



Action Agenda

Board of Commissioners
September 2, 2009
3:30 P.M.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on Wednesday, September 2, 2009, at 3:30 p.m. in the Commissioners' Conference Room, Suite 100, of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

Commissioners Present:

Jack Smith, Chairman
Herb Frady, Vice Chairman
Lee Hearn
Robert Horgan
Eric Maxwell

Staff Present:

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

Chairman Smith called the meeting to order.

ACCEPTANCE OF AGENDA: COMMISSIONER HORGAN MADE A MOTION TO ACCEPT THE AGENDA AS PRESENTED. COMMISSIONER HEARN SECONDED THE MOTION. CHAIRMAN SMITH REQUESTED NEW BUSINESS ITEM F. BE MOVED TO THE FIRST ISSUE FOR DISCUSSION. COMMISSIONER HORGAN AND COMMISSIONER HEARN AMENDED THE MOTION TO REFLECT THIS CHANGE. THE MOTION CARRIED 5-0.

NEW BUSINESS:

F. Update on the H1N1 virus planning and preparedness activities underway in the community.

DIRECTOR OF PUBLIC SAFETY ALLEN MCCULLOUGH AND CAPTAIN PETE NELMS PRESENTED A POWERPOINT PRESENTATION UPDATING THE H1N1 VIRUS PLANNING AND PREPAREDNESS ACTIVITIES UNDERWAY IN THE COMMUNITY. CAPTAIN NELMS POINTED OUT THAT ON JUNE 11, 2009, THE WORLD HEALTH ORGANIZATION SIGNALLED THAT A PANDEMIC OF NOVEL H1N1 FLU WAS UNDERWAY. IT WAS NOTED THAT THE AGE GROUP THAT WAS MOST VULNERABLE WAS 5-24 YEARS OF AGE.

OLD BUSINESS:

- A. Discussion of proposed amendments to the Fayette County Zoning Ordinance regarding Article VII. Conditional Uses, Exceptions, and Modifications, Section 7-6. Transportation Corridor Overlay Zone, A. SR 54 West Overlay Zone, 4. Architectural Standards, Gasoline Canopy, and C. General State Route Overlay Zone, 4. Architectural Standards, Gasoline Canopy.

DIRECTOR OF COMMUNITY DEVELOPMENT PETE FRISINA DISCUSSED THIS ITEM WITH THE BOARD AND REMARKED THAT THIS RELATED TO AN AESTHETIC ISSUE REGARDING GASOLINE CANOPIES . HE ASKED FOR THE BOARD'S CONSIDERATION TO ADVERTISE THE PROPOSED AMENDMENTS TO BE HEARD BY THE PLANNING COMMISSION ON OCTOBER 1, 2009 AND BY THE BOARD OF COMMISSIONER ON OCTOBER 22, 2009. THERE WAS A CONSENSUS BY THE BOARD THAT THIS ITEM MOVE FORWARD AND THE PROCESS COULD BEGIN.

- B. Discussion of the Neighborhood Stabilization Program (NSP) Grant Award approved on March 27, 2009 in the amount of \$1,178,544.

COMMISSIONER MAXWELL MADE A MOTION TO AUTHORIZE THE CHAIRMAN TO SIGN A LETTER WITHDRAWING THE COUNTY'S APPLICATION FOR THE NEIGHBORHOOD STABILIZATION PROGRAM GRANT AWARD. COMMISSIONER FRADY SECONDED THE MOTION. THE MOTION CARRIED 4-1 WITH COMMISSIONER HORGAN VOTING IN OPPOSITION.

- C. Discussion of proposed amendments to the Fayette County Subdivision Regulations in its entirety.

DIRECTOR OF PUBLIC WORKS PHIL MALLON DISCUSSED THIS ITEM WITH THE BOARD. AFTER A BRIEF DISCUSSION THERE WAS A CONSENSUS THAT THIS ITEM WOULD COME BACK TO THE BOARD FOR FURTHER DISCUSSION AT THE COMMISSIONERS' WORKSHOP TO BE HELD ON NOVEMBER 7, 2009.

- D. Update on Phase III of the West Fayetteville Parkway Project.

DIRECTOR OF PUBLIC WORKS PHIL MALLON DISCUSSED THIS ITEM WITH THE BOARD. AFTER A BRIEF DISCUSSION THERE WAS A CONSENSUS THAT THIS ITEM WOULD COME BACK TO THE BOARD FOR FURTHER DISCUSSION AT THE COMMISSIONERS' WORKSHOP TO BE HELD ON DECEMBER 2, 2009.

- E. Update on Comprehensive Transportation Plan and discussion of preliminary recommendations.

DIRECTOR OF PUBLIC WORKS PHIL MALLON INTRODUCED JOEL MANN OF GLATTING, JACKSON, KERCHER, ANGLIN, INC. WHO PROVIDED THE BOARD WITH AN UPDATE ON THE COMPREHENSIVE TRANSPORTATION PLAN AS WELL AS PRELIMINARY RECOMMENDATIONS.

ADMINISTRATOR'S REPORT:

NONE.

ATTORNEY'S REPORT: County Attorney Scott Bennett remarked that since he would be in Athens next week attending the institute for City and County Attorneys, he had the following two items for the Board's consideration:

AMENDED ECO-SOUTH, INC. CONTRACT FOR MITIGATION WORK AT THE PIGEON CREEK SITE: County Attorney Scott Bennett asked for the Board's consideration to authorize the Chairman to execute the amended Eco-South, Inc. contract for mitigation work at the Pigeon Creek Site in the amount of \$583,494. He said the Board had considered this contract at a prior meeting and Eco-South, Inc. had agreed to also submit monthly invoices for consideration as well as provide a Performance Bond. He also noted that Eco-South, Inc. would be responsible for any damages to this site such as a two times rain event. He said if there was vandalism or infestation then that would be the County's responsibility. He said the County would also have a 10% retainage on this entire project as part of this agreement.

COMMISSIONER FRADY MADE A MOTION TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE AMENDED CONTRACT WITH ECO-SOUTH, INC. IN THE AMOUNT OF \$583,494. COMMISSIONER HORGAN SECONDED THE MOTION. THE MOTION CARRIED 5-0.

AMENDED INTERGOVERNMENTAL S.P.L.O.S.T. AGREEMENT WITH THE CITIES: County Attorney Scott Bennett asked for the Board's consideration to authorize the Chairman to execute the amended Intergovernmental S.P.L.O.S.T. Agreement with the Cities. He said the provision that the County would provide the funds to the Cities within ten business days of the County receiving the funds from the State was now included in this agreement.

COMMISSIONER FRADY MADE A MOTION TO APPROVE THE AMENDED AGREEMENT TO ADD THE TEN DAY DISBURSEMENT OF FUNDS TO THE CITIES AS PART OF THE ORIGINAL CONTRACT AND TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE AMENDED INTERGOVERNMENTAL S.P.L.O.S.T. AGREEMENT WITH THE CITIES. COMMISSIONER HORGAN SECONDED THE MOTION. THE MOTION CARRIED 5-0.

STAFF REPORTS:

DIRECTOR OF PUBLIC WORKS PHIL MALLON: Director of Public Works Phil Mallon updated the Board on the school striping and marking on S.R. 85. He said this had been done and everything was in accordance to standards. He further noted that the yellow line striping on S.R. 92 at the Lowery Road intersection near the Spalding County line was in the process of being completed.

WELCOME TO THE NEW ROAD DEPARTMENT DIRECTOR ANDY ADAMS: Mr. Mallon introduced the new Road Department Director Andy Adams to the Board. Mr. Adams provided the Board with a brief update on the current county road projects.

BOARD REPORTS:

COMMISSIONER ERIC MAXWELL: Commissioner Maxwell commented on a letter the Board had received from the Association of County Commissioners of Georgia regarding recovery zone bond waiver and re-allocation bonds as approved by the Georgia State Financing and Investment Commission. He said he did not want to miss the opportunity to take advantage of these funds.

County Administrator Jack Krakeel remarked that this had been investigated approximately three months ago but unfortunately the County did not have any projects that would meet the criteria to qualify for these bonds.

CHAIRMAN JACK SMITH: Chairman Smith said he had two items to report. He reported on the Atlanta Regional Housing Forum that he had attended earlier in the day and the connection to transportation funding. He said the Federal Government was in the process of gathering data to write a new transportation bill. He said it was clear that part of the criteria for future Federal funding may be tied to available transportation and density of housing.

Chairman Smith also remarked that the new restaurant called "Frank's" at the Old Mill on S.R. 54 West would open on Friday for the public at 11:00 a.m. He noted that the Commissioners and a guest had been invited to dine at "Frank's" tonight or Thursday evening if they would like to.

EXECUTIVE SESSION:

NONE.

ADJOURNMENT:

With no further business to come before the Board, Chairman Smith adjourned the meeting at 6:25 p.m.

Karen Morley, Chief Deputy Clerk