



# The Agenda of Actions

BOARD OF COMMISSIONERS

SEPTEMBER 27, 2001

7:00 P.M.

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

## 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

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

## PUBLIC HEARING:

A. Consideration of Petition No. 1084-01, Cathryn R. Stephens, Deborah S. Williamson, and Elizabeth B. Stanley, Owners, and Michael L. Faulkner, Agent, request to rezone 124.40 acres from A-R to R-55 to develop a single-family residential subdivision consisting of 79 lots. This property is located in Land Lots 253 and 254 of the 4<sup>th</sup> District and fronts on S.R. 85 South and the future extension of Christopher Drive.

**ON MOTION MADE BY VICE CHAIR WELLS, SECONDED BY COMMISSIONER PFEIFER TO APPROVE PETITION NO. 1084-01 AS R-75 AS PROPOSED BY PLANNING AND ZONING. THE MOTION CARRIED 5-0.**

B. Consideration of proposed amendments to the Fayette County Subdivision Regulations regarding Final Plat, Section 4-2.5 Recordations, 8.

**ON MOTION MADE BY COMMISSIONER VANLANDINGHAM, SECONDED BY VICE CHAIR WELLS TO ADOPT THE PROPOSED AMENDMENT TO THE FAYETTE COUNTY SUBDIVISION REGULATIONS REGARDING FINAL PLAT, SECTION 4-2.5 RECORDATIONS, 8. THE MOTION CARRIED 5-0.**

C. Consideration to adopt Resolution for millage rates for 2001.

**ON MOTION MADE BY VICE CHAIR WELLS, SECONDED BY COMMISSIONER PFEIFER TO ADOPT THE RESOLUTION FOR MILLAGE RATES FOR 2001 AS PRESENTED. THE MOTION CARRIED 3-2 WITH COMMISSIONERS FRADY AND VANLANDINGHAM OPPOSING.**

**OLD BUSINESS:**

- D. Emmanuel Lewis would like to discuss Fayette County's Home Occupation Regulations. (Tabled from September 13<sup>th</sup> meeting)

**NO ACTION TAKEN BY THE BOARD.**

**CONSENT AGENDA:**

**ON MOTION MADE BY VICE CHAIR WELLS, SECONDED BY CHAIRMAN DUNN TO APPROVE THE CONSENT AGENDA AS PRESENTED. THE MOTION CARRIED 5-0.**

**FAYETTE COUNTY COUNCIL ON DOMESTIC VIOLENCE:** Approval of request from Sharon Pierce of the Fayette County Council on Domestic Violence to use the Heritage Park Fountain area on Sunday, October 14<sup>th</sup> from 7:00 p.m. to 9:00 p.m. for a candlelight vigil.

**APPROVAL OF WATER COMMITTEE RECOMMENDATIONS:** (a) Mallett & Associates survey Lake Peachtree to determine the amount of silt that needs to be removed; and (b) that Mallett & Associates bid the project of replacing the water line as a pier crossing on Kenwood Road, at Morning Creek so when the bridge is replaced, the water line will not have to be moved.

**ENGINEERING DEPARTMENT, BID AWARD TO LASHLEY TRACTOR SALES:** Approval of recommendation by Director of Engineering Ron Salmons to award bid to low bidder Lashley Tractor Sales in the amount of \$15,347 and that \$347 be transferred from Account 511-5953 (Closure/Post Closure Care) to Account 511-5750 (Road & Construction Equipment) to cover the short fall since only \$15,000 was budgeted.

**DEPARTMENT OF FIRE AND EMERGENCY SERVICES - NEW EQUIPMENT:** Approval of request from Director of Fire and Emergency Services Chief Jack Krakeel to purchase five Bowflex XTL Units with weight rod upgrade to 310 Power Pro at a cost of \$1,298 each plus shipping of \$745 for a total of \$7,235.

**MINUTES:** Approval of minutes for Board of Commissioners' meeting held on September 5, 2001, September 13, 2001, and Special Called meeting held on September 20, 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**

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**STAFF REPORTS:**

**Commissioner Herb Frady:** Commissioner Frady asked for discussion of funds for the improvements to the intersection of McDonough Road and County Line Road be put on the agenda for the Board's October 3, 2001 meeting.

**Contract with South Fulton Municipal Regional Jail Authority extended:** Attorney McNally spoke about the county's contract with South Fulton Municipal Regional Jail Authority for the keeping of prisoners. He said the county needed to notify the Authority if the it was going to execute the second sixth-month option that it has available. He recommended to the Board that it authorize the Chairman to request that we notify the Authority of the county's desire to exercise the second six-month option.

**ON MOTION MADE BY VICE CHAIR WELLS, SECONDED BY COMMISSIONER FRADY TO AUTHORIZE THE CHAIRMAN TO NOTIFY THE SOUTH FULTON MUNICIPAL REGIONAL JAIL AUTHORITY THAT THE COUNTY WILL EXERCISE ITS SECOND SIX-MONTH OPTION. THE MOTION CARRIED 5-0.**

**Chairman Dunn:** Chairman Dunn stated we owed the City of Fayetteville on their response to the county reference their annexation of the Dixon property. He said the City provided the county with information which changes some of the conditions. He said they have agreed to adjust the zoning, they have also taken language reference the protection of Gingercake Creek and Whitewater Creek. He recommended the Board accommodate the City of Fayetteville.

**ON MOTION MADE BY CHAIRMAN DUNN, SECONDED BY COMMISSIONER PFEIFER TO COMMUNICATE TO THE CITY OF FAYETTEVILLE ASKING THEM TO PUT THESE ISSUES IN THEIR AGREEMENT WITH THE COUNTY SO THAT IT CAN BE SIGNED AND THE CITY CAN MOVE ON. THE MOTION CARRIED 5-0.**

Attorney McNally requested an Executive Session to discuss two items of real estate and five legal items.

**EXECUTIVE SESSION:** ON MOTION MADE BY VICE CHAIR WELLS, SECONDED BY COMMISSIONER PFEIFER TO ADJOURN TO EXECUTIVE SESSION AFTER A BRIEF RECESS TO DISCUSS FIVE LEGAL ITEMS AND TWO ITEMS OF REAL ESTATE. THE MOTION CARRIED 5-0.

**REAL ESTATE:**

Attorney McNally briefed the Board concerning a matter of real estate.

**ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY VICE CHAIR WELLS TO AUTHORIZE THE COUNTY ATTORNEY TO PROCEED IN THIS MATTER. THE MOTION**

**CARRIED 5-0.**

**REAL ESTATE:**

Attorney McNally briefed the Board concerning a matter of real estate.

**IT WAS THE CONSENSUS OF THE BOARD TO AUTHORIZE THE COUNTY ATTORNEY TO PROCEED IN THIS MATTER.**

**LEGAL:**

Attorney McNally briefed the Board regarding a legal matter.

**ON MOTION MADE BY VICE CHAIR WELLS, SECONDED BY CHAIRMAN DUNN TO AUTHORIZE THE COUNTY ATTORNEY TO PROCEED IN THIS MATTER. THE MOTION CARRIED 5-0.**

**LEGAL:**

Attorney McNally briefed the Board regarding a legal matter.

**ON MOTION MADE BY VICE CHAIR WELLS, SECONDED BY CHAIRMAN DUNN TO AUTHORITY THE COUNTY ATTORNEY RESPOND CONCERNING THIS MATTER. THE MOTION CARRIED 3-2 WITH COMMISSIONERS FRADY AND VANLANDINGHAM OPPOSING.**

**LEGAL:**

Attorney McNally briefed the Board concerning a legal issue.

**THERE WAS NO ACTION TAKEN BY THE BOARD.**

**LEGAL:**

Attorney McNally discussed a legal matter with the Board.

**IT WAS THE CONSENSUS OF THE BOARD TO AUTHORIZE THE COUNTY ATTORNEY TO PROCEED IN THE MATTER.**

**LEGAL:**

Attorney McNally briefed the Board regarding a legal matter.

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

**EXECUTIVE SESSION AFFIDAVIT: ON MOTION MADE BY VICE CHAIR WELLS, SECONDED**

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**BY COMMISSIONER PFEIFER TO AUTHORIZE CHAIRMAN DUNN TO EXECUTIVE THE EXECUTIVE SESSION AFFIDAVIT AFFIRMING DISCUSSION OF TWO REAL ESTATE ITEMS AND FIVE LEGAL ITEMS. THE MOTION CARRIED 5-0.**

There being no further business, Chairman Dunn adjourned Executive Session at 9:45 p.m.

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Linda Rizzotto, Chief Deputy Clerk