

The Board of Commissioners of Fayette County, Georgia met in Official Session on February 10, 2005, at 7:00 p.m. in the public meeting room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

COMMISSIONERS PRESENT: Linda Wells, Vice Chair
Herb Frady
Peter Pfeifer
A.G. VanLandingham

STAFF MEMBERS PRESENT: Chris W. Cofty, County Administrator
William R. McNally, County Attorney
Carol Chandler, Executive Assistant
Peggy Butler, Chief Deputy Clerk

Vice Chair Linda Wells called the meeting to order. Commissioner VanLandingham offered the invocation and led the pledge to the flag.

PUBLIC HEARING:

Consideration of Petition No. 1134-04, Clayton O. Carmack, Owner, and Mukut Gupta, President of Crown Development, Agent, request to rezone 40.55 acres from A-R to C-S to develop a single-family residential subdivision consisting of 18 lots. This property is located in Land Lots 4 and 29 of the 5th District and fronts on Old Senoia Road. The Planning Commission recommended approval subject to one (1) recommended condition (4-0-1). Staff recommended approval subject to one (1) recommended condition. This item was tabled from the January 13, 2005 Commissioners' Meeting.

Vice Chair Linda Wells said they had received a request from the petitioner to table this item tonight because a complete Board was not present.

Motion was made by Commissioner VanLandingham, seconded by Commissioner Pfeifer, to table Petition No. 1134-04 at the request of the Petitioner until the February 24, 2005 Board of Commissioners' meeting. Motion carried 4-0. Chairman Dunn was absent. A copy of the request for postponement, identified as "Attachment No. 1", follows these minutes and is made an official part hereof.

CONSENT AGENDA: Motion was made by Commissioner Pfeifer, seconded by Commissioner Frady, to approve the Consent Agenda as presented. Motion carried 4-0. Chairman Dunn was absent.

AMENDMENT TO THE ANIMAL CONTROL BUDGET:

Approval of request to amend the FY2005 Animal Control Budget by increasing the revenue and expenditures in the amount of \$1,000 for a donation received from Wal-Mart. A copy of the adjustment, identified as "Attachment No. 2", follows these minutes and is made an official part hereof.

AMENDMENT DECREASING THE COUNTY'S CONTINGENCY FUNDS AND INCREASING THE JUVENILE COURT'S INDIGENT DEFENSE EXPENDITURE:

Approval of request to amend the FY2005 budget decreasing the County's contingency funds and increasing the Juvenile Court's indigent defense expenditure in the amount of \$47,400. A copy of the request, identified as "Attachment No. 3", follows these minutes and is made an official part hereof.

TRANSFER OF FUNDS - SHERIFF'S DEPARTMENT:

Approval of request to transfer funds from the General Budget fund to the Sheriff's Technical Services Division Budget account code 10030326-52233 in the amount of \$2,608.13. A copy of the request, identified as "Attachment No. 4", follows these minutes and is made an official part hereof.

INCREASE IN THE ICLE SATELLITE REVENUE ACCOUNT:

Approval of request to increase the Library's ICLE Satellite revenue account 10060002-341960 in the amount of \$210 and the Public Relations expenditure account in the amount of \$210 due to donation received. A copy of the request, identified as "Attachment No. 5", follows these minutes and is made an official part hereof.

AGREEMENT FOR SERVICES WITH MCINTOSH TRAIL:

Approval of annual Agreement for Services with the McIntosh Trail Mental Health/Mental Retardation/Substance Abuse Services. A copy of the Agreement, identified as "Attachment No. 6", follows these minutes and is made an official part hereof.

BOARD MINUTES APPROVED:

Approval of minutes for the Board of Commissioners meeting held on January 5, 2005.

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 no public comment.

STAFF REPORTS:

ATTORNEY MCNALLY: County Attorney Bill McNally requested an Executive Session to discuss one real estate item and two legal items.

COMMISSIONER VANLANDINGHAM: Commissioner VanLandingham requested an Executive Session to discuss one personnel item.

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COMMISSIONER VANLANDINGHAM: Commissioner VanLandingham said he received a report from George M. Flynn on the proposed new Senior Center building. He said when the Board entered into this, they asked the staff to pursue this to find out where we were and what would be the Board's obligation to undertake this project to finish it out. He asked if he was reading the report right. He said he thought it indicated that they were around \$500,000 before they started construction.

County Administrator Chris Cofty responded that he had spoken to someone earlier this week to make sure of the interpretation. He said the report listed \$95,000 and a lot of cost plus 20% items throughout the document. He said he was informed that they were looking at a cost somewhere in the ½ million dollar range. He said he was told the sewer tapping was estimated to cost approximately \$100,000. Mr. Cofty said he asked for a more definitive figure to present to the Board of Commissioners. He said that was being worked on now.

Commissioner VanLandingham said he would like this carried out on the finished product rather than the preliminary. He said it seemed they were entering into something greater than first proposed. He said before any dollar amount was committed, he would like to know what the total dollar amount was going to be.

Mr. Cofty said once the County took over the project they would have to competitively bid the project. He said the plans were only 80% complete and we would have to have a complete set of plans before they would be able to put the project out for bid.

EXECUTIVE SESSION: Motion was made by Commissioner Wells, seconded by Commissioner Frady, to adjourn to Executive Session for one real estate item, two legal items and one personnel item. Motion carried 4-0. Chairman Dunn was absent.

REAL ESTATE: Attorney McNally discussed a real estate item with the Board.

Motion was made by commissioner VanLandingham, seconded by Commissioner Wells, authorizing Attorney McNally to proceed in this matter. Motion carried 4-0. Chairman Dunn was absent.

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

The Board took no action on this matter.

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Motion was made by Commissioner Frady, seconded by Commissioner Wells, authorizing Attorney McNally to proceed in this matter. Motion carried 4-0. Chairman Dunn was absent.

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PERSONNEL: Commissioner VanLandingham discussed a personnel matter with the Board.

The Board took no action on this matter.

EXECUTIVE SESSION AFFIDAVIT: Motion was made by Commissioner Frady, seconded by Commissioner Pfeifer, to authorize the Vice Chair to execute the Executive Session Affidavit affirming that one real estate, two legal and one personnel item were discussed in Executive Session. Motion carried 4-0. Chairman Dunn was absent. A copy of the Affidavit, identified as "Attachment No. 7", follows these minutes and is made an official part hereof.

There being no further business to come before the Board, Chairman Dunn adjourned the meeting at 8:30 p.m.

Peggy Butler, Chief Deputy Clerk

Gregory M. Dunn, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 2nd day of March 2005.

Peggy Butler, Chief Deputy Clerk