



Commission Meeting Agenda

Commission Chamber

9/18/2007

2:00 PM

ATTENDANCE:

Present: Hons. Deke Copenhaver, Mayor; Holland, Smith, Harper, Grantham, Hatney, Beard, Williams, Cheek and Brigham, members of Augusta Richmond County Commission.

Absent: Hon. Bowles, member of Augusta Richmond County Commission.

INVOCATION:

Reverend Michael McCoy, New Covenant Church Gospel of Deliverance.

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA.

Five (5) minute time limit per delegation

DELEGATIONS

A. Mr. Dennis Johnson

RE: Possible issue of discrimination
of a local business

 [Attachments](#)

**Item
Action:**
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Mr. Johnson to appear at the next Commission meeting.			

- B. Mr. Mike Griffin.**
RE: PaddleFest 2007

 [Attachments](#)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Presentation made by Mr. Griffin.			

- C. Rev. James L. Reid.**
RE: Dave Barbee's E-mail

 [Attachments](#)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Rev. Reid did not appear at the meeting.			

CONSENT AGENDA

(Items 1-30)

PLANNING

- 1. FINAL PLAT – THE ORCHARD, SECTION 1 – S-751-** A request for concurrence with the Augusta Richmond County Planning to **approve** a petition by James G. Swift and Associates, on behalf of Jerry Greenway, requesting final plat approval for The Orchard, Section 1. This residential subdivision is located on Brown Road, east of Peach Orchard Road and contains 114 lots.

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve.	Commissioner Jerry Brigham	Andy Cheek	Passed
	Motion carries 9-0.			

- 2. FINAL PLAT – SOUTHAMPTON, SECTION FOUR-A – S-769-A**– A request for concurrence with the Augusta Richmond County Planning to **approve** a petition by Southern Partners Inc., on behalf of Nordahl & Co. Inc., requesting final plat approval for Southampton, Section 4-A. This residential subdivision is located at Ardwick Drive adjacent to Southampton Section 1 and containing 30 lots.

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve.	Commissioner Jerry Brigham	Andy Cheek	Passed
	Motion carries 9-0.			

- 3. FINAL PLAT – MAYO TOWNHOMES, PHASE II – S-708-II**– A request for concurrence with the Augusta Richmond County Planning to **approve** a petition by H. Lawson Graham and Associates, on behalf of Gene Vintson, requesting final plat approval for Mayo Townhomes, Phase II. This residential townhome subdivision is located on Mayo Lane, adjacent to Mayo Townhomes, Phase I and contains 8 lots.

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve.	Commissioner Jerry Brigham	Andy Cheek	Passed
	Motion carries 9-0.			

4. **Z-07-77** - A request for concurrence with the Augusta Richmond County Planning to **approve** a petition by Chris and Dedra Shears requesting a **Special Exception** to establish a **Family Day Care Home** per Section 26-1 (F) of the Comprehensive Zoning Ordinance for Augusta-RichmondCounty affecting property containing .48 acres and is known under the present numbering system as 315 Dogwood Drive. (Tax Map 184 Parcel 066) **DISTRICT 8**

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve.	Commissioner Jerry Brigham	Andy Cheek	Passed
	Motion carries 9-0.			

5. **Z-07-78** - A request for concurrence with the Augusta Richmond County Planning to **approve** a petition by Lemont C. Monroe Sr. requesting a **Special Exception** to establish a **Family Day Care Home** per Section 26-1 (F) of the Comprehensive Zoning Ordinance for Augusta-Richmond County affecting property containing .22 acres and is known under the present numbering system as **1031 Twelfth Avenue**. (Tax Map 072-2 Parcel 429) **DISTRICT 2**

**Item
Action:**
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve.	Commissioner Jerry Brigham	Andy Cheek	Passed
	Motion carries 9-0.			

6. **Z-07-83** - A request for concurrence with the Augusta Richmond County Planning to **approve** a petition by Nicholas Dickinson, on behalf of MCG Health, Inc., requesting a change of zoning from Zone R-2 (Two-family Residential) to Zone R-3B (Multiple-family Residential) affecting property containing .26 acres and is known under the present numbering system as 1053 Chafee Avenue. (Tax Map 045-2 Parcel 338)

**Item
Action:**
Approved

DISTRICT 1

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve.	Commissioner Jerry Brigham	Andy Cheek	Passed
	Motion carries 9-0.			

7. **Z-07-84** - A request for concurrence with the Augusta Richmond County Planning to **approve** a petition by Atkins & Associates, on behalf of Geddes Hernlen, Jr., Molly Flythe and Nate Williams, requesting a change of zoning from **Zone B-1 (Neighborhood Business) and B-1 with conditions to Zone B-1 (Neighborhood Business)** with a **Special Exception** to establish a **convenience store** per Section 21-2 (b) of the Comprehensive Zoning Ordinance for Augusta-Richmond County affecting property containing 4.7 acres and located on the northwest corner of the intersection of Richmond Hill Road and Windsor Spring Road. (Tax Map 121 Parcels 022 and 010)

DISTRICT 5

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve.	Commissioner Jerry Brigham	Andy Cheek	Passed
Motion carries 9-0.				

8. **Z-07-85**– A request for concurrence with the Augusta Richmond County Planning to **approve** a petition by Perry Smith, on behalf of Teresa Smith, requesting a change of zoning from **Zone R-1B (One-family Residential) and Zone B-1 (Neighborhood Business) to Zone P-1 (Professional)** affecting property containing 1.87 acres and known under the present numbering system as 3338 Wrightsboro Road. (Tax Map 041-4 Parcel 102) **DISTRICT 3**

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve.	Commissioner Jerry Brigham	Andy Cheek	Passed
Motion carries 9-0.				

9. **Z-07-86**– A request for concurrence with the Augusta Richmond County Planning to **approve** with the following conditions 1) the existing pond must remain in place and 2) no mitigation of the wetlands shall be applied for and all wetlands shall remain intact; a petition by Teresa Haythorn, on behalf of Mickey Barefield, requesting a change of zoning from **Zone R-1A (One-family Residential)** to **Zone R-1C (One-family Residential)** affecting property containing 4.87 acres and known under the present numbering system as 3375 and 3377 Beaver Drive. (Tax Map 041-2 Parcels 202 and 203-01)
DISTRICT 3

**Item
Action:
Approved**

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve.	Commissioner Jerry Brigham	Andy Cheek	Passed
	Motion carries 9-0.			

- 10. Z-07-87** – A request for concurrence with the Augusta Richmond County Planning to **approve** with the following conditions 1) the owner shall donate 20 feet of right-of-way to the County for future road improvements should they be needed and 2) the cost of any improvements to the water system for either potable water or fire protection shall be assumed by the owner; a petition by Jimmy Garren, on behalf of Carolyn Elayne Moore Jones, requesting a **change of zoning from Zone R-1 (One-family Residential) to Zone R-1C (One-family Residential)** affecting property containing 1.54 acres and known under the present numbering system as **1204 Council Drive**. (Tax Map 032-4 Parcel 048)
DISTRICT 3

**Item
Action:
Approved**

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve.	Commissioner Jerry Brigham	Andy Cheek	Passed
	Motion carries 9-0.			

- 11. FINAL PLAT – SOUTHAMPTON, SECTION ONE – S-746** – A request for concurrence with the Augusta Richmond County Planning to **approve** a petition by Southern Partners Inc., on behalf of Nordahl & Co. Inc., requesting final plat approval for Southampton, Section 1. This residential subdivision is located at Inverness Drive at the terminus and contains 14 lots.

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve.	Commissioner Jerry Brigham	Andy Cheek	Passed
	Motion carries 9-0.			

PUBLIC SERVICES

- 12. Motion to approve New Ownership Application: A. N. 07 - 41:** A request by Mahendrab Patel for a retail package **Beer & Wine** License to be used in connection with Maina, LLC DBA The Corner Store located at 3104 Wrightsboro Rd. **District 5. Super District 9. (Approved by Public Services Committee September 10, 2007)**

 [Attachments](#)

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve.	Commissioner Jerry Brigham	Andy Cheek	Passed
Mr. Hatney abstains. Motion carries 8-1.				

- 13. Motion to approve New Ownership Application: A. N. 07 - 42: A request by Hye Ja Lee for a retail package **Beer & Wine** license to be used in connection with H. W. Lee Enterprises, Inc DBA OK Mart located at 2301 Lumpkin Rd. District 6. Super District 10. (Approved by Public Services Committee September 10, 2007)**

 [Attachments](#)

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve.	Commissioner Jerry Brigham	Andy Cheek	Passed
Mr. Hatney abstains. Motion carries 8-1.				

ADMINISTRATIVE SERVICES

- 14. Motion to approve the**
 Reprogramming of \$615,273.93 in
 CDBG Funds and Changing the Scope
 of Work for the McDuffie Woods
 Community Center Year 2007 CDBG
 Project. **(Approved by**
Administrative Services Committee
September 10, 2007)

 [Attachments](#)

Item
Action:
 Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve.	Commissioner Jerry Brigham	Andy Cheek	Passed
	Motion carries 9-0.			

- 15. Motion to approve authorization to**
 solicit Request for Qualifications for
 Consultant for Laney-Walker II and
 Bethlehem Redevelopment Areas with
 the inclusion of the Administrtor and a
 representative form the Laney-Walker
 Redevelopment Oversight Committee
 in the reveiw process. **(Approved by**
Administrative Services Committee
September 10, 2007)

 [Attachments](#)

Item
Action:
 Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve.	Commissioner Jerry Brigham	Andy Cheek	Passed
Motion carries 9-0.				

PUBLIC SAFETY

- 16. Motion to approve the purchase of a conveyor system for jail. (Approved by Public Safety Committee September 10, 2007)**

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve tabling this item.	Andy Cheek	Commissioner Calvin Holland	Passed
Mr. Smith out. Motion carries 8-0.				
Approve	Motion to approve taking this item off the table.	Andy Cheek	Commissioner Jerry Brigham	Passed
Motion carries 9-0.				
Defer	Motion to refer this item back to the Public Safety Committee.	Andy Cheek	Betty Beard	Passed
Motion carries 9-0.				

- 17. Motion to approve** awarding of the Augusta Fire Department Promotional Process Contract. (**Approved by Public Safety Committee September 10, 2007**)

 [Attachments](#)

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve.	Commissioner Jerry Brigham	Andy Cheek	Passed
Motion carries 9-0.				

- 18. Motion to approve** the purchase of portable radios for the Fire Department. (**Approved by Public Safety Committee September 10, 2007**)

 [Attachments](#)

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve.	Commissioner Jerry Brigham	Andy Cheek	Passed
Motion carries 9-0.				

FINANCE

- 19. Motion to approve contract for 2007 Financial Audit. (Approved by Finance Committee September 10, 2007)**

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve.	Commissioner Jerry Brigham	Andy Cheek	Passed
	Motion carries 9-0.			

ENGINEERING SERVICES

- 20. Motion to approve agreement with Al-Jon, Inc. for replacement of current compactor with a new compactor under a similar lease agreement. (Approved by Engineering Services Committee August 27, 2007 - Deferred from the September 4, 2007 Commission Meeting)**

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve.	Jimmy Smith	Don Grantham	Passed
	Mr. Williams votes No. Motion carries 8-1.			

- 21. Motion to approve and accept the Deed of Dedication and Maintenance Agreement for the Augusta Regional Commerce Center.(Approved by Engineering Services Committee September 10, 2007)**

 [Attachments](#)

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve.	Commissioner Jerry Brigham	Andy Cheek	Passed
	Motion carries 9-0.			

- 22. Motion to approve and accept the water and sanitary sewer Deed of Dedication and Maintenance Agreement for Carnes Place. (Approved by Engineering Services Committee September 10, 2007)**

 [Attachments](#)

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve.	Commissioner Jerry Brigham	Andy Cheek	Passed
	Motion carries 9-0.			

- 23.** Motion for **authorization** to condemn a portion of property #051-0-052-00-0 3968 Scott Street, which is owned by Keisha B. Martin, for 1,435 square feet of right-of-way and 2,877 square feet of temporary construction easement. PW Project: Belair Hills Subdivision Improvement Project. **(Approved by Engineering Services Committee September 10, 2007)**

 [Attachments](#)

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve.	Commissioner Jerry Brigham	Andy Cheek	Passed
	Motion carries 9-0.			

- 24.** Motion to **authorize** condemnation of a portion of property #055-1-032-00-0 1902 Sibley Road, which is owned by Pratt-Dudley Builders Supply Co., for 18,080 square feet of Temporary easement and 17,362 square feet of permanent easement. AUD Project: 630 Water Main, Phase 2. **(Approved by Engineering Services Committee September 10, 2007)**

 [Attachments](#)

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve.	Commissioner Jerry Brigham	Andy Cheek	Passed
Motion carries 9-0.				

- 25.** Motion to **authorize** condemnation of a portion of property #066-0-003-00-0 3883 Grape Avenue, which is owned by Mary Elizabeth Thompson, for 600 square feet of Temporary Construction Easement. PW Project: Belair Hill Subdivision Improvement Project. (**Approved by Engineering Services Committee September 10, 2007**)

 [Attachments](#)

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve.	Commissioner Jerry Brigham	Andy Cheek	Passed
Motion carries 9-0.				

- 26.** Motion to **authorize** award and execution of a contract amendment to the Construction Management at Risk Contract with Parsons Water and Infrastructure for the construction of the James B. Messerly WPCP Master Plan Implementation Phase 1 Project in the amount of \$69,912,033.

 [Attachments](#)

Item Action:
Approved

(Approved by Engineering Services Committee September 10, 2007)

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve.	Commissioner Jerry Brigham	Andy Cheek	Passed
Motion carries 9-0.				

- 27.** Motion to **approve** request by Scott Bridge Company to temporarily close Park and Ride Lot located at Wheeler Road and Bobby Jones Expressway.

(Approved by Engineering Services Committee September 10, 2007)

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve.	Commissioner Jerry Brigham	Andy Cheek	Passed
Motion carries 9-0.				

- 28.** Motion to **approve** a supplement to the contract with Messerly Design Group, LLC (MDG) in the amount of \$1,218,171 for additional scope of work required through construction of the James B. Messerly WPCP Master Plan Implementation Phase 1 Project. **(Approved by Engineering Services Committee September 10, 2007)**

 [Attachments](#)

**Item
Action:**
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve.	Commissioner Jerry Brigham	Andy Cheek	Passed
	Motion carries 9-0.			

- 29.** Motion to **approve** tasking staff to develop requests for bids to clean the three separate areas of the third level of the Canal using the existing money and report back to committee. **(Approved by Engineering Services Committee September 10, 2007)**

**Item
Action:**
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve.	Don Grantham	Andy Cheek	Passed
Motion carries 9-0.				

PETITIONS AND COMMUNICATIONS

- 30.** Motion to **approve** the minutes of the regular meeting of the Commission held September 4, 2007.

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve.	Commissioner Jerry Brigham	Andy Cheek	Passed
Motion carries 9-0.				

*****END CONSENT AGENDA***
AUGUSTA COMMISSION
9/18/2007**

**AUGUSTA COMMISSION
REGULAR AGENDA
9/18/2007**

(Items 31-40)

PLANNING

- 31. Z-07-80** - A request for concurrence with the Augusta Richmond County Planning to **deny** a petition by William Hollingsworth, on behalf of Mary Ann Wells, requesting a **Special Exception to establish a Private Club** (model airplane club) per Section 26-1 (I) of the Comprehensive Zoning Ordinance for Augusta-Richmond County affecting property containing approximately 128 acres and located on the southeast right-of-way line of Henderson Road, 3,200 feet, more or less, south of Hephizbah-McBean Road. (Tax Map 332 Parcel 001) **DISTRICT 8**

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve concurring with the recommendation of the Planning Commission to deny this petition.	Andy Cheek	Commissioner Calvin Holland	Passed
Mr. Smith votes No. Motion carries 8-1.				

ADMINISTRATIVE SERVICES

- 32.** Discuss/update from staff on the abandoned school buildings.
(Requested by Commissioner Marion Williams)

Item Action:
Rescheduled

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Defer	Motion to refer this item to the next Commission meeting.	Andy Cheek	Commissioner J. R. Hatney	Passed
Mr. Brigham votes No. Motion carries 8-1.				

FINANCE

- 33.** Motion to **rescind** the May 1, 2007 action to merge the 1998 Pension Plan, the 1977 Pension Plan, the GMEBS Pension Plan, Employees with no pension plan until requested information relative to the insurance costs for retirees and future retirees is received. (Requested by Commissioner Don Grantham)

 [Attachments](#)

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve continuing the consolidated plan that is in place.	Marion Williams	Andy Cheek	Passed
Motion carries 9-0.				

ENGINEERING SERVICES

- 34.** Authorize a Supplement to Option Year 1 of Amendment No. 7 to the existing Program Management Services Contract with CH2M HILL.

 [Attachments](#)

Item Action:
Rescheduled

The supplement will provide additional Program Management Services for the 2004 Series Bond Capital Improvements Program approved by Commission 02/01/2005.

(No recommendation from Engineering Services Committee September 10, 2007)

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Defer	Motion to refer this item back to the Engineering Services Committee.	Jimmy Smith	Commissioner J. R. Hatney	Passed
Motion carries 9-0.				

PETITIONS AND COMMUNICATIONS

- 35.** Consider appeal request from Ms. Emily Beck, 1439 Heath Street relative to the Historic Preservation Commission's denial of a Certificate of Appropriateness regarding a PVC fence on the property. (**No action vote taken by Commission on September 4, 2007**)

 [Attachments](#)

Item Action:
Rescheduled

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	It was the consensus of the Commission that this item be continued while the parties involved pursue further negotiation.			

OTHER BUSINESS

- 36.** Discuss David Barbee's August 27, 2007 e-mail regarding the proposed sale of the Gilbert Manor Property to the Medical College of Georgia.
(Requested by Commissioner Marion Williams)

 [Attachments](#)

**Item
Action:**
Disapproved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Delete	Motion to delete this item from the agenda.	Don Grantham	Jimmy Smith	Failed
	Mr. Williams votes No. Mr. Harper, Mr. Hatney and Mr. Holland abstain. Motion fails 5-1-3.			

- 37.** Motion to go into a Legal Meeting.

**Item
Action:**
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve.	Betty Beard	Andy Cheek	Passed
	Mr. Harper not voting. Motion carries 8-0.			

ADDENDUM

38. Motion to approve settlement of litigation against insurance companies for defense costs and indemnity for claims arising out of the application of biosolids to the lands of the Boyce and McElmurray families and the resulting litigation by them against Augusta, by the payment to Augusta by Lloyds of London, National Union Insurance Company, and Coregis Insurance Company of the sum of \$1,125,000 and payment to the McElmurray family of the sum of \$1,500,000; and the payment to Augusta by St. Paul Insurance Company of the sum of \$175,000. In exchange appropriate releases will be executed in such form as approved by Augusta's attorneys, thereby releasing the insurance companies from further claims under the policies.

 [Attachments](#)

**Item
Action:
Approved**

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to add and approve this item.	Commissioner J. R. Hatney	Don Grantham	Passed
Mr. Cheek out. Motion carries 8-0.				

- 39.** Motion to add and approve authorization for the Attorney to increase the amount of funds from \$154,000 to a not to exceed amount of \$160,000 regarding his negotiation of the defeasance of the Partridge Inn 2nd Mortgage Bonds and that he and the Administrator identify the funding for that from a General Fund or fund balance source if necessary.

 [Attachments](#)

**Item
Action:**
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve.	Commissioner J. R. Hatney	Bernard Harper	Passed
Mr. Cheek out. Motion carries 8-0.				

LEGAL MEETING

A. Pending and Potential Litigation.

B. Real Estate.

C. Personnel.

- 40.** Motion to **approve** execution by the Mayor of the affidavit of compliance with Georgia's Open Meeting Act.

**Item
Action:**
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Motion to approve.	Commissioner J. R. Hatney	Betty Beard	Passed
Mr. Cheek out. Motion carries 8-0.				

Upcoming Meetings

www.augustaga.gov