



BOARD OF COMMISSIONERS

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



STAFF

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

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The Agenda of Actions

BOARD OF COMMISSIONERS

February 24, 2005

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. 1134-04, Clayton O. Carmack, Owner, and Mukut Gupta, President of Crown Development, Agent, request to rezone 40.55 acres from A-R to C-S to develop a single-family residential subdivision consisting of 18 lots. This property is located in Land Lots 4 and 29 of the 5th District and fronts on Old Senoia Road. The Planning Commission recommended approval subject to one (1) recommended condition (4-0-1). Staff recommended approval subject to one (1) recommended condition. This item was tabled from the January 13, 2005 Commissioners' meeting and also from the February 10, 2005 Commissioners' meeting.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER VANLANDINGHAM TO APPROVE PETITION NO. 1134-04 WITH ONE RECOMMENDED CONDITION. THE MOTION CARRIED 4-1 WITH COMMISSIONER PFEIFER VOTING IN OPPOSITION.

- B. Consideration of proposed amendments to the Fayette County Zoning Ordinance, Article V. General Provisions regarding Carports, Detached. The Planning Commission recommended approval (4-1). This item was tabled from the January 13, 2005 Commissioners' meeting.

ON MOTION MADE BY COMMISSIONER PFEIFER, SECONDED BY COMMISSIONER WELLS TO APPROVE AMENDMENTS TO THE FAYETTE COUNTY ZONING ORDINANCE, ARTICLE V. GENERAL PROVISIONS REGARDING CARPORTS, DETACHED. THE MOTION CARRIED 3-2 WITH COMMISSIONER VANLANDINGHAM AND COMMISSIONER FRADY VOTING IN OPPOSITION.

Agenda of Actions
February 24, 2005
Page 2

- C. Consideration of proposed amendments to the Fayette County Zoning Ordinance, Article V. General Provisions regarding Section 5-9. Single-Family Dwelling, A. Additions To A Single-Family Structure presented by the Zoning Department. The Planning Commission recommended approval as submitted 5-0. This was tabled from the January 27, 2005 Board of Commissioners' meeting.

CHAIRMAN DUNN ANNOUNCED THAT THIS ITEM HAD BEEN WITHDRAWN FROM THE AGENDA.

- D. Consideration of Petition No. RP-032-05 for a Revised Final Plat, McClenny Estates, Chris England, Owner/Agent. The request is to subdivide Lot 3-C/4-C (which was combined as one tract on 08/09/82) and add property from Lot 5-C/6-C (which was also combined as one tract) to create three (3) single-family dwelling lots consisting of the following: 1.067 acres for Lot 3-C, 1.014 acres for Lot 4-C, and 1.898 acres for Lot 5-C/6-C. This property is located in Land Lot 16 of the 7th District, fronts on West Lake Drive and Lakeside Drive, and is zoned R-40. The Planning Commission recommended approval. Staff reported that the request complied with technical requirements.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER PFEIFER TO APPROVE PETITION NO. RP-032-05. THE MOTION CARRIED 5-0.

- E. Consideration of Petition No. T-014-05, Donald W. and Jane Smith, Owners, and Harry R. Stamper of Sprint PCS, Inc., Agent, request to construct a 180 foot Monopole Telecommunications Tower plus a 12 foot lightning rod. This property is located in Land Lot 33 of the 7th District, consists of 34.5 acres, fronts on Ebenezer Road, and is zoned A-R. Proposed tower does not comply with the 2 mile separation between tower facilities . The Planning Commission recommended to table said petition until March 3, 2005.

CHAIRMAN DUNN ANNOUNCED THAT THIS MATTER WOULD BE WITHDRAWN FROM THE AGENDA AND HEARD BY THE BOARD OF COMMISSIONERS ON MARCH 24, 2005.

- F. Consideration of Petition No. 1138-05, Dan V. Stinchcomb, Owner, and Randy Boyd, Agent, request to rezone 18.75 acres from R-40 to C-H to develop a nonresidential subdivision consisting of ten (10) lots for commercial highway uses. This property is located in Land Lot 39 of the 7th District and fronts on S.R. 54 West and Huiet Drive. The Planning Commission recommended to deny the C-H zoning and recommended approval as O-I (4-1). Staff recommended denial.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER PFEIFER TO DENY PETITION NO. 1138-05. THE MOTION CARRIED 3-2 WITH

COMMISSIONER VANLANDINGHAM AND COMMISSIONER FRADY VOTING IN OPPOSITION.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER VANLANDINGHAM TO APPROVE PETITION NO. 1138-05 AS O-I ZONING. THE MOTION FAILED 2-3 WITH CHAIRMAN DUNN, COMMISSIONER WELLS, AND COMMISSIONER PFEIFER VOTING IN OPPOSITION.

- G. Consideration of Petition No. 1139-05, Dan V. Stinchcomb, Owner, and Randy Boyd, Agent, request to rezone 268.05 acres from R-40 and A-R to R-50 to develop 182 single-family dwelling lots. This property is located in Land Lots 5, 28, 29, and 30 of the 7th District and fronts on Davis Road and Ebenezer Church Road. The Planning Commission recommended denial (5-0). Staff recommended approval of the property North of Davis Road and denial of the property South of Davis Road.

ON MOTION MADE BY COMMISSIONER VANLANDINGHAM, SECONDED BY COMMISSIONER WELLS TO DENY PETITION NO. 1139-05 AS A-R ZONING BUT CONSIDER R-80 FOR THREE ACRE LOTS. THE MOTION FAILED 1-4 WITH COMMISSIONER FRADY VOTING IN FAVOR OF THE MOTION AND CHAIRMAN DUNN, COMMISSIONER WELLS, COMMISSIONER PFEIFER AND COMMISSIONER VANLANDINGHAM VOTING IN OPPOSITION.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER PFEIFER TO DENY PETITION NO. 1139-05. THE MOTION CARRIED 4-0-1 WITH COMMISSIONER FRADY ABSTAINING FROM THE VOTE.

OLD BUSINESS:

- H. Further discussion of regulations on parking vehicles for sale in non-commercial areas. *(This item was tabled from the February 2, 2005 Commissioners' meeting).*

ATTORNEY MCNALLY REQUESTED THIS ITEM BE REMOVED FROM THE AGENDA FOR FURTHER DISCUSSION BY STAFF.

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 Engineering Department to approve Platinum Ridge and Annelise Park as Street Light Districts in Fayette County.
2. Approval of request from Chief Jack Krakeel of Fire and Emergency Services for authorization to proceed with a bid process for EMS turnout gear.

Agenda of Actions
February 24, 2005
Page 4

3. Approval of request from the Sheriff's Department to increase revenues and expenditures for overtime reimbursed by the U.S. Treasury Department in the amount of \$6,377.85.
4. Approval of request from the Director of Purchasing to award bid to Medtec Ambulance Corp./Ten 8 Fire Equipment at a net price of \$111,240.
5. Approval of request from Fayetteville Main Street to approve their 2005 Main Street Calendar of Events.
6. Approval of request from the Director of Business Services Mark Pullium to increase the ground mileage for EMS transports from \$5.00 per mile to \$5.36 per mile as indicated on the Medicare Part B disclosure report.
7. Approval of request from the Sheriff's Department to increase expenditure 10030330-522233 in the amount of \$146.99 for reimbursement for vehicle damage from St. Paul Insurance Company.
8. Approval of request from the Director of Business Services Mark Pullium approve ratification of the MI asset tagging system, PC pocket scanners and bar-coding labels and appropriate an additional \$22,660 from contingency to cover the costs associated with this system.
9. Approval of request from Chief Jack Krakeel of Fire and Emergency Services to approve funds totaling \$21,467 to be transferred from Fire Station Construction Fund to cover cost of new system and the septic tank pumping cost to date for Fire Station #5.
10. Approval of request from Lt. Colonel Wayne Hannah of the Sheriff's Department to approve increase revenues and expenditures for reimbursements for vehicle damage from Gary Turner in the amount of \$544.16.
11. Approval of request from Chief Jack Krakeel of Fire and Emergency Services to purchase two Thermal Imaging Cameras in the amount of \$18,000 with \$12,500 coming from the Heritage Grant and the remaining balance to be taken from Safety Supplies in the Fire Operations budget; and to proceed with the sale of the Flir Camera through Fayette County Purchasing with received funds returned to cover the money requested from Safety Supplies after receipt of the new cameras.
12. Approval of minutes for Board of Commissioners' meetings held on January 27, 2005 and February 2, 2005.

PUBLIC COMMENT:

Members of the public are allowed up to five minutes each to address the Board on issues

**Agenda of Actions
February 24, 2005
Page 5**

of concern other than those items which are on this evening's agenda.

LARRY MCNEIL: Larry McNeil, 486 Ebenezer Church Road, Fayetteville commented on impact fees for housing in Fayette County.

STAFF REPORTS:

EXECUTIVE SESSION: Chairman Dunn requested an executive session to discuss one personnel matter.

COMMISSIONER PFEIFER: Commissioner Pfeifer commented that in reviewing the county's current noise ordinance due to a recent citizen's complaint, he felt this ordinance needed to be reviewed by staff and possibly amended by the Board. He presented a draft noise ordinance to the Board and staff to begin the review process.

EXECUTIVE SESSION: ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER PFEIFER TO ADJOURN TO EXECUTIVE SESSION IN FIVE MINUTES TO DISCUSS ONE PERSONNEL MATTER. THE MOTION CARRIED 5-0.

PERSONNEL: The Board discussed a personnel matter.

EXECUTIVE SESSION AFFIDAVIT: ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER PFEIFER TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE EXECUTIVE SESSION AFFIDAVIT AFFIRMING THAT ONE PERSONNEL MATTER WAS DISCUSSED IN EXECUTIVE SESSION AND TO RECONVENE IN OPEN SESSION. THE MOTION CARRIED 5-0.

PERSONNEL: Chairman Dunn remarked that following the Executive Session the Board was reconvening the meeting to take action on a personnel matter.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER PFEIFER THAT THE COUNTY ADMINISTRATOR'S CONTRACT BE TERMINATED WITHOUT CAUSE. THE MOTION CARRIED 5-0.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER PFEIFER THAT CHRIS VENICE BE APPOINTED AS ACTING COUNTY ADMINISTRATOR. THE MOTION CARRIED 5-0.

There being no further business to come before the Board, Chairman Dunn adjourned the meeting at 10:37 p.m.