

The Board of Commissioners of Fayette County, Georgia met in Official Session on September 6, 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  
  Herb Frady  
  Robert Horgan  
  Peter Pfeifer

COMMISSION ABSENT:               Linda Wells, Vice Chair

STAFF MEMBERS PRESENT:       Chris Venice, County Administrator  
  Dennis Davenport, Assistant 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:**

**Recognition of Water System for two awards for the Crosstown and South Fayette Water Treatment Plants.**

Tony Parrott, Director of the Water System, presented Russell Ray, Assistant Director ,and Paul Coddington, Assistant Plant Manager for the South Fayette Plant, awards of recognition from two organizations for the quality of the water at the Cross Town and South Fayette plants. The Drinking Water Permit and Engineering Program of the Georgia Environmental Protection Division awarded the plants the area wide Optimization Award for meeting turbidity requirements. They were also presented the Gold Award by the Georgia Association for Water Professionals for the complete and consistent compliance with the safe drinking water act.

**NEW BUSINESS:**

**Award of bid for a rescue truck to the lowest responsible bidder, Taylor Made Ambulances, for \$247,089.**

Chief Jack Krakeel reported that on April 21, 2006 a request for bids was sent out for the replacement of a heavy rescue truck that was approved in the 2006 budget. He said five bids were received with a price range from \$247,000 to \$323,536. He said the recommendation from the Fire & EMS Department was to award the bid to the second lowest bidder for \$253,183, which represented a differential between the low bidder and the second low bidder of \$6,094.

Chief Krakeel said the Purchasing Department's recommendation was to award this bid to the low bidder in compliance with the standard policy associated with low bids. He said the Fire & EMS exception to this issue stemmed from several perspectives. He said the rescue truck carried all of the heavy rescue equipment such as the jaws-of-life, the cutters and other tools. He said it was a one-of-a-kind vehicle and there was not a reserve rescue truck.

Chief Krakeel said of the two bidders one was located in Winder, Georgia, which was seventy-five miles from the community, and the second bidder was Custom Truck and Body, located in Woodbury, Georgia, which was thirty-four miles from here. He said Custom Truck and Body had a warranty on the electrical for eight years and paint for seven years, and the warranty period for the low bidder, Taylor Made Ambulances, had an electrical warranty period of six years or 72,000 miles and a paint warranty of four years.

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Chief Krakeel said the principle reason, outside of the warranty issues, for recommending the awarding of the bid to the second low bidder was because it was the actual manufacturing facility in Woodbury that manufactured these vehicles, which meant they had stocked parts in the event they needed the unit repaired. He said the facility in Winder, Georgia was a service center for the manufacturer, which meant that often times they would have to order parts to be shipped causing down time to be substantially longer.

Chief Krakeel said that was their recommendation to the Board. He said because they had a different recommendation than Purchasing was why it was presented to the Board.

Chairman Dunn said this came down to the fact that the bids were submitted and Mr. Jones and his Purchasing staff found that the recommendation should be for the lowest bidder and Fire & EMS did not. He asked Chief Krakeel if they had experience with Custom Truck and Body, the one he recommended. Chief Krakeel responded they had not. He said they canvassed other Emergency Service organizations that had procured equipment from the organization and they had found no detrimental comments.

Chairman Dunn asked Chief Krakeel if they had experience with Taylor Made Ambulances. Chief Krakeel replied that they had. He said it was aged experience that went back ten or fifteen years. He said they had a number of warranty issues and service issues with them. He said then they were not responsive, problems with the unit having to go back and forth on a number of occasions to fix warranty issues and problems associated with the ambulance purchased from them.

Commissioner Horgan asked how many miles a year did they expect to travel. Chief Krakeel replied that they would not put 72,000 miles on the vehicle in the six year time frame. He said this unit did not get a tremendous amount of mileage but when it was needed it was needed. He said the unit they were replacing was 20 years old and the reason they were replacing it was they could no longer find parts for it. He said the unit was out of service right now. He said they had to search for a wheel hub for it. He said serviceability was an issue for them, especially with this unit. He said their principle concern was out of service time. He said to go from here to Winder would take the better part of the day to have any kind of service work done. He said if they had to order anything chances were it would be out of service there while being repaired verses being able to go down the road 34 miles.

Chief Krakeel said he would admit the bid specifications stated within a 75 mile radius of Fayette County and Taylor Made did comply with that recommendation. He said given the \$6,000 differential in pricing plus the improved warranty on the electrical, which was generally one of the major concerns, he believed the justification was there to recommend the second low bidder.

Chairman Dunn asked how long they would expect the new unit to be in service. Chief Krakeel replied they expected it to be in service for 20 years.

Chairman Dunn said he appreciated the Purchasing Department doing their job and recommending the lowest bidder, however, based on Chief Krakeel's department's concerns and the experience with the other company, \$6,000 over a twenty year period to get something that would service the county better seemed reasonable to him.

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Motion was made by Chairman Dunn, seconded by Commissioner Pfeifer, to award the bid for a rescue truck to the second low bidder, Custom Truck & Body Works at \$253,183, per the recommendation of Fire and Emergency Services. Motion carried 4-0. Vice Chair Wells was absent. A copy of the information, identified as "Attachment No. 1", follows these minutes and is made an official part hereof.

### **Water Committee recommendation that the Board of Commissioners own and operate community septic systems and community drip irrigation systems in Fayette County.**

Water System Director Tony Parrott stated that the Water Committee had reviewed several options and was recommending to the Commissioners to approve, own and operate community septic systems and community drip irrigation systems. He said currently the county had an ordinance for drip systems that served more than 30 houses and specifications for the installation of sewer collection lines to be installed in the county right-of-ways. He said in the ten years since these were inactive, no systems had been put in. He said last year Georgia's Department of Natural Resources approved a community septic system in a subdivision with private streets. He said this system only served part of the subdivision and only 22 lots which did not hit the threshold that the county had established and it was greater than the threshold that the Department of Human Resources of the County Health Department had.

Mr. Parrott said the state required the owner of the system have a trustee capable of the operation and management of these systems. He said the state considered the home owners association capable of doing this. He said if the county adopted the plan to approve, own and operate they could establish higher standards. He said the Water Committee recommended higher standards which included each lot have a septic tank that would be pumped every five years by the homeowner and the size and installation of these tanks would be the same standards used now by the Department of Human Resources. He said each lot in the subdivision would be connected to this system. He said they would have 100% replacement area for the septic system and drip system.

Mr. Parrott said the Water Committee recommended residential rates of \$4.38/thousand for metered water each month with a minimum bill of \$20. He said the rate for industrial/commercial multi-family was \$4.85/thousand gallons of water metered with a minimum of \$20 per month. He said as part of the management of this there would be a separate budget to the board annually showing how much was generated by the sewer and how much was expended.

Chairman Dunn said the State of Georgia approved, with no coordination at all with the local governments community, septic systems. He said this was happening in Fayette County now. He said the state cannot manage, service or inspect these. He said he felt the county had to do something.

Commissioner Frady agreed that they needed to do something, but he was not sure what just yet. He asked what was the largest size system.

Mr. Parrott said different types of systems could be used in one neighborhood. He said the state would permit up to 150 gallons per day.

Commissioner Frady said they would start generating funds but if there was a problem in the first quarter where would the funds come from. He said he did not know if they wanted tax payers paying for individual subdivision sewer

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systems. He said they would have to accumulate funds. He said that maybe up front the developers should operate the system for a year so there would be funds when the Water System took them over.

Mr. Parrott said the first year as a subdivision grew there would not be a big demand on the system. He said there should be more income than expenses as the system would be covered by warranties that first year. He said they should be able to go the first year without any kind of maintenance expense other than damage by other utility companies.

Commissioner Frady asked if there were maintenance track records on these kind of systems. Mr. Parrott said he did not have an answer for that because of the different type systems.

Commissioner Frady asked if they could go to the manufacturer to find out more about these systems. Mr. Parrott said they could. Commissioner Frady thought they should do that first.

Chairman Dunn asked the county attorney if there was any way to charge a developer a certain amount of money to put in one of these systems? Assistant County Attorney Dennis Davenport responded that the whole concept behind this was to have the developer install this with the specs as dictated by the county and turn it over to the county. He said rather than have the developer pay the dollar fee to install it, it would be installed just like the water lines and streets were put in and would meet certain minimum standards.

Chairman Dunn asked what if there was a subdivision that took several years to complete and there were problems before the county took it over. Assistant County Attorney Davenport said there could be some type of mechanism put into place like a maintenance bond.

Mr. Parrott said there would be an engineering study for a separate replacement area for either type system and would have it already designated in the subdivision.

Mr. Parrott said once meters were installed and set the revenue began even while the builder was building. He said the builder purchased a meter when he got a building permit and started paying the water bill from the first month. He said they were picking up income before the system was connected.

Chairman Dunn said they had to be in a position to hold the environment of this county to a higher standard that the state was willing to impose.

Commissioner Horgan asked Mr. Parrott if he felt like in the future this would be the norm in new subdivisions. Mr. Parrott responded that they were pushing decentralized sewer systems.

Commissioner Frady said there were a lot of questions he felt they needed to sort through.

Commissioner Horgan asked if this was a system that could go into an existing neighborhood. Mr. Parrott responded that you could retrofit an area for a system, there would just have to be an area for land application. He said the sewer line collection system if could not fit in the right-of-way there would have to be easements obtained.

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Chairman Dunn asked how many people would he need to be involved with community sewer systems. He asked if he could handle this with no new people. Mr. Parrott said at some point in time. He said at first they could incorporate it with their current work load. He said there were people on staff who could handle the paper work.

Assistant Attorney Dennis Davenport said there would also be a duty to inspect on behalf of the Board of Health-Environmental Health Division. He said they would also be doing their inspection parallel to what the county was doing for ownership of the system.

Commissioner Pfeifer said he looked at this as entirely an offensive position being forced on the county because the state was going to permit these things no matter what we did. He said this was our opportunity to interject ourselves into that process and get the systems put in to the highest possible standards that we could apply. He said at the same time the expense would be born by the people who were actually using the systems not by the taxpayer. He said if we did not do anything the state was going to permit them, they would fail, and the taxpayer would pick up the tab because we would not have any choice.

Commissioner Frady said if we took responsibility and there was no money there where would the money come from.

Commissioner Pfeifer said we would have to address that. He said as he understood it the people who actually used the system were going to put the money in to pay for the inspections, maintenance and repairs.

Chairman Dunn said but there may only be ten of them in a 150 house subdivision the first year.

Commissioner Pfeifer said the start up was different and bonding would probably be appropriate there.

Commissioner Horgan asked as far as systems went were these type systems better for the areas or were regular septic tanks better?

Mr. Parrott responded that the reason they were looking at a community septic system was because the lot they were building on did not have either a primary septic system site or a back up secondary site. He said this was the only reason they would look for an alternative. He said the same thing applied with the land application. He said there were areas that were good enough for building lots but not good enough for septic systems.

Commissioner Frady asked Mr. Parrott if he could get information regarding if the larger systems were easier to operate or more prone to having problems. He said he felt they needed to find out more about these systems. He said they needed to know if they needed to put two systems into a subdivision.

Mr. Parrott said all that would go into the design of the system to start with. He said most of the systems were set up with redundancy like they had with the Water System where there were two pumps for any station where if one went out the other kicked on. He said in order for them to market what they had all of them worked at the standard that the state was looking at.

Commissioner Frady asked Mr. Parrott if he had talked to the people that manufactured these systems? Mr. Parrott said he had not. He said he had talked with people that operate some of these systems.

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Chairman Dunn asked Mr. Parrott how he determined the recommended fee structure? Mr. Parrott replied said they did not have a background for waste water treatment but they billed for the City of Fayetteville, Peachtree City and Tyrone sewers, they used Peachtree City sewer rate that was based on what it cost them to treat the sewage which was \$4.38. He said that was their entire cost for taking care of their O&M for their waste water system.

Commissioner Frady asked if the county engineers had reviewed this. Mr. Parrott answered that they had. He said David Jeager with Mallott Consulting sat on the subcommittee that helped get the package together and Mallott Consulting was the one that designed and wrote up the specs that we adopted for the collection system years ago. He said they had engineering involved during the whole process.

Chairman Dunn said over the next couple of months they needed to make a decision and get on with it. He said he was not ready to vote today. He said he did not know exactly what to do and what fees to charge. He said he did think they were going in the right direction because they had to protect the tax payers from this.

Mr. Parrott said if the Board wanted additional information to let him know and he would get it for them.

Commissioner Frady asked him to get all he could get.

A copy of the request, identified as "Attachment No. 2", follows these minutes and is made an official part hereof.

**EMS Billing Compliance Manual**

Chief Jack Krakeel stated that last September the county engaged the services of a professional billing firm to handle EMS billing for us. He said in February of this year the Department of Fire & Emergency Services took over the responsibility from Finance for the internal billing process. He said in addition 2006 marks the first year in which Medicare's fee schedule for ambulance services went into full effect. He said that fee schedule was developed in 2001 with an initial start date of February 2002. He said since that time Medicare had been paying what was called a blended rate until the full impact of the schedule went into effect this year. He said the reason that was important was because it changed the way in which ambulance service providers were reimbursed for ambulance services. He said since the beginning of operating the EMS system in Fayette County, they had been permitted to bill at the ALS rate which meant irregardless of a patient's condition they were able to bill at the advanced life support rate. He said Medicare reimbursed at different rates today. He said today the new fee schedule was one fee was received for what was called basic life support and another fee was received for what was considered advanced life support and another fee received for what was considered critical care and other fees for nonemergency basic and advanced life support transports.

Chief Krakeel said they had developed for the Board's consideration an EMS Billing Compliance Manual. He said the reasons for that were to withstand any audit. He said it was absolutely essential to have a billing compliance manual with specific policies that addressed all aspects of the billing process. He said the development of this guide was a good business practice. He said it provided the appropriate policies for personnel to guide them in their actions for the billing actions with respect to the billing issues. He said it provides the board's intent with respect to those issues that had public policy implications.

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Chief Krakeel said the three specific policies contained in the 17 policies in the manual that really needed the board's attention were defined under the Section 110 under EMS Billing Charges, Section 112 Uncollectible Debt, Financial Hardship, and Section 113 EMS Write-offs.

Chief Krakeel said Section 110 was the section that identified what they were recommending in respect to ambulance fees for patient transports. He said they had historically had a single base rate with itemizations for individual procedures for supplies for certain tasks and a mileage charge. He said it was their recommendation than an all inclusive base rate, one that encompasses the full spectrum of services provided beyond the mileage charge, had a higher level of reimbursement success rather than itemizations because they tended to pick the itemizations apart and deny them. He said this was important because when an insurance company did not pay the full bill the balance of that bill went to the patient. He said if they could get a higher rate of return due to less write-downs from the insurance carrier the less the individual had to be responsible for. He said anything they could do to lessen the financial impact on the residences was a proper approach. He said the citizens subsidized the EMS system significantly so anything done to assist them he felt was appropriate. He said the single all inclusive charge was more conducive to improve the reimbursement profile than the current method of itemizing which included 50 or more items.

Chairman Dunn asked what was the difference between Advanced Life Support I and II and Specialty. Chief Krakeel responded that Advance Life Support I was when a person was having chest pain and they hooked that patient up to a monitor. He said they may start an IV and put that patient on oxygen. He said Advanced Life Support II was they actually had to defibulate a patient, perform other invasive procedures and administer three or more medications. He said Specialty Care was service that went beyond the normal prescribed scope of training of a paramedic. He said they had a number of critical care paramedics. He said that was a level of training they provided above and beyond the paramedic skills. He said it became essential when they did transfers out of Fayette Community Care Hospital. He said that required a minimum of two paramedics in the back and usually a RN accompanied. He said there were multiple medications and fluids administered. He said they had the capability of being reimbursed for that at a higher level than ALS II level that Medicare paid if this was a Medicare patient.

Chief Krakeel said the average transport charge was \$531. He said that included mileage. He said the average mile per transport was 7.49 miles.

Chief Krakeel said by going to an all-inclusive base rate it reduces error rates substantially. He said between itemizations and all of the things that were put into the system and transferred to the billing carrier, this cleaned that up. He said they had a low error rate and in his opinion this would resolve any error issues internally.

Chairman Dunn asked how this compared to Peachtree City's billing compliance. Chief Krakeel responded that he had not looked at Peachtree City's billing and their charge rate structure. He said in making this recommendation to the Board he had attempted to not adversely impact billable revenues today but to keep the revenue stream based on the new fee structure the same in terms of gross revenues. He said this did not materially effect the gross revenues.

Commissioner Frady asked Chief Krakeel to tell them the reason they were changing the structure. Chief Krakeel responded the reasons were reduction of error rate, and reimbursement from insurance carriers should be higher and when that reimbursement was higher it lessened the balance of the bill the patient had to pay.

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Chief Krakeel said the other part of this issue was that where they had historically billed all ALS, now when they billed Medicare they had to differentiate that patient class into Basic Life Support, ALS I, ALS II, and Critical Care. He said each one of those levels of services denoted a different payment by Medicare.

Commissioner Frady asked what was their collection percentage. Chief Krakeel stated their last year's collection percentage was approximately 58-60%. He said he wanted to get that up to 70%. He said a more closely monitored billing process would yield additional increases in revenue. He said the fact that they had gone with a professional billing company would increase total revenues. Commissioner Frady asked what the billing company charged. Chief Krakeel said they charged fourteen dollars per patient transport.

Commissioner Frady asked if the taxpayers supported the system. Chief Krakeel said that did at a 50% rate. He said this was through user fees and taxes paid to the county.

Commissioner Horgan asked if they did any transporting besides emergency transport. Chief Krakeel stated that they did not. He said they did not do scheduled transports or non-emergency transports. He said those were all handled by private services.

Chairman Dunn asked what was the status on requests for indigent transports. Chief Krakeel said it was going up. He said he had about a dozen cases in his office right now. He said they had only been doing this since March.

Chief Krakeel said Section 113 dealt with billing right offs and there were only two cases in which the board had authorized write-offs of a patient transport bill. He said those two situations were when an employee of Fayette County or employee family member was transported that fee was written off and when an inmate from the county jail was transported that was written off.

Chief Krakeel said Section 112 dealt with the issue of indigent care. He said there was a procedure where we would try to establish a payment schedule for financial hardship cases. He said in the absence of that they would try to collect the appropriate financial documentation to determine whether or not they met the eligibility criteria for consideration under financial hardship. He said that was directly tied to Department of Family and Children Services criteria. He said the other situation they encountered was an individual that had gone through bankrupt proceedings and a judge ordered current outstanding debts eliminated. He said in that case they had no alternative.

Chief Krakeel said legally the board was the only one who had the authority to write off a debt. He said without a policy to address that he could not address these issues with these patients. He said his request to the board was to give him the authority to be able to write off the indigent care cases of those expenses. He said the information would ultimately go back to the board through a report generated by Finance for final approval.

Chairman Dunn asked who on the staff did the bulk of the work on this. Chief Krakeel said it was Chief Alan McCullough and Captain Steve Folden. Chairman Dunn said it was excellent work and should pass that along to them.

Chairman Dunn said it was absolutely essential that they take action on this. He asked if the board were to approve this could the board get periodic updates on how this was working. Chief Krakeel said of course they could.



Motion was made by Commissioner Frady, seconded by Commissioner Horgan, to approve the EMS Billing Compliance Manual as presented. Motion carried 4-0. Vice Chair Wells was absent. A copy of the request, identified as "Attachment No. 3", follows these minutes and is made an official part hereof.

**CONSENT AGENDA:** Motion was made by Commissioner Pfeifer, seconded by Commissioner Frady, to approve the Consent Agenda as presented. Motion carried 4-0. Vice Chair Wells was absent.

**CAVES COVE SUBDIVISION APPROVED AS A STREET LIGHT DISTRICT**

Approval of request from the Engineering Department to approve Cades Cove Subdivision as a Street Light District in Fayette County. A copy of the request, identified as "Attachment No. 4", follows these minutes and is made an official part hereof.

**SHERIFF DEPARTMENT BUDGET ADJUSTMENT FOR THE PRISONERS' MEDICAL EXPENSE ACCT.**

Approval of request from the Sheriff's Department for a budget adjustment to increase the Prisoners' Medical Expense Account by \$190 for funds received from inmates for medical expenses in FY2006. A copy of the request, identified as "Attachment No. 5", follows these minutes and is made an official part hereof.

**SHERIFF DEPARTMENT BUDGET ADJUSTMENT FOR THE PATROL DIVISION SALARY ACCOUNT**

Approval of request from the Sheriff's Department for a budget adjustment to increase the Patrol Division Salary Account by \$3,000 for money received from D.A.R.E. America for a salary reimbursement for training by a Fayette County instructor. A copy of the request, identified as "Attachment No. 6", follows these minutes and is made an official part hereof.

**TRANSFER OF FUNDS FOR FIRE HYDRANT INSTALLATIONS**

Approval of request from Fire Services to transfer the balance in the Fire Fund Contingency budget in the amounts of \$21,714, and \$14,286 from the Salary Accounts to the Utility Services Account to cover unanticipated expenditures for fire hydrant installations during FY06. A copy of the request, identified as "Attachment No. 7", follows these minutes and is made an official part hereof.

**NOTICE TO PROCEED FOR THE JIMMY MAFIELD PROJECT**

Approval of request from staff to issue a notice to proceed to Mallett Consulting for project management and construction phase services for the Jimmy Mayfield project, and approval to allocate \$3,500,000 from the 70% SPLOST program for this project. A copy of the request, identified as "Attachment No. 8", follows these minutes and is made an official part hereof.

**BID AWARD FOR THE REDWINE ROAD MULTI-USE PATH PROJECT TO JIMCO CONSTRUCTION CO.**

Approval of request from staff to award the bid for the Redwine Road Multi-use Path project to Jimco Construction Co. in the amount of \$745,128, issue a notice to proceed to Mallett Consulting for construction phase services and allocate \$68,911 in additional funds from the 70% SPLOST program. A copy of the request, identified as "Attachment No. 9", follows these minutes and is made an official part hereof.

**AUTHORIZED STREETS IN HIGHGROVE SUBDIVISION FOR THE USE OF MOTORIZED CART TRAVEL**

Approval for the specified streets in Highgrove Subdivision to be authorized for the use of motorized cart travel per Ordinance 95-10. Streets in Highgrove Subdivision include: Ashborough Park, Burbury Close, Brisbane Court, Colony Point, Cottonmill Court, Coventry Court, Dresden Place, Glen Grove, Highgrove

Drive, Meeting House Road, Old Ivy, Old Valley Point, Pleasant Hill, St. Charles Place, Suffolk Place, Tarragon Drive, Trotters Ridge, Whitegate Drive, and the paved portion of Quarters Road from the intersection of Redwine Road to the west corner of Lots 63C and 70C. A copy of the request, identified as "Attachment No. 10", follows these minutes and is made an official part hereof.

#### **REPLACEMENT OF FIVE COUNTY VEHICLES**

Approval of Vehicle Replacement Committee's recommendation to replace five county vehicles as follows: two Marshal vehicles (\$38,000), two Fire & EMS vehicles (\$76,000), and one Sheriff Traffic vehicle (\$24,000). All meet the county's requirements for replacement. A copy of the request, identified as "Attachment No. 11", follows these minutes and is made an official part hereof.

#### **PROPOSAL AWARD TO AUCTIONEERING SERVICES**

Approval of staff recommendation to award proposal #581 (Auctioneering Services) to company with the best proposal, Arwood Auction Company, with a 10% buyer's premium and 15% being returned to the participating governments. A copy of the request, identified as "Attachment No. 12", follows these minutes and is made an official part hereof.

#### **LIBRARY SPLOST FUND USED TO UPGRADE COMPUTERS**

Approval of staff's recommendation to use \$31,509 of the Library SPLOST fund for the following: upgrade 18 computers that are not compatible for software migration (\$18,288); purchase secured wireless internet equipment (\$5,900) and new fiber optic cabling (\$7,320). A copy of the request, identified as "Attachment No. 13", follows these minutes and is made an official part hereof.

#### **PEACHTREE CITY EXTENSION TO RESPOND TO COUNTY'S OBJECTION OF AN ANNEXATION**

Ratification to allow Peachtree City an extension in days to respond to the County's objection to an annexation action for Group VI Corporation on Highway 74 South from September 5 until September 22, 2006. A copy of the correspondence, identified as "Attachment No. 14", follows these minutes and is made an official part hereof.

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#### **INSPECTION AND MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT CONTROLS**

Approval for authorization for the Chairman to execute the Inspection and Maintenance Agreement for Stormwater Management Controls as required for development, in accordance with the County's Post Development Stormwater Management Ordinance. A copy of the agreement, identified as "Attachment No. 15", follows these minutes and is made an official part hereof.

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#### **BOARD MINUTES APPROVED**

Approval of minutes of the Special Called Board of Commissioners Meeting held on June 30, 2006 and Board of Commissioners' meetings held on August 2, August 10 and August 24, 2006.

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#### **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:**

Carol Chandler, Executive Assistant, informed the Commissioners that the board meeting scheduled for Thursday, September 14, had no agenda items accumulated for it. She asked if it was the desire of the board to cancel that meeting.

Motion was made by Commissioner Frady, seconded by Commissioner Dunn, to cancel the board meeting scheduled for September 14 due to lack of agenda items. Motion carried 4-0. Vice Chair Wells was absent.

Pete Frisina, Director of Planning and Zoning, informed the board of an ARC project that involved oblique aerial photography. He said this was in conjunction with some homeland security grants they had received. He said they would provide this information to the county free of charge. He said one area of Fayette County was being left out of the flight pattern. This area was considered the Brooks quadrant. He said if the county wanted full coverage they would have to pay for this area to be flown. The cost was approximately \$2,500. He said there were funds available to cover this cost.

Motion was made by Commissioner Frady, seconded by Commissioner Dunn, to pay to have the Brooks quadrant included in the photography. Motion carried 4-0. Vice Chair Wells was absent. A copy of the request, identified as "Attachment No. 16", follows these minutes and is made an official part hereof.

Assistant County Attorney Dennis Davenport requested an Executive Session to discuss two legal items.

Motion was made by Commissioner Pfeifer, seconded by Chairman Dunn, to adjourn to Executive Session to discuss two legal items. Motion carried 4-0. Vice Chair Wells was absent.

**EXECUTIVE SESSION:**

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

Motion was made by Commissioner Pfeifer, seconded by Commissioner Horgan, for the attorney to proceed in this matter. Motion carried 4-0. Vice Chair Wells was absent.

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

It was the consensus of the board for the attorney to proceed in this matter.

**EXECUTIVE SESSION AFFIDAVIT:**

Motion was made by Commissioner Frady, seconded by Commissioner Horgan, authorizing the chairman to execute the Executive Session affidavit affirming that two legal items were discussed in Executive Session. Motion carried 4-0. Vice Chair Wells was absent. A copy of the affidavit, identified as "Attachment No. 17", 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 5:30 p.m.

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The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 1st day of November 2006.

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Peggy Butler, Chief Deputy Clerk

