Minutes

Board of Commissioners
March 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, March 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 Floyd L. Jones, Deputy Clerk

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Call to Order, Invocation, and Pledge of Allegiance

Chairman Smith called the meeting to order at 7:02 p.m.
Commissioner Hearn offered the Invocation.
Chairman Smith led the audience in the Pledge of Allegiance.

Acceptance of Agenda.

Commissioner Horgan moved to accept the agenda as published. Commissioner Hearn seconded the motion. No discussion followed and the motion passed unanimously.

PRESENTATION / RECOGNITION:

A. Presentation of a Proclamation for "National Telecommunicators' Week", April 11-17, 2010.

Fire Chief and Director of Public Safety M. Allen McCullough thanked the Board for the opportunity to allow the County's 911 Communications staff to come before it this evening. He asked Director of Communications Cheryl Rogers, the 911 Communications staff, and the 911 practitioners to come to the podium to be honored.

Chairman Smith read and presented a proclamation recognizing National Telecommunicator's week to the 911 Communications staff on behalf of the Board. On behalf of all of Fayette County, he thanked the 911 staff and ancillary support for a job very well done. A copy of the request and proclamation, identified as "Attachment 1", follow these minutes and are made an official part hereof.

B. Presentation of the Government Finance Officers Association's (GFOA) Distinguished Budget Award for Fayette County's annual budget document for the fiscal year ended June 30, 2010.

Chairman Smith and the Board presented the GFOA's Distinguished Budget Award to Budget Officer Sergio Acevado who accepted on behalf of the Finance Department. The Chairman said this is an award he is very familiar with since he himself is a Certified Public Accountant and since he is familiar with the organization itself. He thanked Mr. Acevado and the entire Finance staff who have worked hard and contributed to preparing an outstanding, award-winning budget and who stand as representatives of the County's dedication. A copy of the request, identified as "Attachment 2", follows these minutes and is made an official part hereof.

C. Recognition of Matt Forshee, President and Chief Executive Officer of the Fayette County Development Authority.

Chairman Smith noted there was another presentation he would like to make that was not listed on the agenda. He explained that Mr. Matt Forshee, President and Chief Executive Officer of the Fayette County Development Authority (FCDA), was leaving Fayette County next week and so this recognition was needed before he left for Athens-Clarke County, Georgia. Chairman Smith said during Mr. Forshee's approximately four years at the FCDA he has had the privilege of working on the Board with Fayette County citizens from all aspects of the county to help achieve the goals of development for commercial, industrial, and some retail developments in the county. He read and gave a proclamation to Mr. Forshee on behalf of the Board of Commissioners, and he thanked Matt for all his contributions to Fayette County.

PUBLIC COMMENT:

There were no public comments.

CONSENT AGENDA:

Commissioner Horgan moved to approve Consent Agenda Items 1-18. Commissioner Frady seconded the motion.

Chairman Smith asked for Consent Agenda Items 1 and 4 to be removed from the Consent Agenda. He explained that staff is working on an alternative for Consent Agenda Item 1 which could save the County some money, and he said staff had asked the Board to remove Consent Agenda Item1 from the agenda.

Commissioner Horgan amended his motion to approve Consent Agenda Items 1-18 excluding Consent Agenda Items 1 and 4. Commissioner Frady seconded the amended motion. No discussion followed, and the motion passed unanimously.

1. **Approval of staff's recommendations to extend Proposals P558, P614, and P623 to Building Maintenance Services, Inc. and Imagann Cleaning Service, Inc. for one additional year, effective July 1, 2010, at an aggregate cost of $60,396.00. A copy of the request, identified as "Attachment 3", follows these minutes and is made an official part hereof.**

   Commissioner Maxwell asked if Consent Agenda Item 1 was removed from the agenda and if it would return on another agenda at a later date. Chairman Smith replied that was correct. No vote was taken on Consent Agenda Item 1.

2. **Approval of staff's recommendation to revise authorization levels for routine recurring wire transfers as they are related to daily operations. A copy of the request, identified as "Attachment 4", follows these minutes and is made an official part hereof.**

3. **Approval of staff's request for $4,270 from the County's Self Insured Medical Account to purchase an electronic mail encryption product from PGP to aid in compliance with the Health Insurance Portability and Accountability Act (HIPAA). A copy of the request, identified as "Attachment 5", follows these minutes and is made an official part hereof.**

4. **Approval of local legislation which updates the supplements received by Superior Court Judges in the Griffin Judicial Circuit.**

   Commissioner Maxwell stated he has asked for Consent Agenda Item 4 to be placed on the agenda. He moved that the Board approve Consent Agenda Item 4. Commissioner Horgan seconded the motion.

   Chairman Smith announced he would vote against Consent Agenda Item 4 and explained the reason for his vote. He explained when he first looked at the local legislation that has passed through the Georgia General Assembly that affects Fayette County, he was told that the "rewrite" of the local legislation is substantially the same as the legislation that the County currently has on its books. He said, from that perspective, one could argue there is not much difference between the existing legislation and the legislation the Board is being asked to adopt. He explained, however, that he is not thrilled with the legislation that the County currently has, that it was passed before he came onto the Board, and if he had been on the Board when it was passed he is not sure he would have supported it at that time in the past. He continued that if he supports a rewrite of the legislation, even though it is substantially the same as existing local legislation, it would be tantamount to approval of the original legislation which he does "not particularly like". He said that is why he would vote against the motion on the table.

   No further discussion followed, and the motion to approve Consent Agenda Item 4 passed 4-1 with Chairman Smith voting in opposition. A copy of the request, identified as "Attachment 6", follows these minutes and is made an official part hereof.

5. Approval of request from the Sheriff's Department to amend the Overtime Budget Account for the Criminal Investigations Division by $2,518.82 for reimbursement for employees assigned to work with various Federal Agencies. A copy of the request, identified as "Attachment 7", follows these minutes and is made an official part hereof.

6. Approval of a request from the Sheriff's Department to amend the Overtime Budget for the Criminal Investigations Division by $6,059.15 for reimbursement for employees assigned to work with various Federal Agencies. A copy of the request, identified as "Attachment 8", follows these minutes and is made an official part hereof.

7. Approval of request from the Sheriff to amend the Sheriff's Department's State Confiscated Technical Services Revenue Account by $860.00 to recognize abandoned monies ordered by the State to be retained for law enforcement enhancement. A copy of the request, identified as "Attachment 9", follows these minutes and is made an official part hereof.

8. Approval of request from the Sheriff to amend the Sheriff's Department's State Confiscated Technical Services Revenue Account by $1,324.00 to recognize abandoned monies ordered by the State to be retained for law enforcement enhancement. A copy of the request, identified as "Attachment 10", follows these minutes and is made an official part hereof.

9. Approval of staff's request to authorize an additional $1,675, funded from the Vehicle Replacement Fund for lettering and graphics for a vehicle assigned to Fire and Emergency Services. A copy of the request, identified as "Attachment 11", follows these minutes and is made an official part hereof.

10. Approval of staff's recommendation to award Bid #738 to Bennett Fire Products, Inc., Fisher Scientific Company, and North American Fire Equipment Company for the purchase of protective clothing for the Department of Fire and Emergency Services. A copy of the request, identified as "Attachment 12", follows these minutes and is made an official part hereof.

11. Approval of staff's recommendation to authorize execution of a contract with the Georgia Department of Transportation for Local Assistance Road Program (LARP) funding for resurfacing projects for 2010. A copy of the request and contract with the Georgia Department of Transportation, identified as "Attachment 13", follow these minutes and are made an official part hereof.

12. Approval of staff's recommendation to award engineering and design services for Special Purpose Local Option Sales Tax (SPLOST) Westbridge Road bridge improvements at Morning Creek (Project No. B-2) to Heath & Lineback Engineers, Inc., in accordance with a schedule of fees in the company's proposal. A copy of the request, identified as "Attachment 14", follows these minutes and is made an official part hereof.

13. Approval of staff's recommendation to award engineering and design services for Special Purpose Local Option Sales Tax (SPLOST) intersection improvements at Old Ford Road and SR 279 (Project No. FC-8) to McGee Partners, Inc., in accordance with a schedule of fees in the company's proposal. A copy of the request, identified as "Attachment 15", follows these minutes and is made an official part hereof.

14. Approval of staff's recommendation to award engineering and design services for Special Purpose Local Option Sales Tax (SPLOST) intersection improvements at Newton Road at SR 92 (Project No. FC-14) to LAI Engineering in accordance with a schedule of fees included in the company's proposal. A copy of the request, identified as "Attachment 16", follows these minutes and is made an official part hereof.

15. Approval of staff's request to award bid #736 to Martin Edwards & Associates, Inc. For grinding vegetative debris at the Fayette County Transfer Station, in the amount of $39,500 and a price per cubic yard of $1.20. A copy of the request, identified as "Attachment 17", follows these minutes and is made an official part hereof.

16. Approval of staff's recommendation to extend the agreement of Bid #649 for the printing of water bill forms and envelopes to the two lowest bidders, HB Solutions and IF IT'S PRINTED, for one year, at an aggregate cost of $20,599.78. A copy of the request, identified as "Attachment 18", follows these minutes and is made an official part hereof.

17. Approval of the Water Committee's recommendation to accept the Eco-South Biological and Habitat Monitoring Proposal for the Lake McIntosh / Line Creek Project, for the year 2010, at a cost not to exceed $27,190. A copy of the request and the Eco-South Biological and Habitat Monitoring Proposal, identified as "Attachment 19", follow these minutes and are made an official part hereof.

18. Approval of the Board of Commissioners March 3, 2010 Workshop Meeting Minutes and March 1, 2010 Meeting Minutes.

NEW BUSINESS:

D. Consideration of Water Committee's recommendation that the County relocate the 10" waterline near the intersection of Hilo Road and State Route 92 to accommodate roadway improvements planned by the Georgia Department of Transportation.

Water System Director Tony Parrott presented this request to the Board. He told the Board that the GDOT is going to align Hilo Road with Kingswood Drive, and as they make this alignment they will be installing turn lanes and placing new asphalt on top of the waterline that has been there since the early 1970s when Hilo Road was a dirt road. He explained the GDOT does not approve of covering up older utilities under new asphalt so about 3,000 feet of waterline has to be relocated. He asked for $271,000 to complete the project. He added the County's current contractor can do the required work. The Board asked Mr. Parrott, County Administrator Jack Krakeel, and Public Works Director Phil Mallon questions pertaining to the length of time, duration, and road work involved with the GDOT's roadway improvement.

Commissioner Frady moved to approve the Water Committee's recommendation that the 10" waterline near the intersection of Hilo Road and State Route 92 be relocated to accommodate roadway improvements planned by the Georgia Department of Transportation at a cost of $271,000 to be funded from the Water System's Renewal and Extension Fund. Commissioner Horgan seconded the motion. No discussion followed, and the motion passed unanimously. A copy of the request, identified as "Attachment 20", follows these minutes and is made an official part hereof.

ADMINISTRATOR'S REPORT

April 7, 2010 Board of Commissioners Workshop Meeting: County Administrator Jack Krakeel reminded the Board that the month of April will only have two Commission meetings since it is one of those months where the Wednesday Workshop meeting is held on the day before the first Thursday meeting is typically scheduled. He said the first April meeting will be held on Wednesday, April 7, 2010 and it would be a Workshop meeting; the other would be held on Thursday night on April 22, 2010. He explained that Workshop meetings are traditionally used to discuss county business during which no votes are taken, but he asked that the Board allow staff to place items on the Workshop agenda that may require votes to occur since necessary business may be delayed if action is not taken until later in April. The Board consented to allow votes during its April 7, 2010 Workshop meeting.

ATTORNEY'S REPORT

There was no Attorney's Report.

STAFF REPORTS

Fayette Forward: Public Information Session: Public Works Director Phil Mallon reminded the Board and the public that the final public meeting for Fayette County's Comprehensive Transportation Plan (CTP) is scheduled for next Tuesday, March 30, 2010 beginning at 6:30 p.m. at the Fayette County Commission Chambers. He said during the meeting the draft list of projects for both unincorporated Fayette County and the municipalities will be presented. He explained that comments received during the meeting will be incorporated after the meeting and the revised list of projects will be taken to the municipalities for review and adoption. He added once the municipalities have adopted the revised list he will bring the final plan before the Board of Commissioners for approval. He suggested that the Board's approval will be sought most likely during the month of May. Discussion followed and the Board directed Mr. Mallon to compile the written comments provided by the public at the information session and to provide them to the Board.

BOARD REPORTS

SPLOST Tax Ends on March 31, 2010: Commissioner Maxwell noted that the 1% SPLOST tax that began on April 1, 2005 will end on Tuesday, March 31, 2010. He mentioned that retailers in the County will need to adjust their tax rate to comply with the end of the SPLOST tax. He assumed that the newspapers would write articles explaining the end of the SPLOST tax but he wanted to be sure retailers and the public knew the tax was ending.

The Board directed that notification be placed on the County's website informing viewers of the end of the tax. County Clerk Carol Chandler added that a link to the Georgia Department of Revenue, which is the agency that notifies retailers of the appropriate sales taxes, could be provided on the County's website as well. The Board directed staff to place the link and notification of the end of the SPLOST on the County's website.

EXECUTIVE SESSION

Litigation and Security: County Attorney Scott Bennett announced that items of possible litigation and security needed to be discussed in Executive Session. Commissioner Hearn moved to adjourn into Executive Session to discuss litigation and security items. Commissioner Horgan seconded the motion. No discussion followed, and the motion passed unanimously.

The Board of Commissioners adjourned to Executive Session at 7:32 p.m. and returned to Official Session at 8:18 p.m.

Executive Session Affidavit: Commissioner Frady moved to authorize the Chairman to sign an Executive Session Affidavit stating litigation and security items were discussed in Executive Session. Commissioner Hearn seconded the motion. No discussion followed, and the motion passed unanimously. A copy of the Executive Session Affidavit, identified as "Attachment 21", 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 8:18 p.m.

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Floyd L. Jones, 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 22th day of April 2010.

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Floyd L. Jones, Deputy Clerk