



**BOARD OF COMMISSIONERS**

Jack Smith, Chairman  
Herb Frady, Vice-Chairman (absent)  
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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## *Action Agenda*

Board of Commissioners  
October 23, 2008  
7:00 P.M.

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

**ACCEPTANCE OF AGENDA: COMMISSIONER HORGAN MADE A MOTION TO ACCEPT THE AGENDA AS PRESENTED. COMMISSIONER PFEIFER SECONDED THE MOTION. THE MOTION CARRIED 4-0. COMMISSIONER FRADY WAS ABSENT.**

**PUBLIC HEARING:**

- A. Consideration 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 and Article VI. District Use Requirements, Section 6-17. O-I, Office-Institutional District, D. Conditional Uses; Section 6-18. C-C, Community Commercial District, B. Permitted Uses and C. Conditional Uses; Section 6-19. C-H, Highway Commercial District, B. Permitted Uses and C. Conditional Uses; Section 6-21. M-1, Light Industrial District, C. Conditional Uses; and Section 6-22. M-2, Manufacturing and Heavy Industrial District, C. Conditional Uses as presented by the Planning and Zoning Department. The Planning Commission recommended approval (5-0). This item was tabled from the September 25, 2008 Commissioners' meeting.

**COMMISSIONER HORGAN MADE A MOTION TO APPROVE THE 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 AND ARTICLE VI. DISTRICT USE REQUIREMENTS, SECTION 6-17. O-I, OFFICE-INSTITUTIONAL DISTRICT, D. CONDITIONAL USES; SECTION 6-18. C-C, COMMUNITY COMMERCIAL DISTRICT, B. PERMITTED USES AND C. CONDITIONAL USES; SECTION 6-19. C-H, HIGHWAY COMMERCIAL DISTRICT, B. PERMITTED USES AND C. CONDITIONAL USES; SECTION 6-21. M-1, LIGHT INDUSTRIAL DISTRICT, C. CONDITIONAL USES; AND SECTION 6-22. M-2, MANUFACTURING AND HEAVY INDUSTRIAL DISTRICT, C. CONDITIONAL USES AS PRESENTED BY THE PLANNING AND ZONING DEPARTMENT THAT WILL BE KNOWN AS ORDINANCE NO. 2008-09. THE MOTION CARRIED 4-0. COMMISSIONER FRADY WAS ABSENT.**

- B. Consideration of Petition No. 1211-08, J. Neil and T. Kay Davis, Owners/Agents, request to rezone 2.469 acres from R-70 to O-I to develop uses allowed under the O-I zoning district. This property is located in Land Lot 127 of the 5<sup>th</sup> District and fronts on S.R. 54 West. Staff recommended denial. The Planning Commission recommended denial (5-0).

**CHAIRMAN SMITH ANNOUNCED THAT THE BOARD HAD RECEIVED A WRITTEN REQUEST FROM THE PETITIONER TO POSTPONE THIS ITEM TO THE NOVEMBER 13, 2008 BOARD MEETING BECAUSE THERE WAS NOT A FULL FIVE MEMBER BOARD PRESENT.**

- C. Consideration of Petition No. 1212-08, J. Neil and T. Kay Davis, Owners/Agents, request to rezone 4.437 acres from C-C Conditional to C-C to lift the current conditions; also to use the Old Mill structure for a corn grist mill in its historical context; and to allow the uses in the C-C Zoning District; and consideration of Petition No. RP-043-08 to change the use of Lot 1 of Crystal Lake Estates consisting of 2.334 acres (part of the 4.437 acres) from a single-family dwelling to the uses allowed in the C-C Zoning District. This property is located in Land Lot 127 of the 5<sup>th</sup> District and fronts on S.R. 54 West and Old Mill Court. Staff recommended approval with three (3) conditions. The Planning Commission voted to approve subject to recommended condition #1 being amended to exclude more uses and recommended conditions #2 and #3 as submitted by staff (3-2). No action was taken on RP-043-08 based on the vote for denial of Petition No. 1212-08.

**CHAIRMAN SMITH ANNOUNCED THAT THE BOARD HAD RECEIVED A WRITTEN REQUEST FROM THE PETITIONER TO POSTPONE THIS ITEM TO THE NOVEMBER 13, 2008 BOARD MEETING BECAUSE THERE WAS NOT A FULL FIVE MEMBER BOARD PRESENT.**

**PUBLIC COMMENT:**

**Jerry Williford:** Jerry Williford, Old Mill Court, Fayetteville thanked the planning and zoning staff for all of their professionalism in providing information and answering questions relating to the Davis' rezoning applications.

**Mrs. Stewart Barnes:** Mrs. Stewart Barnes, Lakeview Court, Fayetteville remarked that she was opposed to the three petitions filed by the Davis family.

**Angela Hinton Fonda:** Angela Hinton Fonda, Westbridge Subdivision, commented on an item under Old Business on tonight's agenda regarding the County's Purchasing Card Policy. She asked the Board to consider further changes.

**Teresa Joiner:** Teresa Joiner, Old Mill Court, Fayetteville thanked the Board and Staff for informing the residents of Crystal Lake Subdivision that the rezoning petitions listed tonight were going to be postponed to November 13<sup>th</sup>.

**J.D. Holmes:** J.D. Holmes, Old Mill Court, Fayetteville remarked that he and other residents of Crystal Lake Subdivision have spoken to Mr. and Mrs. Davis about their rezoning request and it was not this Board's responsibility to increase their property values by rezoning their property.

**CONSENT AGENDA: COMMISSIONER HORGAN MADE A MOTION TO APPROVE CONSENT AGENDA ITEM NOS. 1, 2, 3, 4 AND 5 AS PRESENTED. COMMISSIONER PFEIFER SECONDED THE MOTION. THE MOTION CARRIED 4-0. COMMISSIONER FRADY WAS ABSENT.**

1. Approval of staff's recommendation to enter into an intergovernmental agreement with the City of Fayetteville for street resurfacing.

2. Approval of staff's recommendation to adopt Resolution No. 2008-15 authorizing the submission of a grant application for Kenwood Park Walking Trail Project to the Department of Natural Resources for the Recreational Trails Program.
3. Approval of staff's recommendation to award Proposal #P682 to low bidder Sports Turf Company, Inc. for the McCurry Park Track Resurfacing and Striping Project in the amount of \$65,051.
4. Approval of staff's recommendation to award Bid #683 to low bidder Johnson Sewer, Pipeline & Demolition, Inc. for clearing and grubbing along Snead Road in the amount of \$23,900.
5. Approval of minutes for the Board of Commissioners' meetings held on September 25, 2008, October 1, 2008 and October 9, 2008.

**OLD BUSINESS:**

- D. Discussion of staff's recommendation to expand the revised Purchasing Card Program to all County departments and adopt the final draft of the Purchasing Card Policy.

**COMMISSIONER MAXWELL MADE A MOTION TO FULLY IMPLEMENT THE REVISED PURCHASING CARD PROGRAM FOR ALL COUNTY DEPARTMENTS AND TO ADOPT THE FINAL DRAFT OF THE PURCHASING CARD POLICY AS PRESENTED. COMMISSIONER HORGAN SECONDED THE MOTION. THE MOTION CARRIED 4-0. COMMISSIONER FRADY WAS ABSENT.**

**ADMINISTRATOR'S REPORT:**

**UPDATE OF THE DIRECT DEPOSIT PROGRAM FOR COUNTY EMPLOYEES:** Interim County Administrator Jack Krakeel updated the Board on the Direct Deposit Program for County Employees' paychecks. He said the County was now at 100% full participation in this program and commended the Human Resources Staff for being diligent in following up with employees to accomplish this goal. He also noted that every County employee could now access their personal payroll information through a secure location on the County website and at some time in the near future he will recommend discontinuation of issuance of actual pay stubs which would result in a significant savings for the County in terms of time and materials. He remarked that there had been a very favorable response from County employees on the accessing their information.

**ATTORNEY'S REPORT:**

**CONTRACT CHANGE ORDER AND THREE REIMBURSEMENT AGREEMENTS RELATING TO THE WIDENING OF JIMMY MAYFIELD BOULEVARD:** County Attorney Scott Bennett asked for Board consideration to authorize the Chairman to execute a Contract Change Order for Southeastern Site Development in the total amount of \$157,926.50 and three Reimbursement Agreements for Coweta-Fayette EMC, Georgia Power Company and AT&T each in the amount of \$14,743.33; for the purpose of modifying the location of Jimmy Mayfield Boulevard to avoid the relocation of three utilities.

**COMMISSIONER HORGAN MADE A MOTION TO AUTHORIZE THE CHAIRMAN TO EXECUTE A CONTRACT CHANGE ORDER IN THE TOTAL AMOUNT OF \$157,926.50 AND THREE REIMBURSEMENT AGREEMENTS FOR COWETA-FAYETTE EMC, GEORGIA POWER COMPANY AND AT&T EACH IN THE AMOUNT OF \$14,743.33 IN REGARD TO THE WIDENING OF JIMMY MAYFIELD BOULEVARD. COMMISSIONER MAXWELL SECONDED THE MOTION. THE MOTION CARRIED 4-0. COMMISSIONER FRADY WAS ABSENT.**

**STAFF REPORTS:**

**UPDATE ON THE 911 PRACTITIONER PROGRAM:** Interim Public Safety Director Allen McCullough updated the Board on the 911 Practitioner Program and said this Program was recognized in the official National Publication of the Amateur Radio Association and he presented this article to the Board.

**BOARD REPORTS:**

**COMMISSIONER MAXWELL:** Commissioner Maxwell commented on the motion he made at the October 9<sup>th</sup> Commission meeting that had passed unanimously to file an objection to the annexation of property by the Peachtree City Council concerning property off Wilkes Grove Church Road. He said his objection at that time was based on not having enough information. He noted that since that time, he had made contact with the applicant and had spoken to the City Manager of Peachtree City and his concerns had been addressed.

**COMMISSIONER MAXWELL MADE A MOTION TO WITHDRAW THE FORMAL OBJECTION OF THE BOARD OF COMMISSIONERS THAT WAS MADE AT THE OCTOBER 9<sup>TH</sup> MEETING OPPOSING THE ANNEXATION OF PROPERTY BY THE PEACHTREE CITY COUNCIL CONCERNING PROPERTY OFF WILKES GROVE CHURCH ROAD. COMMISSIONER HORGAN SECONDED THE MOTION. THE MOTION CARRIED 4-0. COMMISSIONER FRADY WAS ABSENT.**

**COMMISSIONER MAXWELL:** Commissioner Maxwell remarked that Sheriff Randall Johnson would be retiring after 32 years of excellent service and he would like to formally recognize the Sheriff.

**COMMISSIONER MAXWELL MADE A MOTION TO FORMALLY RECOGNIZE SHERIFF RANDALL JOHNSON FOR HIS 32 YEARS OF SERVICE TO FAYETTE COUNTY. COMMISSIONER HORGAN SECONDED THE MOTION. THE MOTION CARRIED 4-0. COMMISSIONER FRADY WAS ABSENT.**

**EXECUTIVE SESSION:** Interim County Administrator Jack Krakeel requested an Executive Session to discuss an item of real estate acquisition.

Chairman Smith requested an Executive Session to discuss a personnel matter.

**COMMISSIONER HORGAN MADE A MOTION TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS REAL ESTATE ACQUISITION AND PERSONNEL MATTERS. COMMISSIONER PFEIFER SECONDED THE MOTION. THE MOTION CARRIED 4-0. COMMISSIONER FRADY WAS ABSENT.**

**COMMISSIONER HORGAN MADE A MOTION TO ADJOURN THE EXECUTIVE SESSION AND RETURN TO OPEN SESSION. COMMISSIONER PFEIFER SECONDED THE MOTION. THE MOTION CARRIED 4-0. COMMISSIONER FRADY WAS ABSENT.**

**COMMISSIONER HORGAN MADE A MOTION TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE EXECUTIVE SESSION AFFIDAVIT AFFIRMING THAT REAL ESTATE ACQUISITION AND PERSONNEL MATTERS WERE DISCUSSED IN EXECUTIVE SESSION. COMMISSIONER PFEIFER SECONDED THE MOTION. THE MOTION CARRIED 4-0. COMMISSIONER FRADY WAS ABSENT.**

**ADJOURNMENT: COMMISSIONER HORGAN MADE A MOTION TO ADJOURN THE MEETING AT 8:45 P.M. COMMISSIONER PFEIFER SECONDED THE MOTION. THE MOTION CARRIED 4-0. COMMISSIONER FRADY WAS ABSENT.**