

The Agenda of Actions

BOARD OF COMMISSIONERS

December 11, 2003

7:00 P.M.

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

PUBLIC HEARING:

- A. Consideration of Petition No. 1116-03, Mary S. Austin and O.B. Bobbitt, III, Owners, and Chris Hayes of QuikTrip Corporation, Agent, request to rezone 4.5148 acres from O-I and R-20 to C-H to develop two (2) parcels consisting of: (1) a proposed gasoline station/convenience store, and (2) a sit down restaurant. This property is located in Land Lots 232 and 233 of the 5th District and fronts on S.R. 85 North, S.R. 279, and Old Road. The Planning Commission recommended approval subject to the deletion of condition #2 and condition #1 being revised 4-0. Staff recommended approval with conditions.

MOTION WAS MADE BY COMMISSIONER VANLANDINGHAM TO APPROVE PETITION NO. 116-03 WITH THE CONDITION THAT OLD ROAD BE PAVED TO PROPERTY LINE, ALL OUTDOOR LIGHTING BE RESTRAINED TO PERIMETER AND THE RIGHT-OF-WAY BE DONATED TO THE COUNTY. MOTION WAS SECONDED BY COMMISSIONER PFEIFER. MOTION CARRIED 4-0. COMMISSIONER WELLS WAS ABSENT.

NEW BUSINESS:

- B. Consideration of an annexation request to Fayetteville by Heritage Community Church for 5.67 acres in Land Lot 7 of the 7th District on Lester Road.

MOTION WAS MADE BY COMMISSIONER FRADY TO APPROVE THE ANNEXATION REQUEST BY HERITAGE COMMUNITY CHURCH FOR 5.67 ACRES IN LAND LOT 7 OF THE 7TH DISTRICT ON LESTER ROAD. MOTION SECONDED BY COMMISSIONER VANLANDINGHAM. MOTION CARRIED 4-0. COMMISSIONER WELLS WAS ABSENT.

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

1. Approval of a request from Fayette Senior Services, Inc. to place a sign on the Old Courthouse lawn February 9, 2004 through February 21, 2004 advertising the 8th Annual Music Concert to be held February 21, 2004 from 7:00 p.m. until 10:00 p.m.
2. Ratification of Board of Commissioners' decision to limit access to the Administrative Complex because of security issues.
3. Approval of recommendation to deny a tax refund to Taco Bell for the years 2000, 2001 and 2002.
4. Approval of an additional tax refund to Texatron for the year 2002 in the amount of \$14,745.72.
5. Approval of request from the Sheriff's Department to transfer insurance reimbursement from the General Fund to the Sheriff's Department-Criminal Investigation Division budget account code 10030321-522233.
6. Approval of minutes for Board of Commissioners' meeting held on November 5, 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.

Kathy Allgood, Fayetteville, GA requested the Commissioners look into the increasing number of charity containers that are being placed throughout the community. They are intended to be places for citizens to drop off items to help those in need, but they are fast becoming dumpsters.

Marc Rogers, Fayetteville, GA asked the Board a question pertaining to an item on tonight's agenda. Chairman Dunn reminded Mr. Rogers that he could not speak during public comment about an item that was on the evening's agenda.

STAFF REPORTS:

COMMISSIONER'S RETREAT: Commissioner Frady asked the Board if they would like to have a retreat. It was the consensus of the Board that Carol Chandler survey the Board for dates available for a retreat.

CANCELLATION OF BOARD MEETING: Carol Chandler stated that in January 2004 the Wednesday and Thursday meetings are scheduled on the same week. It was the consensus of the Board to cancel the Wednesday, January 7th, 2004 Board of Commissioners Meeting.

EXECUTIVE SESSION: Attorney McNally requested an Executive Session to discuss one legal item.

LARP AGREEMENT FOR TYRONE: Attorney McNally stated he had the LARP list agreement executed by the Town of Tyrone. He said the Board needed to authorize the Chairman to sign Tyrone's LARP list for this year. **MOTION WAS MADE BY COMMISSIONER PFEIFER, SECONDED BY COMMISSIONER FRADY, AUTHORIZING THE CHAIRMAN TO SIGN THE LARP LIST AGREEMENT FOR THE TOWN OF TYRONE. MOTION CARRIED 4-0. COMMISSIONER WELLS WAS ABSENT.**

LARP AGREEMENT FOR FAYETTEVILLE: Attorney McNally stated he had the LARP list agreement executed by the City of Fayetteville. He said the Board needed to authorize the Chairman to sign Fayetteville's LARP list for this year. **MOTION WAS MADE BY COMMISSIONER PFEIFER, SECONDED BY COMMISSIONER, AUTHORIZING THE CHAIRMAN TO SIGN THE LARP LIST AGREEMENT FOR THE CITY OF FAYETTEVILLE. MOTION CARRIED 4-0. COMMISSIONER WELLS WAS ABSENT.**

CONTRACT WITH DESIGN PREVIEWS DOING BUSINESS AS 11 FINGERS: Attorney McNally stated the Finance Department had requested a contract with Design Previews doing business as 11 Fingers to maintain the County website. **THE BOARD ASKED THAT THIS ISSUE BE TABLED UNTIL THE JANUARY 8, 2004 BOARD OF COMMISSIONERS MEETING TO HAVE MORE TIME TO REVIEW THE CONTRACT.**

EXECUTIVE SESSION: **MOTION WAS MADE BY COMMISSIONER VANLANDINGHAM AND SECONDED BY COMMISSIONER FRADY, TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS ONE LEGAL ITEM.**

LEGAL: Attorney McNally discussed a legal item with the Board.

THE BOARD TOOK NO ACTION ON THIS MATTER.

EXECUTIVE SESSION AFFIDAVIT: MOTION WAS MADE BY COMMISSIONER VANLANDINGHAM, SECONDED BY COMMISSIONER FRADY, TO AUTHORIZE THE CHAIRMAN TO SIGN THE EXECUTIVE SESSION AFFIDAVIT AFFIRMING THAT ONE LEGAL ITEM WAS DISCUSSED.

There being no further business to come before the Board, Chairman Dunn adjourned the meeting at 8:40 p.m.

Peggy Butler, Chief Deputy Clerk