



# The Agenda of Actions

BOARD OF COMMISSIONERS

September 25, 2003

7:00 P.M.

## BOARD OF COMMISSIONERS

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

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## STAFF

Chris Cofty, County Administrator  
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

**Web Site:**

Chairman Dunn called the meeting to order, offered the invocation and led the pledge to the flag.

## RECOGNITION:

A. Proclamation for "Lights On After School".

**The Board of Commissioners presented Julie Simpson, Director of the Community Schools After School Program, with a Proclamation recognizing in Fayette County October 9, 2003 as a day for national celebration for the "Lights On After School Program".**

## PUBLIC HEARING:

B. Consideration of proposed millage rates for 2003.

**Motion was made by Commissioner Frady, seconded by Commissioner VanLandingham, to adopt the millage rates as presented. Motion carried 5-0.**

C. Consideration of Petition No. 1112-03, Frances L. Shockley, Owner, and Larry J. Seabolt of Seabolt & Company, Inc., Agent, request to rezone .51 acres from A-R to R-40 to add to a proposed subdivision. This property is located in Land Lot 150 of the 5<sup>th</sup> District and will front on the proposed extension of Kay Road. Planning Commission recommended approval 4-0. Staff recommended approval.

**Motion was made by Commissioner Wells, seconded by Commissioner Pfeifer, to approve Petition No. 1112-03 as presented. Motion carried 5-0.**

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- D. Consideration of Petition No. RP-024-03, Frances L. Shockley, Sherry and Russell Brown, and Dr. Carol Shockley, Owners, and Larry J. Seabolt of Seabolt & Company, Inc., Agent, request to revise a recorded plat of an existing residential subdivision to add property to Lot 17 of Pleasant Pointe Subdivision, Phase I. This property consists of 1.95 acres zoned R-40 to be added to an existing 1.74 acre subdivision lot for a total lot size of 3.69 acres. Lot 17 of Pleasant Pointe Subdivision is located at 205 Felton Drive in Land Lot 150 of the 5<sup>th</sup> District, and is zoned R-40. Planning Commission recommended approval 4-0. Staff recommended approval.

**Motion was made by Commissioner VanLandingham, seconded by Commissioner Wells to approve Petition No. RP-024-03 as presented. Motion carried 5-0.**

### **NEW BUSINESS:**

- E. Consideration of annexation request from Tyrone for 10.8 acres in District 7, Land Lot 148 off Trickum Creek Road.

**Motion was made by Commissioner Wells, seconded by Commissioner VanLandingham, to respond with an objection for the proposed annexation presented by Tyrone. Motion carried 5-0.**

**CONSENT AGENDA: Motion was made by Commissioner VanLandingham, seconded by Commissioner Wells, to approve the Consent Agenda as presented. Motion carried 5-0.**

1. Request from City of Peachtree City for the Elections Department to conduct their November 4, 2003 General Election.
2. Approval of request from Jack Krakeel, Department of Fire and Emergency Services, for authorization to donate used breathing apparatus and turnout gear to the Georgia Forestry Commission.
3. Approval of recommendation from Tony Parrott of the Water Committee for authorization of Shockley Plumbing Company to connect two City of Fayetteville wholesale meter locations, Banks Road and Ellis Road, into the loop waterline to give better flows to the area.
4. Approval of recommendation from Tony Parrott of the Water Committee to authorize Mallett and Associates to do an engineering study of the pressure and flows on the water lines on Highway 74 North.
5. Approval of Resolution 2003-12 authorizing execution of Federal Annual Certification by Commissioner Linda Wells, Vice Chair.

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6. Approval of recommendation to approve a request from Community Sales Inc. to refund real property taxes for the year 2003 in the amount up to \$237.30.
7. Approval of recommendation to approve a request from David J. Brucker to refund their Homestead Exemption for years 2001 and 2002 in the total amount of \$501.40.
8. Request from the Fayette Society of Fine Art to place a sign on the Old Courthouse lawn, October 26 - November 8, 2003, advertising their art show.
9. Request from the Joseph Sams School and the Hope House Respite Center for Special Needs Children to place a sign on the Old Courthouse lawn December 1-6 and 15-20, 2003, advertising "A Christmas Spectacular" show.
10. Approval of fiscal year 2003 supplemental budget requests from the Sheriff's Department.
11. Approval of minutes for Board of Commissioners meetings held on August 28, 2003 and September 11, 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 REPORT:**

#### **PROPOSED AMENDMENT TO AGREEMENT WITH PATTEN SEED COMPANY:**

County Attorney Davenport asked the Board to consider a first amendment to the Development Agreement between Patten Seed Company and the Fayette County Board of Commissioners.

**MOTION WAS MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER FRADY, TO ADOPT THE CHANGES TO THE DEVELOPMENT AGREEMENT BETWEEN PATTEN SEED COMPANY AND THE FAYETTE COUNTY BOARD OF COMMISSIONERS. MOTION CARRIED 5-0.**

**EXECUTIVE SESSION:** Attorney Davenport requested an executive session to discuss four legal items for Executive Session.

**EXECUTIVE SESSION: MOTION WAS MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER PFEIFFER, TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS FOUR LEGAL ITEMS. MOTION CARRIED 5-0.**

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

**THE BOARD SET ASIDE THIS MATTER.**

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

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

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

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

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

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

**MOTION WAS MADE BY COMMISSIONER WELLS, SECONDED BY COMMISSIONER VANLANDINGHAM TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE EXECUTIVE SESSION AFFIDAVIT AFFIRMING THAT ONE REAL ESTATE ITEM WAS SET ASIDE AND TWO REAL ESTATE ITEMS AND ONE LEGAL MATTER WERE DISCUSSED IN EXECUTIVE SESSION. MOTION CARRIED 5-0.**

There being no further business to come before the Board, Chairman Dunn adjourned the meeting at 8:10 p.m.

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Peggy Butler, Chief Deputy Clerk