



BOARD OF COMMISSIONERS

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



STAFF

Chris Cofty, County Administrator
William R. McNally, Attorney
Carol Chandler, Executive Asst.
Peggy Butler, Executive Assistant
Karen Morley, Chief Deputy Clerk



MEETING LOCATION

Administrative Complex
Commission Meeting Room
140 Stonewall Avenue
Fayetteville, GA



MEETING TIMES

1st Wednesday each month at
3:30 p.m.
2nd and 4th Thursday each month
at 7:00 p.m



COMMISSION OFFICE

Administrative Complex
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The Agenda of Actions

BOARD OF COMMISSIONERS

October 28, 2004

7:00 P.M.

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

PUBLIC HEARING:

- A. Consideration of Petition No. 1132-04, Myrtle Cooper Wilson, Owner, and Douglas F. Fields, Agent, request to rezone 2.026 acres from A-R to R-40 to develop one (1) single-family dwelling lot. This property is located in Land Lot 70 of the 5th District and fronts on S.R. 85 South. The Planning Commission recommended approval subject to one (1) recommended condition (4-1). Staff recommended approval subject to one (1) recommended condition.

ON MOTION MADE BY COMMISSIONER VANLANDINGHAM, SECONDED BY COMMISSIONER FRADY TO APPROVE PETITION NO. 1132-04 WITH ONE RECOMMENDED CONDITION. THE MOTION CARRIED 4-1 WITH COMMISSIONER WELLS VOTING IN OPPOSITION.

- B. Consideration of proposed amendments to the Fayette County Zoning Ordinance regarding Article VI. District Use Requirements, Section 6-1 Agricultural Residential District, D. Dimensional Requirements, 7. Height limit. The Planning Commission recommended approval 5-0.

- C. Consideration of proposed amendments to the Fayette County Zoning Ordinance regarding Article VI. District Use Requirements, Section 6-17. O-I, Office-Institutional District, F. Dimensional Requirements, 7. Height limit, a. and b. the Planning Commission recommended approval 5-0.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER VANLANDINGHAM TO TABLE ITEM NOS. B AND C TO THE NOVEMBER 18, 2004 BOARD OF COMMISSIONERS' MEETING. THE MOTION CARRIED 5-0.

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

1. Approval of request from the Sheriff's Department to transfer insurance reimbursement from the General Fund to Sheriff's Department-Criminal Investigation Division budget account code 10030321-522233 in the amount of \$8,792.26.
2. Approval of request from Director of Business Services Mark Pullium to approve FY 2004 year-end budget adjustments required for compliance with Budgetary Laws and to satisfy the Georgia Department of Audits and Accounts.
3. Approval to change County Commission meeting from Thursday, November 11th, 2004 (Veterans' Day) 7:00 p.m. to Thursday, November 18th, 2004 at 7:00 p.m.
4. Approval of Water Committee recommendation to issue a contract to Mallett & Associates for the Lake McIntosh project.
5. Approval of minutes for Board of Commissioners meeting held on October 14, 2004.

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:

SEWER LINE EASEMENT: Assistant County Attorney Dennis Davenport asked for the Board's consideration in approving ratification of the sewer line easement between the City of Fayetteville and Fayette County for the area in front of the library.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY TO APPROVE RATIFICATION OF THE SEWER LINE EASEMENT AGREEMENT BETWEEN THE CITY OF FAYETTEVILLE AND FAYETTE COUNTY. THE MOTION CARRIED 5-0.

EXECUTIVE SESSION: Assistant County Attorney Dennis Davenport requested an executive session to discuss three legal items.

EXECUTIVE SESSION: ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER VANLANDINGHAM TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS THREE LEGAL ITEMS. THE MOTION CARRIED 5-0.

LEGAL: Assistant County Attorney Dennis Davenport discussed a legal item with the Board.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY FOR ATTORNEY DAVENPORT TO PROCEED IN THE DIRECTION THAT THE BOARD DISCUSSED. THE MOTION CARRIED 5-0.

LEGAL: Assistant County Attorney Dennis Davenport reported on a legal item with the Board.

ON MOTION MADE BY COMMISSIONER VANLANDINGHAM, SECONDED BY COMMISSIONER WELLS TO AUTHORIZE ATTORNEY DAVENPORT TO DENY THIS REQUEST. THE MOTION CARRIED 5-0.

LEGAL: Assistant County Attorney Dennis Davenport discussed a legal item with the Board.

THE BOARD TOOK NO ACTION ON THIS MATTER.

EXECUTIVE SESSION AFFIDAVIT: ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE EXECUTIVE SESSION AFFIDAVIT AFFIRMING THAT THREE LEGAL ITEMS WERE DISCUSSED IN EXECUTIVE SESSION. THE MOTION CARRIED 5-0.

There being no further business to come before the Board, Chairman Dunn adjourned the meeting at 8:05 p.m.

Karen Morley, Chief Deputy Clerk