

The Agenda of Actions

BOARD OF COMMISSIONERS

March 25, 2004

7:00 P.M.

Chairman Dunn called the meeting to order, offered the Invocation and led the Pledge to the Flag.

PRESENTATION:

- A. Presentation of Proclamation declaring April as "Confederate History and Heritage Month" and also recognizing April 26th as "Confederate Memorial Day" in Fayette County.

CHAIRMAN DUNN READ AND THE BOARD PRESENTED A PROCLAMATION TO MEMBERS OF GENERAL LAFAYETTE MCLAWS CAMP #79 DECLARING APRIL AS "CONFEDERATE HISTORY AND HERITAGE MONTH" AND ALSO RECOGNIZING APRIL 26TH AS "CONFEDERATE MEMORIAL DAY" IN FAYETTE COUNTY.

PUBLIC HEARING:

- B. Consideration of Petition No. RP-027-04, Ramsey and Pam Walker, Owners/Agents, request to add density to George Daniel Subdivision by subdividing Tract II into two (2) lots consisting of 1.50 acres and 3.92 acres. This property is located in Land Lot 250 of the 4th District, fronts on Antioch Road and McBride Road, and is zoned R-40. The Planning Commission recommended approval with two (2) conditions. Staff recommended approval with two (2) conditions.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER PFEIFER TO APPROVE PETITION NO. RP-027-04 WITH TWO CONDITIONS. THE MOTION CARRIED 4-1 WITH COMMISSIONER WELLS OPPOSING THE MOTION.

- C. Consideration of Petition No. 1124-04, J. H. Chandler, Owner, and Audrey Massey Agent, request to rezone 3.857 acres from R-70 to O-I to develop O-I uses. This property is located in Land Lot 128 of the 5th District and fronts on S.R. 54 West. The Planning Commission recommended approval. Staff recommended approval.

ON MOTION MADE BY COMMISSIONER PFEIFER, SECONDED BY COMMISSIONER VANLANDINGHAM TO APPROVE PETITION NO. 1124-04. THE MOTION CARRIED 5-0.

- D. Consideration of Petition No. 1125-04, Ward and Mary Lynn Westbrooks, Owners, and Audrey Massey, Agent, request to rezone 0.67 acres from R-70 to O-I to develop O-I uses. This property is located in Land Lot 128 of the 5th District and

fronts on Sandy Creek Road. The Planning Commission recommended approval with one (1) condition. Staff recommended approval with one (1) condition.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER PFEIFER TO APPROVE PETITION NO. 1125-04 WITH ONE CONDITION. THE MOTION CARRIED 5-0.

- E. Consideration of Petition No. 1126-04, Caroline L. Wilson, Owner, and Joe Simpson-Rich, Agent, request to rezone 4.4 acres from R-20 to R-40 to develop a single-family residential subdivision. This property is located in Land Lot 43 of the 5th District and fronts on Inman Road. The Planning Commission recommended approval with three (3) conditions. Staff recommended approval with three (3) conditions.

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER PFEIFER TO APPROVE PETITION NO. 1126-04 WITH THREE CONDITIONS. THE MOTION CARRIED 5-0.

- F. Consideration of proposed amendments to the Fayette County Zoning Ordinance regarding Article VII. Conditional Uses, Exceptions, and Modifications, Section 7-6. Transportation Corridor Overlay Zone, B. S.R. 85 North Overlay Zone, 2. Dimensional Requirements, f. Gasoline Canopy. The Planning Commission recommended approval as submitted.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER VANLANDINGHAM TO ADOPT ORDINANCE NO. 2004-04 TO AMEND THE FAYETTE COUNTY ZONING ORDINANCE REGARDING ARTICLE VII. CONDITIONAL USES, EXCEPTIONS, AND MODIFICATIONS, SECTION 7-6. TRANSPORTATION CORRIDOR OVERLAY ZONE, B. S.R. 85 NORTH OVERLAY ZONE, 2. DIMENSIONAL REQUIREMENTS, F. GASOLINE CANOPY. THE MOTION CARRIED 5-0.

CONSENT AGENDA: COMMISSIONER VANLANDINGHAM REQUESTED THAT ITEM NO. 4 BE REMOVED. ON MOTION MADE BY COMMISSIONER VANLANDINGHAM, SECONDED BY COMMISSIONER WELLS TO APPROVE CONSENT AGENDA ITEM NOS. 1, 2, 3, 5, 6, 7, 8 AND 9 AS PRESENTED. THE MOTION CARRIED 5-0.

1. Approval of correction for a request by Jonathan Patton for a Homestead Exemption tax refund for the year 2002 in the amount of \$271.50 previously approved by the Board of Commissioners at the February 26, 2004 meeting. This action should have been for a denial.
2. Approval of recommendation from Human Resources Director Connie Boehnke to replace Fayette County's loan default procedures and adopt Hartford's standard loan default procedures.

3. Approval of request by Purchasing Director Tim Jones to place unserviceable items on the county's auction list.
4. Approval of recommendation from Purchasing Director Tim Jones to authorize repair work to be done by Yancey Brothers on two Caterpillar 621 Pans for the Road Department in the amount of \$52,509.32.

IT WAS THE CONSENSUS OF THE BOARD TO TABLE THIS ITEM TO THE APRIL 7, 2004 COMMISSION MEETING.

5. Approval of recommendation from Purchasing Director Tim Jones to award Bid No. 456 to the low bidder Tifton Turf Farms in the amount of \$47,195 for recrowning of McCurry Park North Soccer Field #5.
6. Approval of recommendation from Purchasing Director Tim Jones to award Bid No. 463 to the low bidder Barrow's Masonry, Inc. for the curb and gutter repair work at \$12.00 per linear foot and low bidder Curb Specialist, Inc. for single and double wing catch basin tops repair work at \$475.00 each, on the 20' or less curb & gutter and 20' or less concrete sidewalk in the lump sum price of \$290.00 and on the non-reinforced concrete sidewalk repair at \$280.00 per cubic yard.
7. Approval of request from Water System Manager Tony Parrott to authorize Mallett Consulting, Inc. to begin the necessary engineering to consider moving the 250,000 gallon water tank from Peachtree City to the northern part of the county to improve water flows.
8. Approval of request from Finance Director Mark Pullium to place county vehicles on www.ebay.com for auction.
9. Approval of minutes for Board of Commissioners meeting held on February 26, 2004 and March 3, 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.

THERE WAS NONE.

STAFF REPORTS:

EXECUTIVE SESSION: Attorney McNally requested an executive session to discuss one real estate matter and five legal items.

CONSTRUCTION OF A TURN LANE AT COOPER LIGHTING: Commissioner VanLandingham asked for the Board's consideration for the county to enter into an agreement to pay \$18,750 for the purpose of constructing a turn lane at Cooper Lighting

on S.R. 74 in Peachtree City. He said Senator Mitch Seabaugh had approached him on this issue as a safety hazard issue. He said the State would pay for the first half, the City of Peachtree City would pay for half of the second half and the county would pay for that second half.

ON MOTION MADE BY COMMISSIONER VANLANDINGHAM, SECONDED BY COMMISSIONER PFEIFER TO ENTER INTO AN AGREEMENT TO PAY AN AMOUNT NOT TO EXCEED \$18,750 FOR THE CONSTRUCTION OF A TURN LANE AT COOPER LIGHTING ON S.R. 74 IN PEACHTREE CITY. THE MOTION CARRIED 5-0.

EXECUTIVE SESSION: ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER PFEIFER TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS ONE REAL ESTATE MATTER AND FIVE LEGAL ITEMS. THE MOTION CARRIED 5-0.

REAL ESTATE: Attorney McNally updated the Board on a real estate matter.

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

LEGAL: Attorney McNally reported to the Board on a legal item

THE BOARD TOOK NO ACTION ON THIS MATTER.

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

ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY CHAIRMAN DUNN TO AUTHORIZE ATTORNEY MCNALLY TO PROCEED IN THIS MATTER. THE MOTION CARRIED 5-0.

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

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

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

THE BOARD TOOK NO ACTION ON THIS MATTER.

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

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER PFEIFER TO AUTHORIZE ATTORNEY MCNALLY TO PROCEED IN THIS MATTER.

THE MOTION CARRIED 5-0.

EXECUTIVE SESSION AFFIDAVIT: ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE EXECUTIVE SESSION AFFIDAVIT AFFIRMING THAT ONE REAL ESTATE MATTER AND SIX LEGAL ITEMS 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 9:25 p.m.

Karen Morley, Chief Deputy Clerk