

The Board of Commissioners of Fayette County, Georgia met in Official Session on Wednesday, March 7, 2007, at 3:30 p.m. in the Public Meeting Room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

COMMISSIONERS PRESENT: Jack Smith, Chairman  
Herb Frady, Vice Chair  
Robert Horgan  
Eric Maxwell  
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 Smith called the meeting to order.

Chairman Smith stated the first item on the agenda was the Consent Agenda. He said staff had asked that item no. 4 dealing with the probationary period be removed from the Consent Agenda for discussion.

Commissioner Maxwell requested item no.2 be removed from the Consent Agenda for discussion.

**CONSENT AGENDA:** Motion was made by Commissioner Pfeifer, seconded by Commissioner Maxwell, to approve Consent Agenda items 1, 3, 5, 6, 7 and 8. Motion carried 5-0.

**FCC REBANDING MANDATE INCREASE OF REVENUES AND EXPENDITURES**

1. Approval of staff's recommendation to amend the FY2007 budget by \$8,823 increasing revenues and expenditures associated with FCC Rebanding mandate. A copy of the request, identified as "Attachment No. 1", follows these minutes and is made an official part hereof.

**ACCOUNTING TECH AND SENIOR ACCOUNTING TECH POSITIONS**

2. Approval of staff's recommendation to reduce Finance staffing complement by one and to reclassify the Accounting Tech and Senior Accounting Tech positions to appropriate class levels.

Motion was made by Commissioner Maxwell, seconded by Commissioner Frady, to not approve staff's recommendation to reclassify the accounting tech and senior accounting tech positions at this time. Discussion followed.

Commissioner Maxwell stated he was convinced there were a number of positions that needed to be looked at as far as the pay. He said he thought it was best not to pick one particular department, single it out and say that one was going to be the anointed department that week. He said he did not think that sent a good message to the other 700 employees of the county. He said they were close to budget time and that would be the appropriate time to address an increase. He said it was his understanding there were a number of arguments that dealt with the increase today but he felt the effects of doing it today would be a real morale problem. He said it was not budgeted or something that was suddenly new to this county. He said if it has been a problem with the salaries in that department then it should be addressed as a whole as they went through the budgeting process and not piece meal with one department getting preference over others.

Mary Holland, Chief Financial Officer, said she appreciated and understood what Commissioner Maxwell was saying. She said the way she looked at this was Finance had experienced a massive turnover rate in the last year. She said in doing her job she evaluated what caused this turnover. She said there was a 69%

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turnover rate for the time period she analyzed and she felt that was very significant. She said she was trying to get control in order to achieve stable staffing within the department in order to provide needed services. She said she agreed there were other issues that needed to be addressed. She said her concern was in talking about a compensation study, the time it took to get it done. She said she envisioned nothing being done before this calendar year. She said they were experiencing such a turn over rate that was causing problems in their department therefore she felt it was necessary to ask the Board to consider this now.

Commissioner Horgan asked if the mass exodus was still going on. Ms. Holland said for the first time in nine months she had a full staff. She said the staff members knew she was trying to do something for them and depending on the results today she could not guarantee what was going to happen tomorrow. She said again her concern was the length of time it would take to get something done. She said it was years of issues that had occurred that had gotten them to this point. She said a 69% turnover rate was a major issue and she felt it needed to be addressed.

Commissioner Horgan asked of that 69% how many people had transferred to other departments within the county. Ms. Holland said Finance had 14 positions and in this request she was willing to give up one of those positions in order to look at the remaining positions. She said nine of those thirteen positions had turnovers, which was how she came up with 69%. She said six employees went to higher level positions within the county. She said two people went to another county with very similar jobs, some with less responsibility and higher pay. She said one person went to a totally different field.

Commissioner Frady asked if she had any concerns about people leaving now. Ms. Holland responded that she did. He asked where were they were going. Ms. Holland said they were going out side of the county. She said she also knew of another position that was coming open and she believed there would be people applying for that position. She said there potentially would be two more openings in the next few months.

Commissioner Maxwell said if they were to go forward today and say yes, and he was a department head, he would get his request in so the Board would talk about it next week. He said that was his concern. He said he did not know what the increase would be. He said there was no dispute that they needed to address this issue.

He said he would feel more comfortable looking at this during the budget process.

Commissioner Maxwell said he had a study in front of him. He said he had marked the positions in the courthouse and could see where the county was way out of line. He said he did not know if there was a crisis in that office they had helped create by allowing folks to go other places in the county. He said an experienced finance person was lost to the Elections Department. He said there was a need to do that because of a death in that department and an election was coming up. He said he understood that. He said he would feel more comfortable discussing this during the budget process.

Chairman Smith asked if there was any other department in the county that came close to a 69% turnover rate.

Connie Boehnke, Director of Human Resources, said she did not have that information with her, but she did not recall any department that was higher but there were other departments and, by the sheer number of employees in that department, may have lost the same number of employees but the percentage was lower.

Commissioner Maxwell stated there was a high turnover of detention officers.

Chairman Smith asked Chris Venice if she had any comments on this matter. Ms. Venice replied that she felt the 69% turnover rate was high. She said Finance had lost a position so money was available in the

current budget. She said these two positions were under rated in Fayette County and could be easily seen by comparison in the DCA study.

Commissioner Frady stated that in that study there were several positions that were out of line.

Chairman Smith said he understood the turnover rate. He asked if Ms. Holland felt it would be detrimental if this was handled during the budget process instead of today. Ms. Holland said if it could be done through the budget process she felt it would be manageable.

Chairman Smith asked if Ms. Holland would withdraw this item for their consideration or did she want them to vote on it.

Commissioner Maxwell said he was not saying no, he said he was open to look at the information. He said the way it was presented today would send a message to other employees by singling this one out.

Ms. Holland stated that staff would withdraw their request for consideration at this time.

Commissioner Maxwell withdrew his motion.

**REPLACEMENT OF FIRE ENGINE #3**

3. Approval of staff's recommendation to replace engine in Fire Engine #3 using \$15,156 of Fire Services contingency funds. A copy of the recommendation, identified as "Attachment No. 2," follows these minutes and is made an official part hereof.

**CHANGE OF PROBATIONARY PERIOD FROM THREE TO SIX MONTHS**

4. Approval of staff's recommendation to change the probationary period from three months to six months for new hires and promotions effective April 1, 2007.

Connie Boehnke, Human Resources Director, asked to discuss this item with the Board.

Ms. Boehnke said since the memorandum had been drafted and forwarded to the Board, she had talked with several department heads. She said while they would be satisfied with six months, the ultimate goal would be twelve months. She said they wanted to be in line with their peers and surrounding counties.

Ms. Boehnke said in departments where there was an extensive training period, the three month probationary period was totally inadequate. She said it did not provide an opportunity to review the employee on actual work. She said in three months all they could be evaluated on was how well they were able to be trained. She said they had not performed anything at that point. She said a few years ago department heads could ask for a three month extension which took the probationary period to six months. She said the majority of the department heads preferred twelve months for probation and she wanted to share this information with the Board before they made their decision.

Motion was made by Commissioner Frady, seconded by Commissioner Pfeifer, to increase the probationary period from three months to twelve months for new hires and promotions, effective April 1, 2007. Motion carried 5-0. A copy of the recommendation, identified as "Attachment No. 3", follows these minutes and is made an official part hereof.

**DONATIONS FROM THE FRIENDS OF THE FAYETTE COUNTY PUBLIC LIBRARY**

5. Approval of acceptance of donations from the Friends of the Fayette County Public Library to be used for summer reading programs for children and young adults, awards, exhibits, newsletters, baby time, equipment for the library, the Blended Heritage program, and author tours. A copy of the request, identified as "Attachment No. 4", follows these minutes and is made an official part hereof.

**PROPOSAL AWARD OF HAVAC SYSTEM TO HEATING AND COOLING, INC.**

6. Approval of staff's recommendation to transfer \$5,000 from Recreation's operating budget and award Proposal #P589, HVAC System to the company with the lowest and best proposal meeting with the requirements, Heating and Cooling, Inc., in the amount of \$32,186 pending receipt of the required bonds. A copy of the recommendation, identified as "Attachment No. 5", follows these minutes and is made an official part hereof.

**FIRE HYDRANT INSTALLATIONS**

7. Approval of staff's request to transfer \$21,000 from the Fire Fund contingency account to cover unanticipated expenditures for fire hydrant installations during FY07. A copy of the request, identified as "Attachment No. 6", follows these minutes and is made an official part hereof.

**SHERIFF'S OFFICE TO RETURN PICK UP TRUCK TO GEMA**

8. Approval of request from the Sheriff's Office, Criminal Investigation Division, to return to GEMA a 1985 Chevrolet pick-up truck VIN#1GCGD34J1FF386800 which was assigned to the Sheriff's Office for use by the GEMA-Excess Property program. A copy of the request, identified as "Attachment No. 7", follows these minutes and is made an official part hereof.

**NEW BUSINESS**

**DISCUSSION OF ESTABLISHMENT OF A FORMAL COMMUNITY SERVICE WORKER PROGRAM WITH THE STATE COURT AS PRESENTED BY THE WATER SYSTEM**

Tony Parrott, Water System Director, said Judge Sams had asked that the County institute a formalized community service program. He said over the years different departments had used community service workers that were assigned 40 to 80 hours for their sentence. He said the Water System, Recreation, and Buildings and Grounds had used these workers to cut grass, pull weeds, wash windows and other tasks. Mr. Parrott said this had worked out well. He said they were asking the Board to consider a formalized program where Judge Sams would send up to 7,000 hours of additional work force.

Chairman Smith asked who would police this program. Mr. Parrott said individual departments would have a supervisor handle this on a given day that the community service workers were there. He said Chief Collins had actually had experience with this and would provide supervisors with additional training in handling volunteer workers such as these. He said they would keep more efficient records and would report to the Board the benefits of this program.

Chairman Smith asked if there was a cost of benefit to the county. Mr. Parrott said for the value the county would receive they would need to provide the workers with gloves at approximately \$4/pair and would provide safety vests when they were in the parks or out picking up trash. He said the safety vests cost \$12 each.

Motion was made by Commissioner Pfeifer, seconded by Commissioner Frady, to establish a formal Community Service Worker program with the State Court as presented by the Water System. Motion carried 5-0. A copy of the recommendation, identified as "Attachment No. 8", follows these minutes and is made an official part hereof.

**DISCUSSION OF THE PROPOSED IMPROVEMENT OF DOGWOOD TRAIL AND SIMS ROAD INTERSECTION AS PRESENTED BY PLANNING & ZONING AND PUBLIC WORKS.**

Pete Frisina, Director of Planning and Zoning, stated the intersection at Dogwood Trail and Sims Road came at an angle of less than 90 degrees. He said the standard for an intersection was a 90 degree intersection. He said at a rezoning heard back in January, the subject was brought up about trying to make improvements to this road. He said the petitioner was rezoned and was looking to develop three lots. He said the zoning he received did not allow him to get three lots. He said the petitioner brought up the subject of looking at adjacent property, perhaps purchasing some of that property, and aligning the road so that the existing roadway could be taken up and he could incorporate that into his property and get three lots out of it.

Mr. Frisina said staff, which included him and Director of Public Works Lee Hearn, looked at this and came to the conclusion that it was about 260 feet of a new section of road that would be needed. Staff recommended that 60 feet of right-of-way be provided to the county at no cost.

Mr. Frisina said Mr. Hearn looked at this two ways. He said if Public Works were to do it as an unpaved road, the cost would be approximately \$5,000 which would include taking up the pavement of the old road. He said for comparison pricing, using an approximate cost of \$95 per linear foot to make it a paved road would cost \$25,000. He said his department could do that but it would take them longer and also take them off of other projects. He said they did not know if they would have to move the utility poles.

Mr. Frisina said he talked with Mr. Cole about this and he was not in agreement with the recommendation of providing 60 feet of right-of-way. He said Mr. Cole was more inclined to agree to provide 30 feet from the center line he was purchasing and the county should try to acquire either right-of-way or an easement for the other portion of the road.

Mr. Frisina said in regards to some background on Sims Road, the residents had tried in the past to get the 80% buy-in to get the road paved. He said it was his understanding that they did not get that number so the road did not get paved. He said he also talked to David Rast, the Planner for Peachtree City. He said there was a stub road coming out of a road in Peachtree City that stopped right where Sims Road ended at the county/city border. Mr. Rast explained that had been a project in Peachtree City's long range plan to someday extend this stub road up to connect to Sims Road to provide another exit in and out of Peachtree City. He said Sims Road was a gravel road and not up to standards. He said this was not something Peachtree City was pursuing but was in the plan.

Mr. Frisina said in the summer of 2006 some of the residents of the southern portion of Sims Road proposed the county abandon the southern portion of the road to preclude this connection. He said he read emails that circulated last summer and at that time they were asked to get Peachtree City's feelings on this and they never came back with that information.

Mr. Frisina said given this all came about in January, the Zoning Department was looking for a general direction. He asked the Board if this was something they wished to proceed with. He said this would give Mr. Cole an opportunity to purchase more property and perhaps acquire his third lot. He said being this was budget time, it was the time to think about moving the money into a category where the multiple pieces would fall into place.

Chairman Smith asked Mr. Frisina what his recommendation was regarding the discussion he had with Mr. Cole and his reluctance to donate the right-of-way. He asked if this was a project he would recommend the county do without obtaining the right-of-way. Mr. Frisina said normally no. He said there were times they had

paved certain roads in the county with both right-of-way and prescriptive easement where they were going down an already existing alignment. He said since this would be a new alignment so the county would like to have the sixty feet of right-of-way.

Commissioner Pfeifer said he could not see the county funding an acquisition of property for a right-of-way to do somebody else a favor.

Chairman Smith asked if this road was ever connected to Peachtree City.

Mr. Frisina said in looking at the aerials, the dirt road meandered down past the county line into Peachtree City. He said it looked like it turned into a driveway. He said he did not think anyone was coming off the sub street and trying to find that old gravel bed and going up that road.

Chairman Smith said he went down that road when they were talking about the rezoning. He said at the end of Sims Road there was a house that was almost built in the middle of the road and a pile of dirt.

Chairman Smith asked if Sims Road was an approved road in the county for golf carts. Mr. Frisina said that it was not.

Commissioner Frady asked what was the name of the prescriptive easement at the main entrance of Smoke Rise in Peachtree City. He said it was a family name. He said it went all the way through and came out on either Dogwood or Highway 54. He wondered if it was the same road.

Chairman Smith said he needed clarification on what they were asking the Board to do. Mr. Frisina said given that the opportunity had come up and the discussion came up in the rezoning meeting, they decided that this might be something the Board would want to consider. He said they gathered information and there were several questions. He said a question was would they want to try and do this road this coming summer and try to get something in the budget so that could happen. He said they needed to make sure they could get additional right-of-way. He said Mr. Cole may not be willing to cooperate at that point. He said there were a lot of things that needed to fall into place.

Commissioner Horgan asked if there were problems currently at that intersection. Mr. Frisina said no it was coming out at an angle and was not 90 degrees and the standard was to make it come out at 90 degrees.

Commissioner Frady said his recommendation was, in lieu of the fact that they were not willing to give the right-of-way, to instruct them to work on the right-of-way and see if they could get it. He said if they could get the right-of-way the Board would take another look at it.

Commissioner Maxwell said the problem with only getting thirty feet the county was put into the position of either negotiating or condemning thirty feet of someone else's property for the purpose of developing property and it would not happen in the county. He said that was the nature of the way it would be couched if they did not get the sixty feet. He said it put the county in the position of having to buy the land. He said he was fully prepared when he read this, if Mr. Cole was willing to give the sixty feet of right-of-way, to go along with this. He said he did not realize the utilities were not included in the estimate.

Commissioner Maxwell said he was willing to go along, assuming Mr. Cole was giving the sixty feet of right-of-way, as long as the road was put in a similar fashion as it was today, the gravel surface as it was today. He said he did not think Mr. Cole should bear the burden of paving a road. He said there was no way he could support anything other than a dedicated sixty feet of right-of-way on this project.

Commissioner Frady said Mr. Cole was here; maybe he would like to say something.

Mr. Cole said he wanted to make the point that he was buying an additional half acre to give him a third of an acre just to the back of the six acres that he wanted and petitioned the Board for to begin with. He said he was doing his part. He said he did not want any favors from anyone. He said this was something the county wanted to do and probably needed to do and he talked to Lee Hearn and it seemed like a win-win situation for everybody. He said the Board got the road where they wanted it to be and actually improved Sims Road by making it 260 feet, and if the Board paved the road it would be up to the 60 foot standard of 24 feet of pavement.

Mr. Cole said he was the only one on the road that had extended the right-of-way with the R70 rezoning. He said he had already dedicated to the county for their benefit. He said he knew a paved road would benefit him connecting to Dogwood and that was why he brought it up. He said if it was something the Board felt they were doing just for him then he agreed with them to scratch it. He said he could divide the property he had now into two lots instead of three lots and felt he could get his money out of it. He said that was not his original goal. He said he would still like to have three lots there and he did not see why it would not work for everybody. He said he had one question on the paving and that was why did they come up with 260 feet?

Mr. Frisina said the surveyor came in about 257 feet and they came off that tangent and went up to the point where it intersected with the right-of-way at Dogwood.

Commissioner Maxwell said he wanted the win-win situation. He said he would like to have a 90 degree road there. He said he did not want to be in the position where the county had to condemn the property or attempt to purchase the right-of-way.

Mr. Cole said he spoke with Mr. Cherry, who was on the other end of his property, and he was under the impression that the road was on a paving list. He said he believed there were enough people to get the road on a paving list. He said he talked with Mr. Walker to make sure he had an agreement before he came before the Board. He said Mr. Walker had a situation with the county a long time ago and still today was not happy with the county. He said Mr. Walker would not give the 260 feet on his side but he would sell it.

Mr. Cole said he was willing to give the county the half acre that gave the county the right-of-way all the way down his side of the road and he would consider buying more right-of-way, but he had to look at his budget on this, too. He said that was where it stood from his end of the deal. He said he would like to see these folks get this road on a paving list.

Commissioner Frady asked if the county had any of the right-of-way down that road. Mr. Frisina said he was not aware of having any right-of-way on that road.

Commissioner Frady said the reason he asked that was because Mr. Cole said some people thought it was on the list to be paved and if it was on the list to be paved it would take a 60 foot right-of-way. Mr. Frisina responded that from the information he received they did not get the 80%, so he did not think the county took the right-of-way at that time.

Commissioner Frady said they needed to find out if the people were willing to do that with the procedure that was in place.

Mr. Cole added that Mr. Hearn did tell them he did not have the 80% so it was his understanding it was not on the paving list.

Commissioner Maxwell said it was an unfortunate position that Mr. Cole was in. He said he would be more than happy to follow the county guide lines on a 60 foot easement if Mr. Cole was willing to dedicate it and pay the cost of relocating the road. He said the estimate from Mr. Hearn was \$5,000 and that sounded reasonable to him. He said the problem was that he was not prepared to find out the utility pole would have to be moved and he did not know what the cost was for that. He said consistent with what he was saying if Mr. Cole was willing to fund the new road, similar to the one that is there now, and move the utilities, it was a no brainer decision.

Mr. Frisina said the \$5,000 expense was the grading and graveling to physically move the road.

Commissioner Frady asked if there was a site problem on this road. Mr. Frisina answered there was not one that he was aware of.

Mr. Cole said there was site distance coming out of the road now. He did not know how many feet it was.

Commissioner Frady said he did not think there was any doubt that it would make it a safer place if the road was moved.

Chairman Smith said he agreed. He said any time you could get a 90 degree ingress instead of an angle it was a positive. He said that was probably the overriding factor for the county. He said footing the bill, so to speak, for the graveling and grading of moving the road, he agreed with Commissioner Maxwell, for the county to move into a position to acquire and pay for right-of-way was something that he was not willing to do.

It was the consensus of the Board for staff to get detailed information and a definitive cost list for this proposal and report back to the Board. A copy of the request, identified as "Attachment No. 9", follows these minutes and is made an official part hereof.

**CONSIDERATION OF THE PROPOSAL TO CREATE PROVISIONS TO CONDUCT COMPENSATED OVERTIME INSPECTIONS AS PRESENTED BY THE PERMITS & INSPECTIONS DEPARTMENT**

Derek Sorensen, Permits and Inspections, said the Permits and Inspections Department currently received inspection requests until 1:00 p.m. daily to be conducted the following business day. He said all requests received after that time were rolled into the following day and subsequently forwarded to the next business day.

Mr. Sorensen said in a scenario where a builder requested inspection after 1:00 p.m. on a Friday they would not receive that inspection until the following Tuesday. He said this resulted in a four day loss. He said if it was a Monday holiday the inspection would fall on a Wednesday.

Mr. Sorensen said they were proposing the creation of a program to allow the building industry, or anyone involved in a building project, to request overtime or compensated same-day, overtime inspection in the event there was severe weather coming that may hinder the project, an emergency closing, or any other project time constraints.

Commissioner Frady asked if the only time they were going to do this was when severe weather was approaching. Mr. Sorensen replied that it could be any event. He said severe weather usually impacted footing type inspections where ground preparation was done and the weather would wash it away. He said if they had some type of inspection discrepancy on a Friday morning, failed and anticipated pouring concrete on Saturday and had bad weather coming on Sunday, they would have to call that inspection in currently and wait until they went out on Tuesday.



Commissioner Pfeifer said the entity requesting the overtime inspection would pay for it. Mr. Sorensen said that was correct.

Mr. Sorensen said this was a request to the Board for Permits and Inspections to move forward and create a program and bring it back to the Board.

Commissioner Frady said they could have other reasons besides weather conditions to ask for a same-day inspection. Mr. Sorensen said that was correct and they would accommodate that also.

Chairman Smith said the person requesting the same-day inspection would compensate for the additional time needed to honor their request. Mr. Sorensen said that was correct.

Chairman Smith asked what would this change in terms of time frame. He asked could someone call and request an inspection for the same day. Mr. Sorensen said they could. He said the program would be created to anticipate those types of emergencies where if they failed an inspection in the morning they could make arrangements, according to the proposed policy, to make the payment and Permits and Inspections would go out that same day outside of the current inspection scheduling system that was in place. He said this would be an option.

Chairman Smith asked what was anticipated this would do as far as time constraints with available personnel. He asked if another employee would be needed. Mr. Sorensen said he did not anticipate additional employees for this. He said the interest level received from the building industry was just on a per event basis and not a regular occurrence. He said currently it was when unanticipated events happened where it was imperative that the building project be allowed to move forward that they got out there and verified corrections had been made. He said this would be dependent on staff availability and their willingness to perform overtime.

Chairman Smith asked if Mr. Sorensen was aware of a program of this type anywhere else. Mr. Sorensen said not in this region but elsewhere in the country. Chairman Smith confirmed that there were some available guidelines, that they were not creating the wheel. Mr. Sorensen said that was correct.

Commissioner Maxwell said he did not know enough about it at this point to make a decision. He asked how many inspectors the county had. Mr. Sorensen said they currently had five inspectors. He said there were six positions allocated and five were filled. Commissioner Maxwell asked if the inspectors were asked to do a same day inspection would they be able to. Mr. Sorensen said among the five inspectors normally there would be at least one that was willing and able to conduct those services. Commissioner Maxwell asked if the inspector was doing that on county time why were they giving compensation time to do that.

Commissioner Pfeifer said he understood him to say they would be going after regular working hours.

Commissioner Maxwell asked was it not impossible to get a request and do it the same day whether you paid the overtime fee or not. Mr. Sorensen said it would be. He said generally the inspectors started at the north end of the county and worked their way south. He said if they had morning inspections in the north end and the inspector finished up their workload by early afternoon and the builder requested an inspector to go back into the north part of the county, they could pay for the services. He said the inspector would not receive any overtime because they were on the clock from eight a.m. to five p.m. He said the county would receive the funds for the additional administrative services.

Commissioner Maxwell asked Mr. Sorensen if he had considered instead of having everyone come in from eight to five, have employees come in from noon to eight p.m. to do the after hours inspections and weekend work like the sheriff's and marshal's office did. He said he did not understand why they were not thinking outside of the box. Mr. Sorensen said that had not been considered. He said the normal workload now was the full augment of the staff. He said it normally took the full eight hour day to complete the requested inspections at the current workload.

Commissioner Pfeifer said he understood the need for this was infrequent. He said if there was someone scheduled to work until seven p.m. they would not be needed most of the time.

Chairman Smith said they would be needed for their normal inspection routine.

Commissioner Maxwell asked how many inspections were done in a day. Mr. Sorensen said the average was anywhere from 60 to 100 collectively per day which was 10 to 20 per inspector per day.

Chairman Smith said normally speaking in a day of an inspector's life, when he came into work, regardless of what time that was, he was booked how many days in advance. Mr. Sorensen said one p.m. was the cutoff of the prior working day. Chairman Smith said if he was an inspector and came in to work today he would be working on requests for inspections from one p.m. yesterday. Mr. Sorensen said it was a one p.m. to one p.m. 24 hour period. Chairman Smith clarified that the inspector was already scheduled for that day based upon yesterday's requests. He said that was the reason it took two days to get an inspection done if someone called in after one p.m.

Commissioner Maxwell said he thought there was going to be unintended consequences with this program. He said they were going to find if they implemented this program that there was an incentive for the inspectors to say they could not perform an inspection that day but if they were paid overtime they could get it done. He said he thought rotating a shift was the way to do it. He said he understood the new building permits issued in January were eight or nine new housing permits and that was a very small number. He said there was an open position and if it was filled they would have their Saturday or after-hours guy. He said the new guy got the bad schedule.

Chairman Smith said he thought the only thing they would run into would be if the inspectors were already working full force, and one had to run and do an inspection when it was phoned in, then the workload he was scheduled to do that day would be delayed for a day. He said inspections would always be delayed dependent on how frequent inspections were called in.

Commissioner Maxwell said he would be surprised if it was an infrequent thing. He said when builders were ready to go they were ready to go. He said one day made a big difference to them.

Chairman Smith asked if this was something the builders had asked for. Mr. Sorensen said the builders had not asked for the program, they had asked in some situations could they get an inspector back out to a job. He said as a customer service effort, if they had an inspector they could reassign, they certainly accommodated the builder. He said this was an infrequent occurrence.

Commissioner Frady said he thought there was room for this but he would like to see some reports on it to see how it worked out. He said he thought it was something they could do as a courtesy to the builders.

Chairman Smith said Mr. Sorensen was asking today for approval to design a program, not to actually implement one at this time.

Commissioner Maxwell said he liked the idea. He said he had had his own frustrations with projects he had done waiting for an inspector and a day did make a difference. He said he would like for them to consider some type of flexible plan. He said he would be more interested if this was geared more towards the consumer, which was the builder.

Mr. Sorensen said the goal was to compensate the county, not the employee.

Commissioner Frady said he wanted a report so he could see how many times this occurred and then could judge whether or not they wanted split shifts.

Chairman Smith said the intent was to accommodate another inspection without hiring another person. He said he thought Derek was saying that his inspection staff was full and he could not redirect them to go do an inspection if someone called in and wanted it that day, but he had someone that could accommodate the inspector because he had people willing to work overtime so the builder would not have to wait for their inspection. Chairman Smith said this gave the builder an option and they did not have to take it.

The Board directed staff to proceed with preparation of a proposal to conduct compensated over time inspections providing options, staggering effects, and general impact on the builders as they moved through their building process. Staff will present to the Board at an upcoming workshop. A copy of the request, identified as "Attachment No. 10", follows these minutes and is made an official part hereof.

#### **DEPARTMENT REPORTS**

#### **GROUND WATER WITHDRAWAL PERMIT AND RENEWALS FOR THE FLINT RIVER PUMP STATION AND LAKE HORTON**

Tony Parrott, Water System Director, said the Water System had several withdrawal permits and other state permits that came due on a ten year cycle. He asked that approval be given to the Chairman to execute the application for the Ground Water Withdrawal Permit and the Withdrawal Application Permit renewals for the Flint River Pump Station and Lake Horton.

Commissioner Maxwell asked if there had been any change from last year to this year. Mr. Parrott said this was a ten year cycle and had been modified during the ten years, but there was no change from the current permit.

Motion was made by Commissioner Maxwell, seconded by Commissioner Frady, authorizing the Chairman to sign the water withdrawal permits. Motion carried 5-0. A copy of the Permits for Lake Horton and Flint River, identified as "Attachment No. 11", follows these minutes and is made an official part hereof.

#### **COMPENSATION AND CLASS STUDY TO BE PERFORMED BY UGA**

Chris Venice, County Administrator, said the County last conducted a compensation and classification study in 2001. She said this study was conducted periodically to update the specific job descriptions and requirements and make sure salary ranges for jobs were comparable. She said the industry recommended comp and class studies be conducted every five years. She said this was because over that period of time positions changed and might not reflect new job duties at the appropriate rate of pay. She said since 2001 the county had added 135 new employees and over 20 new position classifications. She said given that five year time frame and the growth of staff and job classifications, staff had investigated the various avenues, sources and costs for conducting a comp and class study. She said staff had verified that monies for such a study were available in the current fiscal year budget.

Ms. Venice said staff was recommending the Board approve contracting the University of Georgia's Carl Vinson Institute of Government to conduct a Comp and Class Study. The cost of the study would be \$47,500.

Motion was made by Commissioner Pfeifer, seconded by Chairman Smith, to obtain the services of UGA's Carl Vinson Institute of Government to conduct a compensation and class study in the amount of \$47,500. Discussion followed.

Commissioner Pfeifer said he made the motion to approve this study because the classification study was needed and he fully supported an outside agency do the study. He said he felt this would avoid any suggestion to employees or tax payers that the study was biased in any way.

Commissioner Horgan asked if a study had been done since the one mentioned today. Chairman Smith said a study was done in 2000 and went into effect in 2001.

Commissioner Frady asked what it would take to get staff in a position to do these kinds of studies. He said they could get information from DCA, ACCG, and on their own. He said he felt they needed to rewrite all of the job descriptions and he thought the persons to do that were department heads along with Human Resources. He said they needed to match classifications. He said no one knew better as to what was going on in a department than the department head. He said writing those would be something staff could do.

Connie Boehnke, Director of Human Resources, said she felt staff had expertise but the problem they faced was that an outside firm devoted five to seven people on one project and the county was not staffed to devote five to seven people on any one project. She said the county did not have the time or staff to devote to one project. She said in her opinion it was economically more feasible to conduct a study every five years and pay someone than to hire a staff member.

Commissioner Frady said he thought county department heads could write the job descriptions that needed to be written. He said he thought there was staff to put these into place.

Ms. Boehnke responded that, as the study stated, five to seven people were needed to do this and the county did not have the staff to do that.

Commissioner Frady said there were 19 department heads and they were all going to be involved in it anyway so he did not see the point in spending \$47,500 to come in and sit down with each department head to do this.

Ms. Boehnke said the department head had the same involvement whether it was contracted out or it was done in house. She said they would be answering the questionnaires the same way. She said the rest of the study would fall on the shoulders of the Human Resources Department.

Commissioner Frady asked was it not true that if they came in and sat down with a department head they were going to write down what the department head said and that would be the job descriptions.

Commissioner Maxwell said he had the 2006 DCA Wage Study. He said when he opened it up it gave a job title for an "A" county, which Fayette was, and there were 12 counties that showed the minimum and maximum wage, and he did not know what was so hard about adding those up.

Ms. Boehnke said to her knowledge that study was by job title only; it was not based on functions performed.

Commissioner Maxwell said he had talked with Fire Chief Jack Krakeel this morning and was informed that the Fayette County firefighters were dual trained as EMT's as well as firefighters. He said he thought there would be some allowances for that. He said he had been told that therefore he did not need someone to conduct a study to tell him that. He said he thought other department heads could tell him information that did not need to be studied.

Commissioner Maxwell said he understood the money had been found to finance this study. He said the contingency fund, which this would generally come out of, was funded at a half million dollars. He said the first half of this fiscal year about \$250,000 was spent, and since he had been in office they had spent \$500,000 with about \$17,000 left in the contingency balance. He said they were going to have to find the money. He said he did not see spending money they did not budget for or anticipate. He said they had to rob other departments of the funds. He said the study they received from Finance today was going to be perfectly fine, he guaranteed it. He said they would be able to tell him what the range was going to be, he guaranteed it. He said he did not understand why they would spend \$50,000 on something that was already at their fingertips.

Ms. Boehnke said the study that Commissioner Maxwell was discussing was not 100% inclusive. She said there were several positions the county had that were not included in that study. She said there would be a lot of subjectivity to positions that were not in there. She said that study only included 60 of the county's 212 classifications.

Commissioner Frady said he did not want anyone to get the wrong impression. He wanted the county to be on a level basis with anywhere someone could get a job around here. He said the goal was not to try to keep them from making money but to get them up to where they should be. He said there may be some cases where they were more than they should be.

Ms. Boehnke said sometimes with a position in a larger municipality there was the assumption that it would be a higher level and more responsibilities but this was not necessarily so because in a smaller jurisdiction that position acquired all of the positions that lead up to that one position.

Commissioner Frady said if a consultant came in and sat across the table and he told him what he had was working, he would go write it up that way. He said they had 212 positions and they needed a lot less than that, they needed to consolidate. He said he did not see anyone who could do that better than the department heads. He said they knew their jobs.

Commissioner Pfeifer said he thought Ms. Boehnke was saying that someone had to design the questionnaire, ask the questions and compile the information. Ms. Boehnke said they would have to equate that information to a salary. She said they did not want to be accused of being biased and the only way not to be was to have an outside agency do that.

Commissioner Frady said he wanted to take the bias off of Ms. Boehnke's back. He said Human Resources would make recommendations but the Board was the one that would be bias because they would adopt it not Human Resources.

Ms. Boehnke said the funds were budgeted to support this recommendation. Commissioner Frady said he knew that.

Commissioner Maxwell said they could save \$50,000 now by saying they would do this in house because they were going to be spending personnel time whether it was done in house or not. He said it was just not that difficult.

Chairman Smith said Commissioner Maxwell was assuming that the DCA Study job descriptions and the county's job descriptions were one in the same. He said some positions were unique and looking at any employee in the county they were not necessarily comparable to what was being looked at in the DCA study.

Chairman Smith said the first phase of the study was the actual examination of the job description. He said if they did not go through the first phase, then taking that job description and matching it up to whatever was in there would not mean anything. He said one of the things not to be missed in this equation was that if an employee was working in a clerical position in one department that same position in another department may not carry the same functionality. He said this could be studied all day long internally, but we did not have that same external purview to which positions were equivalent in order to match up the positions and compensation. He said the important part of the study was to be able to put job titles and positions into perspective so that all was equal throughout the county. He said he did not think we had that expertise in house. He said Human Resources was not accustomed to doing this magnitude of the study. He said UGA did these things and that was the reason he felt it was important that they do the study. He said it was also important that the perception of bias was relieved. He said he appreciated Commissioner Frady saying they had the final vote, but if the documentation was coming from our own department, then that department was going to introduce some type of a bias in perception and whether it was reality or not would not matter. He said when there was a perception of something happening that was the way people saw it whether it was true or false. He said they needed to eliminate any potential for bias. He said there were studies done in the past that had some imposed bias in them that they needed to remove. He said they needed to be sure that the employees of this county were 100% protected from any bias whether it was introduced by the Board or by staff and whether or not it was advertent or inadvertent. He said they needed to remove that completely so that they had a basis for stating that this was a level playing field and this was where they would go forward.

Chairman Smith said if they wanted to look at doing a study in the future knowing that they had started from this basis, then he would say the process for keeping this up to date was something they were fully prepared to do in house. He said to get to the point that they could start and have a level playing field the employees had confidence in they needed to go to an outside study. He said he did not want to spend \$50,000 either but he knew what they were facing and where they had been in the past and where they needed to be by June 30. He said he also knew the important thing was the employees of this county be protected from any bias whether perceived or real and he was prepared to go to bat to be sure they had this study done with an independent source to be sure there was no bias and no basis for anyone to contend they had introduced anything other than a sense of fairness and a level playing field.

Commissioner Frady asked who performed the last study. Ms. Boehnke said the company's name was MGT. Commissioner Frady asked what was done when they got that study, did they implement it. Ms. Boehnke said they did. Commissioner Frady asked what they did for us. Ms. Boehnke responded they did similar things to what was proposed in this plan. Commissioner Frady asked if they rewrote job descriptions. Ms. Boehnke said they did. Commissioner Frady asked if we still had them. Ms. Boehnke said they did. Commissioner Frady asked what was wrong with them. Ms. Boehnke replied that they were outdated. Commissioner Frady said if they did them now it was going to be said in five years that they were outdated. Ms. Boehnke said they would acquire a tool to keep them up.

Commissioner Frady said Ms. Boehnke had been employed with the county for 20 years and he knew she could do this job. He said he had all the confidence in the world in her. He said he did not know how many jobs had changed in five years. Ms. Boehnke responded that there were several that had changed. Commissioner Frady said they needed to correct the several. He said at that time they had 500 employees and now they had 700. He asked what were they doing differently. Ms. Boehnke said if they had added a person it was probably a new function.

Chairman Smith said job descriptions changed. He said that was what they needed to make allowances for. He said they needed to not lose sight of the fact that they had a professional staff telling them they needed to have this done by an outside agency. He said he did not think it would be wise for the Board to ignore their request. He said if staff thought it was important enough to have it done by an outside agency, then he was saying that was how they would do it.

Commissioner Maxwell asked then why not the five of them just go home. He said they were elected to do this job. He said they could not say just because therefore they would. He said he did not think they would want to say that. He asked if they were going to rubberstamp everything every time the staff came and said something. Chairman Smith said no, they knew better than that. Commissioner Maxwell said then do not say that. He said he did not think they needed this. He said there were going to be some anomalies. He said every manager had professional contacts.

Commissioner Pfeifer said he thought Commissioner Maxwell was missing the point. He said staff had a lot of classifications that they did not know where they fall. He said they could not make apple to apple comparisons with other employers.

Ms. Boehnke said the danger they ran into was each individual department wrote their own job description and they knew the bottom line was money. She said they did not have enough staff to go into each department and verify that information was correct.

Commissioner Maxwell said he envisioned Human Resources coming up with the framework and sending that out to department heads. He said the burden should not be on the Human Resources department to define the positions. He said the Board would act as a filter and make the decisions. He said he did not think they needed to spend \$50,000 for something that to him was relatively simple. He said they were making this a lot more difficult than what it was. He said if there was an anomaly, identify that and maybe then go out there. He said he guaranteed that Fayette County was not so unique that they had 200 positions out there that there was not something similar to it in this surrounding area.

Chairman Smith said he disagreed because he felt Commissioner Maxwell was trying to make it simpler than it really was. He said the experts that do this told us they assign seven people to us for weeks to do this and it was not a simple task. He said Commissioner Maxwell was asking a department that did not have spare people to commit seven people to weeks of work and he was not sure they had the resources to do that.

Chief Krakeel said it was not difficult for staff to come up with job descriptions. He said he felt they all had the capability to write job descriptions and had done so in the past. He said he thought they all had the capability of making a telephone call to a neighboring community and identifying the low, mid and high range for salaries. He said the fundamental difficulty injected into the entire equation was when those jobs were factored against each other and the relative value of one job against the next job. He said he did not think they had the expertise to do that and he thought that was where the outside body came in and gave the capability to say what was the relative value of a clerk working in the Fire Prevention Bureau compared to a clerk working at the Water System or the relative value of an Equipment II Operator to a Firefighter Paramedic. He asked if there was a possibility that relationship could be created by looking at similar positions in other communities and then balancing and factoring those salaries against each other to come up with a weighted factor. He said he thought that was where the bulk of this work really got to be involved and required someone from the outside to take an objective look at that and not have a department head say his employee was worth a lot more than someone else's employee. He said that was where the independence was needed to look at that and state for two positions the factors that weigh those positions and the Board would set those factors.

Commissioner Maxwell asked if this study was going to be able to tell him if a sergeant in the Sheriff's Office should make more or less than the sergeant in the Fire Department. Chief Krakeel replied that it may very well, depending on the job function. He said that was the issue. He said the argument would probably be that they should be paid the same, but the outside consultant may come in and say the job functions associated with that particular job did not equate with the job functions associated with this particular job.

Chief Krakeel said he could not compare his department against other departments. He said he could tell you where the inequities were but he could not factor his job descriptions against Public Works job descriptions because he had no expertise in Public Works and he did not know the weighted factors and values of those job descriptions against those job descriptions in his department

Commissioner Frady asked why they were doing this study. Ms. Boehnke replied that Fayette County's scale and job descriptions had become obsolete. She said if they went with UGA they were going to get a tool to manage it from that point forward.

Commissioner Frady said if UGA came back with a study and they recommended someone be put in a pay range who would put them there. He said it would not be him. Ms. Boehnke said they would make the recommendation.

Chief Financial Officer Mary Holland said she had two concerns. She said her first concern was making sure that each employee was in the right category. She said she believed the county had a lot of variances there. She said a lot of these jobs were crossing boundaries. She said she agreed that 200 plus positions were too much. She said her other concern was based on the current job responsibilities and workload, she thought having the department heads trying to write the job descriptions would put a lot of pressure on the departments.

Chairman Smith said seeing there was no further discussion he would call the question.

Motion carried 3-2 with Commissioner Frady and Commissioner Maxwell voting in opposition. A copy of the agreement between with the University of Georgia's Carl Vinson Institute of Government, identified as "Attachment No. 12", follows these minutes and is made an official part hereof.

#### **BOARD REPORTS/COMMENTS**

##### **MEMORANDUM OF UNDERSTANDING WITH THE GDOT**

County Attorney Dennis Davenport asked for approval for the Chairman to execute a Memorandum of Understanding with the Georgia Department of Transportation in regards to moving the waterlines in conjunction with the widening of Highway 74 between Crosstown Road and Georgia 85. He said the Georgia Department of Transportation would be paying for that but the waterlines were actually in the easement area. He said in order to have GDOT do this they needed to enter into this Memorandum of Understanding.

Chairman Smith asked if the county had any liability on this or if this was just a formality. Attorney Davenport said this was something where the Georgia Department of Transportation took care of all the work. He said the county would have people out there to make sure it was done properly, but GDOT would pay all the expenses as far as moving the water lines.

Motion was made by Commissioner Maxwell, seconded by Commissioner Frady, to authorize the Chairman to sign a Memorandum of Understanding with the Georgia Department of Transportation to move waterlines in conjunction with the widening of Highway 74 at Crosstown Road and Georgia 85. Motion carried 5-0. A copy of the Memorandum of Understanding, identified as "Attachment No. 13", follows these minutes and is made an official part hereof.



### **Blockade on Old Highway 138**

Commissioner Frady said in regards to the blockade on Old Highway 138, this item came up last year and he and Commissioner Horgan voted against blockading the road because they felt roads did not need to be blocked if taxpayers were paying for them. He said the school board had a problem with not being able to go through the shortcut to get to the Shenandoah subdivision. He said they received a letter asking them to review this. He said he could make a motion to remove the blockade or he could put this item on a future agenda and notify the people who were against it.

Chairman Smith asked if they had been asked to remove the blockade. Commissioner Frady said they had been asked to review it.

Chairman Smith said he did not know any of the details regarding this.

Commissioner Pfeifer said they closed the road at the request of the neighborhood because it was being used as a cut through and the roads in that neighborhood were very winding and very narrow. He said it was dangerous so they closed the road. He said they closed the road before the subdivision next door opened up so anyone buying a home would know this road was closed.

Commissioner Frady said the cut through was still there. He said they could go right thru that neighborhood and get to 138. He said the only thing you could not do was turn right and go two tenths of a mile and go into that subdivision. He said the other road went around the other way and they were still going through the neighborhood. He said there was no purpose in blocking that one spot which was dark, dirty, and by a lake. He said parents had to bring the kids to this bus stop and stay with them until they were picked up.

Commissioner Horgan said he thought that at the time it was appropriate to have that road blocked off before that intersection was fully developed and there was a lot of traffic. He said it certainly was not a benefit to anybody to go from Highway 138 over to 314 anymore now that there was a large intersection with a traffic light. He said currently the buses traveled up 85 and came back down to the county that way. He said it was adding 30 minutes to a bus ride.

Commissioner Frady said it was dangerous coming out of there because they could not go back the other way, and if they did, the kids had to come up there and sit in inclement weather and family members had to come with them. He said they had to be there at 7:00 a.m. and wait on the bus. He said there was no purpose served for a blockade.

Commissioner Maxwell said he had been out there and had made his decision. He said it was a health hazard. He said the day he was out there it looked like a drug deal was going on. He said it was a dead end street and not maintained. He said it was the only place in Fayette County he had ever been that he was afraid of what was going on. He said it was that bad. He said it was overgrown and looked like snakes would be there. He said he would never allow his child to wait for a bus there.

Commissioner Frady said for the record Public Works had recommended that the road not be closed.

Commissioner Frady requested the Board discuss the removal of the blockade on Old Highway 138 at the March 22, 2007 Board of Commissioners Meeting.

### **Tax Abatements**

Motion was made by Commissioner Maxwell, seconded by Commissioner Frady, authorizing the Tax Commissioner and Tax Assessor to jointly meet on tax abatements and other clerical errors and make recommendations to the Board. Discussion followed.

Commissioner Maxwell said this would shift the organization that did the review process and that would include both the Tax Assessor's Office and the Tax Commissioner's Office.

Chairman Smith said he did not have a copy of the information. He did not understand that this would be on the agenda today for discussion. He said he was not prepared to talk about this today.

Chairman Smith asked for this item to be tabled.

#### **ACCG Bid on Employee Medical Insurance**

Commissioner Maxwell said he had received a package from Strategic Benefit Solutions concerning the health insurance of the county through the county's agent Guy Morrison. He said he was asking the Board to authorize a letter to ACCG to ask for a bid independent of any commission that would be paid to the outside consultant. He said he understood the consultant was paid \$160,000, which was 3.5% of the contract. He said by going through ACCG they could possibly eliminate \$160,000 of a commission that was paid to an agent.

Motion was made by Commissioner Maxwell, seconded by Commissioner Frady, for the Board to send a letter to ACCG requesting a bid on employee medical insurance to include an outline of services they provide exclusive of an agency relationship. Motion carried 5-0.

#### **Marijuana Testing by the Marshal's Office**

Commissioner Maxwell asked County Administrator Chris Venice what she meant in her Weekly Update when she stated that the Marshal's Office was now doing drug testing for marijuana. He asked if she would highlight what they were doing.

Ms. Venice said that the Marshal's Office had been certified by the GBI as a marijuana testing site so when they apprehended someone and suspected marijuana they were able to take the substance back to their office and verify that. Commissioner Maxwell asked Ms. Venice if she knew how often they did this. She said she did not believe it was often. She said this was something that had been done by the Sheriff's office but they were unable to continue to do this. He asked if she was saying that on the Marshal's cases the Sheriff was not willing to do it. She said that was not what she was saying. She said the Sheriff's Office was not able to spend the time doing this with the court time involved and the testing. Commissioner Maxwell asked if the Sheriff wanted the Marshal to do this. She said she would prefer that Chief Marshal Collins come in and give the background information on this.

Commissioner Maxwell requested Chief Marshal Ed Collins discuss with the Board at the April Workshop the role of the Marshal's office in marijuana testing.

#### **Tent Issue**

Commissioner Maxwell said there was a tent issue that he thought they voted on at the last meeting. He said they had gotten a follow up letter from Mr. McElroy that stated this was of interest to him. He stated he thought this gentleman was at the meeting when they talked about this. Commissioner Frady said Mr. McElroy was at that meeting. Commissioner Maxwell said he thought they had an

open meeting and called for witnesses for or against this. He said this man had written a letter saying he had not heard anything from the Board and he thought Mr. McElroy was here that day. Chairman Smith said Mr. McElroy was here that day.

Commissioner Maxwell said Mr. McElroy wrote a letter stating he had not been acknowledged. He said the Planning Commission met on this and the Board met on it twice. He said Mr. McElroy was in the building when they discussed it and now they received this letter saying they did not do anything. He said he just wanted to be clear on this as he was going to write him a personal letter.

### **Travel Policy**

Chairman Smith said at the last workshop the Board had discussed changes in the Travel Policy. He said the Board had asked he and Commissioner Frady to make changes and bring back to the Board. He said he had revised copies for the Board.

Motion was made by Chairman Smith, seconded by Commissioner Frady, to adopt the Travel Policy as presented. Motion carried 5-0. A copy of the policy, identified as "Attachment No. 14", follows these minutes and is made an official part hereof.

### **Request for Executive Session**

Commissioner Maxwell asked for an Executive Session to discuss two legal and two personnel items.

Motion was made by Commissioner Frady, seconded by Commissioner Horgan, to adjourn to Executive Session to discuss two legal and two personnel items. Motion carried 5-0.

### **EXECUTIVE SESSION**

**LEGAL:** Commissioner Maxwell discussed a legal item with the Board.

The Board took no action on this matter.

**LEGAL:** Commissioner Maxwell discussed a legal item with the Board.

The Board took no action on this matter.

**PERSONNEL:** Commissioner Maxwell discussed a personnel item with the Board.

The Board took no action on this matter.

**PERSONNEL:** Commissioner Maxwell discussed a personnel item with the Board.

The Board took no action on this matter.

**EXECUTIVE SESSION AFFIDAVIT:** Motion was made by Commissioner Frady, seconded by Commissioner Horgan, authorizing the Chairman to executive the Executive Session Affidavit affirming that two legal items and two personnel items were discussed in Executive Session. Motion carried 5-0. A copy of the affidavit, identified as "Attachment No. 15", follows these minutes and is made an official part hereof.

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The Board returned to the Public Meeting Room and the Chairman reconvened the meeting.

Chairman Smith stated the Board discussed two legal and two personnel matters in Executive Session. There was no action to be taken as a result of the Executive Session.

Motion was made by Chairman Smith, seconded by Commissioner Frady, to adjourn the meeting. Motion carried 5-0.

There being no further business to come before the Board, Chairman Smith adjourned the meeting at 7:20 p.m.

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Peggy Butler, Chief Deputy Clerk

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Jack Smith, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 24th day of May 2007.

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Peggy Butler, Chief Deputy Clerk