



BOARD OF COMMISSIONERS

Jack Smith, Chairman
Herb Frady, Vice Chairman
Robert Horgan
Eric Maxwell
Peter Pfeifer



STAFF

Christine Venice, County Admin.
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 & 4th Thursday each month at 7 p.m.



COMMISSION OFFICE

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The Agenda of Actions

BOARD OF COMMISSIONERS

APRIL 12, 2007

7:00 P.M.

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

PUBLIC HEARING:

A. Consideration of Petition No. 1192-07, Dan V. Stinchcomb, Owner, and Randy M. Boyd, Agent, request to rezone 213.77 acres from R-40 and A-R to R-50 to develop a single-family residential subdivision consisting of 92 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 3-1. Staff recommended denial. Because revisions to the petition were presented to the Board, this item was tabled by the Board of Commissioners on March 22, 2007 and returned to the Planning Commission for further review at their April 5th meeting. The Planning Commission recommended R-80 Conditional 4-1. Staff recommended denial.

AFTER A BRIEF DISCUSSION, PETITIONER REQUESTED THAT THIS APPLICATION BE WITHDRAWN.

PUBLIC COMMENT:

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

CITIZEN: A citizen commented on the possible closing of the Fayette Counseling Center and the effect this would have on the community.

JERRY DARBY: Jerry Darby, 179 Davis Road, Fayetteville expressed concern regarding the fact that the County had no zoning requirements for a sewage lift station and the distance from a homeowner's property line.

Attorney McNally responded this issue would involve the City of Fayetteville sewage lift station and it would be the City's requirements that would control that station and its location.

JANE FANSLAW: Director of the Fayette Counseling Center Jane Fanslow said she wanted to thank the Board members for all of their efforts in helping the Center stay in Fayette County.

CONSENT AGENDA: COMMISSIONER MAXWELL REQUESTED THAT ITEM NO. 1 BE REMOVED FOR DISCUSSION. ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER PFEIFER TO APPROVE CONSENT AGENDA ITEM NOS. 2, 3, 4, AND 5 AS PRESENTED. THE MOTION CARRIED 5-0.

1. Approval of staff's recommendation to award Proposal #P595, replacement of Ball Field Lighting for McCurry Park North Soccer Field #7, to the company with the lowest and best proposal, Middle Georgia Lighting, in the amount of \$69,700, pending submission of applicable bonds and other documents; and authorization for the Chairman to execute the subsequent contracts.

COMMISSIONER MAXWELL SAID HE WOULD LIKE THE BOARD TO DISCUSS THIS ITEM DURING THE DISCUSSION OF KENWOOD PARK LISTED UNDER NEW BUSINESS.

2. Approval of staff's recommendation to award Bid #604, Paving Machine, to low bidder, Roadtec, Inc., for the net price of \$268,487 including the optional grade and slope control and trade-in allowance and authorization for the Chairman to execute subsequent contracts, subject to submission of applicable bonds and other documents.
3. Approval of Water Committee's recommendation to negotiate an agreement with Peachtree City Airport Authority to monitor the holding pond at the Crosstown Water Plant and authorization for the Chairman to execute the subsequent agreement.
4. Approval of staff's recommendation for a budget adjustment to transfer funds in the amount of \$6,020 from the Purchasing Department's Salary Account to its Contract Labor Account.
5. Approval of list of tax refund and abatement requests as recommended.

NEW BUSINESS:

- B. Discussion of new Environmental Health fees as presented by the Environmental Health Department.

IT WAS THE CONSENSUS OF THE BOARD THAT THE DIRECTOR OF THE ENVIRONMENTAL HEALTH DEPARTMENT RICK FEHR GET FURTHER INFORMATION ON THIS ITEM AND BRING IT BACK TO THE BOARD AT A FUTURE DATE.

- C. Consideration of bid award for Kenwood Park, Phase I Buildings and Recreation Facilities, as presented by the Parks and Recreation Department. (This discussion will include some recommendations concerning completion of Phase I of Kenwood Park.)

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER HORGAN TO ACCEPT THE RECREATION COMMISSION'S RECOMMENDATION FOR REALLOCATION OF FUNDS IN THE C.I.P. AND THE ELIMINATION OF THE ITEMS FROM THE ORIGINAL BID SHEET FOR THE PHASE I BUILDINGS AND RECREATION FACILITIES. THE MOTION CARRIED 5-0.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER HORGAN THAT THE

ORIGINAL LOW BIDDER TRAMMELL-HORTON BE AWARDED THE CONTRACT FOR THE OVERALL PROJECT FOR KENWOOD PARK PHASE I BUILDINGS AND RECREATION FACILITIES AND FOR THE RECREATION COMMISSION TO NEGOTIATE WITH THIS BIDDER FOR LOWER PRICING. THE MOTION CARRIED 5-0.

Consent Agenda Item #1:

1. Approval of staff's recommendation to award Proposal #P595, replacement of Ball Field Lighting for McCurry Park North Soccer Field #7, to the company with the lowest and best proposal, Middle Georgia Lighting, in the amount of \$69,700, pending submission of applicable bonds and other documents; and authorization for the Chairman to execute the subsequent contracts.

ON MOTION MADE BY COMMISSIONER MAXWELL, SECONDED BY COMMISSIONER FRADY TO APPROVE CONSENT AGENDA ITEM #1 AS PRESENTED. THE MOTION CARRIED 5-0.

STAFF REPORTS:

REQUEST FOR ANNEXATION: Director of Community Development Pete Frisina remarked on a request for annexation of approximately 21 acres located on Mann Road that the County had received from the Town of Tyrone.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER HORGAN TO AUTHORIZE THE CHAIRMAN TO SEND A LETTER TO THE TOWN OF TYRONE STATING THE COUNTY'S OBJECTION TO THIS ANNEXATION REQUEST. THE MOTION CARRIED 5-0.

EXECUTIVE SESSION: Commissioner Frady requested an Executive Session to discuss two legal matters.

Commissioner Maxwell requested an Executive Session to discuss one legal matter.

Chairman Smith requested an Executive Session to discuss one legal matter and one personnel matter.

EXECUTIVE SESSION: ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER HORGAN TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS FOUR LEGAL MATTERS AND ONE PERSONNEL MATTER. THE MOTION CARRIED 5-0.

LEGAL: Commissioner Maxwell discussed a legal matter with the Board.

THE BOARD TOOK NO ACTION ON THIS MATTER.

LEGAL: Commissioner Frady discussed a legal matter with the Board.

THE BOARD TOOK NO ACTION ON THIS MATTER.

LEGAL: Commissioner Frady discussed a legal matter with the Board.

THE BOARD TOOK NO ACTION ON THIS MATTER.

LEGAL: Chairman Smith discussed a legal matter with the Board.

THE BOARD TOOK NO ACTION ON THIS MATTER.

PERSONNEL: Chairman Smith discussed a personnel item with the Board.

THE BOARD TOOK NO ACTION ON THIS MATTER.

EXECUTIVE SESSION AFFIDAVIT: ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER HORGAN TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE EXECUTIVE SESSION AFFIDAVIT AFFIRMING THAT FOUR LEGAL MATTERS AND ONE PERSONNEL MATTER WERE DISCUSSED IN EXECUTIVE SESSION. THE MOTION CARRIED 5-0.

Chairman Smith reconvened the meeting to open session.

Chairman Smith stated that the Board had discussed four legal matters and one personnel matter and no action had been taken on these items.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER HORGAN TO ADJOURN THE MEETING AT 9:55 P.M. THE MOTION CARRIED 5-0.

Karen Morley, Chief Deputy Clerk