

The Agenda of Actions

BOARD OF COMMISSIONERS

June 28, 2007

7:00 P.M.

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

Chairman Smith remarked that Commissioner Maxwell was absent tonight and was attending a mandatory Judges Conference out of town.

PUBLIC HEARING:

- A. Consideration of the County's proposed Annual Budget for Fiscal Year beginning July 1, 2007 and ending June 30, 2008.

ON MOTION MADE BY COMMISSIONER PFEIFER, SECONDED BY COMMISSIONER HORGAN TO ADOPT RESOLUTION NO. 2007-08 APPROVING THE ANNUAL BUDGET FOR FISCAL YEAR BEGINNING JULY 1, 2007 AND ENDING JUNE 30, 2008 INCLUDING AN AMENDMENT FOR THE DISTRICT ATTORNEY'S OFFICE. THE MOTION CARRIED 3-1 WITH COMMISSIONER FRADY VOTING IN OPPOSITION. COMMISSIONER MAXWELL WAS ABSENT FOR THE VOTE.

- B. Consideration of a Packaged Beer and Wine Sales Permit for Paw Paw's BP, 1493 Hwy. 92 North, Fayetteville, Georgia, Lula Teresa Amin, Owner/Applicant. This property is located in Land Lot 256 of the 13th District, fronts on Hwy. 92 North, and is zoned C-H. This request is for a Change of Ownership only.

ON MOTION MADE BY COMMISSIONER PFEIFER, SECONDED BY COMMISSIONER HORGAN TO APPROVE THE PACKAGED BEER AND WINE SALES PERMIT APPLICATION FOR PAWPAW'S BP. THE MOTION CARRIED 4-0. COMMISSIONER MAXWELL WAS ABSENT FOR THE VOTE.

- C. Consideration of the proposed amendments to the Fayette County Zoning Ordinance regarding Article VI. District Use Requirements, Section 6-19. C-H Highway Commercial District, C. Conditional Uses, Self-Storage Facility and Article VII. Conditional uses, Exceptions, and Modifications, Section 7-1. Conditional Use Approval, B. Conditional Uses Allowed, 34. Self-Storage Facility as presented by the Planning & Zoning Department. The Planning Commission recommended approval 4-0.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER PFEIFER TO ADOPT ORDINANCE NO. 2007-05 APPROVING THE AMENDMENTS TO THE FAYETTE COUNTY ZONING ORDINANCE REGARDING ARTICLE VI. DISTRICT USE REQUIREMENTS, SECTION 6-19. C-H HIGHWAY COMMERCIAL DISTRICT, C. CONDITIONAL USES, SELF-STORAGE FACILITY AND ARTICLE VII. CONDITIONAL USES, EXCEPTIONS, AND MODIFICATIONS, SECTION 7-1. CONDITIONAL USE APPROVAL, B. CONDITIONAL USES ALLOWED, 34. SELF-STORAGE FACILITY. THE MOTION CARRIED 4-0. COMMISSIONER MAXWELL WAS ABSENT FOR THE VOTE.

- D. Consideration of the proposed amendments to the Fayette County Zoning Ordinance regarding Article III. Definitions; Article VII. Conditional Uses, Exceptions and Modifications, Section 7-1. Conditional Use Approval, B. Conditional Uses Allowed, 1. Adult Day Care Facility and Section 7-1. Conditional Use Approval, B. Conditional Uses Allowed, 8. Church, Temple, or Place of Worship; and Article VI. District Use Requirements, Section 6-17. O-I Office-Institutional District, D. Conditional Uses, Adult Day Care Facility; Section 6-18. C-C Community Commercial District, C. Conditional uses, Adult Day Care Facility; and Section 6-19. C-H Highway Commercial District, C. Conditional Uses, Adult Day Care Facility as presented by the Planning & Zoning Department. The Planning Commission recommended approval 3-0-1.

ON MOTION MADE BY COMMISSIONER HORGAN, SECONDED BY COMMISSIONER PFEIFER TO ADOPT ORDINANCE NO. 2007-06 APPROVING THE AMENDMENTS TO THE FAYETTE COUNTY ZONING ORDINANCE REGARDING ARTICLE III. DEFINITIONS; ARTICLE VII. CONDITIONAL USES, EXCEPTIONS AND MODIFICATIONS, SECTION 7-1. CONDITIONAL USE APPROVAL, B. CONDITIONAL USES ALLOWED, 1. ADULT DAY CARE FACILITY AND SECTION 7-1. CONDITIONAL USE APPROVAL, B. CONDITIONAL USES ALLOWED, 8. CHURCH, TEMPLE, OR PLACE OF WORSHIP; AND ARTICLE VI. DISTRICT USE REQUIREMENTS, SECTION 6-17. O-I OFFICE-INSTITUTIONAL DISTRICT, D. CONDITIONAL USES, ADULT DAY CARE FACILITY; SECTION 6-18. C-C COMMUNITY COMMERCIAL DISTRICT, C. CONDITIONAL USES, ADULT DAY CARE FACILITY; AND SECTION 6-19. C-H HIGHWAY COMMERCIAL DISTRICT, C. CONDITIONAL USES, ADULT DAY CARE FACILITY. THE MOTION CARRIED 4-0. COMMISSIONER MAXWELL WAS ABSENT FOR THE VOTE.

PUBLIC COMMENT:

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

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Linda Crowden: Linda Crowden discussed issues involving parked vehicles on residential lawns and maintaining property values in Fayette County.

Jeff Jalletts: Jeff Jalletts expressed concerned with traffic patterns through Ansley Forest Subdivision and Black Rock Court and the increased traffic coming through on White Oak Way.

Alice Jones: Alice Jones, the Vice President of the North Fayette Community Association, requested a copy of the 2007/2008 budget to allow homeowners in her community to review it. She also requested a copy of the 2007-2010 Comprehensive Plan for Fayette County which would also include the transportation plan for the County. She expressed concern with the voter confidence issue on tonight's agenda.

Judith Moore: Judith Moore also expressed concern with the proposed resolution listed under old business regarding voter confidence legislation. She felt this would further erode voters' confidence in the system.

Angela Hinton Fonda: Angela Hinton Fonda expressed concern with the proposed voter confidence resolution on tonight's agenda and the cost of changing voting equipment as well as with some logistical problems associated with the resolution as currently drafted. She expressed concern with the issue of daylight savings time which would occur on the first Saturday in November 2008 which was only three days before general election and the possibility of this affecting the voting process.

CONSENT AGENDA: CHAIRMAN SMITH REQUESTED THAT ITEM NO. 11 BE REMOVED FOR DISCUSSION. ON MOTION MADE BY COMMISSIONER PFEIFER, SECONDED BY COMMISSIONER FRADY TO APPROVE CONSENT AGENDA ITEM NOS. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, AND 17. THE MOTION CARRIED 4-0. COMMISSIONER MAXWELL WAS ABSENT FOR THE VOTE.

- 1, Approval of list of tax refund and abatement requests as recommended.
2. Authorization for the Chairman to execute the Agreement with the City of Fayetteville for the Elections Department to conduct the City's November 6, 2007 municipal election.
3. Authorization for the Chairman to execute the Agreement with the City of Peachtree City for the Elections Department to conduct the City's November 6, 2007 municipal election.

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4. Authorization for the Chairman to execute the Agreement with the Town of Brooks for the Elections Department to conduct the City's November 6, 2007 municipal election.
5. Authorization for the Chairman to execute the Agreement with the Town of Tyrone for the Elections Department to conduct the City's November 6, 2007 municipal election.
6. Authorization for the Chairman to execute the Agreement with the Town of Woolsey for the Elections Department to conduct the City's November 6, 2007 municipal election.
7. Approval of staff's recommendation for a budget adjustment to the Parks and Recreation Department's Donation Revenue Account and the Buildings and Structures Account by \$1,000 as a result of a donation received from the Walmart Foundation.
8. Approval of staff's recommendation to extend the contract of Outdoor Concepts for Kiwanis Park mowing for the next eight months in the amount of \$39,200.
9. Approval of staff's recommendation to extend the contract of E Z Care Law Services for the Justice Center mowing for a twelve month period in the amount of \$26,500 which includes \$2,500 for 625 bales of pine straw.
10. Approval of Resolution No. 2007-09 to adopt the 2007-2017 Solid Waste Management Plan for Fayette County and the Towns of Brooks, Tyrone and Woolsey, and the Cities of Fayetteville and Peachtree City.
11. Approval of Resolution No. 2007-10 to adopt the 2007 Partial Update to the Fayette County Comprehensive Plan.

ON MOTION MADE BY COMMISSIONER PFEIFER, SECONDED BY COMMISSIONER HORGAN TO APPROVE RESOLUTION NO. 2007-10 TO ADOPT THE 2007 PARTIAL UPDATE TO THE FAYETTE COUNTY COMPREHENSIVE PLAN WITH THE REVISION FOR DELETION OF THE LAND USE DESIGNATION FOR A PARCEL AT S.R. 314 AND WHITE ROAD, INCLUDING DELETION OF FIGURE 4.2 ON PAGE 1 AND PAGE 25 . THE MOTION CARRIED 4-0. COMMISSIONER MAXWELL WAS ABSENT FOR THE VOTE.

12. Approval of Resolution No. 2007-11 declaring the quarter-acre site of the old Black Rock Courthouse as excess.

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13. Approval of authorization for the Chairman to execute an Agreement effective August 1, 2007 between Fayette County and the City of Peachtree City for the County to lease property from Peachtree City for the use and purpose of providing animal shelter services within Fayette County.
14. Approval of staff's recommendation to continue the current 5 year contract from June 30, 2005 through June 30, 2009 with Cherry, Bekaert & Holland for auditing services for Fayette County.
15. Approval of request from John Findley and Meet Productions, LLC for approval from the Board of Commissioners to use Starr's Mill to film a marriage proposal scene for the movie "Meet the Brown's".
16. Approval of the chairman to execute the Fiscal Year 2008 appropriation certificate for the 1998 Georgia Local Government Equipment Lease Pool.
17. Approval of Peachtree City's request for a refund of \$200,000 paid previously to the County toward the construction of the proposed TDK Extension Project.

OLD BUSINESS:

- E. Consideration for authorization by the Board of Commissioners to execute a Resolution concerning the proposed Voter Confidence and Increased Accessibility Act of 2007 and encouraging Congressional Legislators to vote against approval of H.R. 811.

ON MOTION MADE BY COMMISSIONER PFEIFER, SECONDED BY COMMISSIONER HORGAN TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE RESOLUTION TO ENCOURAGE CONGRESSIONAL LEGISLATORS TO VOTE AGAINST APPROVAL OF H.R. 811. THE MOTION CARRIED 4-0. COMMISSIONER MAXWELL WAS ABSENT FOR THE VOTE.

- F. Consideration for authorization by the Board of Commissioners for the Chairman to execute the HB 489 Service Delivery Contract.

ON MOTION MADE BY COMMISSIONER PFEIFER, SECONDED BY COMMISSIONER FRADY TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE HB 489 SERVICE DELIVERY CONTRACT. THE MOTION CARRIED 4-0. COMMISSIONER MAXWELL WAS ABSENT FOR THE VOTE.

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G. Consideration of Resolution No. 2007-12 creating a Special EMS Tax District.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER HORGAN TO AUTHORIZE THE CHAIRMAN TO EXECUTE RESOLUTION NO. 2007-12 TO CREATE A SPECIAL EMS TAX DISTRICT. THE MOTION CARRIED 4-0. COMMISSIONER MAXWELL WAS ABSENT FOR THE VOTE.

NEW BUSINESS:

H. Update by the Director of Human Resources Connie Boehnke regarding the Workers Compensation Renewal.

ON MOTION MADE BY COMMISSIONER PFEIFER, SECONDED BY COMMISSIONER FRADY TO RENEW THE COUNTY'S WORKERS COMPENSATION INSURANCE WITH UNDERWRITERS INSURANCE COMPANY. THE MOTION CARRIED 4-0. COMMISSIONER MAXWELL WAS ABSENT FOR THE VOTE.

I. Discussion by Finance Director Mary Holland regarding the renewal of the County's property and casualty insurance coverage for July 1, 2007 through June 30, 2008.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER HORGAN TO EXTEND THE COUNTY'S CURRENT PROPERTY AND CASUALTY INSURANCE COVERAGE FOR A PERIOD OF 60 DAYS TO ALLOW FOR FURTHER DISCUSSION AND TO SEND OUT AN R.F.P. FOR PROPERTY AND CASUALTY INSURANCE. THE MOTION CARRIED 4-0. COMMISSIONER MAXWELL WAS ABSENT FOR THE VOTE.

J. Discussion by Water System Director Tony Parrott regarding the Water Committee's recommendation to add additional parking at Lake Horton and authorization for Mallett Consulting to design and bid the project.

ON MOTION MADE BY COMMISSIONER PFEIFER, SECONDED BY COMMISSIONER HORGAN TO APPROVE THE WATER COMMITTEE'S RECOMMENDATION TO ADD ADDITIONAL PARKING AT LAKE HORTON AND TO AUTHORIZE MALLET CONSULTING TO DESIGN AND BID THE PROJECT. THE MOTION CARRIED 4-0. COMMISSIONER MAXWELL WAS ABSENT FOR THE VOTE.

STAFF REPORTS:

JACK KRAKEEL: Interim County Administrator Jack Krakeel updated the Board on a request that was generated by the Board at the last Commission meeting regarding the possibility of obtaining a proposal for utility consulting services. He said he had received a proposal from a consultant who could perform this work as it related to utility expenses and opportunities for reductions in the County's utility expenses. He asked for the Board's consideration in engaging this consultant in light of the additional construction work that was currently ongoing at 1 Justice Center Drive with the Senior Services Center and looking at additional electrical and utility cost savings that could be achieved at that complex as well as in other current areas of the County's current utility billing expense program.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY PFEIFER TO ACCEPT INTERIM COUNTY ADMINISTRATOR JACK KRAKEEL'S RECOMMENDATION TO HIRE A CONSULTANT AT A COST OF \$26,000 TO PERFORM AN ANALYSIS OF THE COUNTY'S ELECTRICAL NEEDS. THE MOTION CARRIED 4-0. COMMISSIONER MAXWELL WAS ABSENT FOR THE VOTE.

EXECUTIVE SESSION: There was none.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER HORGAN TO ADJOURN THE MEETING AT 8:30 P.M.

Karen Morley, Chief Deputy Clerk