



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

1st Wednesday each month at
3:30 p.m.
2nd and 4th 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

March 14, 2002

7:00 P.M.

Chairman Dunn called the meeting to order at 7:10 p.m., offered an invocation and led the pledge to the Flag.

Chairman Dunn announced that the Editor and Chief Reporter for the Fayette Citizen Newspaper, Dave Hamrick, passed away last evening while playing soccer. He asked that the Hamrick family and those that worked with him be remembered in prayer.

PUBLIC HEARING:

- A. Consideration of proposed Amendments to the Fayette County Development Regulations regarding Article III. Street Design Standards and Specifications, Section 8-52. Residential Access. **The Planning Commission recommended approval 5-0.** *This is continued from the meeting of February 28, 2002.*

ON MOTION MADE BY VICE CHAIR WELLS, SECONDED BY COMMISSIONER PFEIFER TO ADOPT ARTICLE III. STREET DESIGN STANDARDS AND SPECIFICATIONS, SECTION 8-52. RESIDENTIAL ACCESS AS PRESENTED. THE MOTION CARRIED 5-0.

OLD BUSINESS:

- B. Consideration by the Board to approve, in order to proceed with a grant from the Atlanta Highway Enforcement Against Aggressive Traffic. *This is continued from the meeting of February 28, 2002.*

ON MOTION MADE BY VICE CHAIR WELLS, SECONDED BY COMMISSIONER FRADY TO ALLOW MORE TIME FOR REVIEW BY THE COUNTY ATTORNEY OF THE GRANT FROM THE ATLANTA HIGHWAY ENFORCEMENT AGAINST AGGRESSIVE TRAFFIC, AND TO TABLE THIS MATTER TO THE MARCH 28, 2002 AGENDA. THE MOTION CARRIED 5-0.

- C. Follow up discussion of GRTA Express Bus Proposal.

ON MOTION MADE BY CHAIRMAN DUNN, SECONDED BY VICE CHAIR WELLS THAT THE COUNTY NOTIFY GRTA BY LETTER THAT AT THIS POINT IN TIME, WITH THE PROGRAM AS IT IS CURRENTLY CONSTRUCTED, THAT WE WILL NOT BE ABLE TO PARTAKE IN IT. THE MOTION CARRIED 5-0.

NEW BUSINESS:

- D. Hearing on appeal of stop work order per Code Section 8-262: Anthony J. Carter filed a written Notice of Appeal on February 15, 2002, with the Engineering Department. Pursuant to Code Section 8-262 there shall be a hearing before the Board of Commissioners within 30 days of the filing of the written Notice of Appeal.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER VANLANDINGHAM TO DENY ANTHONY J. CARTER'S REQUEST TO DISMISS HIS APPEAL. THE MOTION CARRIED 5-0.

- E. Consideration of proposed annexation request from Fayetteville for 152.80 acres fronting on Lester and Old Norton Roads, adjacent to Stonebriar Subdivision. The proposed use is for approximately 140 residential lots.

ON MOTION MADE BY COMMISSIONER VANLANDINGHAM, SECONDED BY COMMISSIONER PFEIFER THAT THE BOARD OF COMMISSIONERS FORMALLY LODGE NO OBJECTION TO THE ANNEXATION OF THE STANLEY ESTATE PROPOSAL FROM THE CITY OF FAYETTEVILLE. THE MOTION CARRIED 4-1 WITH VICE CHAIR WELLS OPPOSING.

- F. Consideration of proposed annexation request from Fayetteville for 53.55 acres fronting on State Route 314 and Pavilion Parkway and is known as Phase 3 of the Fayette Pavilion.

ON MOTION MADE BY COMMISSIONER PFEIFER, SECONDED BY VICE CHAIR WELLS TO FORMALLY OBJECT TO THE ANNEXATION OF 53.55 ACRES ON STATE ROUTE 314 AND PAVILION PARKWAY, KNOWN AS PHASE III OF THE FAYETTE PAVILION. THE MOTION CARRIED 5-0.

- G. Consideration of proposed annexation request from Fayetteville for 5.14 acres fronting on State Route 85 North and New Hope Road.

ON MOTION MADE BY COMMISSIONER PFEIFER, SECONDED BY VICE CHAIR WELLS TO FORMALLY OBJECT TO THE ANNEXATION AT STATE ROUTE 85 NORTH AND NEW HOPE ROAD. THE MOTION CARRIED 5-0.

CONSENT AGENDA: ON MOTION MADE BY VICE CHAIR WELLS, SECONDED BY COMMISSIONER PFEIFER TO APPROVE THE CONSENT AGENDA AS PRESENTED. THE MOTION CARRIED 5-0.

1. Approval of request from Fire Services to submit a grant application to the Fire Act Grant Program to upgrade and replace the self-contained breathing apparatus equipment.
2. Approval of request from Fire Services for authorization to dispose of used uniforms.
3. Approval of request from the Sheriff's Office to transfer funds in the amount of \$4,179 for damage to a patrol vehicle.

4. Approval to authorize the Chairman to execute the DOT Contract TSAP-920 (4) C1, for 0.019 of a mile for road improvements to the intersection of McDonough and County Line Roads.
5. Approve request for Fayette Players & Community Theater to erect a sign on the courthouse lawn to advertise for a show called Nunsense, from March 25 through March 31, 2002.

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.

Sallie Satherwaite:

Ms. Satherwaite said she was there to speak up for the number of people in this county that believed there was a need for transportation. She said people need choices and alternative transportation. She claimed people say that we do not need big government to do our planning for us, that we can take care of it ourselves, and asked why haven't we.

Ms. Adams: from Fayetteville commented on public transportation and the reasons why Fayette County should have it for the citizens.

Dan Rossi: Fayetteville, Ga., congratulated the Board on its decision to deny public transportation to Fayette County. Mr. Rossi state the Environmental Protection Agency from Washington, D.C., which has basically extorting the State of Georgia, told Governor Roy Barnes that he needed to do several things to be in compliance with the Clean Air Act. He said the car emissions testing was just a way to make tax revenue for the government.

STAFF REPORTS:

TYRONE INMATE AGREEMENT: County Attorney Bill McNally asked for a motion to authorize Chairman Dunn to execute the Inmate Agreement from Tyrone.

ON MOTION MADE BY COMMISSIONER VANLANDINGHAM, SECONDED BY COMMISSIONER PFEIFER TO AUTHORIZE CHAIRMAN DUNN TO EXECUTE THE JAIL INMATE AGREEMENT WITH TYRONE. THE MOTION CARRIED 5-0.

DISCUSSION OF BOARD RETREAT FOR SPLOST: Vice Chair Wells requested discussion on a SPLOST to see whether we needed to list it on the upcoming ballot. She commented the Board was short on time to get this legally publicized and the information out to the community. She said she wanted to discuss whether or not this was something the Board was going to spend funds and time on now, or were we going to put this off until a later date.

The Board discussed the matter at length and could not come to a consensus. The Commissioners discussed staff's time and the fact that everyone needed to be cognizant of staff's time during this budget process.

County Attorney McNally requested an Executive Session to cover three legal items and two items real estate acquisition.

EXECUTIVE SESSION: ON MOTION MADE BY VICE CHAIRMAN WELLS, SECONDED BY COMMISSIONER PFEIFER TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS THREE LEGAL ITEMS AND TWO ITEMS OF REAL ESTATE ACQUISITION AFTER A FIVE MINUTE RECESS.

LEGAL:

County Attorney Bill McNally advised the Board concerning a legal matter.

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REAL ESTATE ACQUISITION:

The County Attorney briefed the Board concerning potential real estate acquisition.

ON MOTION MADE BY COMMISSIONER VANLANDINGHAM, SECONDED BY VICE CHAIR WELLS TO DIRECT MR. MCNALLY TO PROCEED WITH NEGOTIATIONS. THE MOTION CARRIED 3-2 WITH COMMISSIONERS DUNN AND PFEIFER OPPOSED.

REAL ESTATE ACQUISITION:

Attorney McNally briefed the Board concerning a matter of real estate acquisition.

ON MOTION MADE BY VICE CHAIR WELLS, SECONDED BY COMMISSIONER VANLANDINGHAM TO AUTHORIZE THE COUNTY ATTORNEY TO PROCEED IN THIS MATTER. THE MOTION CARRIED 5-0.

LEGAL:

Attorney McNally briefed the Board concerning a legal matter.

ON MOTION MADE BY VICE CHAIR WELLS, SECONDED BY COMMISSIONER VANLANDINGHAM TO AUTHORIZE THE COUNTY ATTORNEY TO PROCEED IN THIS MATTER. THE MOTION CARRIED 5-0.

EXECUTIVE SESSION AFFIDAVIT: ON MOTION MADE BY VICE CHAIR WELLS, SECONDED BY COMMISSIONER PFEIFER TO AUTHORIZED CHAIRMAN DUNN TO EXECUTE THE EXECUTIVE SESSION AFFIDAVIT AFFIRMING THE DISCUSSION OF THREE LEGAL ITEMS AND TWO MATTERS OF REAL ESTATE ACQUISITION. THE MOTION CARRIED 5-0.

There being no further business to come before the Board, Chairman Dunn adjourned the meeting at 10:45 p.m.

Linda Rizzotto, Chief Deputy Clerk