



BOARD OF COMMISSIONERS

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



STAFF

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



MEETING LOCATION

Administrative Complex
Commission Meeting Room
140 Stonewall Avenue
Fayetteville, GA



MEETING TIMES

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



COMMISSION OFFICE

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The Agenda of Actions

BOARD OF COMMISSIONERS

February 26, 2004

7:00 P.M.

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

PUBLIC HEARING:

A. Consideration of Petition No. 1120-04, Charles and Ellen Thompson, Owners, Waylon Hoge of Brock Design Group, Inc., Agent, request to rezone 2.01 acres from O-I Conditional to O-I to develop an Office. This property is located in Land Lot 127 of the 5th District and fronts on S.R. 54 West. The Planning Commission recommended denial 5-0. Staff recommended denial.

CHAIRMAN DUNN ANNOUNCED THAT A WRITTEN REQUEST WAS RECEIVED FROM THE APPLICANT TO WITHDRAW THIS REQUEST.

B. Consideration of Petition No. 1121-04, Carolene and Hewlett Thames, Jr., Owners, and John Zadjura of Integrated Science and Engineering, Agent, request to rezone 102 acres from PUD-PEF to A-R to develop a Nursery Operation, Greenhouses, Growing Fields, and Agricultural Uses. This property is located in Land Lot(s) 1401, 141, 148, and 149 of the 5th District, and fronts on McDonough Road. The Planning Commission recommended approval with one condition 5-0. Staff recommended approval with one condition.

MOTION WAS MADE BY COMMISSIONER WELLS TO APPROVE PETITION NO. 1121-04 WITH ONE CONDITION. SECONDED BY COMMISSIONER VANLANDINGHAM. MOTION CARRIED 5-0.

C. Consideration of Petition No. 1122-04, Shirley Horton, Owner, and Tracey Coker, V.P. of Fayette County Hospital, request to rezone 2.01 acres from R-70 to O-I to utilize the subject property as an off-site Stormwater Management facility. This property is located in Land Lot 129 of the 5th District and fronts on Sandy Creek Road. The Planning Commission recommended approval with one condition 5-0. Staff recommended approval with one condition.

MOTION WAS MADE BY COMMISSIONER VANLANDINGHAM TO APPROVE PETITION NO. 1122-04 WITH ONE CONDITION. SECONDED BY COMMISSIONER DUNN. MOTION CARRIED 5-0.

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- D. Consideration of Petition No. 1123-04, Fayette Community Hospital, Owner, and Tracey Choker, V.P. of Fayette County Hospital, request to rezone 15.00 acres from R-70 to O-1 to utilize the subject property for off-site parking for Fayette Community Hospital facilities. This property is located in Land Lot 9 of the 7th District and Land Lot 129 of the 5th District and fronts on Sandy Creek Road. The Planning Commission recommended approval with two conditions 5-0. Staff recommended approval with two conditions.

MOTION WAS MADE BY COMMISSIONER FRADY TO APPROVE PETITION NO. 1123-03 WITH TWO CONDITIONS. SECONDED BY COMMISSIONER WELLS. MOTION CARRIED 5-0.

- E. Consideration of proposed amendments to the Fayette County Development Regulations regarding Article IX. Soil Erosion and Sedimentation Control. The Planning Commission recommended approval 5-0.

MOTION WAS MADE BY COMMISSIONER VANLANDINGHAM TO ADOPT THE PROPOSED AMENDMENTS TO THE FAYETTE COUNTY DEVELOPMENT REGULATIONS REGARDING ARTICLE IX AS PRINTED. SECONDED BY COMMISSIONER WELLS. MOTION CARRIED 5-0.

- F. Consideration of Objectives and Policies for the Educational Facilities in the Community Facilities Element of the Fayette County Comprehensive Plan, 2004-2025. The Planning Commission recommended approval 5-0.

MOTION WAS MADE BY COMMISSIONER WELLS TO SUBMIT THE CORRECTIONS OF OBJECTIVES AND POLICIES FOR THE EDUCATIONAL FACILITIES FOR THE FAYETTE COUNTY COMPREHENSIVE PLAN. SECONDED BY COMMISSIONER FRADY. MOTION CARRIED 5-0.

NEW BUSINESS:

- G. Consideration of adoption of the Kenwood Park Master Plan.

MOTION WAS MADE BY COMMISSIONER WELLS TO ADOPT THE KENWOOD PARK MASTER PLAN AS PRESENTED. SECONDED BY COMMISSIONER VANLANDINGHAM. MOTION CARRIED 5-0.

- H. Consideration of appointments to the Fayette County Recreation Commission.

MOTION WAS MADE BY COMMISSIONER PFEIFER TO NOMINATE JOHN FELT AND MOTION WAS MADE BY COMMISSIONER VANLANDINGHAM TO NOMINATE FRANK OAKLEY TO THE FAYETTE COUNTY RECREATION COMMISSION. MOTIONS WERE SECONDED BY COMMISSIONER WELLS. MOTIONS CARRIED 5-0.

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- I. Consideration of appointment to the Fayette County Library Board.

MOTION WAS MADE BY COMMISSIONER PFEIFER TO NOMINATE ELLEN STEINBACH TO THE FAYETTE COUNTY LIBRARY BOARD. SECONDED BY COMMISSIONER WELLS. MOTION CARRIED 5-0.

CONSENT AGENDA: MOTION WAS MADE BY COMMISSIONER WELLS TO APPROVE ITEMS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13 AS PRESENTED WITH ITEM NO. 11 TABLED PENDING FURTHER INFORMATION. SECONDED BY COMMISSIONER PFEIFER. MOTION CARRIED 5-0.

1. Approval of consideration of a budget amendment increasing FY04 revenues and Elections' operating budget line item amounts to account for reimbursement of municipal election expenses.
2. Approval of recommendation from Lee Hearn, Public Workers Director, to award the annual gravel contract bid to the low bidder Florida Rock Industries for the twelve items they were low bidder on and to award Hanson Aggregates the two items they were low bidder on.
3. Approval of recommendation from Lee Hearn, Public Works Director, to award the annual contract for asphalt to the low bidder, APA Southeast, Inc.
4. Approval of request from the Sheriff's Department to transfer funds from the General Budget fund to the Sheriff's Department Vehicle Maintenance Budget Category.
5. Approval of request from the Sheriff's Department to destroy uniforms and uniform items that are no longer serviceable.
6. Approval of request by Jonathan Patton for a Homestead Exemption tax refund for the year 2002 in the amount of \$271.50.
7. Authorization for the Chairman to execute the Recreation Facility and Intergovernmental Agreement with the City of Peachtree City.
8. Approval of request from the Board of Education to all the After School Program to be a direct recipient of grant funds from the Governor's Children and Youth Council, in accordance with grant requirements.
9. Approval of request from the Sheriff's Department to transfer insurance reimbursement from General Fund to the Sheriff's Department-Criminal Investigations Division budget account.

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10. Approval of recommendation from the Water Committee to bid the Filter #7 repair at the Crosstown Water Plant as a repair to match the original installation and as a change to Granular Activated Carbon (GAC).
11. Approval of request from Sheriff's Department to increase revenues and expenditures in the Federal Confiscated Property fund in the amount of \$301,900.00.

THE BOARD TOOK NO ACTION ON THIS MATTER.

12. Approval of request to pave Quarters Road from High Grove to Alexander Ware.
13. Approval of minutes for Board of Commissioner's meeting held on February 12, 2004.

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.

Marc Rogers, 120 Winterthur Ct., Fayetteville, commented on the County's website.

STAFF REPORTS

Mark Pullium stated that a public auction needed to be held to remove furniture from the old Sheriff's offices. He requested that the Board award the bid for auctioneering services to Arwood Auction Company.

MOTION WAS MADE BY COMMISSIONER VANLANDINGHAM TO AWARD THE BID FOR AUCTIONEERING SERVICES TO ARWOOD AUCTION COMPANY TO CONDUCT AN AUCTION FOR THE SHERIFF'S DEPARTMENT. SECONDED BY COMMISSIONER PFEIFER. MOTION CARRIED 5-0.

Attorney McNally asked the Board to authorize the Chairman to sign the agreement with Tyrone to proceed with the 2004 LARP list.

MOTION WAS MADE BY COMMISSIONER WELLS FOR THE BOARD TO AUTHORIZE THE CHAIRMAN TO SIGN THE AGREEMENT WITH TYRONE TO PROCEED WITH THE 2004 LARP LIST. SECONDED BY COMMISSIONER FRADY. MOTION CARRIED 5-0.

Attorney McNally requested an Executive Session for 4 legal items and 1 real estate item.

Commissioner Wells requested an Executive Session for 1 legal item.

Commissioner VanLandingham requested an Executive Session for 1 legal item.

MOTION WAS MADE BY COMMISSIONER WELLS TO ADJOURN TO EXECUTIVE SESSION TO ADDRESS 6 LEGAL ITEMS AND 1 REAL ESTATE ITEM. SECONDED BY COMMISSIONER PFEIFER. MOTION CARRIED 5-0.

EXECUTIVE SESSION:

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

MOTION WAS MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER PFEIFER, FOR ATTORNEY MCNALLY TO PROCEED IN THIS MATTER. MOTION CARRIED 5-0.

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

MOTION WAS MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY, FOR ATTORNEY MCNALLY TO PROCEED IN THIS MATTER. MOTION CARRIED 5-0.

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

MOTION WAS MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER PFEIFER, FOR ATTORNEY MCNALLY TO PROCEED IN THIS MATTER. MOTION CARRIED 5-0.

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

THE BOARD TOOK NO ACTION ON THIS MATTER.

Legal: Attorney McNally advised the Board on a real estate matter.

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

Legal: Commissioner VanLandingham informed the Board of a legal matter. Attorney McNally advised the Board on this matter.

THE BOARD TOOK NO ACTION ON THIS MATTER.

Legal: Commissioner Wells informed the Board of a legal matter. Attorney McNally advised the Board on this matter.

THE BOARD TOOK NO ACTION ON THIS MATTER.

EXECUTIVE SESSION AFFIDAVIT: MOTION WAS MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER PFEIFER TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE EXECUTIVE SESSION AFFIDAVIT AFFIRMING THAT SIX LEGAL ITEMS AND ONE REAL ESTATE MATTER WERE DISCUSSED IN EXECUTIVE SESSION. THE MOTION CARRIED 5-0.

There being no further business to come before the Board, Chairman Dunn adjourned the meeting at 11:00 P.M.

Peggy Butler, Chief Deputy Clerk