



BOARD OF COMMISSIONERS

Greg Dunn, Chairman
Linda Wells, Vice Chair
Herb Frady
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

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

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COMMISSION OFFICE

Administrative Complex
Suite 100
140 Stonewall Avenue
Fayetteville, GA 30214
Phone: 770.460.5730 Ext. 5400
Fax: 770.460.9412

Web Site:

www.admin.co.fayette.ga.us

e-mail contact:

fayette6@admin.co.fayette.ga.us

The Agenda of Actions

BOARD OF COMMISSIONERS

JUNE 28, 2001

7:00 P.M.

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

PRESENTATION/RECOGNITION:

- A. Recognition of employee Peggy Champion who will be retiring the end of June.

RICK FEHR, MANAGER OF ENVIRONMENTAL HEALTH RECOGNIZED PEGGY CHAMPION WHO WILL BE RETIRING FROM THE ENVIRONMENTAL HEALTH DEPARTMENT TOMORROW. HE PRESENTED MRS. CHAMPION WITH A PLAQUE WHICH STATES, "FOR THIRTEEN YEARS OF OUTSTANDING SERVICE AS A HIGHLY VALUED ENVIRONMENTAL HEALTH MEMBER OF THE FAYETTE COUNTY HEALTH DEPARTMENT, JUNE 2001".

PUBLIC HEARING:

- B. Consideration of Petition No. 1081-01, Mary C. Kartos, Owner, and Sarran Marshall of SprintCom, Inc., Co-Location Agent, and Crown Castle, Inc., Tower Owner, request to rezone 127 acres from A-R Conditional to A-R Conditional to increase the height of the existing 180 foot Monopole Telecommunications Tower to 190 feet. This property is located in Land Lot 45 of the 5th District, fronts on Morgan Road, and is zoned A-R. *The Planning Commission recommended approval with one condition (5-0). Staff recommended approval.*

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER VANLANDINGHAM TO APPROVE PETITION NO. 1081-01 WITH ONE CONDITION AS RECOMMENDED BY THE PLANNING COMMISSION. THE MOTION CARRIED 4-0.

- C. Consideration of proposed amendments to the Fayette County Development Regulations regarding Article II. Nonresidential Construction; Approval and Compliance, Section 8-26, Site Plans by the Zoning Department. *The Planning Commission recommended approval (5-0).*

ON MOTION MADE BY VICE CHAIR WELLS, SECONDED BY COMMISSIONER FRADY TO APPROVE THE PROPOSED AMENDMENTS TO THE FAYETTE COUNTY DEVELOPMENT REGULATIONS REGARDING ARTICLE II. NONRESIDENTIAL CONSTRUCTION; APPROVAL AND COMPLIANCE, SECTION 8-26. SITE PLANS BY THE ZONING DEPARTMENT. THE MOTION CARRIED 4-0.

- A. Consideration of proposed amendments to the Fayette County Zoning Ordinance regarding Article VI. District Use Requirements by the Zoning Department:
1. 6-17. O-I Office Institutional District, Section E. Dimensional Requirements, 9. Lot coverage limit, including structure and parking area: sixty percent (60%) of total lot area
 2. 6-18. C-C Community Commercial District, Section D. Dimensional Requirements, 9. Lot coverage limit, including structure and parking area: sixty percent (60%) of total lot area
 3. 6-19. C-H Highway Commercial District Section D. Dimensional Requirements, 9. Lot coverage limit, including structure and parking area: sixty percent (60%) of total lot area
 4. 6-20. L-C Limited Commercial District Section E. Dimensional Requirements, 9. Lot coverage limit, including structure and parking area: sixty percent (60%) of total lot area *The Planning Commission recommended approval (5-0).*

ON MOTION MADE BY VICE CHAIR WELLS, SECONDED BY COMMISSIONER VANLANDINGHAM TO ADOPT ARTICLE VI. DISTRICT USE REQUIREMENTS BY THE ZONING DEPARTMENT SECTIONS 6-17 THROUGH 6-20. THE MOTION CARRIED 4-0.

- E. Consideration of proposed amendments to the Fayette County Zoning Ordinance regarding Article VI. District Use Requirements, Section 6-19. C-H Highway Commercial District, B. Permitted Uses, 57. Mini-Storage Facility with a unit floor space not to exceed 425 square feet, delete and insert into C. Conditional Uses, 17. Self-Storage Facility. Renumber remaining conditional uses by the Zoning Department. *The Planning Commission approval (5-0).*

ON MOTION MADE BY COMMISSIONER VANLANDINGHAM, SECONDED BY VICE CHAIR WELLS TO APPROVE THE PROPOSED AMENDMENTS TO THE FAYETTE COUNTY ZONING ORDINANCE REGARDING ARTICLE VI. DISTRICT USE REQUIREMENTS, SECTION 6-19. C-H HIGHWAY COMMERCIAL DISTRICT, B. PERMITTED USES, 57. MINI-STORAGE FACILITY WITH A UNIT FLOOR SPACE NOT TO EXCEED 425 SQUARE FEET, DELETE AND INSERT INTO C. CONDITIONAL USES, 17. SELF-STORAGE FACILITY. RENUMBER REMAINING CONDITIONAL USES BY THE ZONING DEPARTMENT. THE MOTION CARRIED 4-0.

- F. Consideration of proposed amendments to the Fayette County Zoning Ordinance regarding Article VII. Conditional Uses, Exceptions, and Modifications, Section 7-1., B. Conditional Uses

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Allowed, 34. Self-Storage Facility. Renumber remaining conditional uses. Presented by the Zoning Department. *The Planning Commission approval (5-0).*

ON MOTION MADE BY COMMISSIONER VANLANDINGHAM, SECONDED BY VICE CHAIR WELLS TO APPROVE THE PROPOSED AMENDMENTS TO THE FAYETTE COUNTY ZONING ORDINANCE REGARDING ARTICLE VII. CONDITIONAL USES, EXCEPTIONS, AND MODIFICATIONS, SECTION 7-1.,B. CONDITIONAL USES ALLOWED, 34. SELF-STORAGE FACILITY. RENUMBER REMAINING CONDITIONAL USES. PRESENTED BY THE ZONING DEPARTMENT. THE MOTION CARRIED 4-0.

G. Consideration to adopt the 2001-2002 fiscal year budget.

ON MOTION MADE BY VICE CHAIR WELLS, SECONDED TO COMMISSIONER VANLANDINGHAM TO ADOPT THE YEAR 2001-2002 FISCAL YEAR BUDGET, INCLUDING THE WATER SYSTEM AND AUTHORIZE THE CHAIRMAN TO SIGN RESOLUTION NO. 2001-09. THE MOTION CARRIED 4-0.

OLD BUSINESS:

H. Consideration to adopt Resolution 2001-08 in order to retain Fayette County's Qualified Local Government status.

ON MOTION MADE BY VICE CHAIR WELLS, SECONDED BY COMMISSIONER FRADY TO ADOPT RESOLUTION NO. 2001-08 ADOPTING THE SHORT TERM WORK PROGRAM FOR FY 2002 TO FY 2006, TO RETAIN FAYETTE COUNTY'S QUALIFIED LOCAL GOVERNMENT STATUS. THE MOTION CARRIED 4-0.

I. Consideration to approve the property and casualty insurance policy for FY 2002.

ON MOTION MADE BY COMMISSIONER VANLANDINGHAM, SECONDED BY COMMISSIONER FRADY TO APPROVE THE REQUEST TO RENEW THE PROPERTY AND CASUALTY INSURANCE POLICY FOR FY 2002 WITH SAVILLE AND COMPANY. THE MOTION CARRIED 4-0.

NEW BUSINESS:

J. Consideration of request to relocate the Georgia State Highway Patrol Drivers License Examiner's Office, Children at Risk, and the Fayette Factor from the current office space at the Stonewall Administrative Complex to the McElroy House on McDonough Road and to approve funding to complete the remodeling project in the amount of \$43,900. Also included in this request is office space for the Coroner.

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ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER VANLANDINGHAM TO APPROPRIATE \$43,900.00 IN FUNDS FROM THE CONTINGENCY FUND FOR THE RELOCATION OF THE GEORGIA STATE HIGHWAY PATROL DRIVERS LICENSE EXAMINER'S OFFICE, CHILDREN AT RISK, THE FAYETTE FACTOR OFFICE AND THE CORONER'S OFFICE. THE MOTION CARRIED 4-0.

K. Consideration to approve the request for budget transfers for FY 2000-2001.

ON MOTION MADE BY VICE CHAIR WELLS, SECONDED BY COMMISSIONER VANLANDINGHAM TO APPROVE THE BUDGET TRANSFERS AS REQUESTED FOR FY 2000-2001. THE MOTION CARRIED 4-0.

L. Discussion of request for funds in support of the installation of lights at Starrs Mill High School baseball fields.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER WELLS TO APPROVE THE REQUEST FOR FUNDS IN THE AMOUNT OF \$15,000.00 FROM THE CONTINGENCY FUND TOWARDS THE INSTALLATION OF LIGHTS AT STARRS MILL HIGH SCHOOL BASEBALL FIELDS. THIS MOTION IS MADE WITH THE STIPULATION THAT THE FIELD BE AVAILABLE FOR USE BY THE FAYETTE COUNTY RECREATION DEPARTMENT. THE MOTION CARRIED 4-0.

CONSENT AGENDA: ON MOTION MADE BY VICE CHAIR WELLS, SECONDED BY CHAIRMAN DUNN TO APPROVE THE CONSENT AGENDA, ITEMS 1-9, AS PRESENTED. THE MOTION CARRIED 4-0.

1. Approval to adjust the Water System's fiscal year 2000-2001 budget in the amount of \$7,000 to cover the increase of gasoline. Funds to cover this will come from contingency account #150-5819.
2. Approve bid award to Ennis Paint, Inc. low bidder, for paint supplies for striping county roads in the amount of \$14,028.30; and award bid for glass beads to Technical Coatings Corporation in the amount of \$1,000.
3. Approve request to erect a sign at the northwest corner of the old courthouse from June 29 - July 9, 2001, to advertise the Fayette Community Theatre's production of Annie to be held at Starr's Mill High School for three weekends beginning Thursday, June 21, 2001.
4. Approve bid award for pine straw to the low bidder, Mow and Grow in the amount of \$2,044.50.

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5. Approval to allow Girl Scouts to pick up trash at Lake Horton Park the first and last Saturday in October.
6. Approve request from Southwest Christian Hospice Volunteers and Staff to be a part of the 2001 Fayette Main Street Christmas project "Tree of Light".
7. Approval to award the low bidder for paving and striping of Animal Shelter parking lot to Metro Asphalt Paving in the amount of \$8,100, with funds to come from the contingency.
8. Approval to award the low bidder, for 15" metal pipe, to Cherokee Culvert in the amount of \$7,875.00 with funds to come from the Road Department budget #142-5672.
9. Approval of minutes for Board of Commissioner's meetings held on June 6 and June 14, 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.

NONE

STAFF REPORTS:

Attorney McNally requested Executive Session to discuss 4 items of potential litigation and 3 real estate.

Proposed Overlay Regulations for S.R. 85 South and S.R. 54 East:

COMMISSIONER VANLANDINGHAM PRESENTED A MOTION THAT THE COUNTY BEGIN WORK ON THE OVERLAY FOR S.R. 85 SOUTH. HE STATED THIS WAS TO PREVENT INDIVIDUAL BATTLES IN THE FUTURE AND HE STRONGLY RECOMMENDED THAT WE FOLLOW THE 54 WEST OVERLAY. COMMISSIONER FRADY SECONDED THE MOTION. THE MOTION WAS AMENDED TO INCLUDE S.R. 54 EAST AT THE APPROPRIATE TIME. THE MOTION CARRIED 4-0.

Update on McDonough and County Line Road: Chairman Dunn presented an update to secure more money for road improvements to McDonough Road and County Line Road. He advised that the State has offered to give the county \$200,000 when we need \$700,000. He said after a meeting with Tom Coleman of the DOT, the amount is now at \$350,000. He said the State DOT advised that they were out of money for road projects. He said Mr. Coleman informed him that he would have his staff contact Washington to try and get federal "safety" funds for this intersection or possibly a grant. He said depending on that, how much we can get from them, this Board will have to determine whether or not it will put the rest of funds in to do the job. He said we will try to get as much as we can from the State and

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the federal government before we do this.

Williams Power Plant: Chairman Dunn informed the audience of his meeting with the Fulton County Chairman yesterday concerning the Williams Power Plant that is proposed for the Fayette/Fulton line. He stated there was a real problem in this area and as far as he was concerned, we were going to have to try everything we can do to help the people in the northern part of our county to get this huge plant moved out of its location. He added that it depended on whether the Fulton County Commission will rezone the residential land to industrial, and if they do that, then the door was wide open for the largest power plant in the county. He mentioned that Fulton County would get a lot of tax money from this plant, all the pollutants would come to us and because it is a regional problem, they have to mitigate the pollutants in Henry County. He asked those who were interested in this to contact their congressman or legislator to try and keep it out of here.

EXECUTIVE SESSION: ON MOTION MADE BY VICE CHAIR WELLS, SECONDED BY COMMISSIONER FRADY TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS 4 LEGAL ITEMS AND 3 ITEMS OF REAL ESTATE AFTER A 5 MINUTE RECESS. THE MOTION CARRIED 4-0.

REAL ESTATE:

The County Attorney briefed the Board on a real estate acquisition matter.

ON MOTION MADE BY VICE CHAIR WELLS, SECONDED BY COMMISSIONER VANLANDINGHAM TO AUTHORIZE THE COUNTY ATTORNEY TO PROCEED WITH THE ACQUISITION. THE MOTION CARRIED 4-0.

REAL ESTATE:

The County Attorney briefed the Board on a matter of land acquisition.

ON MOTION MADE BY VICE CHAIR WELLS, SECONDED BY COMMISSIONER FRADY TO AUTHORIZE THE COUNTY ATTORNEY TO PROCEED WITH THE ACQUISITION. THE MOTION CARRIED 4-0.

REAL ESTATE:

The County Attorney briefed the Board concerning land acquisition.

ON MOTION MADE BY VICE CHAIR WELLS, SECONDED BY COMMISSIONER FRADY TO AUTHORIZE THE COUNTY ATTORNEY TO PROCEED TO ACQUIRE THE PROPERTY. THE MOTION CARRIED 4-0.

LEGAL

The County Attorney discussed a matter of potential litigation with the Board.

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ON MOTION MADE BY VICE CHAIR WELLS, SECONDED BY COMMISSIONER VANLANDINGHAM TO AUTHORIZE THE COUNTY ATTORNEY TO PROCEED WITH THIS MATTER. THE MOTION CARRIED 4-0.

LEGAL:

The County Attorney briefed the Board concerning a matter of potential litigation.

ON MOTION MADE BY VICE CHAIR WELLS, SECONDED BY COMMISSIONER FRADY TO AUTHORIZE THE COUNTY ATTORNEY TO PROCEED WITH THIS MATTER. THE MOTION CARRIED 4-0.

LEGAL:

The County Attorney advised the Board concerning a matter of potential litigation.

ON MOTION MADE BY VICE CHAIR WELLS, SECONDED BY COMMISSIONER VANLANDINGHAM TO AUTHORIZE THE COUNTY ATTORNEY TO PROCEED WITH THIS MATTER. THE MOTION CARRIED 4-0.

LEGAL:

The County Attorney briefed the Board on a legal matter.

NO ACTION WAS TAKEN BY THE BOARD.

EXECUTIVE SESSION AFFIDAVIT:

ON MOTION MADE BY VICE CHAIR WELLS, SECONDED BY COMMISSIONER FRADY TO AUTHORIZE CHAIRMAN DUNN TO EXECUTE AN AFFIDAVIT AFFIRMING DISCUSSION OF 3 REAL ESTATE ITEMS AND 4 LEGAL ITEMS IN EXECUTIVE SESSION. THE MOTION CARRIED 4-0.

There being no further business to come before the Board, Chairman Dunn adjourned the meeting at 9:45 p.m.

Linda Rizzotto, Chief Deputy Clerk

