



#### BOARD OF COMMISSIONERS

Greg Dunn, Chairman  
Linda Wells, Vice Chair  
Herb Frady  
Peter Pfeifer  
A.G. VanLandingham (absent)

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#### STAFF

Chris Cofty, Cty Adm. (absent)  
William R. McNally, Attorney  
Carol Chandler, Executive Asst.  
Peggy Butler, Executive Assistant  
Karen Morley, Chief Deputy Clerk  
Linda Rizzotto, Chief Deputy Clerk

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#### MEETING LOCATION

Administrative Complex  
Commission Meeting Room  
140 Stonewall Avenue  
Fayetteville, GA

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#### MEETING TIMES

1<sup>st</sup> Wednesday each month at  
3:30 p.m.  
2<sup>nd</sup> and 4<sup>th</sup> Thursday each month  
at 7:00 p.m

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#### COMMISSION OFFICE

Administrative Complex  
Suite 100  
140 Stonewall Avenue  
Fayetteville, GA 30214  
Phone: 770.460.5730 Ext. 5400  
Fax: 770.460.9412

# The Agenda of Actions

## BOARD OF COMMISSIONERS

July 24, 2003

7:00 P.M.

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

### PUBLIC HEARING:

- A. Consideration of Petition No. 1110-03, Dorothy Smith and Hall Cook of V.B. Smith Distributors, Inc., John W. Bonner of CBW Investments, LLC, Gordon MacFarlane, Charles Griffin, James Jackson on behalf of the Estate of Annette Jackson, Owners, and Josh Bonner of Southeast Properties, Inc., Agent, request to rezone 9.8681 acres from A-R and C-C to C-H to develop commercial uses ranging from retail to office. This property is located in Land Lots 25 and 26 of the 7<sup>th</sup> District and fronts on S.R. 54 West and Tyrone Road. The planning commission recommended c-c. Staff recommended to deny c-h and approve c-c.

**ON MOTION MADE BY COMMISSIONER PFEIFER, SECONDED BY COMMISSIONER WELLS TO APPROVE PETITION NO. 1110-03 TO C-C ZONING. THE MOTION CARRIED 4-0. COMMISSIONER VANLANDINGHAM WAS ABSENT.**

- B. Consideration of a proposed amendment to the Fayette County Zoning Ordinance regarding Article III. Definitions, Section 3-12. Building Height. The planning commission recommended approval.

**ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY TO ADOPT ORDINANCE NO. 2003-03 AMENDING THE FAYETTE COUNTY ZONING ORDINANCE REGARDING ARTICLE III. DEFINITIONS, SECTION 3-12. BUILDING HEIGHT. THE MOTION CARRIED 4-0. COMMISSIONER VANLANDINGHAM WAS ABSENT.**

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- C. Approval of Resolution No. 2003-10 authorizing the transmittal of the Short Term Work Program (FY'04 to FY'08) of the Fayette County Comprehensive Solid Waste Management Plan to the Atlanta Regional Commission and the Georgia Department of Community Affairs for Review and also approval of the list of accomplishments (FY'99 to FY'03).

**ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY TO ADOPT RESOLUTION NO. 2003-10 AUTHORIZING TRANSMITTAL OF THE SHORT TERM WORK PROGRAM (FY'04) OF THE FAYETTE COUNTY COMPREHENSIVE SOLID WASTE MANAGEMENT PLAN TO THE ATLANTA REGIONAL COMMISSION AND THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS. THE MOTION CARRIED 4-0. COMMISSIONER VANLANDINGHAM WAS ABSENT.**

**NEW BUSINESS:**

- D. Consideration of Annexation application from the City of Fayetteville by Elizabeth Landrum for .84 acres currently zoned R-40 and applicant is seeking R-30 zoning located on New Hope Road.

**ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER PFEIFER TO INFORM THE CITY OF FAYETTEVILLE THAT THE COUNTY OPPOSES THIS ANNEXATION REQUEST. THE MOTION CARRIED 3-1 WITH COMMISSIONER FRADY ABSTAINING FROM THE VOTE. COMMISSIONER VANLANDINGHAM WAS ABSENT.**

- E. Consideration of Annexation application from the City of Fayetteville by Jan Trammel for 1.01 acres currently zoned R-40 and applicant is seeking R-30 zoning located on New Hope Road.

**ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER PFEIFER TO INFORM THE CITY OF FAYETTEVILLE THAT THE COUNTY OPPOSES THIS ANNEXATION REQUEST. THE MOTION CARRIED 3-1 WITH COMMISSIONER FRADY ABSTAINING FROM THE VOTE. COMMISSIONER VANLANDINGHAM WAS ABSENT.**

- F. Consideration of Annexation application from the Town of Tyrone by John Wieland Homes and Neighborhoods, Inc. for 11.202 acres currently zoned A-R minimum five acre lots and applicant is seeking A-R minimum three acre lots zoning located in Land Lot 144 of the 7<sup>th</sup> District off Kirkley Road.

**ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY TO INFORM THE TOWN OF TYRONE THAT THE COUNTY WOULD NOT OBJECT TO THIS REQUEST AND HAD NO BONA FIDE OBJECTION TO THIS ANNEXATION REQUEST BUT WOULD RESPECTFULLY REQUEST THAT THE TOWN CONSIDER THE COUNTY'S REQUESTED CONDITIONS. THE MOTION CARRIED 3-1 WITH CHAIRMAN DUNN ABSTAINING FROM THE MOTION. COMMISSIONER VANLANDINGHAM WAS**

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**ABSENT FOR THE VOTE.**

**CONSENT AGENDA: ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY TO APPROVE THE CONSENT AGENDA AS PRESENTED. THE MOTION CARRIED 4-0. COMMISSIONER VANLANDINGHAM WAS ABSENT.**

1. Approval of request from Water System Director Tony Parrott to increase the contract to the quantities removed in the Lake Peachtree Dredging Project in the amount of \$75,516.
2. Approval of Water Committee recommendation to award bid to Lanier Contracting in the amount of \$118,541 for the valve replacements needed by the Water System.
3. Approval of Water Committee recommendation to award bid to Headley Construction in the amount of \$911,800 for the construction of the Distribution Shop.
4. Approval of request from Chief Jack Krakeel to procure a grant in the amount of \$24,419 from the Georgia Emergency Management Agency to enable Fayette County to participate in a new initiative that will allow for electronic submission of the Local Emergency Operations Plan to GEMA.
5. Approval to enter into D.O.T. Contract LAR00-S005-00(510) Fayette, PI# S005510 County Contract for resurfacing of 9.220 miles of roadway on a list of 19 county roads.
6. Approval to enter into D.O.T. Contract LA00-S005-00(511) Fayette, PI# S005511 County Contract for resurfacing of 0.560 miles of roadway on Heath Way.
7. Approval of minutes for Board of Commissioners Special Called Budget meetings held on June 9<sup>th</sup> and June 10, 2003 and regular Commissioners' meeting held on June 26, 2003.

**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.

**NONE.**

**STAFF REPORTS:**

**AUTOMATIC AID AGREEMENT WITH FULTON COUNTY:** Attorney McNally asked for the Board's consideration to authorize the Chairman to execute the automatic aid agreement with Fulton County to proceed with the current agreement already in place with Fulton County.

**ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER**

**PFEIFER TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE AUTOMATIC AID AGREEMENT WITH FULTON COUNTY. THE MOTION CARRIED 4-0. COMMISSIONER VANLANDINGHAM WAS ABSENT.**

**STALLINGS ROAD CONSTRUCTION AGREEMENT WITH PEACHTREE CITY:** Attorney McNally asked for the Board's consideration to authorize the Chairman to execute the Stallings Road Construction Agreement with the City of Peachtree City.

**ON MOTION MADE BY COMMISSIONER PFEIFER, SECONDED BY COMMISSIONER FRADY TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE STALLINGS ROAD CONSTRUCTION AGREEMENT WITH THE CITY OF PEACHTREE CITY. THE MOTION CARRIED 4-0. COMMISSIONER VANLANDINGHAM WAS ABSENT.**

**EXECUTIVE SESSION:** Attorney McNally requested an executive session to discuss three real estate items and four legal matters.

**EXECUTIVE SESSION: ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS THREE REAL ESTATE ITEMS AND FOUR LEGAL MATTERS. THE MOTION CARRIED 4-0. COMMISSIONER VANLANDINGHAM WAS ABSENT.**

**REAL ESTATE:** Attorney McNally discussed a real estate 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 4-0. COMMISSIONER VANLANDINGHAM WAS ABSENT.**

**REAL ESTATE:** Attorney McNally reported on a real estate 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 4-0. COMMISSIONER VANLANDINGHAM WAS ABSENT.**

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

**THE BOARD TOOK NO ACTION ON THIS MATTER.**

**LEGAL:** Attorney McNally reviewed a legal matter with the Board.

**THE BOARD TOOK NO ACTION ON THIS MATTER.**

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

**THE BOARD TOOK NO ACTION ON THIS MATTER.**

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

**THE BOARD TOOK NO ACTION ON THIS MATTER.**

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

**THE BOARD TOOK NO ACTION ON THIS MATTER.**

**EXECUTIVE SESSION AFFIDAVIT**: ON MOTION MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER PFEIFER TO AUTHORIZE THE CHAIRMAN TO EXECUTIVE THE EXECUTIVE SESSION AFFIDAVIT AFFIRMING THAT THREE REAL ESTATE ITEMS AND FOUR LEGAL MATTERS WERE DISCUSSED IN EXECUTIVE SESSION. THE MOTION CARRIED 4-0. COMMISSIONER VANLANDINGHAM WAS ABSENT.

There being no further business to come before the Board, Chairman Dunn adjourned the meeting at 8:15 p.m.

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Karen Morley, Chief Deputy Clerk