# Minutes

## Special Called Meeting

Board of Commissioners
December 16, 2008
9:30 A.M.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on Tuesday, December 16, 2008, at 9:30 p.m. in the Commissioners' Conference Room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

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| Commissioners Present: | Jack Smith, Chairman<br>Herb Frady, Vice-Chairman<br>Robert Horgan<br>Eric Maxwell |
| Staff Present: | Jack Krakeel, Interim County Administrator<br>Scott Bennett, County Attorney<br>Carol Chandler, Executive Assistant<br>Floyd L. Jones, Deputy Clerk |

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**Call to Order.**

Chairman Smith called the December 16, 2008 Special Called Meeting to order at 9:43 a.m. Commissioner Peter Pfeifer was not present for this meeting.

**Acceptance of Agenda.**

Commissioner Horgan moved to accept the agenda as published. Commissioner Frady seconded the motion. No discussion followed. The motion passed 4-0.

**A. Consideration of a contract with Strack, Inc. for the amount of $246,044 to provide storm pipe and structures for the West Fayetteville By-Pass, Phase I. The Proposal, #P289, was awarded on November 13.**

County Attorney Scott Bennett said the contract was for the storm drain pipe and structures for the West Fayetteville By-Pass. He said the bonds were in place, the contract has been signed by Strack, and he needed authority for the Chairman to sign the contract. Commissioner Horgan moved to authorize the Chairman to sign the contract with Strack, Incorporated. Commissioner Frady seconded the motion.

Commissioner Maxwell asked if the contract pertained only to Phase I of the West Fayetteville By-Pass. Mr. Bennett said he believed it was only for Phase I. Commissioner Maxwell noted that the County was "well into" Phase I, that the grade improvements done, and that this contract was not intended for Phase II. Chairman Smith and Mr. Bennett agreed with Commissioner Maxwell. No other discussion followed.

The motion to authorize the Chairman to sign the contract with Strack, Incorporated passed with a 4-0 vote. A copy of the contract, identified as "Attachment 1", follows these minutes and is made an official part hereof.

**B. Discussion to clarify supplement for the Sheriff approved on December 11, 2008.**

Commissioner Maxwell announced he wanted to make a series of motions in order to correct the problems that were created during the December 11, 2008 Board of Commissioners meeting.

Commissioner Maxwell moved to reconsider the motion for the Sheriff's supplement for $14,004.75 that was made during the December 11, 2008 Board of Commissioners meeting and was approved with an unanimous vote. Commissioner Horgan seconded the vote. No discussion followed. The motion passed 4-0.

Chairman Smith clarified that the motion was to reconsider and now something had to be done with the motion that passed on December 11, 2008.

Commissioner Maxwell moved to rescind the supplement of $14,004.75 for the Sheriff that was approved by the Board of Commissioners on December 11, 2008. Commissioner Horgan seconded the motion. No discussion followed. The motion passed 4-0.

Commissioner Maxwell stated that he understood that certain positions have a $5,000 supplement that was approved by a previous County Commission, and the following motion would address the previous Board's action.

Commissioner Maxwell moved to terminate the current $5,000 supplement approved in 1998 for only the position of Sheriff, effective with the expiration of the term of the current Sheriff on December 31, 2008. Commissioner Horgan seconded the motion. Commissioner Maxwell added that this motion was not intended to affect Sheriff Randall Johnson, the current sitting Sheriff. Chairman Smith asked County Attorney Scott Bennett if he correctly understood that the Board of Commissioners could not do anything to the existing supplement, but that it could be terminated at the expiration of office. Mr. Bennett replied that Chairman Smith was correct. No further discussion followed. The motion passed 4-0.

Commissioner Maxwell moved to supplement the Sheriff's compensation for one term, beginning January 1, 2009, in the amount of $13,939.85, to be added to the base pay of $89,365.01 plus an additional monthly expense account of $300 per month each year, for an aggregate yearly compensation package of $107,304.86. Commissioner Frady seconded the motion. Chairman Smith clarified that the new Sheriff, who is an existing employee of the County, is compensated $107,000 each year, but the election rendered him a reduction in pay. He said that since the incoming Sheriff had worked for the County for over 30 years, the Board of Commissioners thought it was not a reasonable position for the incoming Sheriff to be in. He continued that the actions taken by the Board were meant to restore the incoming Sheriff's pay when he takes office so that it will be the exact same amount that he currently earns. Commissioner Maxwell noted that the pay is still a reduction in pay from what the current sitting Sheriff is making. Commissioner Frady agreed and stated that if the incoming Sheriff wins a second term in office his pay would be raised. Some further discussion followed regarding the wording of the motion and if it was acceptable. The motion passed 4-0.

## ADJOURNMENT

Commissioner Frady moved to adjourn the December 16, 2008 Special Called Meeting. Commissioner Horgan seconded the motion. No discussion followed. The motion passed 4-0.

The December 16, 2008 Special Called Meeting was adjourned at 9:51 a.m.

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| **Floyd L. Jones, Deputy Clerk** | **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 7th day of January 2009.

**Floyd L. Jones, Deputy Clerk**