Minutes

Board of Commissioners
February 25, 2010
7:00 P.M.

Notice: A complete audio recording of this meeting can be heard by accessing Fayette County's Website at www.fayettecountyga.gov. Click on "Board of Commissioners", then "County Commission Meetings", and follow the instructions. The entire meeting or a single topic can be heard.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on Thursday, February 25, 2010, 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 Horgan made a motion to accept the agenda as presented. Commissioner Hearn seconded the motion. The motion carried 5-0.

PUBLIC COMMENT:
There was none.

CONSENT AGENDA: Commissioner Horgan made a motion to approve the consent agenda items 1-7 as presented. Commissioner Frady seconded the motion. The motion carried 5-0.

PARKS AND RECREATION:

1. Approval of staff's request to increase Parks and Recreation Public Relations Expenditure Account and Revenues by $448.88 to recognize a donation from Jack Gilson. A copy of the request, identified as "Attachment No. 1", follows these minutes and is made an official part hereof.

FINANCE DEPARTMENT:

2. Approval of staff's recommendation to adopt mid-year budget adjustments for FY 2010. A copy of the request and backup, identified as "Attachment No. 2", follow these minutes and are made an official part hereof.

SHERIFF'S OFFICE:

3. Approval of the Sheriff's Office request to amend the Overtime Budget for the Fayette County Sheriff's Office Criminal Investigations Division by $11,697.54 for reimbursement for employees assigned to work with various Federal Agencies. A copy of the request, identified as "Attachment No. 3", follows these minutes and is made an official part hereof.

WATER SYSTEM:

4. Approval of staff's recommendation to allow Fayetteville Main Street to insert a flyer in County water bills during the months of March and July. A copy of the request and backup, identified as "Attachment No. 4", follow these minutes and are made an official part hereof.

FIRE AND EMERGENCY SERVICES:

5. Approval of staff's recommendation to amend the Department of Fire and Emergency Services FY 2010 Budget to accept a $7,227.10 grant from the Georgia Association of Emergency Medical Services for the purchase of replacement computers for the County's ambulances. A copy of the request and backup, identified as "Attachment No. 5", follow these minutes and are made an official part hereof.

FIRE AND EMERGENCY SERVICES:

6. Approval of staff's recommendation to amend the Department of Fire and Emergency Services FY 2010 Budget to accept an Assistance to Firefighters Grant in the amount of $14,543. A copy of the request and backup, identified as "Attachment No. 6", follow these minutes and are made an official part hereof.

MINUTES:

7. Approval of minutes for Board of Commissioners' meetings held on February 3, 2010 and February 11, 2010.

OLD BUSINESS:

A. RATIFICATION OF AUTHORIZATION FOR THE CHAIRMAN TO EXECUTE ANY AND ALL DOCUMENTS RELATED TO THE ACCEPTANCE AND ADMINISTRATION OF A JUSTICE ASSISTANCE GRANT FOR THE GRIFFIN JUDICIAL CIRCUIT IN THE AMOUNT OF $375,088, INCLUDING THE COUNTY'S COMMITMENT TO ACT AS SUBGRANTEE AND FINANCIAL AGENT FOR SAID GRANT:

Superior Court Clerk Sheila Studdard appeared before the Board to discuss this item. She reminded the Board that this item had come before the Board early in 2009 and asked for permission to apply for a judicial grant that would cover the Griffin Judicial Circuit. She noted that this was part of the stimulus package that was offered at that time. She said the application was complete and the funds were awarded to the Circuit for the project of data sharing within the criminal justice arena of the courts. She said Fayette County had agreed to be the fiscal agent as well as the operating agent for this grant. She pointed out that the funds were only available for three years and they must be expended within that time. She also noted that this was the only grant application that was submitted to the Criminal Justice Coordinating Council for a Circuit project that only had one project. She asked for the Board's consideration to approve this request.

Chairman Smith commended Ms. Studdard for taking the forefront on this issue and stated this was quite a commitment on Ms. Studdard's part without any funding commitment on the Board's part other than some staff time to handle some of the paper work.

Chairman Smith made a motion to ratify authorization for the Chairman to execute any and all documents related to the acceptance and administration of a Justice Assistance Grant for the Griffin Judicial Circuit in the amount of $375,088, including the County's commitment to act as subgrantee and financial agent for said grant. Commissioner Frady seconded the motion. The motion carried 5-0. A copy of the request, identified as "Attachment No. 7", follows these minutes and is made an official part hereof.

B. CONSIDERATION OF STAFF'S RECOMMENDED POLICY AND PROCEDURES DOCUMENT TITLED "ELIGIBILITY VERIFICATION OF NON-CITIZEN APPLICANTS FOR BENEFITS," IN COMPLIANCE WITH THE "GEORGIA SECURITY AND IMMIGRATION COMPLIANCE ACT" AS AMENDED:

Chief Financial Officer Mary Holland appeared before the Board to discuss this item. She remarked that during the last several months staff had been working to develop procedures in order to comply with a change that was made to this Act in 2009. She noted that the change required local governments to verify non-citizen status in regard to employment and other benefits offered by the County which include vendors and any type of contracts with individuals and pointed out that the process was to make sure that these individuals were eligible to work in the United States. She said in addition a large portion of this would apply to bids and contracts that would require any type of contractor to submit that they were also in compliance with this Act and they would be checking every one of their employees for their eligibility to work in the United States as well. She asked for the Board's consideration to adopt this policy.

Chairman Smith asked Ms. Holland if she could put a price tag on the additional administrative costs that the County would bear as a result of having to comply with this procedure. Ms. Holland replied she would need to check with many different departments but it would certainly be a tremendous additional burden. She also noted that there was no additional funding from the State and the County would have to pay a fee every time the data base was accessed to check a non-citizen. She said the Board would have to approve a separate budget for this line item and this was included in the Board's mid year document that was approved tonight for that amount to be appropriated.

Commissioner Maxwell asked if the County was just the agent to process forms and Ms. Holland replied yes and pointed out that when bids are sent out certain forms would have to be completed by the individuals that were actually bidding on the County's projects as well as those individuals obtaining occupational tax certificates. She pointed out that these individuals would have to sign an affidavit in regard to being a citizen of the United States as well as additional forms. She noted that the County would only check the individuals who are not in compliance and then send that information to the Federal agency.

Ms. Holland remarked that the County was required to do reporting to the State and this would be due in January of each year. She noted that the Board was required by the State to budget for this and $500 had been budgeted and County Administrator Jack Krakeel remarked that the County was required to pay $25 per month regardless of entering any inquiries and then it would cost a certain amount for inquiries after that. Hearing no further questions from the Board, Chairman Smith asked for the Board's pleasure in this matter.

Commissioner Horgan made a motion to approve staff's recommended policy and procedures document titled "Eligibility Verification of Non-Citizen Applicants for Benefits," in compliance with the "Georgia Security and Immigration Compliance Act" as amended. Commissioner Hearn seconded the motion. The motion carried 5-0. A copy of the request and backup, identified as "Attachment No. 8", follow these minutes and are made an official part hereof.

C. CONSIDERATION OF STAFF'S REQUEST FOR ESTABLISHING FEES FOR DEMOLITION PERMITS, NOTICE OF VIOLATION, AND COMMERCIAL GREENHOUSE PERMITS AS REQUESTED BY THE PERMITS AND INSPECTIONS DEPARTMENT:

Director of Permits and Inspections Joe Scarborough asked for the Board's consideration for approval of establishing the following fees and the estimated cost: (1) commercial greenhouse permit would be $450; (2) demolition permit would be $100; (3) notice of violation enforcement for compliance would be $125; and (4) notice of violation enforcement for non-compliance would be $225. He remarked that he had contacted surrounding jurisdictions to determine whether or not they charge fees for demolition permits or notice of violation permits. He noted that all fifteen jurisdictions responding to his request do charge a fee for demolition permits and those fees range from $35 to $300. He said due to the economy, foreclosures were at an all time high and enforcement of the International Property Maintenance Code had become a full time job for all surveyed jurisdictions. He remarked that he had rounded three of the estimates up and the other one down so they would be even amounts.

Chairman Smith expressed concern with the definition of greenhouse because it was possible to have a greenhouse that was glass, four walls and a roof, but it was also possible to have a greenhouse that has water, electricity, and other inspection elements that were not necessarily found in a greenhouse. Mr. Scarborough remarked that the associated inspections that go along with this recommended total fee did include the plumbing inspections, electrical inspections as well as the mechanical inspections. He said this would apply to an engineered metal aluminum prefab building and this would be inspected to make sure that it was secured, anchored and assembled according to the engineered design. Chairman Smith asked if the definition of greenhouse for these purposes be that it is a pre-engineered structure and Mr. Scarborough replied yes that he agreed.

Commissioner Horgan made a motion to approve staff's recommendation for establishing fees for commercial greenhouse permits in the amount of $450, demolition permits in the amount of $100, notice of violation enforcement fees for compliance in the amount of $125, and notice of violation enforcement fees for non-compliance in the amount of $225. Commissioner Frady seconded the motion. The motion carried 5-0. A copy of the request and backup, identified as "Attachment No. 9", follow these minutes and are made an official part hereof.

NEW BUSINESS:

D. CONSIDERATION OF STAFF'S REQUEST FOR PERMISSION TO APPLY FOR A PRE-DISASTER MITIGATION COMMUNICATIONS AND WARNING GRANT THROUGH GEORGIA EMERGENCY MANAGEMENT FOR THREE WARNING SIRENS IN THE AMOUNT OF $83,625:

Director of Public Safety Allen McCullough remarked that this was an opportunity for the County to expand its program in early warning notification. He introduced Captain Pete Nelms to provide additional information and review the specifics of the department's request.

Captain Pete Nelms remarked that he had been contacted by the Georgia Emergency Management Agency to determine if the County was interested in obtaining a grant for additional warning capabilities in the community. He said this was a great opportunity for Fayette County to increase its warning capabilities and the total cost of the project would be approximately $111,000 with the County being responsible for 25% or approximately $27,000.

Commissioner Frady made a motion to approve staff's request for permission to apply for a pre-disaster mitigation communications and warning grant through Georgia Emergency Management for three warning sirens with the County's 25% matching portion to be $27,875 with said funds coming from the Early Warning Siren Construction Fund balance.

Commissioner Horgan seconded the motion. The motion carried 5-0. A copy of the request and backup, identified as "Attachment No. 10", follow these minutes and are made an official part hereof.

ADMINISTRATOR'S REPORT:

MAIN STREET FAYETTEVILLE'S REQUEST REGARDING MARKING AND NUMBERING PARKING SPACES: County Administrator Jack Krakeel asked for the Board's consideration to approve Main Street Fayetteville's request regarding the marking and numbering of parking spaces adjacent to Heritage Park which is County property. He noted that this would help the City defray the cost of having placards printed for every event held and allow for permanent space marking to assist vendors participating in events. He added that he would have further discussion with the City on the size and positioning of the numbering but he saw no fundamental problem with the request.

With full consent of the Board, Chairman Smith directed County Administrator Jack Krakeel to approve their request for marking and numbering of parking spaces surrounding Heritage Park after a size and positioning of the numbering has been determined and agreed upon.

ATTORNEY'S REPORT:

PROFESSIONAL SERVICES AGREEMENT WITH INTEGRATED SCIENCE & ENGINEERING, INC.: County Attorney Scott Bennett noted that on December 10, 2009 the Board awarded a bid to Integrated Science & Engineering, Inc. in the amount of $39,450 to conduct the Stormwater Utility Feasibility Study. He asked for the Board's consideration to authorize the Chairman to execute the Agreement between Fayette County and Integrated Science & Engineering, Inc. in the amount of $39,450.

Commissioner Frady made a motion to authorize the Chairman to execute a Professional Services Agreement with Integrated Science & Engineering, Inc., in the amount of $39,450. Commissioner Horgan seconded the motion. The motion carried 5-0. A copy of the Agreement, identified as "Attachment No. 11", follows these minutes and is made an official part hereof.

STAFF REPORTS:

There was none.

BOARD REPORTS:

There was none.

EXECUTIVE SESSION: County Attorney Scott Bennett requested an Executive Session to discuss property acquisition.

Commissioner Horgan made a motion to adjourn to Executive Session to discuss property acquisition. Commissioner Hearn seconded the motion. The motion carried 5-0.

Chairman Smith adjourned the Executive Session and reconvened the meeting back to open session.

Commissioner Horgan made a motion to authorize the Chairman to execute the Executive Session Affidavit affirming that property acquisition had been discussed in Executive Session. Commissioner Hearn seconded the motion. The motion carried 5-0. A copy of the Executive Session Affidavit, identified as "Attachment No. 12", follows these minutes and is made an official part hereof.

ADJOURNMENT: With no further business to come before the Board, Chairman Smith adjourned the meeting at 7:45 p.m.

Karen Morley, Chief Deputy Clerk

Jack R. Smith, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 11th day of March, 2010.

Karen Morley, Chief Deputy Clerk