Minutes

Board of Commissioners
December 9, 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, December 9, 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 Robert Horgan Eric Maxwell
Commissioner Absent:	Lee Hearn
Staff Present:	Jack Krakeel, County Administrator Scott Bennett, County Attorney Carol Chandler, Executive Assistant Robyn Wilson, Planning Commission Secretary

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Chairman Smith called the meeting to order and offered an invocation, followed by the Pledge of Allegiance. He stated that Commissioner Hearn would not be in attendance at the meeting because of illness.

ACCEPTANCE OF AGENDA:
Commissioner Horgan made a motion to accept the agenda as published with the exception that staff had requested that Item 4 under the Consent Agenda be removed. Commissioner Frady seconded the motion. The vote in favor of the motion was unanimous (4-0). Commissioner Hearn was absent.

PUBLIC HEARING:

A. CONSIDERATION OF ADOPTION OF ORDINANCE NO. 2010-11, PROPOSED AMENDMENTS TO THE FAYETTE COUNTY CODE OF ORDINANCES, BY THE ADDITION OF CHAPTER 20. FAYETTE COUNTY ZONING ORDINANCE, IN ITS ENTIRETY, AND PROPOSED AMENDMENTS TO THE FAYETTE COUNTY COMPREHENSIVE PLAN TEXT AND MAP. THE PLANNING COMMISSION UNANIMOUSLY RECOMMENDED APPROVAL 4-0:

Director of Community Development Pete Frisina read the rules for public hearings. A copy of the rules, identified as "Attachment No. 1", follows these minutes and is made an official part hereof. He explained that the document under

consideration was a comprehensive revision of the County's Zoning Ordinance and that work on it had been underway for more than a year. He told them that this issue had been discussed at several Workshops of the Board of Commissioners and the Planning Commission and that the final public hearing before the Planning Commission was recently held. He commented that some of the proposed changes/additions which included the number of animals allowed per household, solar panels and wind turbines, telecommunications/cell towers, planned small business center, modifications in the overlay zone, home occupations, and also amendments to the comp plan text. A copy of the request, identified as "Attachment No. 2", follows these minutes and is made an official part hereof.

Chairman Smith asked if anyone wished to speak in favor or in opposition to the adoption of the proposed Ordinance and Resolution and there was no public comment.

Commissioner Frady made a motion to approve Ordinance No. 2010-11, enacting a new Fayette County Zoning Ordinance; to include the Zoning Ordinance as Chapter 20 of the Fayette County Code; and to approve Resolution No. 2010-18 which adopts related amendments to the Fayette County Comprehensive Plan Text and Map; and to authorize the Chairman to execute the Ordinance and Resolution as adopted.

Commissioner Maxwell said he was opposed to the motion and would be voting in opposition. He said there were several areas of the ordinance where he had concerns and he could not vote in favor of this.

The motion carried 3-1 with Commissioner Maxwell voting in opposition. Commissioner Hearn was absent. A copy of Ordinance No. 2010-11 and Resolution No. 2010-18, identified as "Attachment No. 3", follow these minutes and are made an official part hereof.

PUBLIC COMMENT:

Mr. Harold Bost spoke about his resignation from the Board of Commissioners and his residency issues. He presented the Board with evidence purporting to show his official residence. A copy of the report, identified as "Attachment No. 4", follows these minutes and is made an official part hereof.

Mr. Dennis Chase advised the Board of his various efforts to discredit Fayette County with state and federal agencies responsible for permitting and managing public water projects and other projects requiring environmental monitoring because the Board would not halt the construction of the West Fayetteville Bypass.

Ms. Eilsey Huston commented on her displeasure with the construction of the West Fayetteville and her opinion that the funds could be better utilized on other projects.

Mr. Steve Smithfield presented the Board with a written statement of his remarks largely related to his opposition to the West Fayetteville Bypass. He asked that his written remarks be made a part of the official record. A copy of his statement, identified as "Attachment No. 5", follows these minutes and is made an official part hereof.

Mr. Paul Parchert remarked that he resided on Janice Drive and that the "developers'" roadway will be within feet of his home and how disappointed he is to have to endure this situation when he had moved onto Janice Drive because it was dead-end street that he had hoped would remain quiet and traffic-free. He expressed dismay that the Bypass had been named Veterans Parkway.

Ms. Angela Hinton Fonda made remarks concerning Item 14 on the Consent Agenda which related to policies of the Human Resources Department which address scheduled pay increases. She expressed concern with the Pay for Performance Policy and the changes in the determination as to the amount of extra pay enhancement to be awarded

and the proportion per department. She said the current policy authorizes the Board of Commissioners to establish an amount of performance pay by department during the budget process. She said the proposed change would limit this Board's authority solely to establishing a "bucket" of money for those extra pay enhancements. She remarked that extra pay was not just more money in an employee's check but with a pension plan extra pay would be a lifetime commitment. She said these proposed changes could open the door to any manner of legal liability including nepotism, cronyism, sexism, age discrimination or other violations of employment law.

Mr. Paul Irwin said he was a long-time resident of Brown Road which would be affected by Phase III of the West Fayetteville Bypass and that he was disappointed that the County had not talked to the residents of Brown Road about the Bypass before now. He said the recommended speed limit of 45 for Phase III would not be an appropriate speed limit where the road goes through residential neighborhoods.

Mr. Tom Halpin commented on the remarks made by Ms. Hinton-Fonda concerning giving pay raises to County employees and questioned the legality of the provisions proposed in Item 14 of the Consent Agenda.

CONSENT AGENDA:
Commissioner Horgan made a motion to approve the Consent Agenda as published with the exception of Items 4 and 14. Commissioner Frady seconded the motion. The vote in favor of the motion was unanimous (4-0). Commissioner Hearn was absent.

ROAD DEPARTMENT - BID #734 AWARDED TO CURB SPECIALIST FOR MISCELLANEOUS CONCRETE WORK:

1. Approval of staff's recommendation for a 12-month extension to FY 2010's Bid #734 as approved by the Board of Commissioners on March 11, 2010 which contracts with Curb Specialist for miscellaneous concrete work. A copy of the request and backup, identified as "Attachment No. 6", follow these minutes and are made an official part hereof.

ROAD DEPARTMENT - BID #748 AWARDED TO HANSON AGGREGATES OF TYRONE FOR COURSE AGGREGATE:

2. Approval of staff's recommendation for a 12-month extension to FY 2010's Bid #748 as approved by the Board of Commissioners on April 22, 2010 which contracts with Hanson Aggregates of Tyrone as the source to purchase course aggregate. A copy of the request and backup, identified as "Attachment No. 7", follow these minutes and are made an official part hereof.

PUBLIC WORKS - INSTALLATION OF 8 FOOT ASPHALT MULTI-USE PATH:

3. Approval of staff's recommendation to install an 8' wide asphalt multi-use path along a portion of the West Fayetteville Bypass (Lester Road section) from Cleveland Elementary to the intersection of Huiet Road and Old Heritage Road, (SPLOST Project No. R-28). A copy of the request and backup, identified as "Attachment No. 8", follow these minutes and are made an official part hereof.

SHERIFF'S OFFICE - AMENDMENT OF 2011 OVERTIME BUDGET:

4. Approval of Sheriff's Office request to amend the FY 2011Overtime Budget for the Sheriff's Office Criminal Investigations Division by $2,903.48 for reimbursement for employees assigned to work with various Federal Agencies.

Item 4 was removed upon the request of staff who advised the Board that the request had been combined with Item 5.

SHERIFF'S OFFICE - AMENDMENT OF 2011 OVERTIME BUDGET:

5. Approval of Sheriff's Office request to amend the FY 2011 Overtime Budget for the Sheriff's Office Criminal Investigations Division by $5,533.49 for reimbursement for employees assigned to work with various Federal Agencies. A copy of the request, identified as "Attachment No. 9", follows these minutes and is made an official part hereof.

FIRE AND EMERGENCY SERVICES - DISPOSAL OF FIREFIGHTER UNIFORMS:

6. Approval of staff's request for permission to dispose of firefighter uniforms that are no longer serviceable. A copy of the request, identified as "Attachment No. 10", follows these minutes and is made an official part hereof.

FIRE AND EMERGENCY SERVICES - DONATIONS/MISCELLANEOUS REVENUE ACCOUNT:

7. Approval of staff's request to increase Fire Services FY 2011 Donations/Miscellaneous Revenue Account by $1,400 and to increase the Food/Catered Meals Expense Account by $1,400 to account for donations from various companies. A copy of the request, identified as "Attachment No. 11", follows these minutes and is made an official part hereof.

FIRE AND EMERGENCY SERVICES - GRANT FOR WEBEOC FUSION SOFTWARE:

8. Approval of staff's request for permission to accept a grant for WEBEOC Fusion software in the mount of $19,720 from the Georgia Emergency Management Agency's FY 2010 Homeland Security Grant Program for sequel software and a server. A copy of the request and backup, identified as "Attachment No. 12", follow these minutes and are made an official part hereof.

FIRE AND EMERGENCY SERVICES - EQUIPMENT GRANT FROM GEORGIA TRAUMA CARE NETWORK COMMISSION:

9. Approval of staff's request to accept an equipment grant funded by the Georgia Trauma Care Network Commission in the amount of $2,166. A copy of the request and backup, identified as "Attachment No. 13", follow these minutes and are made an official part hereof.

FIRE AND EMERGENCY SERVICES - REAPPOINTMENT OF PEACHTREE CITY ASSISTANT CHIEF PEKI PRINCE:

10. Approval of staff's recommendation to reappoint Peachtree City Assistant Chief Peki Prince as one of the three representatives from Fayette County to Region Four EMS Council, said term effective July 1, 2010 and expiring on June 30, 2012. A copy of the request, identified as "Attachment No. 14", follows these minutes and is made an official part hereof

INTERGOVERNMENTAL AGREEMENT WITH PEACHTREE CITY - TRANSPORTATION PROJECTS AND USE OF 2004 SPECIAL PURPOSE LOCAL OPTION SALES TAX:

11. Approval of Intergovernmental Agreement with Peachtree City related to the transportation projects and the use of 2004 Special Purpose Local Option Sales Tax proceeds in the amount of $25,000. A copy of the request and backup, identified as "Attachment No. 15", follow these minutes and are made an official part hereof.

FINANCE DEPARTMENT - UPDATES TO THE COUNTY'S POLICIES AND PROCEDURES MANUAL:

12. Approval of staff's request to proceed with updates to the County's Policies and Procedures Manual sections for Eligibility Verification of Non-Citizen Applicants for Benefits, Investments, Travel, and Budget. A copy of the request and backup, identified as "Attachment No. 16", follow these minutes and are made an official part hereof.

FINANCE DEPARTMENT - ACCEPTANCE OF A DONATION FOR SUPERIOR COURT CLERK'S OFFICE:

13. Approval of staff's recommendation to accept and budget a donation of $100 from Brown's River Marotti Company. A copy of the request, identified as "Attachment No. 17", follows these minutes and is made an official part hereof.

HUMAN RESOURCES - UPDATE AND MODIFICATIONS TO THE COUNTY'S POLICIES AND PROCEDURES MANUAL:

14. Approval of staff's request to proceed with updates and minor modifications to various Human Resources policies contained within the County's Policies and Procedures Manual. A copy of the request and backup, identified as "Attachment No. 18", follow these minutes and are made an official part hereof.

Item 14 was removed upon the request of Commissioner Maxwell who said that since the item had been questioned by Ms. Hinton-Fonda under Public Comment, he would like to have the County Administrator discuss the item with her for clarification and that any needed action by the Board could be rescheduled for a later meeting.

ABANDONMENT5 OF A PORTION OF JOHN STREET:

15. Approval of a request for the County to abandon a portion of John Street. A copy of the request, identified as "Attachment No. 19", follows these minutes and is made an official part hereof.

STORMWATER MANAGEMENT - ADOPTION OF ORDINANCE NO. 2010-12:

16. Approval of adoption of Ordinance 2010-12, proposed amendments to Fayette County Code, Chapter 8, Development Regulations, by amending Article V. A copy of the request, backup and Ordinance No. 2010-12, identified as "Attachment No. 20", follow these minutes and are made an official part hereof.

INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF FAYETTEVILLE REGARDING THE LAFAYETTE EXTENSION PROJECT:

17. Approval of a request from the City of Fayetteville to rescind the Intergovernmental Agreement between Fayette County and the City of Fayetteville for the LaFayette Extension Project, previously adopted on August 26,2010. A copy of the request, backup and Intergovernmental Agreement, identified as "Attachment No. 21", follow these minutes and are made an official part hereof.

MAIN STREET FAYETTEVILLE - CONSTRUCTION OF SIDEWALK ACCESSING PARKING SPACES APPROVED:

18. Approval of Main Street Fayetteville's request to construct a short segment of sidewalk from the Stonewall Avenue/Glynn Street corner to access parking spaces adjacent to the gazebo. A copy of the request, identified as "Attachment No. 22", follows these minutes and is made an official part hereof.

RESOLUTION NO. 2010-19 - ABANDONMENT OF RIGHT-OF-WAY ON MELANIE LANE:

19. Approval of Resolution No. 2010-19 to abandon right-of-way totaling 65 square feet on Melanie Lane. A copy of the request and Resolution No. 2010-19, identified as "Attachment No. 23", follow these minutes and are made an official part hereof.

JUSTICE CENTER - PERMANENT DISPLAY APPROVED:

20. Approval of permanent display depicting the foundations of American Law and Government for the Justice Center. A copy of the request, identified as "Attachment No. 24", follows these minutes and is made an official part hereof.

APPOINTMENT TO VARIOUS BOARDS AND COMMITTEES APPROVED:

21. Approval of appointments to various boards and committees. A copy of the request, identified as "Attachment No. 25", follows these minutes and is made an official part hereof.

22. Approval of minutes for Board of Commissioners' meeting held on November 18, 2010.

OLD BUSINESS:

B. CONTINUED CONSIDERATION OF A REQUEST FROM THE CITY OF FAYETTEVILLE CONCERNING A PROPOSED TRANSPORTATION PROJECT RELATED TO THE INTERSECTION OF STATE HIGHWAY 92, HOOD AVENUE, AND STATE ROUTE 85:

County Administrator Jack Krakeel reminded the Board that City officials had brought this issue before them at two Workshop meetings and that if the County and City were going to partner to build this project, an Intergovernmental Agreement would need to be executed. He noted that such an Agreement would define the role of both entities.

Commissioner Horgan made a motion to approve an Intergovernmental Agreement between the County and the City of Fayetteville allowing the two entities to undertake construction of a transportation project known as Project R-12 The Hood Avenue Connector/SR 92 Realignment and to authorize the Chairman to execute said Agreement. Commissioner Frady seconded the motion. The vote in favor of the motion was unanimous (4-0). Commissioner Hearn was absent. A copy of the request and the Intergovernmental Agreement, identified as "Attachment No. 26", follow these minutes and are made an official part hereof.

C. FURTHER DISCUSSION OF THE 2010 COMPREHENSIVE TRANSPORTATION PLAN AND ADOPTION OF RESOLUTION NO. 2010-20 SUPPORTING THE PLAN:

Public Works Director Phil Mallon gave a brief overview of the process that had led to the completion of the proposed new Comprehensive Transportation Plan. He told the Board that he would like to have the Board take an action that would accept the Plan as the County's base document for transportation planning.

Commissioner Frady made a motion to adopt Resolution No. 2010-20 supporting the 2010 Comprehensive Transportation Plan, its policies, and its project recommendations as the County's base document for transportation planning and authorization for the Chairman to execute said Resolution. Commissioner Horgan seconded the motion. The vote in favor of the motion was unanimous (4-0). Commissioner Hearn was absent. A copy of the request and Resolution No. 2010-20, identified as "Attachment No. 27", follow these minutes and are made an official part hereof.

D. FURTHER CONSIDERATION OF STAFF'S REQUEST FROM THE SHERIFF'S DEPARTMENT FOR FUNDING FOR REPAIRS IN THE SHOWER AREAS OF INMATE CELL BLOCKS IN THE JAIL:

Major Charlie Cowart of the Sheriff's Department had further discussion with the Board about the need to address issues of mold in the shower areas of the County Jail. A copy of the request and backup, identified as "Attachment No. 28", follows these minutes and are made an official part hereof. He said Consulting Engineer David Jaeger of Mallett Consulting recommended overlaying the existing floor tile and wall surfaces with a special coating specifically designed for use in wet areas in lieu of removing and replacing the floor tile grout. He said this coating would be a durable mold resistant urethane or epoxy type coating. He noted that the tile and block walls would be stripped, cleaned and prepped for the new coating including killing all existing mold. He said the metal partitions would be removed during the floor and wall work and cleaned and reinstalled with some minor adjustments during the reinstallation of the metal partitions.

Commissioner Maxwell remarked that item D and item E were both related. He noted that until the old jail was renovated there was no where to move the displaced prisoners. He felt this allowed additional time to listen to Mr. Jaeger in order to get more information.

The Board suggested that Mr. Cowart gather more information about alternative methods for alleviating the problem, cost comparisons, the sequence of activities that would provide a remedy for the problem, and the time frame during which repairs would occur. The Board expressed support for resolving the issue but asked that more definitive information be provided before authorizing funds for the repairs.

E. FURTHER CONSIDERATION OF STAFF'S REQUEST FROM THE SHERIFF'S DEPARTMENT CONCERNING THE NEED AND COST FOR BRINGING THE FORMER JAIL FACILITY INTO TEMPORARY OPERATION:

See Item D above. A copy of the request and backup, identified as "Attachment No. 29", follow these minutes and are made an official part hereof.

NEW BUSINESS:

F. CONSIDERATION OF STAFF'S RECOMMENDATION TO PURCHASE STREAM AND WETLAND MITIGATION CREDITS FOR THE WEST FAYETTEVILLE BYPASS PROJECT, PHASE 2 (SPLOST NO. R-5) FROM THE FLINT RIVER MITIGATION BANK, VIA MITIGATION MANAGEMENT, LLC FOR THE AMOUNT OF $214,086.

Public Works Director Phil Mallon told the Board that stream and mitigation credits were needed for the West Fayetteville Project and that quotes had been solicited from four mitigation banks that had credits available to acquire. A copy of the request and backup, identified as "Attachment No. 30", follow these minutes and are made an official part hereof. He said the recommended vendor, Flint River Mitigation Bank, offered the best price and had issued a further discount once it was determined they were the low bidder.

Commissioner Horgan made a motion to authorize staff to proceed with the purchase of stream and wetland mitigation credits for Phase II of the West Fayetteville Bypass from the Flint River Mitigation Bank, utilizing Mitigation Management, LLC, in the amount of $214,086; and authorization for the Chairman to execute any subsequent required documents, pending review and approval by the County Attorney. Commissioner Frady seconded the motion. The vote in favor o th motion was unanimous (4-0). Commissioner Hearn was absent. A copy of the contract, identified as "Attachment No. 31", follows these minutes and is made an official part hereof.

G. DISCUSSION OF STAFF'S RECOMMENDATION FOR THE ALIGNMENT OF PHASE 3 OF THE WEST FAYETTEVILLE BYPASS (SPLOST PROJECT NO. R-28B)

Director of Public Works Phil Mallon presented a preliminary concept map indicating the general route of the proposed Phase III of the West Fayetteville Bypass Project, identified as Project No. R-28b in the 2003 Transportation Plan. A copy of the request and backup, identified as "Attachment No. 32", follow these minutes and are made an official part hereof. He reviewed certain details of the route but emphasized that the plan being presented was merely a concept of the general path of the road and that detailed engineering, roadway design, and traffic studies would be needed in order for staff to proceed with initiating the project.

Commissioner Horgan made a motion to accept staff's recommendation for a concept alignment for Transportation Project R-28B, known as Phase III of the West Fayetteville Bypass Project; and authorization to proceed with engaging a design engineer to develop a traffic study, a preliminary roadway design, schedule, and cost estimate for the Project. Commissioner Frady seconded the motion. The vote in favor of the motion was unanimous (4-0). Commissioner Hearn was absent.

H. CONSIDERATION OF STAFF'S RECOMMENDATION TO ABANDON AND THEN TRADE 5,004 SF OF WATERLACE WAY RIGHT-OF-WAY (ROW), 7,130 SF OF FORMER LESTER ROAD ROW AND 1,748 SF OF COUNTY-OWNED PROPERTY IN THE SOUTHWEST CORNER OF THE HERITAGE FARM ROAD AND LESTER ROAD INTERSECTION.

Public Works Director Phil Mallon told the Board that he did not have all the information needed for the Board to take action on the request as presented but that he would like to have the Board vote to convey 39 square feet of unneeded right-of-way to an adjacent property owner, David Weekley Homes, who had worked with the County in acquiring right-of-way needed for Phase I of the West Fayetteville Bypass. A copy of the request, identified as "Attachment No. 33", follows these minutes and is made an official part hereof.

Commissioner Frady made a motion to approve Resolution No. 2010-23, constituting a conveyance of 39 square feet of right-of-way from Waterlace Way to David Weekley Homes, LLP, and to authorize the Chairman to execute said Resolution. Commissioner Horgan seconded the motion. The vote in favor of the motion was unanimous (4-0). Commissioner Hearn was absent. A copy of Resolution No. 2010-23, identified as "Attachment No. 34", follows these minutes and is made an official part hereof.

I. CONSIDERATION TO ADOPT RESOLUTION NO. 2010-21 TO APPROVE CONVEYANCE OF PROPERTY ALONG PHASE I OF THE WEST FAYETTEVILLE BYPASS:

County Attorney Scott Bennett advised the Board that as a part of the process of establishing the final alignment of Phase I of the West Fayetteville Bypass south of State Rout 54, an exchange of property was needed that would allow the County to have what it needed for the road, and which would provide the owner of the convenience store near the intersection of Lester Road and Highway 54 with a driveway off Lester Road. He said this driveway would be shared by the convenience store and the Postal facility nearby. He remarked the exchange would be of property of equal value and no exchange of funds would be needed.

Commissioner Horgan made a motion to approve Resolution No. 2010-21, constituting an exchange of property between the County and Trogger Enterprises, Inc. needed to complete a portion of the West Fayetteville Bypass, Phase I, and to authorize the Chairman to execute said Resolution. Commissioner Frady seconded the motion. The vote in favor of the motion was unanimous (4-0). Commissioner Hearn was absent. A copy of the request and Resolution No. 2010-21, identified as "Attachment No. 35", follow these minutes and are made an official part hereof.

J. CONSIDERATION OF RESOLUTION NO. 2010-22 TO REVISE THE LOCAL LEGISLATION PERTAINING TO THE ELECTIONS BOARD:

County Attorney Scott Bennett remarked that this Legislation would request the State Legislative Representatives to introduce local legislation which would amend how the members of the Board of Elections are appointed. He said this would provide for a confirmation process by which the two political parties nominate a member to serve on the Board of Elections. He said that nominee would come to the Board of Commissioners for confirmation of that person to serve on the Board of Elections. He asked for the Board's consideration in this matter.

Commissioner Horgan made a motion to approve Resolution No. 2010-22 supporting the introduction of local legislation amending certain provisions related to the membership of the Fayette County Board of Elections, allowing for the confirmation of Board of Elections members by the Board of Commissioners; and authorization for the Chairman to execute said Resolution. Commissioner Frady seconded the motion. Discussion followed.

Commissioner Maxwell said he had no recollection of this Board discussing this item at a Wednesday Workshop meeting. He said this was an issue that this Board was asking the State Legislature to do and this Commission had not even discussed this in a workshop meeting. He said this Board would be put in a position to approve any candidate that the Republican party would want to seat as a member of the Elections Board. He said this would then result in five members of the Republican Party to look over the shoulder of the Democratic Party and deciding on their representative. He said it was his opinion that this would not pass through the Justice Department. He said as a result of that, he would not support this motion. He said he had not seen the final version of this Resolution until tonight when he arrived for this meeting. He said he thought it had always been the policy of this Board to discuss an item at a Workshop Meeting and then bring it to a Thursday night meeting for consideration after the Board had studied the issue. He said he would not support this Resolution.

Commissioners Smith, Frady and Horgan voted in favor of the motion. Commissioner Maxwell opposed the motion. The motion carried 3-1. Commissioner Hearn was absent. A copy of the request, backup and Resolution No. 2010-22, identified as "Attachment No. 36", follow these minutes and are made an official part hereof.

K. DISCUSSION OF CONTRACT RENEWAL FOR THE COUNTY ADMINISTRATOR AND THE COUNTY ATTORNEY:

Commissioner Horgan made a motion at 9:08 p.m. to adjourn to Executive Session to discuss personnel items. Commissioner Frady seconded the motion and the vote in favor of the motion was unanimous (4-0). Commissioner Hearn was absent.

The Board reconvened the public meeting at 9:24 p.m. Commissioner Horgan made a motion to authorize the Chairman to execute the required Executive Session Affidavit stating that three personnel items had been discussed in Executive Session. Commissioner Frady seconded the motion which passed unanimously (4-0). Commissioner Hearn was absent. A copy of the Executive Session Affidavit, identified as "Attachment No. 37", follows these minutes and is made an official part hereof.

Commissioner Horgan made a motion to enter into a new Employment Agreement with Scott Bennett, County Attorney and to authorize the Chairman to execute the Agreement. Commissioner Frady seconded the motion. The vote in favor of the motion was unanimous (4-0). Commissioner Hearn was absent.

Commissioner Horgan made a motion to enter into a new Employment Agreement with Jack Krakeel, County Administrator and to authorize the Chairman to execute the Agreement. Commissioner Frady seconded the motion. The vote in favor of the motion was unanimous (4-0). Commissioner Hearn was absent.

Commissioner Horgan made a motion that the County Clerk be placed under the County Administrator for the purpose of job performance evaluation and work flow management. Commissioner Frady seconded the motion. The vote in favor of the motion was unanimous (4-0). Commissioner Hearn was absent.

ADMINISTRATOR'S REPORT
None

ATTORNEY'S REPORT
None

STAFF REPORTS
None

BOARD REPORTS
Commissioner Maxwell thanked his fellow Board members, Constitutional officers, County employees and particularly Jack Krakeel for working well with him during his term. He said he had enjoyed his work as a County Commissioner.

Chairman Smith said it had been a pleasure to serve as County Commissioner. He thanked staff, particularly Jack Krakeel, Scott Bennett and Mary Holland for their work during his term. He thanked his fellow Board members for electing his Chairman for four years and wished everyone well.

Commissioner Frady thanked Mr. Maxwell and Mr. Smith for their service to Fayette County and congratulated them on the accomplishments of their term.

ADJOURNMENT: Hearing no further business to come before the Board, Chairman Smith adjourned the meeting at 9:37 p.m.

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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 5th day of January, 2011.

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Karen Morley, Chief Deputy Clerk