



BOARD OF COMMISSIONERS

Greg Dunn, Chairman
Linda Wells, Vice Chair
Herb Frady
Peter Pfeifer



STAFF

Christine Venice, County Admin.
Dennis Davenport, 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

January 26, 2006

7:00 P.M.

Chairman Dunn called the meeting to order and offered the Invocation.

Chairman Dunn recognized Boy Scout Troop 74 and their Troop Leader David Villars. Boy Scout Daniel Dorney led the prayer.

PUBLIC HEARING:

A. Consideration of RP-036-06, Jeanette Jordan, Owner, and Emma J. Darden, Agent, request to subdivide Lot 1 of Jeanette's Place consisting of 6.166 acres into four (4) single-family dwelling lots. This property is located in Land Lot 43 of the 5th District, fronts on Hilo Road, Inman Road, and Homer Place, and is zoned R-20. The Planning Commission recommended approval (5-0) with one (1) recommended condition. Staff stated that the revised final plat complied with all technical requirements.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY CHAIRMAN DUNN TO APPROVE RP-036-06 WITH ONE RECOMMENDED CONDITION FOR ONE LOT TO BE ADDED TO THE CURRENT SUBDIVISION. THE MOTION CARRIED 3-1 WITH COMMISSIONER FRADY OPPOSING THE MOTION.

B. Consideration of Petition No. 1162-06, David L. Lingerfelt, Nelton C. and Amelia Thompson, and Howell Nunnally Richardson, Executor of the Estate of Catherine A. Smith, Owners, and Thomas Boynton, Agent, request to rezone 18.594 acres from A-R to O-I to develop an Assisted Living Complex and five (5) lots for office/medical buildings. This property is located in Land Lot 39 of the 7th District and fronts on S.R. 54 West. The Planning Commission recommended approval (5-0) subject to three (3) recommended conditions. Staff recommended approval subject to three (3) recommended conditions.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER PFEIFER TO DENY PETITION NO. 1162-06. THE MOTION CARRIED 4-0.

C. Consideration of Petition No. 1163-06, Bogdan C. and Pamela M. Wolfe, Owners, and Randy M. Boyd, Agent, request to rezone 6.77 acres from A-R to R-72 to develop two (2) single-family dwelling lots. This property is located in Land Lot 252 of the 4th District and fronts on McBride Road. The Planning Commission recommended approval (4-0-1) subject to one (1) recommended condition. Staff recommended approval subject to one (1) recommended condition.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY TO APPROVE PETITION NO. 1163-06 WITH ONE RECOMMENDED CONDITION. THE MOTION CARRIED 4-0.

CONSENT AGENDA: CHAIRMAN DUNN REQUESTED THAT ITEM NO. 1 BE REMOVED FOR FURTHER DISCUSSION. ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY TO APPROVE CONSENT AGENDA ITEM NO. 2 AS PRESENTED. THE MOTION CARRIED 4-0.

1. Approval of Public Works Director Lee Hearn's recommendation regarding the City of Fayetteville's request to expedite the widening of Jimmie Mayfield Boulevard from S.R. 92 to Jeff Davis Drive with the City of Fayetteville paying the cost of the engineering design.

ON MOTION MADE BY CHAIRMAN DUNN, SECONDED BY COMMISSIONER WELLS TO APPROVE THIS MATTER AS PRESENTED. THE MOTION CARRIED 4-0.

2. Approval of adoption of Resolution No. 2006-06 of the Capital Improvement Element (CIE) and the Short Term Work Program (STWP) for Fire Service Impact Fees.

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:

BRENT SCARBROUGH & CO. AWARDED CONTRACT FOR REPAIRS TO CULVERT ON WAGON WHEEL

CIRCLE: Public Works Director Lee Hearn asked for the Board's consideration to award the contract for repairs to the culvert on Wagon Wheel Circle to Brent Scarbrough & Company in the amount of \$133,870.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY TO APPROVE THE PUBLIC WORKS DIRECTOR'S RECOMMENDATION TO AWARD THE CONTRACT FOR REPAIRS TO THE CULVERT ON WAGON WHEEL CIRCLE TO BRENT SCARBROUGH & COMPANY IN THE AMOUNT OF \$133,870. THE MOTION CARRIED 4-0.

TRANSFER OF FUNDS FROM THE CONTINGENCY FUND REGARDING THE CULVERT REPAIRS ON

WAGON WHEEL CIRCLE: Public Works Director Lee Hearn asked for the Board's consideration to approve a transfer of funds from the contingency fund regarding the culvert repairs on Wagon Wheel Circle in the total amount of \$143,870. He commented that this included the \$133,870 for repairs and \$10,000 for the engineering inspection to be done by Mallett Consulting.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER PFEIFER TO APPROVE THE PUBLIC WORKS DIRECTOR'S RECOMMENDATION TO TRANSFER \$143,870 FROM THE CONTINGENCY FUND FOR THE REPAIRS AND ENGINEERING INSPECTION FOR THE CULVERT ON WAGON WHEEL CIRCLE. THE MOTION CARRIED 4-0.

EXECUTIVE SESSION: Assistant County Attorney Dennis Davenport requested an executive session to discuss one real estate matter and four legal items.

EXECUTIVE SESSION: ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS ONE REAL ESTATE MATTER AND FOUR

LEGAL ITEMS. THE MOTION CARRIED 4-0.

REAL ESTATE: Attorney Davenport discussed a real estate matter with the Board.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER PFEIFER TO AUTHORIZE ATTORNEY DAVENPORT TO PROCEED IN THIS MATTER. THE MOTION CARRIED 4-0.

LEGAL: Attorney Davenport reported to the Board on a legal item.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER PFEIFER TO AUTHORIZE ATTORNEY DAVENPORT TO DENY THIS REQUEST. THE MOTION CARRIED 4-0.

LEGAL: Attorney Davenport advised the Board on a legal item.

THE BOARD TOOK NO ACTION ON THIS MATTER.

COMMISSIONER WELLS EXITED THE MEETING AT 10:00 P.M.

LEGAL: Attorney Davenport reported to the Board on a legal item.

IT WAS THE CONSENSUS OF THE BOARD THAT ATTORNEY DAVENPORT PROCEED IN THIS MATTER.

LEGAL: Attorney Davenport advised the Board on a legal item.

THE BOARD TOOK NO ACTION ON THIS MATTER.

EXECUTIVE SESSION AFFIDAVIT: ON MOTION MADE BY COMMISSIONER PFEIFER, SECONDED BY COMMISSIONER FRADY TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE EXECUTIVE SESSION AFFIDAVIT AFFIRMING THAT ONE REAL ESTATE MATTER AND FOUR LEGAL ITEMS WERE DISCUSSED IN EXECUTIVE SESSION. THE MOTION CARRIED 3-0 . COMMISSIONER WELLS WAS ABSENT FOR THE VOTE.

There being no further business to come before the Board, Chairman Dunn adjourned the meeting at 10:30 p.m.

Karen Morley, Chief Deputy Clerk