



## *Action Agenda*

Board of Commissioners  
January 22 , 2009  
7:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on Thursday, January 22, 2009, at 7:00 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-Chairman  
Lee Hearn  
Robert Horgan  
Eric Maxwell

Staff Present: Jack Krakeel, County Administrator  
Scott Bennett, County Attorney  
Carol Chandler, Executive Assistant  
Karen Morley, Chief Deputy Clerk

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Chairman Smith called the meeting to order  
Commissioner Hearn offered the Invocation  
Pledge of Allegiance.

**ACCEPTANCE OF AGENDA: COMMISSIONER FRADY MADE A MOTION TO ACCEPT THE AGENDA AS PRESENTED. COMMISSIONER HORGAN SECONDED THE MOTION. THE MOTION CARRIED 5-0.**

**PRESENTATION/RECOGNITION:**

A. Proclamation recognizing Severe Weather Awareness Week as February 1-7, 2009.

**CHAIRMAN SMITH READ AND THE BOARD PRESENTED A PROCLAMATION TO THE DIRECTOR OF PUBLIC SAFETY ALLEN MCCULLOUGH AND OTHER REPRESENTATIVES OF THE DEPARTMENT AS WELL AS METEOROLOGIST ROBERT BEASLEY OF THE PEACHTREE CITY WEATHER SERVICE.**

B. Presentation of Fayette County's 4-H Shotgun Team and recognition for winning first place at the State competition.

**THE BOARD RECOGNIZED COACHES, INSTRUCTORS AND 4-H SHOTGUN TEAM MEMBERS FOR WINNING FIRST PLACE AT THE STATE OF GEORGIA TRAP AND SKEET COMPETITION.**

**PUBLIC HEARING:**

- C. Consideration of the S.R. 74 North Land Use Study and Fayette County Comprehensive Plan Land Use Element (text and map) amendments, and authorize transmittal of Resolution No. 2009-04 to the Atlanta Regional Commission and Georgia Department of Community Affairs for coordination of regional and State review prior to adoption as presented by the Planning and Zoning Department. The Planning Commission recommended approval in its entirety 5-0.

**DIRECTOR OF COMMUNITY DEVELOPMENT PETE FRISINA GAVE A BRIEF PRESENTATION ON THIS ITEM.**

**ANGELA ROSSER SPOKE UNDER THE PUBLIC COMMENT SECTION OF THE PUBLIC HEARING IN FAVOR OF THIS RESOLUTION.**

**COMMISSIONER FRADY MADE A MOTION FOR AUTHORIZATION FOR THE CHAIRMAN TO EXECUTE RESOLUTION NO. 2009-04 APPROVING AMENDMENTS TO THE S.R. 74 NORTH LAND USE STUDY AND FAYETTE COUNTY COMPREHENSIVE PLAN LAND USE ELEMENT AND AUTHORIZATION FOR TRANSMITTAL OF SAID RESOLUTION TO THE ATLANTA REGIONAL COMMISSION AND THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS. COMMISSIONER HORGAN SECONDED THE MOTION, DISCUSSION FOLLOWED. COMMISSIONER FRADY AMENDED HIS MOTION THAT THIS BE CONTINGENT UPON ADOPTION BY THE TOWN OF TYRONE COUNCIL. COMMISSIONER HORGAN SECONDED THE AMENDED MOTION. THE MOTION CARRIED 4-1 WITH COMMISSIONER MAXWELL VOTING IN OPPOSITION.**

**PUBLIC COMMENT:**

**STEVE JUSTICE:** Steve Justice spoke in favor of a new community center to be located in Fayette County and specifically an aquatic area to be included in the center.

**ANDRE DELORENZO:** Andre Delorenzo commented that there were other projects equally as important at the West Fayetteville Bypass. He asked for the Board's consideration to include in the S.P.L.O.S.T. program a new community center with an aquatic area.

**JOHNNY BLACK:** Johnny Black asked for the Board's consideration to include seasonal game processing in the zoning district for his area. He presented a petition to the Board showing support for his request.

**JOHN FEENAGHTY:** John Feenaghty asked for the Board's consideration to use some of the S.P.L.O.S.T. funds for an arts center for Fayette County.

**GINNY MCCURRY:** Ginny McCurry also asked for the Board's consideration for a community center in Fayette County. She felt it would be a great source of revenue in terms of bringing people to Fayette County from other areas for swimming competition and musical productions.

**VIC REMENESKI:** Vic Remeneski remarked that private companies as well as the citizens should not be expected to pick up the problems of the government. He cautioned the Board against accepting Federal funds for the Neighborhood Stabilization Program.

**DANA SPEARS:** Dana Spears spoke in favor of an arts center for Fayette County. She commented that the community theater was an outlet for talented students and there was nothing available for these students in Fayette County.

**STEPHEN WALKER:** Stephen Walker asked for the Board's consideration to build a community center in Fayette County. He pointed out that there was no public swimming pool in Fayette County and there was a great need for one.

**MARIANNE MENKE:** Marianne Menke asked for the Board's consideration for a community arts center and an aquatic center in Fayette County.

**LESLIE WADE:** Leslie Wade commented on all of the supporting people around participants in the performing arts. She said a community center would touch the hearts and minds of the entire community. She asked for the Board's consideration to build a community arts center for Fayette County.

**CATHERINE SANDERSON:** Catherine Sanderson remarked that a community center would serve the people and their families well in Fayette County. She felt this would help attract people and businesses to locate to Fayette County which would help with the tax base. She urged the Board to consider her request.

**CONSENT AGENDA: COMMISSIONER HORGAN MADE A MOTION TO APPROVE CONSENT AGENDA ITEMS 1-8 AS PRESENTED. COMMISSIONER FRADY SECONDED THE MOTION, DISCUSSION FOLLOWED. CHAIRMAN SMITH REQUESTED ITEM NO. 6 BE REMOVED. COMMISSIONER HORGAN AMENDED HIS MOTION TO APPROVE CONSENT AGENDA ITEMS 1, 2, 3, 4, 5, 7 AND 8 AS PRESENTED. COMMISSIONER FRADY SECONDED THE AMENDED MOTION. THE MOTION CARRIED 5-0.**

1. Approval of Resolution No. 2009-05 adopting the "Fayette County 2008 Annual Report on Fire Services Impact Fees (FY2008), including the Comprehensive Plan amendments for updates to the Capital Improvements Element and Short Term Work Program (FY2009-FY2013) and authorization for the Chairman to execute said Resolution.
2. Approval of the Water Committee's recommendation to extend the Agreement with the Metropolitan North Georgia Water Planning District to allow Fayette County's participation in the Toilet Rebate Program for an additional year, effective until February 20, 2010, including approval for the Chairman to execute the Amendment to the Memorandum of Agreement extending the program.
3. Approval of staff's recommendation to extend the existing Bid #643 Water Meters and Backflows to the current vendor, Reed & Shows Meter & Supply Company, Inc. at a cost of \$59,200 for test, repair, and recalibration of large meters and backflows for an additional year.
4. Approval of staff's recommendation to award Bid #697 for janitorial/cleaning supplies to seven companies that are the apparent low bidders. Those companies are All Clean Janitor & Paper Supply, Peoples Janitor S & C, Talladega Machinery & Supply, Georgia Correctional Industries, Calico Industries, Inc., HD Supply Facilities Maintenance and Ecolab, Inc
5. Approval of staff's recommendation to award Bid #698 for Water Distribution Parts to six companies that were low bidder on items used by the Fayette County Water System for water distribution and repair; Delta Municipal Supply, Inc., Ferguson Waterworks, Hayes Pipe Supply, LTD., HD Supply Waterworks, Premier Utilities & Services, and Cambridge Brass, Inc.
6. Approval of appointment of Jason Thompson to the Fayette County Department of Family and Children Services Board to fill an unexpired term that began July 1, 2006 and will terminate on June 30, 2011.

7. Approval of appointment of Brian Cardoza to the Fayette County Water Committee.

8. Approval of minutes for Board of Commissioners' meeting held on January 7, 2009.

**OLD BUSINESS:**

D. Consideration of staff's request that the Board adopt the Fayette County Policies and Procedures Manual.

**COUNTY ADMINISTRATOR JACK KRAKEEL PRESENTED THIS ITEM TO THE BOARD FOR DISCUSSION.**

**COMMISSIONER FRADY MADE A MOTION TO ADOPT THE FAYETTE COUNTY POLICIES AND PROCEDURES MANUAL FOR USE BY SUPERVISORS AND DEPARTMENT MANAGERS TO PROVIDE THEM GUIDANCE IN CONDUCTING DAILY OPERATIONS. COMMISSIONER HORGAN SECONDED THE MOTION. THE MOTION CARRIED 5-0.**

E. Consideration of staff's request for authorization to proceed with the implementation of credit card payments for utility bills with Paymentus Corporation at no cost to the County.

**NINA MADRID OF INFORMATION SYSTEMS ASKED FOR THE BOARD'S AUTHORIZATION TO PROCEED WITH THE IMPLEMENTATION OF CREDIT CARD PAYMENTS FOR UTILITY BILLS WITH PAYMENTUS CORPORATION.**

**COMMISSIONER FRADY MADE A MOTION TO APPROVE THE IMPLEMENTATION OF CREDIT CARD PAYMENTS FOR UTILITY BILLS WITH PAYMENTUS CORPORATION AT NO COST TO FAYETTE COUNTY. COMMISSIONER HORGAN SECONDED THE MOTION, DISCUSSION FOLLOWED. COUNTY ATTORNEY SCOTT BENNETT ASKED FOR THE BOARD TO ALSO INCLUDE IN THE MOTION AUTHORIZATION FOR THE CHAIRMAN TO EXECUTE SAID CONTRACT. COMMISSIONER FRADY AMENDED HIS MOTION TO INCLUDE AUTHORIZATION FOR THE CHAIRMAN TO EXECUTE THE CONTRACT WITH PAYMENTUS CORPORATION. COMMISSIONER HORGAN SECONDED THE AMENDED MOTION. THE MOTION CARRIED 5-0.**

F. Consideration of staff's recommendation to reduce the County's participation in the Georgia Municipal Association Lease Pool Program, including the outstanding amount of Certificates of Participation, and the associated interest-rate swap agreement by the amount of the account balance declared to be "excess funds."

**TED BURGESS OF THE FINANCE DEPARTMENT PRESENTED THIS ITEM FOR DISCUSSION.**

**COMMISSIONER FRADY MADE A MOTION TO APPROVE STAFF'S RECOMMENDATION TO REDUCE THE COUNTY'S PARTICIPATION IN THE GEORGIA MUNICIPAL ASSOCIATION LEASE POOL PROGRAM, INCLUDING THE OUTSTANDING CERTIFICATES OF PARTICIPATION, AND THE ASSOCIATED INTEREST-RATE SWAP AGREEMENT IN THE AMOUNT OF \$1,018,796.51 DECLARED TO BE "EXCESS FUNDS." COMMISSIONER HORGAN SECONDED THE MOTION. THE MOTION CARRIED 5-0.**

**NEW BUSINESS:**

G. Representatives from TDK have requested a hearing with the Board of Commissioners concerning a request for tax refunds.

**THERE WAS A BRIEF DISCUSSION WITH REPRESENTATIVES FROM TDK CORPORATION, THE BOARD AND THE COUNTY ATTORNEY. THE TDK REPRESENTATIVES REQUESTED THIS MATTER TO BE TABLED.**

**COMMISSIONER HEARN MADE A MOTION TO TABLE THIS ITEM TO THE BOARD'S FEBRUARY 26<sup>TH</sup> MEETING FOR FURTHER DISCUSSION. COMMISSIONER FRADY SECONDED THE MOTION. THE MOTION CARRIED 5-0.**

**ADMINISTRATOR'S REPORT:** County Administrator Jack Krakeel remarked that during last year's budget discussions, the Board established funding in the amount of \$25,000 for the Fayette County Economic Development Authority to assist with locating a permanent Clayton State University campus in Fayette County with the caveat that the Development Authority would need to come before the Board at such time with a specific request for expenditure of the funds. He said that request had been transmitted to him this past week by the President and CEO of the Fayette County Economic Development Authority Matt Forshee as well as a letter requesting authorization for the expenditure of \$21,143.85 specific to infrastructure for Clayton State University in developing their campus in Fayette County. He said this funding would assist them with outfitting classrooms with furniture and was consistent with the Board's direction with respect to the approval of the initial amount of \$25,000 during the budget process. He asked for the Board's approval to authorize this supplement to the Fayette County Economic Development Authority in the amount of \$21,143.85.

**COMMISSIONER HORGAN MADE A MOTION TO AUTHORIZE A SUPPLEMENT TO THE FAYETTE COUNTY ECONOMIC DEVELOPMENT AUTHORITY IN THE AMOUNT OF \$21,143.85 FOR INFRASTRUCTURE FOR A CLAYTON STATE UNIVERSITY CAMPUS IN FAYETTE COUNTY. COMMISSIONER FRADY SECONDED THE MOTION. THE MOTION CARRIED 5-0.**

**ATTORNEY'S REPORT: NONE.**

**STAFF REPORTS:** Director of Community Development Pete Frisina commented on the annexation requests received from the City of Peachtree City in August of 2006. He noted that the Board at that time responded to the City that the County did not have any bona fide objections to these annexations. Peachtree City is currently being challenged by a group of citizens stating that the City had not followed proper procedures. As a result, Peachtree City must go back through the entire process. He asked for the Board's consideration to send a letter to the City confirming that the County had no bona fide objection to either of these annexations.

**COMMISSIONER FRADY MADE A MOTION TO SEND THE SAME LETTER TO THE CITY OF PEACHTREE CITY CONFIRMING THAT THE COUNTY HAD NO BONA FIDE OBJECTION TO EITHER OF THE ANNEXATION REQUESTS PREVIOUSLY RECEIVED BY THE COUNTY OTHER THAN THE COUNTY'S CONCERN FOR DENSITY. COMMISSIONER HORGAN SECONDED THE MOTION, DISCUSSION FOLLOWED.**

**AFTER A BRIEF DISCUSSION, COMMISSIONER FRADY WITHDREW HIS MOTION AND COMMISSIONER HORGAN WITHDREW HIS SECOND TO THE MOTION.**

**COMMISSIONER MAXWELL MADE A MOTION TO TABLE THIS REQUEST TO THE FEBRUARY 4<sup>TH</sup> BOARD OF COMMISSIONERS' MEETING FOR FURTHER DISCUSSION. COMMISSIONER HORGAN SECONDED THE MOTION. THE MOTION CARRIED 5-0.**

**BOARD REPORTS:** Chairman Smith commented that the Board had completed the first day of its two day retreat and there had been some very good discussion.

**EXECUTIVE SESSION:** Public Works Director Phil Mallon asked for an Executive Session to discuss one property acquisition item.

**COMMISSIONER HEARN MADE A MOTION TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS ONE ITEM OF PROPERTY ACQUISITION. COMMISSIONER HORGAN SECONDED THE MOTION. THE MOTION CARRIED 5-0.**

Chairman Smith reconvened the open meeting and remarked that County Attorney Scott Bennett had advised the Board that this matter was not of an executive session nature. He remarked that there was no quorum and no discussion took place, therefore, there was no Executive Session Affidavit that needed to be signed. and voted on.

**ADJOURNMENT: COMMISSIONER HEARN MADE A MOTION TO ADJOURN THE MEETING AT 9:35 P.M. COMMISSIONER FRADY SECONDED THE MOTION. THE MOTION CARRIED 5-0.**

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Karen Morley, Chief Deputy Clerk