



#### BOARD OF COMMISSIONERS

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



#### STAFF

Jack Krakeel, Interim County Administrator  
Scott Bennett, County Attorney  
Carol Chandler, Executive Assistant  
Karen Morley, Chief Deputy Clerk  
Floyd Jones, Deputy Clerk



#### MEETING LOCATION

Public Meeting Room  
Administrative Complex  
140 Stonewall Avenue  
Fayetteville, GA 30214



#### MEETING TIMES

2<sup>nd</sup> and 4<sup>th</sup> Thursday each month at 7:00 pm



#### COMMISSION OFFICE

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Fayetteville, GA 30214  
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# Action Agenda

Board of Commissioners  
September 25, 2008  
7:00 P.M.

## Call to Order, Invocation and Pledge of Allegiance.

Chairman Smith called the September 25, 2008 Board of Commissioners Meeting to order at 7:04 p.m. Commissioner Pfeifer gave the invocation. Chairman Smith led the audience in the Pledge of Allegiance.

## Acceptance of Agenda.

Commissioner Frady moved to accept the agenda as printed. Commissioner Horgan seconded the motion. No discussion followed. The motion passed unanimously.

## PRESENTATION/RECOGNITION:

### A. Proclamation recognizing October 8, 2008 as Honor Flight Fayette Day in Fayette County.

Chairman Smith read a proclamation recognizing October 8, 2008 as Honor Flight Fayette Day in Fayette County before he thanked the veterans, Ms. Gail Sparrow, and the "Guardians" and Fayette County Emergency Services personnel who accompany the veterans to Washington D.C. in order to provide medical care if needed.

## PUBLIC HEARING:

Community Development Director Pete Frisina read the Board of Commissioners Public Hearing Procedures before Public Hearings occurred.

### B. Consideration of proposed amendments to the Fayette County Development Regulations regarding Article V. Buffer and Landscape Requirements, as presented by the Engineering Department. This item was last discussed during the August 14, 2008 Board of Commissioners Meeting. **THE PLANNING COMMISSION RECOMMENDED APPROVAL WITH ONE (1) CHANGE 5-0.**

Commissioner Frady moved to adopt to adopt Ordinance 2008-08 amending the Fayette County Development Regulations regarding Article V. Buffer and Landscape Requirements, with one change as recommended by the Planning Commission, and as presented by the Engineering Department. Commissioner Horgan seconded the motion. No discussion followed. The motion passed unanimously.

- C. Consideration of the annual update of the Capital Improvement Element (CIE) and the Short Term Work Program (STWP) in the Fayette County Comprehensive Plan, for the imposition of Impact Fees for Fire Services and authorization of transmittal to the Atlanta Regional Commissioner (ARC) as presented by the Planning and Zoning Department.**

Commissioner Horgan moved to approve Resolution 2008-14 regarding the annual update of the Capital Improvement Element (CIE) and the Short Term Work Program (STWP) in the Fayette County Comprehensive Plan, for the imposition of Impact Fees for Fire Services and to authorize transmittal of Resolution 2008-14 to the Atlanta Regional Commission. Commissioner Frady seconded the motion. No discussion followed. The motion passed unanimously.

- D. Discussion of proposed amendments to the Fayette County Zoning Ordinance regarding Article VII. Conditional Uses, Exceptions, and Modifications, Section 7-1. Conditional Use Approval, B. Conditional Uses Allowed, 23. Home Occupation as presented by the Planning and Zoning Department. STAFF HAS REQUESTED THIS ITEM BE CONTINUED UNTIL OCTOBER 23 FOR PUBLIC HEARING.**

Mr. Pete Frisina requested that this item be continued until the October 23, 2008 meeting.

Commissioner Frady moved to continue Public Hearing Item D as printed until the October 23, 2008 Board of Commissioners meeting. Commissioner Horgan seconded the motion. No discussion followed. The motion passed unanimously.

**PUBLIC COMMENT:**

**Ms. Alice Jones:** Ms. Alice Jones spoke about the changing of the zip codes issue that was spoken of by Fire Marshal David Scarbrough during the September 11, 2008 Board of Commissioners meeting. Ms. Jones also spoke about her efforts to enable a Little League team to play on the multi-purpose field at Kenwood Park and Soccer League teams to play at McCurry Park and Kiwanis Park.

**CONSENT AGENDA:**

Commissioner Horgan moved to approve Consent Agenda Items 1-6. Commissioner Pfeifer seconded the motion. No discussion followed. The motion passed unanimously.

- 1. Approval of request by the Sheriff's Department Field Operations to replace a 2006 Ford Crown Victoria which was completely destroyed in an automobile accident on July 3, 2008, using an \$8,699.30 insurance reimbursement and \$18,651.70 from the Vehicle Replacement Fund to purchase the replacement vehicle.**
- 2. Approval of staff's request for permission to apply for an Emergency Management Performance Grant (EMPG) for Severe Weather Warning Projects.**
- 3. Approval of request from 911 Communications to be allowed to dispose of old department uniforms that are no longer serviceable.**
- 4. Approval of staff's request to accept a reimbursement in the amount of \$976.49 from Perfect Cut Services, Inc., which would increase Parks and Recreation Ground Supplies Revenue Budget Account by \$976.49.**

5. **Approval of staff's recommendation to award Bid #676 for Pressure Reducing Values to the sole bidder, PMC Enterprises, in the amount of \$41,010.**
6. **Approval of the September 3, 2008 Board of Commissioners' Workshop Minutes and the September 11, 2008 Board of Commissioners' Regular Session Minutes.**

**OLD BUSINESS:**

- E. **Consideration of staff's recommendation that Sumner Road be designated as an authorized street for motorized cart usage.**

Commissioner Frady moved to approve staff's recommendation that Sumner Road be designated as an authorized street for motorized cart usage. Commissioner Horgan seconded the motion. No discussion followed. The motion passed unanimously.

**NEW BUSINESS:**

- F. **Approval of staff's recommendation for supplemental budget adjustments for the fiscal year ending June 30, 2008.**

Commissioner Horgan moved to approve a recommendation by the Finance Department for supplemental budget adjustments for the fiscal year ending June 30, 2008. Commissioner Frady seconded the motion. No discussion followed. The motion passed unanimously.

- G. **Consideration of the proposed annexation from the City of Fayetteville to annex 17.85 acres, Piedmont Fayette Hospital, Applicant, to develop additional parking and Day Care Facility. This property is located in Land Lot 129 of the 5<sup>th</sup> District and Land Lot 9 of the 7<sup>th</sup> District, and fronts on Sandy Creek Road.**

Commissioner Frady moved to "not object" to the proposed annexation from the City of Fayetteville to annex 17.85 acres, Piedmont Fayette Hospital, Applicant, in order to develop additional parking and a Day Care Facility. Commissioner Horgan seconded the motion. No discussion followed. The motion passed unanimously.

**ADMINISTRATOR'S REPORT**

**Recurring Problem with the Library's Computers:** Interim County Administrator Jack Krakeel reported that over the course of last several months Fayette County has had a recurring problem with the Library's computer system that causes the system to completely shut down. He said this problem has become more prevalent in the last two weeks, and that staff has determined that the problem with the system is that the hard drive is completely full and cannot absorb any additional data. He said staff is in the process of developing an interim solution to the problem which would involve shutting the system down for one day in the next several weeks. He informed the Board that the ultimate step, which should take place within the next 30 days, would require a decision on a permanent solution. He said staff has prepared some preliminary estimates and believes that the cost of correcting the problems and upgrading the system will be approximately \$45,000. He said staff will be preparing a formal request for the Board within the next three to four weeks for the Board's consideration and that funding is available.

## ATTORNEY'S REPORT

**Amendment to Tyler Technology's Treasury Management Software Contract:** County Attorney Scott Bennett presented an amendment to an existing contract Fayette County has with Tyler Technologies regarding Treasury Management software for the Finance Department for \$5,000. He said this approval was needed to demonstrate that the County was accepting the terms of the software license. Commissioner Frady moved to authorize the Chairman to sign the amendment to the Fayette County's contract with Tyler Technologies for \$5,000 and to accept the software license from Tyler Technologies. Commissioner Horgan seconded the motion. No discussion followed. The motion passed unanimously.

**Amendment to Tyler Technology's Contract Management Software Contract:** County Attorney Scott Bennett presented an amendment to an existing contract Fayette County has with Tyler Technologies regarding Contract Management software used by Information Systems Department for \$7,139. Commissioner Horgan moved to authorize the Chairman to sign the amendment to Fayette County's contract with Tyler Technologies for Contract Management software to be used by the Information Systems Department at a cost of \$7,139. Commissioner Frady seconded the motion. No discussion followed. The motion passed unanimously.

## STAFF REPORTS

None.

## BOARD REPORTS

**Indigent Defense Committee:** Commissioner Eric Maxwell reminded the Board that during last year's budget hearings he had informed the Board that the State Legislature had changed the composition of the local Indigent Defense Committee in order to add County Commissioners. He stated that he had previously served on that committee several years ago when the current Public Defender was chosen, and that he was approached by the current Chairperson of the Indigent Defense Committee and asked to return as the Governor's appointee. Commissioner Maxwell said he placed his name in nomination and said he would be happy to return. He stated that only one Commissioner from one County is able to serve on the Committee and he wanted to inform the Board that he has been approached and he had agreed to return to that Committee.

## EXECUTIVE SESSION

**Litigation, Employment and Property Acquisition:** County Attorney Scott Bennett reported that Litigation, Employment and Property Acquisition items needed to be discussed in Executive Session. Commissioner Frady moved to adjourn into Executive Session for the purpose of discussing Litigation, Employment and Property Acquisition. Commissioner Horgan seconded the motion. No discussion followed. The motion passed unanimously.

The Board of Commissioners adjourned into Executive Session at 7:56 p.m. in order to discuss Litigation, Employment and Property Acquisition items, and returned into Regular Session at 8:48 p.m.

### **EXECUTIVE SESSION AFFIDAVIT**

Commission Frady moved to authorize the Chairman to sign an Executive Session Affidavit stating items of Litigation, Employment and Property Acquisition were discussed in Executive Session. Commissioner Horgan seconded the motion. No discussion followed. The motion passed unanimously.

### **ADJOURNMENT**

Commissioner Frady motioned to adjourn the September 25, 2008 Board of Commissioners' Meeting. Commissioner Horgan seconded the motion. No discussion followed. The motion passed unanimously.

The September 25, 2008 Board of Commissioners' Meeting adjourned at 8:49 p.m.

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**Floyd L. Jones, Deputy Clerk**