



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

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

e-mail contact:

administration@fayettecountyga.gov

The Agenda of Actions

BOARD OF COMMISSIONERS

APRIL 26, 2007

7:00 P.M.

Chairman Smith called the meeting to order.

Commissioner Pfeifer led the Invocation.

Pledge of Allegiance.

PUBLIC HEARING:

A. Consideration of Petition No. 1194-07, Winn Martin, Manager of 54 Prop, LLC, Owner, and Laura Mehl and Tammi Sullenberger of Prudential Georgia Realty-Fayette and Ricky Gaskins of Delta Surveyors, Inc., Agents, request to rezone 4.76 acres from R-40 and A-R to O-I to develop O-I uses. This property is located in Land Lot 58 of the 7th District and fronts on S.R. 54 West. The Planning Commission recommended approval 5-0. Staff recommended approval.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER HORGAN TO APPROVE PETITION NO. 1194-07 AS RECOMMENDED BY STAFF. THE MOTION CARRIED 5-0.

B. Consideration of Petition No. 1195-07, Alice Shaffer, Stella Hillsman, Bertha Siegenthaler, and John Littleton, Owners, and Gene Strickland of SB2-Butner, LLC, Agenda, request to rezone 5.52 acres from A-R to O-I to develop Professional Offices. This property is located in Land Lot 70 of the 7th District and fronts on S.R. 54 West. The Planning Commission recommended approval 5-0. Staff recommended approval.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER PFEIFER TO APPROVE PETITION NO. 1195-07 AS RECOMMENDED BY STAFF. THE MOTION CARRIED 5-0.

PUBLIC COMMENT:

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

Harriette Steele: Harriette Steele remarked that she had recently been appointed by the Board to serve on the Mental Health Developmental Disabilities and Addictive Diseases Board. She commented on the possible closing of the Fayette Counseling Center in Fayette County and avenues of possible funding.

Agenda of Actions
April 26, 2007
Page 2

Introduction of Jack Krakeel as new interim county administrator: Chairman Smith introduced Jack Krakeel as the new interim County Administrator. He noted that Mr. Krakeel had been instrumental in the development of grant applications and his ability and knowledge of this process would benefit not only the mental health organization but other worthwhile charities as well.

CONSENT AGENDA: COMMISSIONER HORGAN REQUESTED THAT ITEM NOS. 3, 4 AND 5 BE REMOVED FOR DISCUSSION. ON MOTION MADE BY COMMISSIONER PFEIFER, SECONDED BY COMMISSIONER FRADY TO APPROVE ITEM NOS. 1, 2, 6 AND 7. THE MOTION CARRIED 5-0.

1. Approval of staff's recommendation for the Fire Fund to reimburse the County General Fund \$26,718.50 for the 3% Administrative Costs for Fire Impact Fees for fiscal years 2001 through 2005.
2. Approval of staff's recommendation to transfer \$15,000 from Engineering's Technical Services Account to Capital Project "C7057" Road Department Stormwater Management.
3. Approval of the Vehicle Replacement Committee's recommendation to replace the Water System's 1996 Ford F800 with an F450 truck at an approximate cost of \$65,000. Funds will be paid from the Water System's Renewal and Extensions (R&E) Funds.

Commissioner Horgan questioned the amount of money in the Renewal and Extension Fund and felt the backup information needed to be more thorough for item nos. 3 and 4.

4. Approval of the Vehicle Replacement Committee's recommendation for the Water System to replace a slope mower in the amount of \$47,300 using Renewal and Extensions (R&E) Funds.
5. Approval of the Vehicle Replacement Committee's recommendation to replace a GMC box van with a Ford F250 pickup truck with utility body for the Building and Grounds Maintenance Department.

Commissioner Horgan questioned what the boundaries were for the Vehicle Replacement Committee as far as recommending which vehicles should be replaced next.

6. Consideration of approval for the specified streets in Mountbrook Subdivision to be authorized for the use of motorized cart travel per Ordinance No. 95-10 for streets in Mountbrook Subdivision including Nesmith Court, Sheridan Court, Wilcox Court, Mountain's Edge and Swain's Drive.
7. Approval of minutes for Board of Commissioners meeting held on March 22, 2007 and the Special Called Board of Commissioners meeting held on April 18, 2007.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER PFEIFER TO APPROVE CONSENT AGENDA ITEM NOS. 3, 4 AND 5. THE MOTION CARRIED 5-0.

STAFF REPORTS:

JACK KRAKEEL: Interim County Administrator Jack Krakeel remarked on the advertisement of the position of Public Works Director. He asked for the Board's consideration to remove the PE requirement for this position since there was already engineering capability on staff that was primarily involved with design work. He said with this authorization, staff was ready to proceed with the advertisement for this position.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER MAXWELL TO APPROVE THE REQUEST AS PRESENTED BY THE COUNTY ADMINISTRATOR TO PROCEED WITH ADVERTISEMENT OF THIS POSITION IN THE ATLANTA JOURNAL AND CONSTITUTION, THE A.C.C.G. WEBSITE, AND INCLUDING THE LOCAL NEWSPAPERS. THE MOTION CARRIED 5-0.

REQUEST FROM THE LINKS GOLF COURSE: Attorney McNally asked for the Board's consideration for a request from the Links Golf Course to hold a charity golf tournament sponsored by Wings and Things as well as a beer distributor who would be donating beer with the recipient of the proceeds being Childrens Healthcare of Atlanta. He said the State required a letter from the Board of Commissioners stating that there was no objection to permitting this type of event.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER PFEIFER TO AUTHORIZE THE CHAIRMAN TO SIGN A LETTER STATING THAT THE BOARD OF COMMISSIONERS HAD NO OBJECTION TO THE LINKS GOLF COURSE HOLDING THIS EVENT. THE MOTION CARRIED 5-0.

REQUEST FROM GEORGIA POWER COMPANY: Attorney McNally said he also had a request from Georgia Power Company for an easement which runs through a small mitigation preservation site off of Old Senoia Road. He said Georgia Power was preparing to put in an additional distribution line and this would be a thirty foot easement which would include a fifteen foot easement on either side of the line. He asked for the Board's consideration in this request.

ON MOTION MADE BY COMMISSIONER PFEIFER, SECONDED BY COMMISSIONER HORGAN TO APPROVE THE REQUEST FROM GEORGIA POWER COMPANY TO PUT IN AN ADDITIONAL DISTRIBUTION LINE WITH A THIRTY FOOT EASEMENT AT A MITIGATION SITE OFF OLD SENOIA ROAD AT NO COST TO THE COUNTY. THE MOTION CARRIED 5-0.

EXECUTIVE SESSION: Attorney McNally requested an Executive Session for two legal items and two real estate acquisition items.

EXECUTIVE SESSION: Chairman Smith requested an Executive Session for twelve legal items and one personnel matter.

ON MOTION MADE BY COMMISSIONER PFEIFER, SECONDED BY COMMISSIONER FRADY TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS FOURTEEN LEGAL ITEMS, TWO REAL ESTATE ACQUISITION ITEMS AND ONE PERSONNEL MATTER.

REAL ESTATE: Attorney McNally and Chairman Smith discussed a real estate item with the Board.

Chairman Smith remarked that the action on this matter would be done in open session. He noted for the record

that this item was one of his legal items.

REAL ESTATE: Attorney McNally reported on a real estate item with the Board.

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

LEGAL: Attorney McNally discussed a legal item with the Board.

THE BOARD TOOK NO ACTION ON THIS MATTER.

LEGAL: Attorney McNally discussed a legal item with the Board.

THE BOARD TOOK NO ACTION ON THIS MATTER.

LEGAL: Attorney McNally discussed a legal item with the Board.

THE BOARD TOOK NO ACTION ON THIS MATTER.

LEGAL: Chairman Smith briefed the Board on a legal item.

THE BOARD TOOK NO ACTION ON THIS MATTER.

LEGAL: Chairman Smith reported to the Board on a legal item.

THE BOARD TOOK NO ACTION ON THIS MATTER.

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

THE BOARD TOOK NO ACTION ON THIS MATTER.

LEGAL: Chairman Smith reported to the Board on a legal item.

THE BOARD TOOK NO ACTION ON THIS MATTER.

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

THE BOARD TOOK NO ACTION ON THIS MATTER.

LEGAL: Chairman Smith briefed the Board on a legal item.

THE BOARD TOOK NO ACTION ON THIS MATTER.

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

THE BOARD TOOK NO ACTION ON THIS MATTER.

LEGAL: Chairman Smith reported to the Board on a legal item.

THE BOARD TOOK NO ACTION ON THIS MATTER.

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

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 ELEVEN LEGAL ITEMS, TWO REAL ESTATE ACQUISITION MATTERS AND ONE PERSONNEL MATTER WERE DISCUSSED IN EXECUTIVE SESSION. THE MOTION CARRIED 5-0.

ON MOTION MADE BY COMMISSIONER HORGAN, SECONDED BY COMMISSIONER FRADY TO RECONVENE THE MEETING TO OPEN SESSION. THE MOTION CARRIED 5-0.

Chairman Smith called the meeting back to open session. He said one of the legal items was a duplicate item and the Board discussed eleven legal items, two real estate acquisition items and one personnel matter, He said the Board had taken action on one of the real estate items. He called for the motion.

REAL ESTATE: ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER PFEIFER TO MODIFY THE ROAD DESIGN FOR OLD ROAD TO ELIMINATE PAVING FROM ETOWAH TRACE TO BUTLER ROAD LEAVING THE PAVEMENT TO BE FROM ETOWAH TRACE TO S.R. 279. THE MOTION CARRIED 5-0.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER HORGAN TO ADJOURN THE MEETING AT 9:05 P.M. THE MOTION CARRIED 5-0.

Karen Morley, Chief Deputy Clerk