Minutes

Board of Commissioners
February 24, 2011
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 24, 2011, at 7:00 p.m. in the Public Meeting Room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

Commissioners Present:	Herb Frady, Chairman Robert Horgan, Vice Chairman Steve Brown Lee Hearn Allen McCarty
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 Frady called the February 24, 2011 Board of Commissioners Official Session to Order at 7:01 p.m. Commissioner Hearn gave the Invocation and led the audience in the Pledge of Allegiance.

PRESENTATION/RECOGNITION:

1. Recognition of members of the Starr's Mill High School Panthers Football Team who won the State Region III AAAA Championship in high school football.

Commissioner Horgan, on behalf of the Board, congratulated the Starr's Mill High School Panthers Football Team for their 2010 accomplishments, and he read the Board's resolution to the team. He then gave individual resolutions to each team member. A copy of the request and resolution, identified as "Attachment 1", follow these minutes and is made an official part hereof.

PUBLIC COMMENT:

Ray White: Mr. Ray White spoke about his support for the East Fayetteville Bypass, and his desire to either stop or suspend the construction of the West Fayetteville Bypass. He added that the Board was elected by the people, and that its fiduciary responsibility is to the people and not to one segment of the people such as developers. He said Fayette County does not like eminent domain, and that despite women crying and appeals for a "farm that has been here forever", it appears that the peoples' appeals seem to just "bounce off you guys like no problem." He suggested that the Board look at the last local and national elections to see how the people feel when they perceive they are being ignored. He continued that he had been to several meetings and has not seen one supporter of the West Fayetteville Bypass speak to the Board.

Marilyn Watts: Ms. Marilyn Watts presented her case concerning why she should be allowed to remain on the Fayette County Board of Elections, and she stressed her experience, her opponent's lack of experience, and the potential consequences the County could have with an inexperienced Elections Board. She spoke about the State Elections Board meeting she and the Elections staff attended in Macon and about the two pages worth of municipalities and counties that were having trouble with respect to how they managed their elections processes. She continued that Fayette County has a wonderful Elections staff and that staff attends all of the training opportunities available to it, but she continued that the new Democratic nominee to the Elections Board has no experience in this area; even though she wants to learn and get involved. She stated that the person the Board was considering to put in her place has no election experience, so that meant two members of a three-member Board that have no experience in elections.

Zilsa Huston: Ms. Zilsa Huston publically supported the comments, in verbatim, given by Mr. Ray White. She said she is a citizen of Fayette County and she felt the Commission should only respect what she as a citizen thinks, not what the Board as a body would like. She then encouraged the citizens in the audience to clap. Chairman Frady replied that the Board deserves respect as well, and he encouraged the citizens and the Board to show mutual respect.

Sheila McIntyre: Ms. Sheila McIntyre spoke about the "hubris" of the Board, and noted that the hubris was showing with respect to the Board's consideration of replacing Ms. Marilyn Watts on the Board of Elections. She said that the very consideration of replacing the only experienced person that is on the Elections Board resulting in three novices for the 2012 elections is a sign of hubris. She then spoke about the Board's hubris regarding the West Fayetteville Bypass, and she said the Bypass was a "mess" since it does not even have a proper paper trail.

Latrelle Burcher: Ms. Latrelle Burcher spoke in opposition to the West Fayetteville Bypass, and she utilized four main points to outline her position. Her first point concerned the accessibility of criminals to her property and her neighbors' property in the Lees Mill Road area with the construction of the West Fayetteville Bypass. Her second point was that the Board had provided no plans for a fence or landscaping to add privacy and security. She noted that residents in Peachtree City have noise abatement fences along Highway 74, and that she did not want to live like that and with the noise of road traffic. She was also concerned that motorists would not abide by the 45-miles-per-hour limit posted on the road, and instead would travel at 60-miles-per-hour. Her third point was that the Board had decided not to compensate residents for their trees. Her fourth point concerned a proposed roundabout at the intersection of Lees Mill Road and the West Fayetteville Bypass. She said this roundabout would take a greater area of property and would destroy driveways, pastureland, and front yards. She pointed out that the Blount family was able to sell their home and leave Fayette County because the County took their house, but in this case the County would not be taking houses. She said she preferred for the County to take entire houses rather than leave the people with the destruction and problems caused by roundabouts. She spoke about the problems that would be experienced by school buses riding on the roundabout.

Denise Ogino: Ms. Denise Ogino thanked County Administrator Jack Krakeel for his efforts to get answers to the citizens. She also thanked Commissioners McCarty, Hearn, Horgan, and Brown for attending the recent Tea Party event in order to learn where the people stand and their pressing issues. She informed Chairman Frady that the people were clapping since they were in agreement with the previous speaker. She closed saying the Public Comment section of the agenda is reserved for the people to speak, and the people should be allowed to clap. She said the people are clapping to the let the Board know they are concerned about what they hear concerning the West Fayetteville Bypass.

Krystal Carnahan: Ms. Krystal Carnahan spoke in opposition to the East Fayetteville Bypass, saying that the projected plan would cause the road to be eight feet from her back door. She spoke about why it had no longer been regarded as a top priority in Fayette County, and how it would be a "dead-end road" that would only benefit the citizens of Clayton County. She did not understand why the Fayette County would bypass everything that Fayetteville had spent considerable funds to construct. She did not understand why the County would not utilize the roads that are already in existence, some of which have had significant funds spent on them, and instead "take away farms" and build bridges all with a steep price tag and environmental concerns as well. She asked why was there a need for the East Fayetteville Bypass. She mentioned that she has an autistic son, and that she has assurance that if he gets away from her there is some distance between the current road and her home.

Steve Smithfield: Mr. Steve Smithfield spoke in opposition to both the East and West Fayetteville Bypasses. He commented on Mr. David Wimmer's statements that were heard by the Board at the February 2, 2011 meeting, as well as Mr. Wimmer's comments recently given in *The Citizen* newspaper. He said Mr. Wimmer made very astute observations that should be taken to heart regarding the East Fayetteville Bypass. He said that the East Fayetteville Bypass, once abandoned for the West Fayetteville Bypass, is not the number one priority transportation project in Fayette County. He continued that, according to Mr. Wimmer, the East Fayetteville Bypass would stretch from State Highway 85 North to Fayetteville at Corinth Road, to State Highway 85 South of Fayetteville. He quoted Mr. Wimmer's statement in a newspaper that "part of the need for an East Bypass is so important is because there are future plans for highway widening in Fayette County including 54 East, Highway 85 South of Fayetteville, and both Georgia Highways 279 and 314. These will increase the traffic if we don't get the East Bypass in place, the traffic slowdown will be unbearable." Mr. Smithfield stated that the West Fayetteville Bypass was introduced to the public as a Bypass, but under intense pressure from public outcries, the road was renamed "Veteran's Parkway." He drew the conclusion that Mr. Wimmer realized that the County had misled the public with the functionality of the West Bypass which was voted in as part of the SPLOST project in 2004, and that his obvious intent in addressing the abrupt ending of the East Bypass was to warn that the County is making the same mistake again.

Tom Halpin: Mr. Tom Halpin spoke about the lack of transparency that he is noticing in Fayette County. He explained that when the West Fayetteville Bypass was first proposed, there was a large sign at the corner of Huiet Drive and Georgia Highway 54 showing Phase I of the Bypass. He noted that he has not found similar signs for Phases II and III of the Bypass. He said that he will be affected by Phase III of the Bypass, and he wanted commuters who drive in the area to know that is where the proposed Phase III Bypass would be constructed. He did not want to have citizens trying to "dig through" the County's website trying to find information, and mentioned that many people who will be affected do not have access to or knowledge about how to operate a computer and the internet. He also spoke about the danger at the intersection at Georgia Highway 85 and Harp Road, specifically about a school bus accident at that intersection, and how he had been informed by County staff that there were no plans to put a traffic light there even if a Bypass is built. He then spoke about how Phase III of the Bypass would go by Bennett's Mill subdivision, and how the Commissioners had asked about building a tunnel under Phase III, but there was no talk about how it would separate one subdivision with the pool and tennis courts on one side and family members crossing Phase III to access them. He closed his remarks by speaking about the impact of the West Fayetteville Bypass, which would be close to his house, and how he would have to hear traffic noise in the early morning as people traveled the road.

David Hall: Mr. David Hall stated that the attempt to silence the people from clapping was "very unacceptable". He reminded the Board that the people reserve the right to peacefully vote the Commissioners out of office, and how he perceived the Board was trying to "intimidate" the people. He spoke about the rights given to people by God, and enunciated by Thomas Jefferson, and how the Board answers to the people. He said if the Board wanted to "be an enemy of the people", then the Board has lost its authority. He added that the West Fayetteville Bypass was detrimental to the lifestyle of Fayette County. He finished his remarks by asking the Board how much they value the West Fayetteville Bypass, and asked if it is worth "all the crime that may result from that Bypass." Chairman Frady remarked that Mr. Hall was a very patriotic person and thanked him for his patriotism.

Carolyn Perdue: Ms. Carolyn Perdue spoke against the West Fayetteville Bypass. She spoke about many of the financial and economical changes that have occurred since the West Fayetteville Bypass was planned, and how rising costs on road materials, gas, oil, and other commodities will have a negative impact on the County's budget. She suggested if the Board was comprised of good businessmen, they would tell the developers "to build their own road". She closed saying developers will not build in today's economy, citizens cannot afford to buy developments, and the county could potentially "spend all its money on roads."

Andrea Lyle: Ms. Andrea Lyle announced that she had a job after four years of looking for one. She spoke about how she left Atlanta for Clayton County, then left Clayton County to come to Fayette County, and is now looking to leave Fayette County and to move out of the State of Georgia. She asked the Board to stop the frivolous spending of taxpayers' dollars because the nation is in a recession. She added that she is against both the East and West Fayetteville Bypasses since they have a direct impact on greenspace in the county.

Tom Waller: Mr. Tom Waller spoke against the West Fayetteville Bypass. He said the County had not presented demand data that justifies the road, and with today's economy in this county, regardless of if it is called a recession or a depression, if the county "does not move forward on a moratorium on major capital expenditures for the next three to five years, you will wish that you had."

CONSENT AGENDA:

Commissioner Brown asked to remove Consent Agenda Items 7, 8, 10, 11 and 12 for discussion.

Commissioner Brown moved to approve Consent Agenda Items 2-6, 9, and 13. Commissioner Horgan seconded the motion. No discussion followed. The motion passed unanimously.

2. Approval of a request from the Sheriff's Department for permission to dispose of the 1971 Bell Helicopter purchased with Federal Seizure Funds which is no longer of service to the County. A copy of the request, identified as "Attachment 2", follows these minutes and is made an official part hereof.

3. Approval of the Sheriff's Office request to amend the Overtime Budget for the Criminal Investigations Division by $1,836.50 for reimbursement for employees assigned to work with various Federal Agencies. A copy of the request, identified as "Attachment 3", follows these minutes and is made an official part hereof.

4. Approval of staff's request to grant a right-of-way easement to Georgia Power along State Route 74 South from Paschall Road to U.S. Post (Fayette County) Distribution Line, for the purpose of installing and maintaining two anchors, guy poles, and wires. A copy of the request and right-of-way easement, identified as "Attachment 4", follow these minutes and are made an official part hereof.

5. Approval of staff's request for authorization to apply for an additional grant of $5,000 from the Council of Juvenile Court Judges of Georgia for providing community alternatives to juvenile incarceration. A copy of the request, identified as "Attachment 5", follows these minutes and is made an official part hereof.

6. Approval of staff's recommendation to declare seventeen Mitel 4001 telephones and fifty Mitel power adapters as unserviceable surplus property, and to authorize staff to sell these items by utilizing the GovDeals internet web site. A copy of the request, identified as "Attachmeent 6", follows these minutes and is made an official part hereof.

7. Approval of an Ordinance establishing speed limits for Veterans Parkway, portions of which were formerly segments of Lester Road, Tillman Road, Sandy Creek Road and Heritage Farm Lane.

Commissioner Brown stated that he reviewed the speed limits intended for Veteran's Parkway and its adjoining roads, and that he was concerned that the roads were near school complexes and buildings were posted as 45 miles per hour. He mentioned that Ms. Burcher's comments where she mentioned that the 45 miles an hour speed limit translates into 60 miles per hour for motorists. He asked for the roads which are near a school complex be lowered from 45 miles per hour to 35 miles per hour.

County Engineer Carlos Christian explained that Veteran's Parkway is currently posted at 45 miles per hour, but there are school zones that reduce speeds to 25 miles per hour. He clarified that the 45 miles per hour runs from Georgia Highway 54 along Lester Road up till the speed reduction for the school. He asked the Board to approve the request so that it can be enforced by the Sheriff's Department. Discussion followed.

Commissioner Horgan moved to approve Consent Agenda Item 7 as presented by staff. Commissioner Hearn seconded the motion. No further discussion followed. The motion passed 3-2 with Commissioners Brown and McCarty voting in opposition. A copy of the request, identified as "Attachment 7", follows these minutes and is made an official part hereof.

8. Approval of Resolution No. 2011-05 abandoning and trading public road right-of-way of old Lester Road to Reynolds Development & Management Group for additional right-of-way needed along Lester Road from property within the Waterlace Subdivision.

Commissioner Brown explained that he pulled this item off the Consent Agenda because it had a direct effect on the West Fayetteville Bypass, and he had promised constituents to not support the furtherance of the Bypass. He announced he would vote in opposition to Consent Agenda Item 8.

Commissioner Horgan moved to approve Consent Agenda Item 8 as presented by staff. Commissioner Hearn seconded the motion. No discussion followed. The motion passed 3-2 with Commissioners Brown and McCarty voting in opposition. A copy of the request and Attachment 2011-05, identified as "Attachment 8", follow these minutes and are made an official part hereof.

9. Approval of staff's request for authorization of an FY 2011 budget amendment of $1,200 in revenue and expenditures accounts to fund the continuation of a youth program used by Juvenile Supervision personnel. A copy of the request, identified as "Attachment 9", follows these minutes and is made an official part hereof.

10. Approval of a request from the Fayette County Civitan Club for a Proclamation of Appreciation designating February 25, 2011 as "Clergy Appreciation Day".

Commissioner Brown thought it was unfortunate that this request from the Fayette County Civitan Club was placed on the Consent Agenda, and he thought that it was "slighting clergy in Fayette County." He did not want to create a misconception that the clergy were being "brushed through a Consent Agenda." He spoke about the history of Clergy Day, and about the sinking of the U.S.S. Dorchester and how four ship chaplains gave their life jackets to other sailors so they could survive, even though all four chaplains eventually drowned.

Chairman Frady replied that the representative of the Fayette County Civitan Club, Mr. Ballard, had asked the Board to place this item on the Consent Agenda since they had a meeting and were unable to attend the Commission meeting. He further clarified that the request was not submitted to the Board in time for the Board to do otherwise, and that the club had expressed their gratitude for honoring them in this way.

Commissioner Brown moved to approve the Proclamation of Appreciation designating February 25, 2011 as "Clergy Appreciation Day". Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously. A copy of the request and proclamation, identified as "Attachment 10", follow these minutes and is made an official part hereof.

11. Approval of amendments to County Policy No. 100.03 which provides guidance for the development of agendas for County Commission meetings.

Commissioner Brown noted that County Policy No. 100.03 was provided in the Agenda Meeting packet, but a newer one that more accurately reflected the decisions reached by the Board during its recent retreat was available on the dais and obtainable from Executive Assistant Carol Chandler.

Commissioner Brown moved to approve County Policy No. 100.03 as newly provided and available on the dais. Commissioner Horgan seconded the motion. Some discussion followed. The motion passed unanimously. A copy of the request and the revised version of County Policy No. 100.03, identified as "Attachment 11", follow these minutes and are made an official part hereof.

12. Approval of amendments to County Policy No. 100.05 which provides guidance for the development and/or amendment of county codes, ordinances, rules or regulations and policies, including the introduction of new initiatives.

Commissioner Brown stated that during the Board Retreat Items regarding subsections 1© and 1(d). He said during the Retreat he had spoken about not allowing the County Administrator to decide whether or not a citizen can place an item on an agenda. He continued that with subsection 1(d) as it concerned various advisory groups, that if advisory groups could be placed on the agenda without the consent of the County Administrator then citizens also ought to be placed on the agenda without the consent of the County Administrator. He recalled the discussion at the Retreat was that the standards needed to be the same across the Board, and he further clarified that an Advisory Board such as the Chamber of Commerce of the Kiwanis Club should be treated no differently than a private citizen who wanted to bring something before the Board.

Commissioner Hearn replied that the purpose of the discussion concerning the involvement of the County Administrator was that many of the issues that are brought forth from citizens can be handled by staff, and that while he did not want to eliminate or stifle citizens from coming before the Board, he really wanted the County Administrator to be involved since the items can be resolved satisfactorily without the necessity to come before the Board. Discussion followed.

Commissioner Horgan moved to adopt County Policy No. 100.05 as presented by staff. Commissioner Hearn seconded the motion. Commissioner Brown stated he could not vote for the policy since it presents a double standard. The motion passed 3-2 with Commissioners Brown and McCarty voting in opposition. A copy of the request and County Policy No. 100.05, identified as "Attachment 12", follows these minutes and is made an official part hereof.

13. Approval of the February 2, 2011 Board of Commissioners Workshop Minutes.

OLD BUSINESS:

14. Further consideration of an appointment to the Board of Elections.

Commissioner Hearn nominated Addison Lester for appointment to the Board of Elections.

Commissioner Brown nominated Marilyn Watts for appointment to the Board of Elections.

Commissioner Horgan moved to close nominations for an appointment to the Board of Elections. Commissioner Brown seconded the motion. No discussion followed. The motion passed unanimously.

Commissioner Hearn stated that he appreciated the work Ms. Marilyn Watts had done over the years, and that she has set a high standard in the Elections Department, but he felt it was time for a new person, Mr. Addison Lester, to be placed in the position. He stated that Mr. Lester attended church with him, that he is well respected, and that he is Chairman of the Board of Deacons. He explained that Mr. Lester is retired from Georgia Power Company, and that he has time to dedicate in his work in this capacity.

Commissioner Hearn moved to appoint Mr. Addison Lester to the Board of Elections. Commissioner Horgan seconded the motion. Commissioner Brown explained why he could not vote in favor of the nomination and motion. The motion passed 3-2 with Commissioners Brown and McCarty voting in opposition. A copy of the request, identified as "Attachment 13", follows these minutes and is made an official part hereof.

15. Consideration of a request from the Town of Tyrone for Special Purpose Local Option Sales Tax funding of a transportation scoping study along Tyrone-Palmetto Road, identified as SPLOST Project No. R-1.

Public Works Director Phil Mallon and Tyrone Town Manager Richard Newbern explained the Town of Tyrone's request.

Commissioner Brown stated that while he was in favor of spending $30,000 of SPLOST funds for the scoping study, the Board needed to be very aware that the money was running thin and that the Board needed to be careful since there are major projects on the horizon. He concluded that he could not promise further support beyond the study.

Commissioner Hearn encouraged discussion between Fayette County's Public Works department with Coweta County's Public Works department with respect to this scoping study.

Commissioner Horgan moved to approve staff's recommendation to budget $30,000 for the funding of a transportation scoping study along Tyrone-Palmetto Road, known as SPLOST project No. R-1, and to authorize the Chairman to execute an Intergovernmental Agreement with Tyrone upon approval by the County Attorney. Commissioner Hearn seconded the motion. The motion passed unanimously. A copy of the request and the Intergovernmental Agreement between the Town of Tyrone and Fayette County, identified as "Attachment 14", follow these minutes and are made an official part hereof.

16. Consideration of a request from the town of Tyrone for the County Road Department to provide necessary equipment and labor for drainage and paving improvements to 1,700 feet of Valleywood Road from Senoia Road to the stream.

Public Works Director Phil Mallon and Tyrone Town Manager Richard Newbern explained the Town of Tyrone's request . Discussion followed.

Commissioner Hearn suggested that the Town of Tyrone should be responsible for staking the limits of the right-of-way through a surveyor. He said he has had problems with property in his past experience, and he has learned that it is a good way to handle this type of work. Mr. Newbern, Tyrone's Town Manager, reported that the Town of Tyrone had no problem with Commissioner Hearn's suggestion.

Commissioner Horgan moved to authorize the Chairman to sign an Intergovernmental Agreement between Fayette County and the Town of Tyrone permitting the Fayette Road Department to provide necessary equipment and labor for drainage and paving improvements to 1,700 feet of Valleywood Road, from Senoia to the stream, and to require the Town of Tyrone to be responsible for staking the limits of the right-of-way through a surveyor as suggested by Commissioner Hearn. Commissioner McCarty seconded the motion. The motion passed unanimously. A copy of the request and the Intergovernmental Agreement between the Town of Tyrone and Fayette County, identified as "Attachment 15", follow these minutes and is made an official part hereof.

17. Consideration of staff's recommended scope, alignment and funding strategy for Special Purpose Local Option Sales Tax (SPLOST) Project No. R-8, known as the East Fayetteville Bypass.

Public Works Director Phil Mallon explained that Project No. R-8 had been spoken about several times during the past two months, and that staff has tried to identify the need, and that several alignments had been presented for the West Fayetteville Bypass. He provided staff's recommendation, based on reviews of data, opinions, and Board feedback, and he said what was being recommended was that the alignment follow what has traditionally been the alignment for the project, maintaining a 12–foot right of way and proceed with a two-lane option with the ability to expand to four lanes if needed in the future. He then gave further explanation concerning the conceptual East Fayetteville Bypass alignment. Discussion followed.

Commissioner Horgan moved to approve the conceptual East Fayetteville Bypass alignment, known as SPLOST Project No. R-8, as shown on Exhibit A, with 120-ft ROW (typical) and the allocation of transportation SPLOST dollars for engineering, right-of-way, and local matching funds as needed from state, regional SPLOST, and/or federal dollars for construction. Commissioner Hearn seconded the motion. No discussion followed. The motion passed unanimously. A copy of the request, identified as "Attachment 16", follows these minutes and is made an official part hereof.

18. Consideration of staff's request that the Board of Commissioners establish the Budget Calendar and Policy for Fiscal Year 2012 which begins July 1, 2011 and ends June 30, 2012.

Finance Director Mary Holland reminded the Commissioners that at their Board Retreat, staff had presented the Board with a proposed budget calendar for Fiscal Year 2012, and that staff had asked for the Board's guidance in establishing a budget policy. She requested that the Board adopt the Budget Policy and the Budget Calendar for Fiscal Year 2012. Commissioner Horgan stated that the budget policy was "very aggressive" and that staff had done a good job.

Commissioner Brown moved to approve the Fiscal Year 2012 Budget Calendar and Budget Policy as presented by staff. Commissioner McCarty seconded the motion. Commissioner Hearn told the Board that he had a discussion with County Administrator Jack Krakeel concerning the $7.4 million worth of unreserved-undesignated funds, that those funds had been accumulated over the previous four years, and that the "least amount of use of that funds was this coming budget year." He said he asked Mr. Krakeel to consider using about $2.5 million of the unreserved-undesignated funds in his budget, and that he also asked Mr. Krakeel to be aggressive at looking at the vehicle replacement program since the County needed to be spending the money responsibly.

The motion to approve the Fiscal Year 2012 Budget Calendar and Budget Policy as presented by staff passed unanimously. A copy of the request, identified as "Attachment 17", follows these minutes and is made an official part hereof.

NEW BUSINESS:

19. Consideration of staff's request for authorization to proceed with having a Certified Rebuild performed on a Caterpillar D6H Dozer belonging to the Road Department at a cost estimated at $184,324; and a request that the funding come from the County's Contingency Fund.

Public Works Director Phil Mallon and Fleet Maintenance Director Bill Lackey explained staff's request to the Board. The Board discussed various other options that may be available to the staff with respect to its request.

County Administrator Jack Krakeel recommended that the Board give staff latitude to sole source a piece of equipment that best meets the needs of the Public Works Department, and bring recommendations back to the Board for consideration.

Commissioner Horgan moved to table Agenda Item 19 until the March 10, 2011 Board of Commissioners meeting, and to authorize staff to proceed with the recommendations suggested by the County Administrator. Commissioner McCarty seconded the motion. Discussion followed. The motion passed unanimously. A copy of the request, identified as "Attachment 18", follows these minutes and is made an official part hereof.

20. Consideration of adoption of the January 27, 2011 Board of Commissioners meeting minutes. Commissioner Hearn was not present for this meeting.

Commissioner Horgan moved to approve the January 27, 2011 Board of Commissioners Minutes. Commissioner Brown seconded the motion. No discussion followed. The motion passed 4-0-1 with Commissioner Hearn abstaining from the vote.

REPORTS:

ADMINISTRATOR'S REPORTS

Create Community Award: County Administrator Jack Krakeel announced that Fayette County had won the Create Community Award for 2010 as given by the Atlanta Regional Commission. He explained that this award was given to recognize and honor outstanding municipalities and counties for innovation and best practices in five different local government criteria of focus. He informed the Board that Fayette County won the award in the category of Community Involvement and Collaboration. He added that the County won its award due through the efforts involved with the "Legacy Build" project. He noted that Commissioner Horgan was heavily involved with the "Legacy Build" project along with multiple community organizations and private citizens.

COMMISSIONERS REPORTS

Commissioner Steve Brown: Commissioner Brown commented on the civility of the meeting with respect to agenda items that had previously been discussed at the Board Retreat held on February 11-12, 2011. He said he was concerned about the little amount of SPLOST funds available and he wanted to ensure that the funds were available for upcoming projects. He spoke about a meeting he had with Mr. David Wimmer concerning the East Fayetteville Bypass and related concerns with the project. He announced that he placed a resolution regarding mass transit on the March 2, 2011 Workshop agenda, and he encouraged citizens to write their comments to the Board. He closed his remarks speaking about the proposed "outer loop", as planned by the Atlanta Regional Commission, and the impact it could have on Fayette County. He suggested that this concern would be placed on an upcoming agenda and that the Board "best take a position on it at some point or another."

Vice-Chairman Robert Horgan: Vice-Chairman Horgan stated that his comments were intended for clarification purposes, and he spoke about how there was discussion about how the County notified citizens of the surveying other work associated with the West Fayetteville Bypass. He asked Public Works Director Phil Mallon to speak on the issue of the use of county letterhead to inform impacted citizens of projects associated with the West Fayetteville Bypass. Mr. Mallon explained why that decision was made and how steps to how notify citizens on these issues may take place on a go-forward basis.

Commissioner Lee Hearn: Commissioner Hearn commented on the Board Retreat held on February 11-12, 2011. He thanked Commissioners Brown and McCarty, and he thought their comments were well received. He stated there was a commonality in terms of where the County wanted to go with the Commission body, and the way the budget should be put together. He stated that the Board has some tough choices to make in terms of how the budget is handled, and the way the County manages its revenues. He addressed Tom Halpin's discussion about a traffic signal at State Route 85 and Harp Road. He explained that the ultimate decision on that traffic light belongs to the Georgia Department of Transportation, and the way the County helps with that decision is by providing updated accident counts at that intersection. He said he knew there were many accidents at that intersection, but to date the County has not been able to convince the GDOT that a traffic signal is needed at that location, even though staff is still under direction to work on that project.

Commissioner Allen McCarty: Commissioner McCarty agreed with Commissioner Hearn saying it was a very good Board Retreat, and that the meeting resulted in some accomplishments and that there are some issues that remain to be resolved. He announced that he was present with the Board and the citizens who came on the evening of his 49th anniversary. He said his wife was in the audience until she had to take her mother home, so that was an example of his dedication. He noticed that a Fayette County veteran came home this week and the Patriot Guard Riders rode alongside him on his way home. He congratulated the veteran for returning home safely, and thanked the Patriot Guards for participating. He wondered how the veteran felt coming home after he risked his life defending the country and its freedoms, only to find his county taking peoples' lands regardless of whether they want to sell it or not; including a piece of his own property. He said he was personally offended by the name "Veterans Parkway", and that he had spoken to many veterans who are also offended by that name. He recommended that at some point and time that the County change the name to another name.

Chairman Herb Frady: Chairman Frady replied that he is a veteran, and he is not for or against the name of Veterans Parkway. He said he wanted to name it something else, but he is a veteran and he is not offended by it being there. He stated that the Board is considering holding an open house meeting where the County can explain its ongoing projects, the reasons for them, and to provide additional information. He said people need to come to the meetings, since the Board has sat in meetings for years "with only five people sitting in the audience". He said that was not right since Fayette County is the citizens' county. He said the Board often has to do certain things that it is obligated to do as well, and that he knew that when the Board makes a decision at meetings it will make at least 51% of the people angry because it is a decision that alienates people on one side or the other from time to time. He said the Board would have to do the best it could, and to make the best decisions it could make, in order to keep the County moving in a direction that is best for it. He said it was tough to do.

EXECUTIVE SESSION

Real Estate Acquisition: County Administrator Jack Krakeel announced that Real Estate Acquisition needed to be discussed in Executive Session.

Commissioner Hearn moved to recess into Executive Session to discuss matters of Real Estate Acquisition. Commissioner Horgan seconded the motion. No discussion followed. The motion passed unanimously.

The Board recessed into Executive Session at 9:08 p.m. and returned to Official Session at 9:39 p.m.

Executive Session Affidavit: Commissioner Horgan moved to authorize the Chairman to sign an Executive Session Affidavit stating two matters of Real Estate Acquisition were discussed in Executive Session. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously. A copy of the Executive Session Affidavit, identified as "Attachment 19", follows these minutes and is made an official part hereof.

ADJOURNMENT:

Commissioner Horgan moved to adjourn the February 24, 2011 Board of Commissioners meeting. Commissioner Hearn seconded the motion. No discussion followed. The motion passed unanimously. The Board adjourned at 9:39 p.m.

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Floyd L. Jones, Deputy Clerk Herbert E. Frady, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 24th day of March 2011.

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Floyd L. Jones, Deputy Clerk