

The Board of Commissioners of Fayette County, Georgia met in Official Session on Wednesday, June 7, 2006 at 3:30 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  
Robert Horgan  
Peter Pfeifer

STAFF MEMBERS PRESENT: Chris Venice, County Administrator  
William R. McNally, County Attorney  
Carol Chandler, Executive Assistant  
Peggy Butler, Chief Deputy Clerk

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

#### **PRESENTATION/RECOGNITION**

##### **SONS OF THE AMERICAN REVOLUTION:**

Mr. Mike Tomme of the Sons of the American Revolution said their organization traced their ancestors back as far as they could and it was their job to go to the fourth and eighth graders of the schools in Fayette County and tell them what it was like in the colonial period before the war, during the war and after the war.

The Commissioners presented a proclamation to the Sons of the American Revolution.

##### **PETE TOWNS, RETIRED FROM FAYETTE COUNTY:**

The commissioners recognized Pete Towns who retired from Fayette County Road Department after 34 years of service. He was given a rocking chair embossed with the Fayette County seal. Lee Hearn, Public Works Director, complimented Mr. Towns on many years of faithful, dedicated service to Fayette County and especially the Road Department.

##### **PUBLIC HEARING:**

Consideration of proposed amendments to the Fayette County Zoning Ordinance regarding Article VII. Conditional Uses, Exceptions, and Modifications, Section 7-6, Transportation Corridor Overlay Zone, A.S.R. 54 West and S.R. 74 South Overlay Zones and C. General State Route Overlay Zone as presented by the Planning & Zoning Department.

Pete Frisina, Director of Community Development, said they had amendments of the Overlay Zones. He said what was driving this was one of the changes of the architectural requirements. He said as they were developing larger buildings they were finding that some of their requirements that fit well for the last ten years were causing problems. He said he wanted to also do some house keeping with these two overlay zones. He said the first thing he wanted to do was the S.R. 54 West and 74 S. overlay zones. He said initially this was written for 54 West only. He said at some point they needed to put some regulations in the 74 S. corridor so that was inserted into the 54 West section. He said since then a general state route overlay was created which had basically the same regulations as the 54, just most of the verbiage in the 54 in terms of purpose really related to 54 and the area between Peachtree City and

**Minutes**  
**June 7, 2006**  
**Page 2**

Fayetteville. He said he wanted to take the 74 verbiage out of the 54 West and make the general state route overlay apply to the 74 corridor which, again, they had the same regulations.

Mr. Frisina said the second change he wanted to make was under "ACCESS - B." He said they had included developments on the 54 corridor that were actually small subdivisions. He said they were finding it very difficult to make every lot within that subdivision have the structure face 54. He said normally they want to face where their access was. He said this was becoming a problem to try to apply across the board. He said they were having developments that had a number of lots.

Mr. Frisina said the big item they wanted to talk about was the architectural standards. He said changes would apply to S.R. 54 and the general state overlay. He said they were almost a mirrored image of each other. He said they had always had the requirement for a pitched roof. He said he wanted to define pitched with peak, hip or gable. He said they were still going to require those on smaller structures.

Mr. Frisina stated if the building was two stories or more, or had such a stand that a pitched roof would not allow the meeting of a height requirement, they were going to allow a pitched mansard roof facade with still the minimum pitch of 4 ½ and 12 as it was for a peaked roof. He said they wanted to maintain a height of 8 feet. He said a true mansard roof was pitched on the sides and flat on the top. He said these would not be flat on the top but would have a flat roof underneath. He said maintaining the height of 8 feet would keep the proportions of the building. He said this would allow with some of the larger structures where they had to put a lot of equipment on these buildings to hide the equipment behind the mansard. He said this would be better than having units scattered around the edge of the building.

Mr. Frisina said the Planning Commission thought that these roofs were facades and did not do anything in terms of a roof, they wanted to make sure that the character of those facades had a shingle, slate or terra cotta appearance. He said they did not like the standing seam metal roof. He said that was the provision they added.

Mr. Frisina said he added another provision to better describe the area north of S.R. 54 where they had the hospital zone carved out.

Commissioner Frady said one good thing was they eliminated some curb cuts.

Chairman Dunn stated this was a Public Hearing and asked if anyone in the audience wished to comment for or against this. No one came forward to comment.

Commissioner Pfeifer asked if they were removing South 74 from this ordinance then why were they talking about a building that was located on South 74. Mr. Frisina said 74 would now come under the General State Route Overlay. He said he was changing both sections and they were almost a mirror image of each other except that 54 had a lot of language that was specifically for 54.

Motion was made by Commissioner Frady, seconded by Commissioner Horgan, to approve the recommendations as presented. Motion carried 5-0. A copy of the proposed amendments, identified as "Attachment No. 1", follows these minutes and is made an official part hereof.

**OLD BUSINESS:**

**Presentation of the Fayette County Library Long Range Plan**

**Minutes**  
**June 7, 2006**  
**Page 3**

Chris Snell, Director of the Fayette County Library, said the Fayette County Library and the Friends of the Fayette County Library were delighted to present to the Commissioners a final draft of the Long Range Plan 2006-2010. She stated this plan would guide the library for the next five years. She said it was a way to organize and improve their services.

Ms. Snell said they chose this plan because it was based on the Professional Library Association, a public library, which was a division of the American Library Association. She said there were 13 service responses and the library and community group chose five: Cultural Awareness, Current Topics and Titles, General Information, Information Literacy, and Life Long Learning. She said as far as Cultural Awareness, it was known that the make up of Fayette County was very diverse. She said they had begun to institute a lot of these activities. She said they had the blended heritage program in February, story time where staff told stories in other languages, and improved their collection by ordering books in different languages.

Ms. Snell said in regards to Current Topics and Titles, they tried to stay abreast of everything out there that would be fitting and proper for this community. She said in regards to General Information, this activity would help meet the needs for information and answer questions on a broad array of topics related to work, school and personal lives. She said in regards to Information Literacy, this service would address the need for skills related to finding, evaluating and using information effectively. She said in their Life Long Learning, which they engaged in everyday, particularly with story time, would help address the desire for self directed personal growth and development opportunities.

Ms. Snell said in the information provided to the Commissioners they had outlined all goals, objectives and activities. She said for each goal there was an activity and these activities had already begun. She said the cost of the program had not yet been established. She said this was because every year for whatever need assessment they felt they needed they would include in their budget. She said they wanted this plan to be approved because it was an outstanding plan and would be of great value to the community. She said this was a plan of action to have a better run library.

Susan Dean, President of the Friends of Fayette County Public Library, said their role in this plan was to continue to be a support vehicle for the Fayette County Public Library. She said they would accomplish this by continuing to be active, increase their membership, and ask for more volunteers. She said they would also increase their fund raising efforts. She said the Friends of the Library felt this Long Range Plan was excellent and they wanted to be there to support it.

Ms. Snell said she was presenting the Board with the final draft of the Fayette County Library Long Range Plan. The Library Board approved the plan in March and she was presenting it to the Board today for their approval.

Chairman Dunn thanked the Friends of the Board for footing the bill for this study. He said he needed more time to study it before he approved it. He said they would ask Ms. Snell to come back to the Board soon, after the Board had more time to look at the plan, and see if there were any questions or problems. He said it was a great step and could not imagine many communities that people would study to make a government facility better. He said it was fantastic that there were those kind of people in Fayette County.

Chris Snell said they just received a confirmation that on August 25 Dr. Ferrol Sams would be coming to the Fayette County Library. His book Run with the Horsemen was chosen by Atlanta Reads. Atlanta Mayor Shirley Franklin and her committee would attend.

Commissioner Wells asked Ms. Snell to be sure and relay the Board's thanks to all the members of this committee for serving. This was a very diverse group of people that brought a lot of experience, education and thought to this study.

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

Commissioner Pfeifer said in regards to the item of the Superior Court and the wireless internet, he was fine with what they proposed to do here but he felt they really needed to look at the subject of wireless internet in general.

**BUDGET TRANSFER**

Approval of staff's request for a FY2006 budget transfer of \$4,694 from Purchasing to Finance and \$13,285 from Road to Fleet to cover salaries and benefits for employees transferred. FY2007 transfers needed are \$32,562 to Finance and \$102,179 to Fleet. A copy of the budget transfer, identified as "Attachment No. 2," follows these minutes and is made an official part hereof.

**INSTALLATION OF WEATHER SIREN**

Approval of Water Committee recommendation to install a weather siren at the South Fayette Water Treatment Plant. A copy of the recommendation, identified as "Attachment No. 3," follows these minutes and is made an official part hereof.

**WIRELESS INTERNET INSTALLATION AT JUSTICE CENTER**

Approval of request from Superior Court to install wireless internet access at the Justice Center to be financed by the Law Library Fund. A copy of the request, identified as "Attachment No. 4," follows these minutes and is made an official part hereof.

**BUDGET TRANSFER**

Approval of staff's recommendation for a FY2006 budget transfer of \$12,000 from Finance Department's salaries/benefits account to technical services and FY2007 budget transfer of \$15,000 from Finance Department's salaries/benefits account to technical services to cover the cost of temporary help. A copy of the budget transfer, identified as "Attachment No. 5," follows these minutes and is made an official part hereof.

**VEHICLE REPLACEMENT FOR THE SHERIFF'S DEPARTMENT**

Approval to replace a 2001 Chevrolet Impala bearing VIN#2G1WF52E519274499 with an inoperable transmission and 98,000 miles driven by an Investigator within the Criminal Investigation Division. A copy of the request, identified as "Attachment No. 6," follows these minutes and is made an official part hereof.

**INTERGOVERNMENTAL AGREEMENT FOR MULTI-USE PATH**

Approval of Intergovernmental Agreement for the construction and maintenance of a multi-use path on Redwine Road and authorization for the Chairman to execute said Agreement. A copy of the agreement, identified as "Attachment No. 7," follows these minutes and is made an official part hereof.

**RENEWAL OF COUNTY'S PROPERTY AND CASUALTY INSURANCE COVERAGE**

Approval of staff's recommendation for the renewal of the County's property and casualty insurance coverage for July 1, 2006 through June 30, 2007. A copy of the request, identified as "Attachment No. 8," follows these minutes and is made an official part hereof.

#### **INCREASE IN SHERIFF'S REVENUE AND CID OVERTIME EXPENDITURE**

Approval of staff's request to increase revenue \$27,802 and increase Sheriff's CID overtime expenditure \$27,802 for monies received to date from the U.S. Department of Justice and Treasury. A copy of the request, identified as "Attachment No. 9," follows these minutes and is made an official part hereof.

#### **BID AWARD #556 GRASS MOWING**

Approval of staff's recommendation to award Bid #556 for grass mowing to low bidders who met specifications: Clean Cut Lawn Design for \$3,840, Outdoor Concepts for \$4,900 and EZ Care Lawn Service for \$2,000. All are total figures per month. A copy of the request, identified as "Attachment No. 10," follows these minutes and is made an official part hereof.

#### **APPROVAL OF BOARD MINUTES**

Approval of minutes for Board of Commissioners meetings held on April 5, 2006, April 27, 2006, and May 11, 2006.

#### **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. There was no public comment.

#### **STAFF REPORTS:**

CONNIE BOEHNKE, HUMAN RESOURCES DIRECTOR, stated that Fayette County had been informed that Blue Cross/Blue Shield and Piedmont Hospital were having negotiations in regards to differences in their contract. She said their contract would expire at the end of June. She said Guy Morrison of Strategic Benefit Solutions had put together a contingency plan in case it became necessary to change carriers so that it would be done quickly.

Guy Morrison, Strategic Benefit Solutions, stated that in his business physician groups and insurance companies did not always see eye to eye in terms of contracts. He said unfortunately they take their discussions to the press and pull in patients, and in this situation that included Fayette County employees.

Mr. Morrison said last week Blue Cross decided to inform the press that they had come to an impasse with Piedmont Hospital. He had seen historically that a contract would be agreed upon and care would continue without any lapse. He said the reality was specific to Fayette County in that there was a significant amount of utilization that went into Piedmont facilities. He said approximately 56% of the utilization of Fayette County employees and their members went to Piedmont. He said it appeared there would be a significant issue if this contract was not renewed by Blue Cross/Blue Shield and Piedmont. He said on Monday conversations began in regards to a contingency plan in case the contract was not renewed.

Mr. Morrison said they looked at the recent RFP work they had done for the county. He said they reviewed three components. He said they wanted a carrier with the ability to match benefits, a carrier that would be willing to absolutely match to the penny the current premiums that were being billed to the county by Blue Cross/Blue Shield, and a carrier that could most closely align its networks to the needs of Fayette County employees and their dependents based on the data. He said Cigna ended up being the winner internally at his organization. He said they had

contacted Cigna and they were working on putting together in writing the agreement. He said it was their goal to make sure everything was covered but at the same time he hoped the contract would be renewed. He said there was no evidence that would happen.

Commissioner Frady confirmed with Mr. Morrison that Fayette County would be covered in the event things did not work out with Blue Cross/Blue Shield and Piedmont. Mr. Morrison said that was correct. He said the contingency plan was if the contract terminated it would terminate on July 1. He said what they had set up was the ability to move the carrier that most closely met the needs of the county and would have all of the eligibility electronically so employees would not have to fill out applications. He said they had a network that included all the Piedmont providers and the top ten providers that showed up on the county's utilization reports. He said there may be some disruption but effective June 30, if the deal did not renew, everyone would have coverage effective July 1 with an alternative carrier that would have the Piedmont facilities.

Commissioner Frady asked who would that be. Mr. Morrison said at this point they had suggested Cigna. He said Cigna was within 2% of the renewal the county had with Blue Cross. He said Cigna had verbally committed and would have in writing the commitment to match the current rates.

Commissioner Frady asked what kind of comparisons Mr. Morrison had between the two companies. Mr. Morrison said what they expected to have was Cigna willing to match the current premium that was billed to Fayette County. He said as a result the Fayette County expenditures would go unchanged and the employee contributions would go unchanged. He said the employee benefit level would be matched in every way they could based on state filing. He said this meant they may see in their general co-pays that everything looked the same but a single benefit might be slightly different and that would be a state filing issue. He said they would identify those up front. He said some benefits might be better and some slightly worse benefits.

Commissioner Frady asked how long would it take to switch over. Mr. Morrison said he expected to have everything sitting in Cigna's lap with a go or no go. He said Cigna clearly understood the deal.

Mr. Darrell Cutts, Administrator for the Fayette Community Hospital, said they regretted that the situation had occurred and gotten to this point. He said he wanted to make it clear to the group that Piedmont was not the individual that walked away from the negotiation table. He said they wanted to continue the negotiations. He said they would like very much to resolve this and certainly way before June 30. He said unfortunately if there was no one to talk to it was hard to negotiate. He said when they chose to go to the media and send out letters with false accusations there was another issue. Mr. Cutts said in the meantime if Fayette County had to change carriers, Piedmont would do everything possible so that the county would not experience any inconvenience or loose any money.

Jack Krakeel, Fire and Emergency Services, stated that he had had a number of calls from concerned employees about this issue. He said he was not capable of speaking to the complexity of the negotiations. He said he recognized this scenario could present itself irregardless of the parties involved. He said his question to the Board was were there opportunities in future contract negotiations to have some language that would provide a window of opportunity greater than 30 days prior to the end of contract, a period of time during post contract terminations, with various health care providers as an interim basis for employees to make that transition to other health care providers. He said maybe a 90 day window as part of the contractual language which would get us out of this crux we were currently in and trying to make critical decisions. He said this was just a suggestion. He said he did not know if that was a feasible option in contract deliberations but would ask the board to consider that so we could at least have a period post contract

termination that would allow employees the opportunity to go through a normal process of selecting a health care provider that would meet their needs and their family's needs.

Chairman Dunn said he would agree with Mr. Krakeel if it was possible to do something like that. He said he knew of many county employees and their families with very difficult health problems. He said it took more than two or three weeks to get a primary physician or a specialist that you had confidence in. He said also we were very proud of our hospital here and this community demanded excellence and we had it. He said our hospital was rated in the top 100. He said it was ridiculous to have one of the largest providers in the nation take away one of the best hospitals in the nation.

COUNTY ATTORNEY BILL MCNALLY stated that he had the 2006 GADOT LARP Agreement that was ready for signature. He was requesting the Board authorize the Chairman to sign this document on behalf of the county.

Motion was made by Commissioner Wells, seconded by Commissioner Pfeifer, authorizing the Chairman to sign the 2006 GADOT Larp Agreement. Motion carried 5-0. A copy of the agreement, identified as "Attachment No. 11," follows these minutes and is made an official part hereof.

COUNTY ATTORNEY BILL MCNALLY requested an Executive Session to discuss three legal items with the Board.

FIRE CHIEF JACK KRAKEEL stated that last year they began working with the City of Fayetteville for a pre-disaster hazard mitigation plan for a storm water improvement system for the City of Fayetteville where they previously had flooding issues. He said that project was initially approved at the regional level, approved by the national review team, and came back not approved at the regional level. He said they had been working for the past six months on that particular project and had received word in the last week that it had been re-approved at the regional level. He said while they did not have a notice of award yet they hoped to receive a notice of award in the near future. He said that was a significant grant program for the City of Fayetteville that they had been assisting them with through their emergency management program.

FIRE CHIEF JACK KRAKEEL stated they were notified this week that the Residential Mitigation project on the south end of the county that they had been working on for the last year had been selected as a recipient and they should receive a Notice of Award in the near future from FEMA and G EMA.

FIRE CHIEF JACK KRAKEEL stated that the fifth EMS unit went into service last week. He said that was a significant investment that the Board had made in providing emergency medical service to the citizens of Fayette County. He said it marked the first time in his history with Fayette County that they had added an ambulance. He said that would mean almost 25 years. He said this was a capital investment of approximately \$225,000 and operational investment of \$300,000 in staffing and salaries. He said it would help maintain the high quality of standard and care being provided and maintain their response time.

Motion was made by Commissioner Wells, seconded by Commissioner Pfeifer, to adjourn to Executive Session to consider three legal items. Motion carried 5-0.

**EXECUTIVE SESSION:**

LEGAL: County Administrator Chris Venice discussed a legal matter with the Board.

The Board took no action on this matter.

**Minutes**  
**June 7, 2006**  
**Page 8**

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

The Board took no action on this matter.

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The Board took no action on this matter.

Motion was made by Commissioner Wells, seconded by Commissioner Pfeifer, authorizing the chairman to executive the Executive Session Affidavit affirming that three legal items were discussed in Executive Session. Motion carried 5-0. A copy of the affidavit, identified as "Attachment No. 12," follows these minutes and is made an official part hereof.

There being no further items to come before the Board, Chairman Dunn adjourned the meeting at 6:05 p.m.

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Peggy Butler, Chief Deputy Clerk

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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 5th day of July, 2006.

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Peggy Butler, Chief Deputy Clerk