



**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  
140 Stonewall Avenue  
Fayetteville, GA 30214  
Phone: (770) 460-5730 ext. 5400  
Fax: (770) 460-9412



**WEB SITE**

[www.fayettecountyga.gov](http://www.fayettecountyga.gov)



**E-MAIL**

[administration@fayettecountyga.gov](mailto:administration@fayettecountyga.gov)

## *Action Agenda*

Board of Commissioners  
June 26, 2008  
7:00 P.M.

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

**ACCEPTANCE OF AGENDA:**

**COMMISSIONER FRADY MADE A MOTION TO ACCEPT THE AGENDA AS PRESENTED. COMMISSIONER HORGAN SECONDED THE MOTION. INTERIM COUNTY ADMINISTRATOR JACK KRAKEEL REQUESTED "ITEM H" ON THE AGENDA BE REMOVED. THE MOTION CARRIED 5-0.**

**PRESENTATION/RECOGNITION:**

A. Presentation of Citizens Award for heroic actions by six year old Haden Stusak who pulled his friend, Josiah Buddha, age 5, from the deep end of a swimming pool, and the American Heart CPR Hero Award to Kalan Edwards, Shaine Catillo and Maria Yubetta for successfully administering Cardio Pulmonary Resuscitation (CPR) to Josiah.

**THE BOARD PRESENTED THE CITIZENS AWARD TO HADEN STUSAK FOR HIS HEROIC ACTIONS AND ALSO PRESENTED THE AMERICAN HEART CPR HERO AWARD TO KALAN EDWARDS, SHAINNE CATILLO AND MARIA YUBETTA FOR ADMINISTERING CPR TO JOSIAH BUDDHA.**

B. Recognition of the Amateur Radio Emergency Services Group (ARES) which has participated in the 911 Practitioner Program, including recognition of 911 personnel and others who have assisted in the training of this group.

**THE BOARD RECOGNIZED THE AMATEUR RADIO EMERGENCY SERVICES GROUP WHO PARTICIPATED IN THE 911 PRACTITIONER PROGRAM AND ALSO RECOGNIZED THE 911 PERSONNEL AND OTHER WHO ASSISTED IN THE TRAINING OF THIS GROUP.**

- C. Proclamation for National Therapeutic Recreation Week July 7 through July 11, 2008.

**CHAIRMAN SMITH READ AND THE BOARD PRESENTED A PROCLAMATION RECOGNIZING NATIONAL THERAPEUTIC RECREATION WEEK OF JULY 7 THROUGH JULY 11, 2008.**

**PUBLIC HEARING:**

- D. Public Hearing and final consideration of Fayette County's proposed annual budget for fiscal year 2009 beginning July 1, 2008 and ending June 30, 2009.

**COMMISSIONER FRADY MADE A MOTION TO AUTHORIZE THE CHAIRMAN TO EXECUTE RESOLUTION NO. 2008-10 ADOPTING THE BUDGET FOR FY 2009 BEGINNING JULY 1<sup>ST</sup> IN THE AMOUNT OF \$79,526,262. COMMISSIONER HORGAN SECONDED THE MOTION. THE MOTION CARRIED 4-1 WITH COMMISSIONER PFEIFER VOTING IN OPPOSITION.**

- E. This is a land exchange of 1.03 acres between Heron's Landing Homeowners Association, Inc. and Jamie Oden. This land exchange will involve a rezoning from C-S to A-R; a rezoning from A-R to C-S; and a Revised Development Plan and a Revised Final Plat, both to remove 1.03 acres and to add 1.03 acres.

Consideration of Petition No. 1209-08 Heron's Landing Homeowners Association, Inc., Owners, and Eddie Wilkerson, Agent request to rezone 1.03 acres from C-S to A-R to add to an adjacent lot zoned A-R and Petition No. 1210-08 Jamie Oden, Owner, and Eddie Wilkerson, Agent request to rezone 1.03 acres from A-R to C-S to add as Conservation Area to Heron's Landing Subdivision. These properties are located in Land Lot 29 of the 5<sup>th</sup> District and fronts on Old Senoia Road; and consideration of Petition No. RP-042-08 and Petition No. RDP-009-08 Heron's Landing Homeowners Association, Inc., Owners, and Eddie Wilkerson, Agent request to revise the Recorded Final Plat and the approved Development Plan of Heron's Landing Subdivision to remove 1.03 acres and to add 1.03 acres to Heron's Landing Subdivision. These properties are located in Land Lots 4 and 29 of the 5<sup>th</sup> District and fronts on Old Senoia Road. Staff recommended approval subject to two (2) recommended conditions. The Planning Commission recommended approval subject to two (2) recommended conditions 5-0.

**COMMISSIONER HORGAN MADE A MOTION TO APPROVE THE APPLICANT'S REQUEST FOR ALL OF THE PETITIONS LISTED IN THEIR ENTIRETY AS REQUESTED INCLUDING THE TWO CONDITIONS AS RECOMMENDED BY THE PLANNING COMMISSION AND STAFF. COMMISSIONER FRADY SECONDED THE MOTION. THE MOTION CARRIED 5-0.**

- F. Consideration of proposed amendments to the Fayette County Zoning Ordinance regarding Article III. Definitions, Carport and Porte Cochere and Article V. General Provisions, Section 5-9. Single family dwelling, B. Carport and Porte Cochere as presented by the Planning and Zoning Department. The Planning Commission recommended approval 5-0.

**COMMISSIONER PFEIFER MADE A MOTION TO APPROVE THE PROPOSED AMENDMENTS TO THE FAYETTE COUNTY ZONING ORDINANCE REGARDING ARTICLE III. DEFINITIONS, CARPORT AND PORTE COCHERE AND ARTICLE V. GENERAL PROVISIONS, SECTION 5-9. SINGLE FAMILY DWELLING, B. CARPORT AND PORTE COCHERE AS RECOMMENDED BY THE PLANNING COMMISSION. COMMISSIONER HORGAN SECONDED THE MOTION. THE MOTION CARRIED 5-0.**

- G. Consideration of proposed amendments to the Land Use Element of the Fayette County Comprehensive Plan regarding the S.R. 54 West Overlay District as presented by the Planning and Zoning Department. The Planning Commission recommended approval to recommendation #1 with revisions 4-1. The Planning Commission recommended deleting recommendation #2 in its entirety 5-0.

**AFTER SOME DISCUSSION, COMMISSIONER MAXWELL MADE A MOTION TO TABLE THIS ITEM TO THE WEDNESDAY, JULY 2<sup>ND</sup> BOARD'S WORKSHOP MEETING FOR FURTHER DISCUSSION. COMMISSIONER HORGAN SECONDED THE MOTION. THE MOTION CARRIED 5-0.**

**PUBLIC COMMENT:**  
**NONE.**

**CONSENT AGENDA: COMMISSIONER PFEIFER REQUESTED TO REMOVE ITEM NO. 6 FOR DISCUSSION. COMMISSIONER PFEIFER MADE A MOTION TO APPROVE THE CONSENT AGENDA ITEM NOS. 1-5 AS PRESENTED. COMMISSIONER HORGAN SECONDED THE MOTION. THE MOTION CARRIED 5-0.**

1. Approval of request from the Sheriff's Department Traffic Enforcement Division to dispose of various unserviceable uniform items.
2. Authorization to amend Overtime Budget Account for the Fayette County Sheriff's Office Criminal Investigation Division to reflect salary reimbursement from federal agencies.
3. Approval of staff's recommendation to accept the NICE CRS Solution Maintenance Agreement for 911 Communications in the amount of \$22,634.36 for a term of July 1, 2008 through June 30, 2009. This agreement was previously approved for a different time period but was re-negotiated to coincide with the County fiscal year of July 1 through June 30.
4. Approval of staff's request to utilize contingency funds in the amount of \$5,000 to pay the insurance deductible for electrical services needed to pay for lightning damage to the field lighting system at McCurry Park. The total in damage is \$5,524.90.
5. Approval of request from the Water System Director to apply for funds from the Georgia Water Supply Competitive Grant Program administered by the Georgia Environmental Facilities Authority.

6. Approval of minutes for Board of Commissioners' meetings held on June 4, 2008 and June 12, 2008.

**AFTER SOME DISCUSSION, COMMISSIONER PFEIFER MADE A MOTION TO APPROVE THE MINUTES FOR THE JUNE 12, 2008 BOARD OF COMMISSIONERS MEETING AND NOT APPROVE THE MINUTES FOR JUNE 4, 2008. MOTION DIED FOR LACK OF A SECOND.**

**COMMISSIONER FRADY MADE A MOTION TO APPROVE CONSENT AGENDA ITEM NO. 6 AS PRESENTED. COMMISSIONER HORGAN SECONDED THE MOTION. THE MOTION CARRIED 4-1 WITH COMMISSIONER PFEIFER VOTING IN OPPOSITION.**

**OLD BUSINESS:**

- H. Discussion of Bond Advisory Committee's recommendation to the Board of Commissioners concerning the possibility of refinancing existing water revenue bonds.

**INTERIM COUNTY ADMINISTRATOR JACK KRAKEEL ASKED THAT THIS ITEM BE REMOVED FROM THE AGENDA.**

- I. Consideration of staff's recommendation to close capital projects that no longer require funding.

**COMMISSIONER HORGAN MADE A MOTION TO ALLOW STAFF TO CLOSE ALL CAPITAL PROJECTS THAT NO LONGER REQUIRE FUNDING. COMMISSIONER FRADY SECONDED THE MOTION. THE MOTION CARRIED 5-0.**

**NEW BUSINESS:**

- J. Approval of staff's recommendation to accept the annual service agreement between Motorola and Fayette County for the County's 800 MHz ASTRO Simulcast System Maintenance and for a contract renewal for a term July 1, 2008 through June 30, 2008 in the amount of \$450,358.08. The original contract was approved with the implementation of the Simulcast System.

**ACTING CHIEF ALLEN MCCULLOUGH ASKED FOR THE BOARD'S CONSIDERATION TO REMOVE THIS ITEM FROM THE AGENDA TONIGHT IN ORDER TO ALLOW STAFF ADDITIONAL TIME TO RESEARCH SOME ADDITIONAL INFORMATION RECEIVED TONIGHT.**

**ADMINISTRATOR'S REPORT:**

**NONE.**

**ATTORNEY'S REPORT:**

**NONE.**

**STAFF REPORTS:**

**NONE.**

**BOARD REPORTS:**  
**NONE.**

**EXECUTIVE SESSION:** Interim County Administrator Jack Krakeel requested an Executive Session to discuss one matter of real estate acquisition.

**COMMISSIONER HORGAN MADE A MOTION TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS ONE MATTER OF REAL ESTATE ACQUISITION. COMMISSIONER FRADY SECONDED THE MOTION. THE MOTION CARRIED 5-0.**

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

**CHAIRMAN SMITH REMARKED THAT THERE WAS ONE REAL ESTATE ACQUISITION MATTER DISCUSSED IN EXECUTIVE SESSION.**

**COMMISSIONER FRADY MADE A MOTION TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE EXECUTIVE SESSION AFFIDAVIT AFFIRMING THAT ONE REAL ESTATE ACQUISITION MATTER WAS DISCUSSED IN EXECUTIVE SESSION. COMMISSIONER HORGAN SECONDED THE MOTION. THE MOTION CARRIED 5-0.**

**ADJOURNMENT:**

**COMMISSIONER HORGAN MADE A MOTION TO ADJOURN THE MEETING AT 9:10 P.M. COMMISSIONER FRADY SECONDED THE MOTION. THE MOTION CARRIED 5-0.**

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Karen Morley, Chief Deputy Clerk