

The Board of Commissioners of Fayette County, Georgia met in Official Session on Thursday, September 9, 2004, at 7:00 p.m. in the public meeting room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

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

STAFF MEMBERS PRESENT: Chris W. Cofty, County Administrator
Dennis Davenport, Assistant County Attorney
Carol Chandler, Executive Assistant
Karen Morley, Chief Deputy Clerk

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

PRESENTATION OF FUNDS BY CLERK OF COURT SHEILA STUDDARD:

Clerk of Court Sheila Studdard presented a check to the Board of Commissioners representing funds received from House Bill 1EX.

Ms. Studdard remarked that there had been some legislative changes that governed how the Clerk of State Court, Magistrate Court, Superior Court and all municipal courts here in Fayette County and also around the State regarding how the parcel payments on fines would be handled from anyone sentenced with a fine. She said in the past the probation departments handled the collection of this money and held it until it was paid in full. She said once it was paid in full then it would go to whichever clerk was actually responsible for paying those to these respective beneficiaries. She said now the clerk would receive these funds at the end of each month and would disperse those monies according to the law. She said the good thing for Fayette County was that the courts had taken possession of all monies that were being held on behalf of Fayette County in July. She said for State Court she was pleased to present to Fayette County three checks. She said State Court's portion was \$288,582.38. She said the other check was for the drug abuse treatment and education fund in the amount of \$7,709.55 and a check for the jail construction act in the amount of \$53,567.83. She introduced her Chief Deputy of the Courts Susan Thompson, State Court Deputy Rhonda Fox and Clerk of Traffic Court Lorrie Dean.

CONSENT AGENDA: On motion made by Commissioner Wells, seconded by Commissioner Frady to approve the consent agenda as presented. The motion carried 5-0.

WATER COMMITTEE - SHOCKLEY PLUMBING, INC. AWARDED BID: Approval of recommendation from the Water Committee to award the annual waterline contract to Shockley Plumbing, Inc. A copy of the memorandum, identified as "Attachment No. 1", follows these minutes and is made an official part hereof.

ROAD DEPARTMENT - AGREEMENT WITH TOWN OF TYRONE: Approval of Agreement between Fayette County and the Town of Tyrone for resurfacing the Town's roads. A copy of the Agreement, identified as "Attachment No. 2", follows these minutes and is made an official part hereof.

ROAD DEPARTMENT - AGREEMENT WITH TOWN OF BROOKS: Approval of Agreement between Fayette County and the Town of Brooks for resurfacing the Town's roads. A copy of the Agreement, identified as "Attachment No. 3", follows these minutes and is made an official part hereof.

WATER COMMITTEE - PAINTING OF WATER TANK IN PEACHTREE CITY TO GO OUT FOR BID: Approval of Water Committee recommendation to put out for bid the painting of the 250,000 gallon water tank in Peachtree City. A copy of the memorandum, identified as "Attachment No. 4", follows these minutes and is made an official part hereof.

EMERGENCY SERVICE DEPARTMENT - PURCHASE OF 2005 FORD EXPEDITION: Approval of recommendation from the Director of Purchasing Tim Jones to purchase a 2005 Ford Expedition for the Emergency Services Department. A copy of the request, identified as "Attachment No. 5", follows these minutes and is made an official part hereof.

PURCHASING DEPARTMENT - ARWOOD AUCTION COMPANY AWARDED AUCTIONEERING SERVICES: Approval of recommendation from the Director of Purchasing Tim Jones to award auctioneering services to Arwood Auction Company to conduct the county's auction on October 16, 2004. A copy of the memorandum, identified as "Attachment No. 6", follows these minutes and is made an official part hereof.

STATE COURT - AGREEMENT WITH JUDICIAL CORRECTIONAL SERVICES, INC. Approval of contract with Judicial Correctional Services, Inc. for State Court probation services. This item was tabled from the September 1st Board of Commissioners' meeting. A copy of the Agreement, identified as "Attachment No. 7", follows these minutes and is made an official part hereof.

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.

Kathie Cheney: Kathie Cheney, 24 Parkgate Lane, Peachtree City commented that it had been approximately a year and a half ago that the Board of Health initially ask the

Fayette County Commission to deal with second hand smoke. She said at that time the Board asked the local municipalities to come up with their proposals. She remarked that Peachtree City had worked out their ordinance. She presented a copy of Peachtree City's ordinance to the Board. She said she hoped that the other communities would also be looking into this issue. She said this had not been an easy process. She commented that it had taken a while but they had finally come up with something that basically did not cover bars. She said bars were more vulnerable. She stated that liquor sales were one of the problems and were tied in with smoking. She said because restaurants were not tied totally tied to liquor sales, have a little bit more flexibility. She said she felt bars needed to be dealt with more on a State wide basis. She said this was the reason she had gone to the last session of the State Legislature. She said they had the votes to get this passed on a State wide basis but they could not get it passed through the mechanisms, therefore it was put back on the local communities. She said they were hoping to get enough local communities and also Fayette County to show the State a more comprehensive solution. She said last April the CDC came forth with a study that showed that as little as 16 minutes exposure to tobacco smoke could initiate a heart attack. She said studies showed that people such as herself with long undiagnosed clogged arteries were the most susceptible. She said this was what could initiate a heart attack or a stroke. She remarked that 65 million baby boomers were close to the age of 60.

STAFF REPORTS:

EXECUTIVE SESSION: Assistant County Attorney Dennis Davenport requested an executive session to discuss one legal matter.

EXECUTIVE SESSION: On motion made by Commissioner Wells, seconded by Commissioner Frady to adjourn to executive session to discuss one legal matter. The motion carried 5-0.

LEGAL: Assistant County Attorney Dennis Davenport discussed a legal matter with the Board.

On motion made by Commissioner Wells, seconded by Commissioner VanLandingham to authorize Attorney Davenport to proceed in this matter. The motion carried 5-0.

EXECUTIVE SESSION AFFIDAVIT: On motion made by Commissioner Wells, seconded by Commissioner Frady to authorize the Chairman to execute the Executive Session Affidavit to affirm that one legal matter was discussed in executive session. The motion carried 5-0. A copy of the Executive Session Affidavit, identified as "Attachment No. 8", follows these minutes and is made an official part hereof.

There being no further business to come before the Board, Chairman Dunn adjourned the meeting at 8:20 p.m.

September 9, 2004

Page 4

Karen Morley, Chief Deputy Clerk

Gregory M. Dunn, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 23rd day of September, 2004.

Karen Morley, Chief Deputy Clerk