED. THE MOTION CARRIED 4-0. COMMISSIONER FRADY WAS ABSENT FROM THE MEETING.***

**THE KIWANIS CLUB TO PLACE A SIGN:** Approval of sign request from the Kiwanis Club to place a sign on the old courthouse lawn from July 27 through August 7, 2002 advertising the candidates' debate to be held at Sams Auditorium on August 7, 2002.

**SHERIFF'S DEPARTMENT:** Approve request from the Sheriff's Department to transfer funds in the amount of \$4,118.20 from the general budget to the Sheriff's Department budget #130-5433. This is insurance compensation for an accident involving a Sheriff's Department vehicle.

**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.

***NONE***

**STAFF REPORTS:**

**BOARD OF EDUCATION TO USE OLD WOOLSEY FIRE STATION FOR STORAGE:** County Attorney McNally explained that the Board of Education was building new facilities across the street from their Whitewater Complex. He stated the school was ordering equipment so that the equipment will be ready at the time each of the new schools open. He commented that they have requested to use the old Woolsey fire station for storage of equipment for a two year period.

***ON MOTION MADE BY COMMISSIONER PFEIFER, SECONDED BY VICE CHAIR WELLS TO APPROVE THE REQUEST BY THE BOARD OF EDUCATION TO USE THE OLD WOOLSEY FIRE STATION FOR A TWO YEAR PERIOD FOR STORAGE OF EQUIPMENT. NOTIFICATION TO THE CITY OF WOOLSEY WILL BE GIVEN. THE MOTION CARRIED 4-0. COMMISSIONER FRADY WAS ABSENT FROM THE MEETING.***

**RESOLUTION NO. 2002-09 AND LETTER OF AGREEMENT APPROVING TRANSFER FROM MEDIA ONE OF COLORADO, INC. TO AT&T COMCAST CORPORATION:** Assistant County Attorney Dennis Davenport stated this item was a continuation from an earlier meeting. He commented AT&T needed more time to try and work out some unresolved issues. He said he and Mr. Cofty and Mr. Macke have met and worked out what they felt was a good solution to the issues that were raised in the negotiations. He said he had prepared a Resolution for the transfer in addition to a Letter of Agreement which addresses the resolved issues.

***ON MOTION MADE BY VICE CHAIR WELLS, SECONDED BY COMMISSIONER PFEIFER TO APPROVE THE AT&T COMCAST MERGER RESOLUTION. THE MOTION CARRIED 4-0. COMMISSIONER FRADY WAS ABSENT.***

**LETTER SENT TO DEPARTMENT OF COMMUNITY AFFAIRS CONCERNING ANNEXATION BY FAYETTEVILLE:** Attorney Davenport stated the county had received notice from the City of Fayetteville annexing property at the Pavilion. He explained that the Notice indicates they have

annexed 55.35 acres but information within the documentation expresses a different number. He said since the request has now been sent to the Department of Community Affairs, it is also being reviewed by the DCA. He said the method of annexation that the City of Fayetteville used was the 100 percent method which was in their notice to us of the annexation. He commented he felt it would be good to bring to light to the DCA, that pursuant to some recent amendments to the 100 percent method, specifically one that requires that if a city annexes property using this method, it must annex all of the property of the requesting property owner. He said the reason this was an issue with this annexation was, if you look at the annexation, there is a 10-foot strip carved from the property of the property owner and, this seems to conflict with the requirements of the 100 percent method.

Attorney Davenport remarked with respect to why the 10-foot strip is there, not wanting to speculate, but if in fact the 10-foot strip did not get excluded from the annexation, it would have the affect of creating an unincorporated island just south of the annexed property. He stated either way you have the problem with not annexing all of the property, pursuant to the new requirement as of March 17, 2000. He said on the other hand, if you follow that requirement, you create an unincorporated island which is contrary to another code section for annexation. He said he wanted to bring this to the attention of the DCA to see if our concerns merit their reviewing it.

Mr. Davenport asked if the Board had time to review his draft letter to DCA.

***ON MOTION MADE BY COMMISSIONER PFEIFER, SECONDED BY COMMISSIONER VANLANDINGHAM TO APPROVE THE DRAFT LETTER AND AUTHORIZE CHAIRMAN DUNN TO SIGN THE LETTER WHICH WILL BE MAILED TO THE DEPARTMENT OF COMMUNITY AFFAIRS. THE MOTION CARRIED 4-0. COMMISSIONER FRADY WAS ABSENT.***

**DOT CONTRACT NO. PR-202-1 APPROVED FOR BRIDGE REHABILITATION:** Executive Assistant Carol Chandler requested authorization for Chairman Dunn to execute the DOT contract for Kenwood Road bridge over Morning Creek and Inman Road bridge over Nash Creek

***ON MOTION MADE BY VICE CHAIR WELLS, SECONDED BY CHAIRMAN DUNN TO APPROVE DOT CONTRACT NO. PR-202-1 FOR THE REHABILITATION OF THE KENWOOD ROAD BRIDGE OVER MORNING CREEK AND INMAN ROAD BRIDGE OVER NASH CREEK. THE MOTION CARRIED 4-0. COMMISSIONER FRADY WAS ABSENT FROM THE MEETING.***

**WATER SYSTEM ANNUAL CONTRACT FOR WATERLINE EXTENSIONS:** Commissioner VanLandingham recalled the issue of waterline extensions that he requested be removed from the June 27, 2002 agenda for further evaluation. He said everyone should have a copy of the schedule of items contained in the bid. He asked that this item be placed on the agenda for July 25, 2002.

***THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, ON MOTION MADE BY COMMISSIONER VANLANDINGHAM TO ADJOURN THE MEETING AT 7:40 P.M.***