# Minutes

Board of Commissioners
November 3, 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 Wednesday November 3, 2010, at 3:30 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>Lee Hearn<br>Robert Horgan<br>Eric Maxwell |
| **Commissioner Absent:** | Herb Frady, Vice-Chairman |
| **Staff Present:** | Jack Krakeel, County Administrator<br>Scott Bennett, County Attorney<br>Carol Chandler, Executive Assistant<br>Karen Morley, Chief Deputy Clerk |

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**Call to Order by Chairman.**

Chairman Smith called the November 3, 2010 Board of Commissioner's Workshop Meeting to Order at 3:40 p.m.

**Acceptance of Agenda.**

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

**OLD BUSINESS:**

**A. Continued discussion of revisions to the Ethics Ordinance.**

County Attorney Scott Bennett reminded the Board that during the October, 2010 Workshop Meeting, the Board questioned how to constitute the proposed Ethics Board. He reported that he had spoken to County Administrator Jack Krakeel and was recommended that the Ethics Board be made of three Fayette County citizens who are appointed by the Board of Commissioners by a majority vote. He explained that each member of the Ethics Board would serve a staggered three-year term, meaning one initial member would serve one

year, another initial member would serve two years, and the third initial member would serve three years. He suggested that finding people to serve on the Ethics Board would not be very problematic because the Board is designed only to convene when a complaint is filed. He continued that the revisions add that if any member of the Ethics Board has a conflict of interest or a problem serving when there is a complaint filed, the other two members would select a replacement. The Board noticed wordings in the revisions that needed clarification, and asked the County Attorney to make those clarifications. Discussion followed after which the Board directed the County Attorney to make revisions and place the revised draft Ethics Ordinance on the November 18, 2010 Agenda. A copy of this request, identified as "Attachment 1", follows these minutes and is made an official part hereof.

**NEW BUSINESS:**

**B. Review of a request from the City of Fayetteville related to the intersection of Hood Road and State Route 92 at State Route 85.**

The Board listened to a presentation from City of Fayetteville Engineer Don Easterbrook and from Mr. John Walker of Kimley-Horn and Associates pertaining to two available intersection improvement options for Hood Road and State Route 92 at State Route 85.

Mr. Walker reported that a preliminary design and cost estimate was done on the first option presented, and that the estimated cost is approximately $9.6 million. He explained that cost would include the parcels that would need to be acquired and the buildings that would need to be demolished and turned into right-of-way. He told the Board that the $9.6 million cost was basically comprised of $4.4 million for construction cost and $4.5 million for right-of-way acquisition and associated fees. Mr. Walker explained that the Georgia Department of Transportation (GDOT) has indicated they may be able to find some funds, possibly about $600,000, for the largest round-about as discussed in Option 1. He also mentioned the availability of grant funding from various programs to assist in this project, and those grants could be approximately $425,000. He continued that ,based on initial conversations with the County, the County would utilize 2004 SPLOST 70% Funds for construction and right-of-way acquisition in the amount of approximately $7.8 million, and that the City of Fayetteville would be responsible for the remainder of the cost. He added that a cost estimate of the second option had not been calculated. Mayor Kenneth Steele of the City of Fayetteville, who was in attendance, informed the Board that the City of Fayetteville preferred the first option. It was emphasized that this construction project is an identified project in the 2003 Traffic Study and is known as "Hood - 92 Realignment".

The Board discussed the City's findings and possible alternatives, but took no action and gave no direction. A copy of this request, identified as "Attachment 2", follows these minutes and is made an official part hereof.

**C. Discussion of staff's recommendations that the County adopt Policy No. 100.11 which provides guidelines for the use of county property.**

Executive Assistant Carol Chandler presented a draft of Policy Number 100.11 to the Board, and requested authorization to place the policy on the November 18, 2010 Agenda for formal approval. She emphasized that the policy was a codification of an informal policy that was made by a previous Board in 2005, and that the practices described in the policy have already been in use since that time. Discussion followed during which the Board recommended a minor clarification to the wording of one item of Policy Number 100.11, and directed that the recommended policy be placed on the November 18, 2010 Consent Agenda. A copy of this request, identified as "Attachment 3", follows these minutes and is made an official part hereof.

**D. Consideration of a request from the Extension Office that the County restore funding for a portion of an Agriculture and Natural Resources Agent's position.**

County Administrator Jack Krakeel began this discussion by telling the Board that over the past couple of years the Extension Program in Fayette County, as well as Extension Programs throughout Georgia, have been under significant scrutiny from a financial perspective by the State of Georgia and the University of Georgia in Athens. He explained that the University of Georgia has curtailed expenditures and frozen a number of positions within the Extension Services Department, including that of an Agriculture and Natural Resources Agent position after it became vacant. He added that the position has not been filled for over two years. He continued that recently, as a result of the reorganization of the Extension Services office under the University of Georgia's system, Fayette County was identified as an entity that may be eligible for funding for an Agriculture and Natural Resource Agent position. The cost to Fayette County for this position for a full year would be $17,500, which is 20% of salary and benefits. Mr. Krakeel mentioned that another important element for consideration during this discussion pertains to the Stormwater Management Program and to the Water System, specifically, there are credits that Fayette County receives for education related to those two programs, and this position would help to assist in the delivery of that education which then avails the County to those credits.

The Board discussed this request with the County Coordinator for the Fayette County Extension Service, Craig Gross, and directed that this request be placed on the November 18, 2010 Consent Agenda. A copy of this request, identified as "Attachment 4", follows these minutes and is made an official part hereof.

**E. Consideration of revisions to Fayette County Development Regulations Article V and VII.**

Stormwater Management Director Vanessa Birrell, Environmental Program Engineer Bryan Keller, and Environmental Technician Nancy Howard discussed the recommended revisions to the Fayette County Development Regulations with the Board. County Attorney Scott Bennett spoke of concerns related to the penalties and authority given to the Stormwater Department as written in the proposed ordinance, particularly how they relate to the issuance of a structure's Certificate of Occupancy which is governed by the Building Code.

The Board directed Stormwater Management staff to meet with the County Attorney, to find language that would address the Attorney's concerns, and to place the revised proposed ordinance on the November 18, 2010 Agenda. A copy of this request, identified as "Attachment 5", follows these minutes and is made an official part hereof.

**REPORT:**

**F. Presentation of the monthly update on the County's 2010 Transportation Work Plan by Public Works Director Phil Mallon.**

Public Works Director Phil Mallon gave his monthly update on the County's 2010 Transportation Work Plan to the Board. The Board took no action and gave no direction on the report. A copy of this request, identified as "Attachment 6", follows these minutes and is made an official part hereof.

## ADMINISTRATOR'S REPORT

**Addendum to the Unified Stormwater Utility's Memorandums of Understanding:** County Administrator Jack Krakeel reminded the Board that during its October 14, 2010 meeting it authorized staff to proceed in engaging Integrated Science and Engineering for developing Task 2A and Task 2B, which consists of the delineation of impervious surfaces for each parcel. He also reminded the Board that the Unified Stormwater Utility project was first started with an initial feasibility study, which was made possible through Memorandums of Agreement between the County and the towns of Tyrone, Brooks, and Woolsey. Mr. Krakeel informed the Board that, now that the County is at the point of delineating parcels within each jurisdiction of which there is an identifying cost, staff had drafted an addendum to the original Memorandums of Agreement due to the recognition that the municipalities may or may not opt to be a part of a Unified Stormwater Utility. He explained that this addendum is intended to recover the cost associated with parcel delineation within those individual jurisdictions. He closed by informing the Board that he was prepared to submit the addendum to the various municipalities and then to return to the Board at an appropriate time. The Board directed that the addendum be modified to make cost recovery from the municipalities only be contingent upon them not participating in the Unified Stormwater Utility.

**Consideration of Performance Pay for End-of-Scale Employees:** County Administrator Jack Krakeel reminded the Board that at the October 28, 2010 Board of Commissioners meeting, Commissioner Hearn requested specific information concerning County employees who had reached the end of their payment scale. He told the Board that he had the information available and provided it to the Board. Discussion followed. The Board decided to take no action or give direction on the provided information. Chairman Smith said he wanted an opportunity to discuss the matter with Vice-Chairman Frady, and he thought he could do that prior to the November 18th meeting.

## ATTORNEY'S REPORT

There was no Attorney's Report.

## STAFF REPORTS

There were no Staff Reports.

## BOARD REPORTS

There were no Board Reports.

## EXECUTIVE SESSION

There was no Executive Session.

## ADJOURNMENT

Hearing no further business to come before the Board, Chairman Smith adjourned the meeting at 6:15 p.m.

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 18th day of November, 2010.

Floyd L. Jones, Deputy Clerk