



BOARD OF COMMISSIONERS

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



STAFF

Jack Krakeel, Interim County Administrator
Scott Bennett, County Attorney
Carol Chandler, Executive Assistant
Karen Morley, Chief Deputy Clerk
Floyd Jones, Deputy Clerk



MEETING LOCATION

Public Meeting Room
Administrative Complex
140 Stonewall Avenue
Fayetteville, GA 30214



MEETING TIMES

2nd and 4th Thursday each month at 7:00 pm



COMMISSION OFFICE

Administrative Complex
Suite 100
140 Stonewall Avenue
Fayetteville, GA 30214
Phone: (770) 460-5730 ext. 5400
Fax: (770) 460-9412



WEB SITE

www.fayettecountyga.gov



E-MAIL

administration@fayettecountyga.gov

Action Agenda

Board of Commissioners

March 27, 2008

7:00 P.M.

Chairman Smith called the meeting to order.
Commissioner Pfeifer offered the Invocation.
Pledge of Allegiance.

Commissioner Maxwell asked to be recognized under Commissioner Privilege. He said he had asked Senator Chance and Representative Ramsey to come tonight to update everyone on the School Board issue.

Senator Ronnie Chance commented on the Senate Bill 458 issue. He said an amendment was added to that Bill which changed the language to say that a School System "must" accept the student. He said this language had been completely removed from the Bill and would not be coming back. He said he would be holding a Town Hall Meeting on Saturday morning at 9:30 a.m. in the Public Meeting Room at the Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia to allow citizens to ask questions and express their concerns. He encouraged everyone interested in this issue to attend the meeting.

Representative Matt Ramsey remarked that there was ambiguity in this Bill and it had been addressed. He said the citizens of Fayette County should be proud of their community for showing such tremendous concern and passion for an issue.

ACCEPTANCE OF AGENDA:

COMMISSIONER FRADY MADE A MOTION AND COMMISSIONER HORGAN SECONDED THE MOTION TO ACCEPT THE AGENDA AS PUBLISHED. THE MOTION CARRIED 5-0.

PUBLIC HEARING:

A. Consideration of Petition No. 1204-07, Roza K. Adamczyk and Rosa E. Clemente, Owners, and Attorney Newton Galloway of Galloway & Lyndall, LLP, Agent, request to rezone 9.70 acres from A-R to O-I to develop a Medical Office Park. This property is located in Land Lots 7 and 8 of the 7th District and fronts on Huiet Road and Lester Road. Staff recommended denial. The Planning Commission recommended denial 5-0. This item was tabled from the January 24, 2008 Board of Commissioners' meeting.

COMMISSIONER MAXWELL MADE A MOTION AND COMMISSIONER PFEIFER SECONDED THE MOTION TO DENY PETITION NO. 1204-07. THE MOTION CARRIED 5-0.

- B. Consideration of Petition No. 1207-08, 54 Prop LLC, Owner, Winn F. Martin, Manager, and Laura Mehl and Tammi Sullenberger of Prudential GA Realty and Attorney L.J. Overman, Agents, request to rezone 0.54 acres from A-R to O-I to be added to the adjacent 4.76 acre tract zoned O-I. This property is located in Land Lot 58 of the 7th District and fronts on S.R. 54 West. Staff recommended approval with one (1) recommended condition. The Planning Commission recommended approval with one (1) recommended condition 5-0.

COMMISSIONER FRADY MADE A MOTION AND COMMISSIONER HORGAN SECONDED THE MOTION TO APPROVE PETITION NO. 1207-08 WITH ONE RECOMMENDED CONDITION. THE MOTION CARRIED 5-0.

- C. Consideration of Petition No. 1205-08, Rendley Norris, Owner/Agent, request to rezone 4.11 acres from R-40 to O-I to develop a Real Estate Brokers Office and Business Offices. This property is located in Land Lot 230 of the 13th District and fronts on S.R. 279 and S.R. 314. Staff recommended denial. The Planning Commission recommended denial 5-0.

COMMISSIONER MAXWELL MADE A MOTION AND COMMISSIONER FRADY SECONDED THE MOTION TO DENY PETITION NO. 1205-08. THE MOTION CARRIED 5-0.

- D. Consideration of Petition No. 1206-08, Elizabeth D. Brown and Wayne L. Brown, Jr., Owners, and Attorney Nathan M. Wheat for Racetrac Petroleum, Inc., Agent, request to rezone 2.75 acres from R-40 to C-C to develop a Convenience Store with Gasoline Sales. This property is located in Land Lot 230 of the 13th District and fronts on S.R. 279 and S.R. 314. Staff recommended denial of C-C and approval of O-I. The Planning Commission recommended approval of O-I with one (1) recommended condition 4-1.

COMMISSIONER FRADY MADE A MOTION AND COMMISSIONER HORGAN SECONDED THE MOTION TO DENY PETITION NO. 1206-08. THE MOTION CARRIED 5-0.

PUBLIC COMMENT:

Tracy Kincaid: Tracy Kincaid remarked that on behalf of the North Fayette County residents she wanted to thank the Board of Commissioners for voting against the two rezoning issues in her area.

Gentleman: A Gentleman asked for clarification of the denial vote on Petition No. 1206-08.

Dale Klauss: Dale Klauss commended the Board for their votes in opposition to the rezoning requests tonight. She said she hoped to have the same members on the Board or members as good as the current Board on future Boards of Commissioners.

Mildred Smith Adams: Mildred Smith Adams thanked the Board for listening to the concerns of the citizens regarding the rezoning requests tonight and voting no to these requests.

Lisa Neely: Lisa Neely thanked the Board for taking into consideration the neighborhoods surrounding the rezoning requests and their property values.

Cornelius Williams: Cornelius Williams thanked the Board members for their votes in denying the rezoning petitions tonight.

CONSENT AGENDA: COMMISSIONER MAXWELL REQUESTED CONSENT ITEM NO. 8 BE REMOVED FOR DISCUSSION. COMMISSIONER HORGAN MADE A MOTION AND COMMISSIONER FRADY SECONDED THE MOTION TO APPROVE THE CONSENT AGENDA AS PRESENTED WITH THE EXCEPTION OF CONSENT ITEM NO. 8. THE MOTION CARRIED 5-0.

1. Approval of recommendation to award Request For Proposal #P640 for Community Development Software to EnerGov Solutions for the purchase of a building permit and inspection software module for the Permits & Inspections Department in the amount of \$54,779.85.
2. Approval to accept staff's recommendation to award Proposal #P651 for Auctioneering Services, to Arwood Auction Company for disposal of surplus county property.
3. Approval of staff's recommendation to allow Dix-Lee'On Subdivision to become a street light district.
4. Authorization to amend the Overtime Budget Account for the Fayette County Sheriff's Office Criminal Investigation Division to include amounts reimbursable from federal funds.
5. Approval of the Water Committee's recommendation for approval of a request from Peachtree City for an easement to construct a multi-use path on top of the county's 20" raw waterline located at Cooper Lighting, with the stipulation that in the event of waterline breaks, Peachtree City will make the necessary repairs to the path.
6. Approval of the Water Committee's recommendation to approve the request from Southern Conservation Trust to relocate a portion of its trail in the Line Creek Nature Area which will be under water in the future due to the construction of Lake McIntosh.
7. Approval of request from the Water System Director to enter into an intergovernmental agreement with the Board of Education for the installation of a waterline to the Rivers Elementary School near Tillman and Sandy Creek Roads.
8. Approval of request from the Water System Director for survey work to be performed at a cost of \$1,400 by Rochester and Associates for a waterline easement from Peachtree City First Baptist Church.

COMMISSIONER PFEIFER MADE A MOTION AND COMMISSIONER HORGAN SECONDED THE MOTION TO APPROVE CONSENT AGENDA ITEM NO. 8 AS PRESENTED. THE MOTION CARRIED 3-0-2 WITH COMMISSIONER MAXWELL AND COMMISSIONER FRADY ABSTAINING FROM THE VOTE.

9. Approval of recommendation of the Water System Director to enter into a Water Monitoring Agreement between the City of Fayetteville and Fayette County.
10. Approval of staff's recommendation to issue a change order for electrical upgrades and repairs to the fuel island project at the Sheriff's Department at a cost of \$8,446.
11. Approval of minutes for Board of Commissioners' meetings held on March 5, 2008 and March 13, 2008.

**ADMINISTRATOR'S REPORT:
NONE.**

ATTORNEY'S REPORT:
NONE.

STAFF REPORTS:
NONE.

BOARD REPORTS:

Commissioner Maxwell: Commissioner Maxwell remarked that four weeks ago the Board was in this meeting room and was criticized for the lack of district voting in Fayette County. He said what had occurred tonight was probably the best example to highlight why district voting was so offensive. He felt the rezoning issues tonight would have been handled completely different if there had not been at-large voting. He said if district voting had been in place there would have been no incentive on the Commissioners who did not live in that district to listen to the petitioners, take the telephone calls and respond to e-mails. He felt this was a perfect example of why this Board and the way in which Commissioners are elected in Fayette County should stay at-large.

Commissioner Frady: Commissioner Frady commented that nobody tonight had criticized the Board on how business was conducted in the various districts. He remarked that this said a lot about how business was conducted here and why people were moving to Fayette County.

Chairman Smith: Chairman Smith commented on the Board's action at the March 13th meeting regarding the modification of the rules for outdoor watering. He noted that it had been stated that citizens would have to go to an agricultural website to take a short test in order to be approved to do outdoor watering for new landscaping. He said it turned out that citizens would have to pay \$4.95 to take this test. He said he wanted to make sure that citizens were aware that they could be approved to do outdoor watering by simply going to the County Extension Service located here at the Administrative Complex at no charge.

ADJOURNMENT:

COMMISSIONER FRADY MADE A MOTION AND COMMISSIONER HORGAN SECONDED THE MOTION TO ADJOURN THE MEETING AT 9:25 P.M. THE MOTION CARRIED 5-0.

Karen Morley, Chief Deputy Clerk