



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 & 4th Thursday each month at 7 p.m.



COMMISSION OFFICE

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The Agenda of Actions

BOARD OF COMMISSIONERS

MARCH 22, 2007

7:00 P.M.

Chairman Smith called the meeting to order.

Commissioner Pfeifer offered the Invocation.

Pledge of Allegiance.

PRESENTATION

A. Heart Association presentation by Deputy Chief Allen McCullough.

THE BOARD RECOGNIZED MEMBERS OF THE FIRE AND EMERGENCY SERVICES DEPARTMENT AND STAFF OF WORLD GYM WHO WERE INSTRUMENTAL IN SAVING THE LIFE OF MICHAEL SMITH ON NOVEMBER 15, 2006 AT WORLD GYM LOCATED IN FAYETTEVILLE.

PUBLIC HEARING:

B. Consideration of the proposed amendments to the Fayette County Zoning Ordinance regarding Article VII. Conditional Uses, Exceptions, and Modifications, Section 7-6. Transportation Corridor Overlay Zone, A. S.R. 54 West Overlay Zone, B. S.R. 85 North Overlay Zone, and C. General State Route Overlay Zone as presented by the Planning & Zoning Department. The Planning Commission recommended approval (5-0). This item was tabled from the February 7, 2007 Board of Commissioners meeting.

ON MOTION MADE BY COMMISSIONER PFEIFER, SECONDED BY COMMISSIONER FRADY TO APPROVE AMENDMENTS TO THE FAYETTE COUNTY ZONING ORDINANCE REGARDING ARTICLE VII. CONDITIONAL USES, EXCEPTIONS, AND MODIFICATIONS, SECTION 7-6. TRANSPORTATION CORRIDOR OVERLAY ZONE, A. S.R. 54 WEST OVERLAY ZONE, B. S.R. 85 NORTH OVERLAY ZONE, AND C. GENERAL STATE ROUTE OVERLAY ZONE. THE MOTION CARRIED 5-0.

C. Consideration of Petition No. 1192-07, Dan V. Stinchcomb, Owner, and Randy M. Boyd, Agent, request to rezone 213.77 acres from R-40 and A-R to R-50 to develop a single-family residential subdivision consisting of 106 lots. This property is located in Land Lots 5, 28, 29, and 30 of the 7th District and fronts on Davis Road and Ebenezer Church Road. The Planning Commission recommended denial 3-1. Staff recommended denial.

ON MOTION MADE BY COMMISSIONER MAXWELL, SECONDED BY COMMISSIONER FRADY TO SEND THIS ITEM BACK TO THE PLANNING COMMISSION FOR FURTHER REVIEW AND BRING IT BACK TO THE BOARD OF COMMISSIONERS FOR A DECISION AT THE APRIL 12TH BOARD MEETING. THE MOTION CARRIED 4-1 WITH COMMISSIONER PFEIFER VOTING IN OPPOSITION.

- D. Consideration of Petition No. 1193-07, Coliseum Companies/RK Management, Owners, and Claire Wolfson of Aquaterra Engineering, Agent, request to rezone 44.67 acres from A-R to C-S to develop a single-family residential subdivision consisting of 17 lots. This property is located in Land Lots 18, 19, 20, and 21 of the 9th District and fronts on Peters Road. Applicant requested to withdraw this petition.

CHAIRMAN SMITH ANNOUNCED THAT APPLICANT HAD REQUESTED THIS PETITION TO BE WITHDRAWN.

- E. Consideration of RDP-007-07, Scarbrough & Rolader Development, Owners, and Randy M. Boyd, Agent, request to revise the development plan for Mountbrook Subdivision to reduce the number of single-family dwelling lots from 63 to 60 plus the addition of an amenity area consisting of 5.07 acres. This property is located in Land Lots 6 and 18 of the 6th District and Land Lot 161 of the 4th District, fronts on Redwine Road, and is zoned C-S Conditional. The Planning Commission recommended approval 3-1. Staff recommended approval.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER PFEIFER TO APPROVE RDP-007-07 AS PRESENTED. THE MOTION CARRIED 5-0.

- F. Consideration of the partial update to the Fayette County Comprehensive Plan as presented by the Planning & Zoning Department. The Planning Commission recommended approval 4-0.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER PFEIFER TO AUTHORIZE THE CHAIRMAN TO EXECUTE RESOLUTION NO. 2007-06 APPROVING TRANSMITTAL OF THE PARTIAL UPDATE TO THE DEPARTMENT OF COMMUNITY AFFAIRS. THE MOTION CARRIED 5-0.

- G. Consideration of the full plan update to the Fayette County Comprehensive Solid Waste Management Plan including Brooks, Fayetteville, Peachtree City, Tyrone, and Woolsey as presented by the Planning and Zoning Department and the Engineering Department.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER PFEIFER TO AUTHORIZE THE CHAIRMAN TO EXECUTE RESOLUTION NO. 2007-05 APPROVING TRANSMITTAL OF THE FULL PLAN UPDATE TO THE DEPARTMENT OF COMMUNITY AFFAIRS AND THE ATLANTA REGIONAL COMMISSION. THE MOTION CARRIED 5-0.

PUBLIC COMMENT:

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Members of the public are allowed up to five minutes each to address the Board on any issues of concern.

TERI GAMBLE: Teri Gamble commented on the possible closing of the Fayette Counseling Center and the effect that this would have on the community.

DR. DIOTA GRIFFIN: Dr. Griffin commented on the possible closing of the Fayette Counseling Center.

BILL STANKEWITZ: Bill Stankewitz commented on the possible closing of the Fayette Counseling Center.

ALICE JONES: Alice Jones expressed concern with the progress of Kenwood Park.

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

1. Approval of staff's recommendation to transfer \$1,180 from Sheriff - Administration cleaning supplies to Capital Project Account "C7040" ID Card System.
2. Approval of appointment of Brenda Cox to the Region 3 Mental Health Board for a three-year term commencing April 1, 2007, and expiring March 31, 2010.
3. Approval of appointment of Harriet Steele to the Region 3 Mental Health Board for a three-year term commencing April 1, 2007, and expiring March 31, 2010.
4. Approval of reappointment of the current members of the Public Facilities Authority of another one-year term commencing March 1, 2007, and expiring February 29, 2008. The current members are Chuck Watkins, Mary Shaver, and Jack Smith.
5. Approval of appointment of Hollis Harris to the Fayette County Development Authority to fill the unexpired four-year term of Jack Smith which commenced on April 10, 2006, and which will expire on April 9, 2010.
6. Approval of acceptance from the Friends of the Fayette County Public Library to purchase three Gateway E-2600D computers with a quote being in the amount of \$1,015.
7. Approval of staff's recommendation to award Bid #599 Guardrail Installation to low bidder Martin Robbins Fence Company in the amount of \$22,826 and authorization for the Chairman to execute subsequent contracts, subject to submission of applicable bonds and other documents.
8. Approval of staff's recommendation to transfer \$44,617 of unused FY'07 Pay for Performance and Salary Increases Contingency to the County's overall Contingency account.
9. Approval of minutes for Board of Commissioners meetings held on February 7 and February 22, 2007.

ON MOTION MADE BY CHAIRMAN SMITH, SECONDED BY COMMISSIONER FRADY TO APPROVE THE FEBRUARY 22, 2007 BOARD OF COMMISSIONERS MINUTES WITH THE RECOMMENDED CHANGES. THE MOTION CARRIED 5-0.

CHAIRMAN SMITH SUGGESTED THE MINUTES FOR THE FEBRUARY 7, 2007 BOARD OF COMMISSIONERS' MEETING BE TABLED FOR CONSIDERATION TO THE APRIL 4, 2007 BOARD OF COMMISSIONERS' MEETING.

NEW BUSINESS:

- H. Consideration of the proposed amendments to the Fayette County Code, Chapter 5. Buildings, General Fees, Section 5-112 Work Exempt from Permit (A) Building (1) and Section 5-212 Work Exempt from Permit (A) Building (1) of the Construction Codes Ordinance as presented by Permits & Inspections.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER HORGAN TO APPROVE THE AMENDMENTS TO THE FAYETTE COUNTY CODE, CHAPTER 5. BUILDINGS, GENERAL FEES, SECTION 5-112 WORK EXEMPT FROM PERMIT (A) BUILDING (1) AND SECTION 5-212 WORK EXEMPT FROM PERMIT (A) BUILDING (1) OF THE CONSTRUCTION CODES ORDINANCE WITH THE RECOMMENDED CHANGES. THE MOTION CARRIED 5-0.

- I. Consideration of a Resolution providing for the levy and collection of an annual tax to provide funds for payment of the principle of and interest on \$30,000,000 in the aggregate principle amount of the Fayette County School District General Obligation Bonds, Series 2007.

ON MOTION MADE BY COMMISSIONER FRADY, SECONDED BY COMMISSIONER HORGAN TO ADOPT THE RESOLUTION IN SUPPORT OF THE FAYETTE COUNTY BOARD OF EDUCATION GENERAL OBLIGATION BONDS. THE MOTION CARRIED 5-0.

STAFF REPORTS:

EXECUTIVE SESSION: Attorney McNally requested an executive session to discuss one real estate matter and four legal items with the Board.

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

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

ON MOTION MADE BY COMMISSIONER HORGAN, SECONDED BY COMMISSIONER PFEIFER 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 briefed the Board on a legal item.

THE BOARD TOOK NO ACTION ON THIS MATTER.

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

ON MOTION MADE BY COMMISSIONER HORGAN, SECONDED BY COMMISSIONER FRADY 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.

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 ONE REAL ESTATE MATTER WERE DISCUSSED IN EXECUTIVE SESSION. THE MOTION CARRIED 5-0.

Chairman Smith reconvened the meeting at this time and stated that the Board had discussed one real estate matter and four legal items and directed Attorney McNally to proceed in the real estate matter and also directed attorney McNally to proceed in one of the legal matters. He said the Board had not taken action on any of the other legal items.

There being no further business to come before the Board, Chairman Smith adjourned the meeting at 9:30 p.m.

Karen Morley, Chief Deputy Clerk