



#### BOARD OF COMMISSIONERS

Greg Dunn, Chairman  
Linda Wells, Vice Chair  
Herb Frady  
Peter Pfeifer  
A.G. VanLandingham

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#### STAFF

Chris Cofty, County Administrator  
Carol Chandler, Executive Asst.  
William R. McNally, Attorney  
Karen Morley, Deputy Clerk  
Linda Rizzotto, Deputy Clerk

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#### MEETING LOCATION

Administrative Complex  
Commission Meeting Room  
140 Stonewall Avenue  
Fayetteville, GA

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#### MEETING TIMES

1<sup>st</sup> Wednesday each month at  
3:30 p.m.  
2<sup>nd</sup> and 4<sup>th</sup> Thursday each month  
at 7:00 p.m

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#### COMMISSION OFFICE

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# The Agenda of Actions

BOARD OF COMMISSIONERS

DECEMBER 5, 2001

3:30 P.M.

Chairman Dunn called the meeting to order, offered the Invocation and led the pledge to the Flag.

#### EMPLOYEE RECOGNITIONS:

A. Incentive Awards to be presented to Diane Blanks and Sondra Edwards.

**THE BOARD RECOGNIZED AND PRESENTED AWARDS TO DIANE BLANKS AND SONDR A EDWARDS FOR THEIR SUGGESTIONS TO THE BRIGHT IDEA PROGRAM.**

#### PUBLIC HEARING:

**FINAL SUMMARY REPORT OF COMPLIANCE WITH THE REGIONAL DEVELOPMENT PLAN (ARC) INCLUDING THE FOLLOWING PROPOSED AMENDMENTS:**

B. Consideration of proposed amendments to the Fayette County Zoning Ordinance regarding Article VI. District Use Requirements, Section 6-24. C-S, Conservation Subdivision by the Planning Department. The planning commission recommended approval (4-0). (Tabled from October 25, 2001).

**ON MOTION MADE BY COMMISSIONER PFEIFER, SECONDED BY COMMISSIONER WELLS TO APPROVE AMENDMENTS TO THE FAYETTE COUNTY ZONING ORDINANCE REGARDING ARTICLE VI. DISTRICT USE REQUIREMENTS, SECTION 6-24. C-S, CONSERVATION SUBDIVISION. THE MOTION CARRIED 4-1 WITH COMMISSIONER FRADY VOTING IN OPPOSITION.**

C. Consideration of proposed amendments to the Fayette County Zoning Ordinance regarding Article IV. Establishments of Districts, 24. C-S, Conservation Subdivision by the Planning Department. The planning commission recommended approval (4-0). (Tabled from October 25, 2001).

**ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER VANLANDINGHAM TO APPROVE AMENDMENTS TO THE FAYETTE COUNTY ZONING ORDINANCE REGARDING ARTICLE IV. ESTABLISHMENTS OF DISTRICTS, 24. C-S, CONSERVATION SUBDIVISION. THE MOTION CARRIED 5-0.**

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- D. Consideration of proposed amendments to the Fayette County Zoning Ordinance regarding Article VII. Conditional Uses, Exceptions and Modifications, Section 7-2. Non-conformances by the Planning Department. The Planning Commission recommended approval (4-0). (Tabled from October 25, 2001).

**ON MOTION MADE BY COMMISSIONER VANLANDINGHAM, SECONDED BY COMMISSIONER WELLS TO APPROVE AMENDMENTS TO THE FAYETTE COUNTY ZONING ORDINANCE REGARDING ARTICLE VII. CONDITIONAL USES, EXCEPTIONS AND MODIFICATIONS, SECTION 7-2. NON-CONFORMANCES. THE MOTION CARRIED 5-0.**

- E. Consideration of proposed amendments to the Fayette County Comprehensive Growth Management Plan regarding the Community Facilities Element by the Planning Department. The planning commission recommended approval (4-0). (Tabled from October 25, 2001).

**ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY TO APPROVE AMENDMENTS TO THE FAYETTE COUNTY COMPREHENSIVE GROWTH MANAGEMENT PLAN REGARDING THE COMMUNITY FACILITIES ELEMENT. THE MOTION CARRIED 5-0.**

- F. Consideration of proposed amendments to the Fayette County Development Regulations regarding Article XI. Groundwater Recharge Area Protection Ordinance by the Engineering Department. The Planning Commission recommended approval (4-0). (Tabled from October 25, 2001).

**ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER PFEIFER TO APPROVE AMENDMENTS TO THE FAYETTE COUNTY DEVELOPMENT REGULATIONS REGARDING ARTICLE XI. GROUNDWATER RECHARGE AREA PROTECTION ORDINANCE. THE MOTION CARRIED 5-0.**

- G. Consideration of proposed amendments to the Fayette County Development Regulations regarding Article IV. Flood Plain Regulations by the Engineering Department. The Planning Commission recommended approval (4-0). (Tabled from October 25, 2001).

**ON MOTION MADE BY COMMISSIONER PFEIFER, SECONDED BY COMMISSIONER WELLS TO APPROVE AMENDMENTS TO THE FAYETTE COUNTY DEVELOPMENT REGULATIONS REGARDING ARTICLE IV. FLOOD PLAIN REGULATIONS. THE MOTION CARRIED 5-0.**

**OLD BUSINESS:**

- H. Further discussion of the pilot program for the Procurement Card.

**ON MOTION MADE BY COMMISSIONER VANLANDINGHAM, SECONDED BY COMMISSIONER PFEIFER TO APPROVE THE PROCUREMENT CARD PROGRAM SUBJECT TO A SIX MONTH REVIEW. THE MOTION CARRIED 5-0.**

**NEW BUSINESS:**

- I. Consideration of appointment to Post 4 of the Planning Commission. Term commences January 1, 2002 and ends December 31, 2004. Seat currently held by Bill Beckwith.

**ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER VANLANDINGHAM TO REAPPOINT BILL BECKWITH TO POST 4 OF THE PLANNING COMMISSION WITH TERM COMMENCING JANUARY 1, 2002 AND ENDING DECEMBER 31, 2004. THE MOTION CARRIED 5-0.**

- J. Consideration of appointment to Post 3 of the Planning Commission. Term commences January 1, 2002 and ends December 31, 2004. Seat currently held by Bob Harbison.

**ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER VANLANDINGHAM TO REAPPOINT BOB HARBISON TO POST 3 OF THE PLANNING COMMISSION WITH TERM COMMENCING JANUARY 1, 2002 AND ENDING DECEMBER 31, 2004. THE MOTION CARRIED 5-0.**

- K. Consideration of appointment to the Zoning Board of Appeals. Term commences January 1, 2002 and ends December 31, 2004. Seat currently held by Ron Mabra.

**ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER VANLANDINGHAM TO REAPPOINT RON MABRA TO THE ZONING BOARD OF APPEALS WITH TERM COMMENCING JANUARY 1, 2002 AND ENDING DECEMBER 31, 2004. THE MOTION CARRIED 5-0.**

- L. Consideration of appointment to the Zoning Board of Appeals. Term commences January 1, 2002 and ends December 31, 2004. Seat currently held by Tom Mahon.

**ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER VANLANDINGHAM TO REAPPOINT TOM MAHON TO THE ZONING BOARD OF APPEALS WITH TERM COMMENCING JANUARY 1, 2002 AND ENDING DECEMBER 31, 2004. THE MOTION CARRIED 5-0.**

- M. Consideration of recommendation from the Library Board to reappoint Sara Goza to the Library Board. Term commences January 1, 2002 and ends on December 31, 2005.

**ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER VANLANDINGHAM TO REAPPOINT SARA GOZA TO THE LIBRARY BOARD WITH TERM COMMENCING JANUARY 1, 2002 AND ENDING DECEMBER 31, 2005. THE MOTION CARRIED 5-0.**

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**CONSENT AGENDA: ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY TO APPROVE THE CONSENT AGENDA AS PRESENTED. THE MOTION CARRIED 5-0.**

1. Approval of request from Providence United Methodist Church to place a sign on the old courthouse lawn from October 6, 2002 through October 12, 2002 to advertise the Church's Fall Festival on October 12<sup>th</sup>, 2002 from 10:00 a.m. to 6:00 p.m.
2. Approval of request from Offshoot Productions to place a sign on the old courthouse lawn from July 11, 2002 through July 24, 2002 to advertise a Midsummer Night's Dream theatre production at the LaFayette Educational Center from July 12 through July 28, 2002.
3. Approval of request from the Fayette County High School Choral Department to place a sign on the old courthouse lawn on March 11<sup>th</sup> through March 24<sup>th</sup>, 2002 to advertise the Select Chorus Variety Show; and also to place a sign on the old courthouse lawn from January 14<sup>th</sup> through January 27<sup>th</sup>, 2002 to advertise the Bluegrass Blast which is a fundraiser for the Chorus' Europe trip.
4. Approval of bid from the Director of Maintenance Jim George to award Bid #334 to Southern Turf Equipment, Inc. for two mowers at \$9,626.25 each for a total price of \$19,252.50.
5. Approval of recommendation from Public Works Director Lee Hearn to approve Stantec's engineering proposal for design of intersection improvements for Goza Road & S.R. 85 and Huiet Road & S.R. 54 in the amount of \$8,500.
6. Approval of recommendations from Public Works Director Lee Hearn to award Bid #338 to Parkway Lawn & Garden in the amount of \$10,400 for a commercial mower; and award bid to Fayette Tractor in the amount of \$2,750 for a flair mower attachment.
7. Approval of recommendation from Public Works Director Lee Hearn to award Bid #339 to Wade Tractor & Equipment for a 345D Tractor without loader in the amount of \$20,633 and the 545D x 4 Tractor with front loader in the amount of \$31,936.
8. Approval of request from Finance Director Mark Pullium to approve budget amendments for encumbrances, budget amendments for capital items in process at year end 2001, and budget amendments to cover property and casualty insurance.
9. Approval of request from Finance Director Mark Pullium to approve adoption of the State of Georgia Uniform Chart of Accounts and authorization for the Chairman to execute the Uniform Chart of Accounts Certificate of Compliance.
10. Approval of request from Whitewater Middle School Band Boosters to place a sign on the old courthouse lawn from February 24<sup>th</sup> through March 10<sup>th</sup> to advertise their Art Auction.
11. Approval of request from Chief Jack Krakeel to have Board approval to accept a Haz-Mat Unit from Trailers-For-Less and Coweta-Fayette EMC for the Department of Fire and Emergency Services.

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12. Approval of minutes for Board of Commissioners' meeting held on November 8, 2001 and Called Executive Session held on November 28, 2001.

**PUBLIC COMMENT:**

Members of the public are allowed up to three minutes each to address the Board on issues of concern other than those items which are on this evening's agenda.

**THERE WAS NO PUBLIC COMMENT.**

**STAFF REPORTS:**

**R.F.P. FOR COUNTY TRANSFER STATION:** County Engineer Ron Salmons remarked that the contract with Allied Industries for the operation of the transfer station would end on December 13<sup>th</sup>, 2002. He said a draft R.F.P. had been prepared and he asked for the Board's consideration to issue the R.F.P. in order to solicit interests from potential companies to take over the operation.

**ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER WELLS TO ISSUE AN R.F.P. TO SOLICIT INTERESTS FROM POTENTIAL COMPANIES TO TAKE OVER THE OPERATION AT THE LANDFILL. THE MOTION CARRIED 5-0.**

**PIGEON CREEK FILMS CONTRACT:** Attorney McNally asked for the Board's consideration in approving the Water Committee's recommendation regarding lease of the Starr's Mill property for forty days by Pigeon Creek Films. He said Pigeon Creek had met the terms of the lease and he asked for the Board's approval in authorizing the Chairman to execute this lease on behalf of the county.

**ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER PFEIFER TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE LEASE WITH PIGEON CREEK FILMS FOR USE OF THE STARR'S MILL PROPERTY FOR FORTY DAYS. THE MOTION CARRIED 5-0.**

**EXECUTIVE SESSION:** Attorney McNally requested an executive session to discuss six legal items.

**EXECUTIVE SESSION:** ON MOTION MADE BY COMMISSIONER VANLANDINGHAM, SECONDED BY COMMISSIONER FRADY TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS SIX LEGAL ITEMS. THE MOTION CARRIED 5-0.

**LEGAL:** Attorney McNally reported to the Board on a legal matter.

Commissioner VanLandingham exited the meeting at this time because of a family emergency.

**ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY CHAIRMAN DUNN TO AUTHORIZE ATTORNEY MCNALLY TO PROCEED IN THIS MATTER. THE MOTION CARRIED 3-1 WITH COMMISSIONER WELLS VOTING IN OPPOSITION. COMMISSIONER VANLANDINGHAM WAS ABSENT.**

**LEGAL:** Attorney McNally updated the Board on a legal matter.

**ON MOTION MADE BY COMMISSIONER PFEIFER, SECONDED BY COMMISSIONER WELLS**

**TO AUTHORIZE ATTORNEY MCNALLY TO PROCEED IN THIS MATTER. THE MOTION CARRIED 3-1 WITH COMMISSIONER FRADY VOTING IN OPPOSITION. COMMISSIONER VANLANDINGHAM WAS ABSENT.**

**LEGAL**: Attorney Davenport briefed the Board on a legal matter.

**THE BOARD TOOK NO ACTION ON THIS MATTER.**

**LEGAL**: Attorney Davenport briefed the Board on a legal matter.

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

**LEGAL**: Attorney McNally discussed a legal matter with the Board.

**ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER WELLS TO AUTHORIZE ATTORNEY MCNALLY TO PROCEED IN THIS MATTER. THE MOTION CARRIED 4-0.**

**COMMISSIONER VANLANDINGHAM WAS ABSENT.**

**LEGAL**: Attorney McNally updated the Board on a legal matter.

**ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY TO AUTHORIZE ATTORNEY MCNALLY TO PROCEED IN THIS MATTER. THE MOTION CARRIED 4-0.**

**COMMISSIONER VANLANDINGHAM WAS ABSENT.**

**EXECUTIVE SESSION AFFIDAVIT**: ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE EXECUTIVE SESSION AFFIDAVIT AFFIRMING THAT SIX LEGAL ITEMS WERE DISCUSSED IN EXECUTIVE SESSION. THE MOTION CARRIED 4-0. COMMISSIONER VANLANDINGHAM WAS ABSENT.

There being no further business to come before the Board, Chairman Dunn adjourned the meeting at 6:00 p.m.

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Karen Morley, Chief Deputy Clerk