



BOARD OF COMMISSIONERS

Jack Smith, Chairman
Herb Frady, Vice Chairman
Robert Horgan
Eric Maxwell
Peter Pfeifer



STAFF

Christine Venice, County Admin.
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

JANUARY 11, 2007

7:00 P.M.

Chairman Smith called the meeting to order.

Reverend Roy Roberson of Heritage Christian Church offered the Invocation.

Chairman Smith led the Pledge of Allegiance.

PUBLIC HEARING:

A. Consideration of a Packaged Beer and Wine Sales Permit for Don's Country Store, 2708 Highway 92 South, Fayetteville, Georgia, Gene Donald Hancock, Owner/Applicant. This property is located in Land Lot 117 of the 4th District, Fronts on Highway 92 South, and is zoned C-C. This request is for a Change of Ownership.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER PFEIFER TO APPROVE THE PACKAGED BEER AND WINE SALES PERMIT FOR DON'S COUNTRY STORE. THE MOTION CARRIED 5-0.

B. Consideration of Petition No. 1186-06, Paul E. Reynolds, Jr. and Valerie S. Reynolds, Owners, and Grant Shepherd & Associates, Inc., Agent, request to rezone 43.429 acres from A-R to R-78 to develop a proposed subdivision consisting of 19 single-family dwelling lots. This property is located in Land Lots 8 and 16 of the 6th District and fronts on S.R. 85 South. The Planning Commission recommended approval (5-0). Staff recommended approval.

ON MOTION MADE BY COMMISSIONER PFEIFER, SECONDED BY COMMISSIONER HORGAN TO APPROVE PETITION NO. 1186-06 AS PRESENTED. THE MOTION CARRIED 5-0.

CONSENT AGENDA: ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER PFEIFER TO APPROVE THE CONSENT AGENDA AS PRESENTED. THE MOTION CARRIED 5-0.

1. Approval of request from the Director of E-911 Communications for the payment of a six (6) month service agreement with Motorola beginning January 1, 2007 through June 30, 2007 in the amount of \$193,850 with funds coming from the General Fund Contingency.

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.

Joe Rovang: Joe Rovang expressed his concerns about the small amount of greenspace that was shown on the County's Land Use Plan.

STAFF REPORTS:

CAROL CHANDLER: Executive Assistant Carol Chandler said she had been made aware of two items that needed Board direction regarding Commission meetings. She said these were (1) the location on the Board's agenda of the Public Comment section; and (2) a possible change in the format of the Wednesday Commission Workshop meetings.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER MAXWELL TO MOVE THE LOCATION OF THE PUBLIC COMMENT SECTION OF THE AGENDA TO BE THE FIRST ITEM UNLESS THERE ARE PUBLIC HEARINGS SCHEDULED, THEN THE PUBLIC COMMENT SECTION WOULD IMMEDIATELY FOLLOW. THE MOTION CARRIED 5-0.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER HORGAN TO CHANGE THE WEDNESDAY WORKSHOP MEETING FORMAT TO ALLOW STAFF TO PRESENT AND DISCUSS ISSUES WITH THE BOARD, FOLLOWED BY A PERIOD WHEN THE BOARD CAN CONSIDER AND ACT ON ITEMS NEEDING ACTION. THE MOTION CARRIED 5-0.

COMMISSIONER FRADY: Commissioner Frady said he would like to discuss the County's current travel policy as well as the travel policy prior to the current policy at the next Board of Commissioners' meeting scheduled for January 25, 2007.

COMMISSIONER PFEIFER: Commissioner Pfeifer asked for the Board's consideration in adopting a Resolution supporting Delta Airlines remaining a citizen of the State of Georgia.

ON MOTION MADE BY COMMISSIONER PFEIFER, SECONDED BY COMMISSIONER HORGAN TO ADOPT A RESOLUTION SUPPORTING DELTA AIRLINES REMAINING A CITIZEN OF THE STATE OF GEORGIA. THE MOTION CARRIED 5-0.

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

EXECUTIVE SESSION: ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER MAXWELL TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS FOUR LEGAL ITEMS. THE MOTION CARRIED 5-0.

LEGAL: Attorney McNally updated the Board on a legal item.

THE BOARD TOOK NO ACTION ON THIS MATTER.

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.

THE BOARD TOOK NO ACTION ON THIS MATTER.

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

Commissioner Maxwell said he would like to make a motion on this item and Chairman Smith said this would be done in open session.

EXECUTIVE SESSION AFFIDAVIT: ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER HORGAN TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE EXECUTIVE SESSION AFFIDAVIT AFFIRMING THAT FOUR LEGAL ITEMS WERE DISCUSSED IN EXECUTIVE SESSION. THE MOTION CARRIED 5-0.

CHAIRMAN SMITH ADJOURNED THE EXECUTIVE SESSION AND RECONVENED THE MEETING IN OPEN SESSION.

Commissioner Maxwell said he would like to make a motion on the fourth legal item.

ON MOTION MADE BY COMMISSIONER MAXWELL, SECONDED BY COMMISSIONER FRADY TO FILE MUTUAL DISMISSALS OF ALL LAWSUITS AND ALL COUNTERCLAIMS BETWEEN THE BOARD OF COMMISSIONERS AND THE SHERIFF AND TO ACCEPT THE OFFER INCLUDED IN A LETTER DATED JANUARY 10, 2007 FROM THE SHERIFF'S ATTORNEY RICK LINDSEY ON BOTH LAWSUITS CONCERNING THE MARSHALS' DEPARTMENT AND THE BUILDING CONSTRUCTED FOR THE SHERIFF. THE MOTION CARRIED 3-2 WITH CHAIRMAN SMITH AND COMMISSIONER PFEIFER VOTING IN OPPOSITION TO THE MOTION.

There being no further business to come from the Board, Chairman Smith adjourned the meeting at 8:45 p.m.

Karen Morley, Chief Deputy Clerk