



BOARD OF COMMISSIONERS

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

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STAFF

Chris Cofty, County Administrator
Carol Chandler, Executive Asst.
William R. McNally, Attorney
Peggy Butler, Executive Assistant
Karen Morley, Chief 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

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The Agenda of Actions

BOARD OF COMMISSIONERS

April 24, 2003

7:00 P.M.

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

PUBLIC HEARING:

A. Consideration of Petition No. 1104-03, Tommy and Dianne Starkey and Gary and Tamara Roland, Owners, and Tommy Starkey, Agent, request to rezone 38.181 acres from R-40 to A-R to allow livestock on two (2) single-family dwelling lots. This property is located in Land Lots 223 and 224 of the 4th District and fronts on Carrolls Way. (From 2/27). The planning commission recommended approval 5-0. Staff recommended approval.

MOTION WAS MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER VANLANDINGHAM TO APPROVE PETITION NO. 1104-03. THE MOTION CARRIED 4-0. COMMISSIONER PFEIFER WAS ABSENT.

B. Consideration of Petition No. RP-022-03, Charles W. and Debra D. Freeman, Owners/Agents, request approval of the revision of a recorded plat, Tunis Trace, to allow the subdivision of Lot 38 consisting of 15.4 acres into two (2) single-family dwelling lots. This property is located in Land Lot 55 of the 5th District, fronts on Marron Road, and is zoned R-20. The planning commission recommended approval 5-0. Staff recommended approval.

MOTION WAS MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER VANLANDINGHAM TO APPROVE PETITION NO. RP-022-03. THE MOTION CARRIED 4-0. COMMISSIONER PFEIFER WAS ABSENT.

C. Consideration of Petition No. 1107-03, Ernest M. and Marilyn Adams, Owners, and Joe Ard and Shawn Saylor, Agents, request to rezone 11.691 acres from A-R to O-I to develop a Care Home. This property is located in Land Lot 8 of the 7th District and fronts on S.R. 54 West. The planning commission recommended approval 5-0. Staff recommended denial.

MOTION WAS MADE BY COMMISSIONER VANLANDINGHAM, SECONDED BY COMMISSIONER WELLS TO DENY PETITION NO. 1107-03. THE MOTION CARRIED 4-0. COMMISSIONER PFEIFER WAS ABSENT.

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CONSENT AGENDA: MOTION WAS MADE BY COMMISSIONER VANLANDINGHAM, SECONDED BY COMMISSIONER WELLS TO APPROVE THE CONSENT AGENDA AS PRESENTED. THE MOTION CARRIED 4-0. COMMISSIONER PFEIFER WAS ABSENT.

1. Approval of recommendation to approve a request for a property tax credit for CP 85LLC in the amount of \$7,656.06 for the years 1999, 2000 and 2001.
2. Ratification of Bid Award to Metro Asphalt Paving to provide parking lot resurfacing at McCurry Park in the amount of \$102,303.17.
3. Approval of recommendation from Chief Jack Krakeel to award bid to low bidder Fisher Safety in the amount of \$350,780.50 for the acquisition of Self-Contained Breathing Apparatus and equipment.
4. Approval of recommendation from Water Committee to lower Lake Peachtree two feet beginning November 1, 2003 through the end of December, 2003 for maintenance of the shore line.
5. Approval of recommendation from Finance Director Mark Pullium for budget adjustment to increase the budget for Rental Revenues and Technical Services Expenditures (Development Authority) for the amount of \$18,135. This amount is the estimated rental revenue related to the rental of the old Courthouse to Fayette County's Chamber of Commerce.
6. Approval of minutes for Board of Commissioners meeting held on April 10, 2003.

PUBLIC COMMENT:

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

NONE.

STAFF REPORTS:

EXECUTIVE SESSION: Attorney McNally requested an executive session to discuss four legal items

EXECUTIVE SESSION: MOTION WAS MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER, SECONDED BY COMMISSIONER FRADY TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS FOUR LEGAL ITEMS. THE MOTION CARRIED 4-0. COMMISSIONER PFEIFER WAS ABSENT.

LEGAL: Attorney McNally advised the Board on a legal matter.

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

LEGAL: Attorney McNally advised the Board of a pending legal matter.

MOTION WAS MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER VANLANDINGHAM, TO AUTHORIZE ATTORNEY MCNALLY TO PROCEED IN THIS MATTER. THE MOTION CARRIED 4-0. COMMISSIONER PFEIFER WAS ABSENT.

LEGAL: Attorney McNally advised the Board on a legal matter.

MOTION WAS MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY TO AUTHORIZE ATTORNEY MCNALLY TO PROCEED IN THIS MATTER. THE MOTION CARRIED 3-1 WITH COMMISSIONER VANLANDINGHAM OPPOSING. COMMISSIONER PFEIFER WAS ABSENT.

LEGAL: Attorney McNally advised the Board on a legal matter.

THE BOARD TOOK NO ACTION ON THIS MATTER.

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

There being no further business to come before the Board, Chairman Dunn adjourned the meeting at 9:40 p.m.

Peggy Butler, Executive Assistant