



Action Agenda

Board of Commissioners
September 13, 2012
7:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on September 13, 2012, 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:

Floyd Jones, County Clerk

Staff Absent:

Jack Krakeel, Interim County Administrator
Scott Bennett, County Attorney

Call to Order, Invocation and Pledge of Allegiance.

Chairman Frady called the September 13, 2012 Board of Commissioners meeting to order at 7:02 p.m. Commissioner Hearn offered the Invocation and led the audience in the Pledge of Allegiance

Acceptance of Agenda.

Commissioner Brown moved to accept the Agenda as published. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

PRESENTATION/RECOGNITION:

1. Proclamation of "Sharpsburg Remembrance Day."

Commissioner Horgan read the "Sharpsburg Remembrance Day" proclamation. Mr. Scott Gilbert, representing the Sons of Confederate Veterans, spoke about the impact of the Battle of Sharpsburg both for the nation and for Fayette County. The Board took no official action with this Proclamation.

2. Proclamation for National Preparedness Month in Fayette County.

Public Safety Director Allen McCullough, who also serves as the Emergency Management Director of Fayette County, introduced Deputy Chief Tom Bartlett with Fayette County's Fire and Emergency Services, Mr. Charlie English who is the State Director of Emergency Management / Homeland Security, and Assistant State Director of Georgia's Emergency Management / Homeland Security and Director of

Operations, Mr. Charlie Dawson. Chief McCullough spoke about the responsibilities of Public Safety for daily emergencies while trying to be prepared for large, countywide emergencies, asked for Director Dawson to speak to the audience, and then read the proclamation on behalf of the Board of Commissioners.

PUBLIC COMMENT:

Bob Sitz: Mr. Bob Sitz spoke to the Board about the September 5, 2012 Workshop Meeting when the issue of the deregulation of animals in A-R zoned properties was discussed. He said he was in favor of the initiative, but that he was somewhat concerned about not having a limit since there was already a problem with a large number of pets and feral cats in Fayette County. He asked for the County to consider limiting the number of pets to three non-neutered or non-spayed pets, but that owners could have an unlimited number of pets that have been either neutered or spayed. He suggested that the limitations could be removed from all the zoning districts, so long as his first recommendation was adopted.

Tom Waller: Mr. Tom Waller talked about three points. The first point concerned Consent Agenda Item 1, and he expressed concern about the purchase procedure and the need for the request. His second point was about New Business Item 3, and he asked why the subdivision would not pay the bill for installing the waterline. His third point was to exhort the Board to stop Phase Three of the West Fayetteville Bypass and the incremental spending for that project.

Kristin Holm: Ms. Kristin Holm, who lives off Lester Road, stated that Phase Three of the West Fayetteville Bypass needed to be put on hold and completely discontinued since it is a waste of money. She thanked Commissioner Brown for his efforts to stop the West Fayetteville Bypass, and she said hopefully in a few months there would be change and that was why three Commissioners had been voted out of office. She listed ways money had been used unwisely on Lester Road in the past, and how the potential projects along the scaled-down version of Phase Three of the West Fayetteville Bypass would continue to be a waste of money. She asked the Board to consider ways to retain citizens in Fayette County and to use its money for those purposes.

Randy Ognio: Mr. Randy Ognio spoke about Consent Agenda Item 1 and said the County needed to not replace the vehicle for a couple of years given the current budgetary issues in the Fire Fund. Concerning Consent Agenda Item 7, he thought \$15 per yard was steep. He questioned Consent Agenda Item 9 and asked why Fayette County was approving something on behalf of Peachtree City's Water and Sewer Authority. He noted that he did not see a need to move forward with intersection improvements for the West Fayetteville Bypass- Phase Three. He noted that some of the Agenda Request's did not include account numbers on them, and he said he would appreciate it if they would be included. He questioned New Business Number 3, asking why there was not a pressure regulator valve that could regulate pressure since everyone else seemed to be able to get them. Mr. Ognio closed his remarks asking where the bids for the request were for New Business Item Four.

Beryl Jackson: Ms. Beryl Jackson, who lives at 250 Williamsburg Way, Fayetteville, questioned the Board about some rumors she had heard. She asked who is Richard Lindsey, and who is he employed by. She asked if the Fayette County Board of Commissioners solicited Mr. Lindsey to file a complaint related to residency districts. She further asked if the Board of Commissioners also vote to pay attorneys' fees for Mr. Lindsey. She asked where the information could be found that would answer her questions. Chairman Frady informed Ms. Jackson that the Public Comment section of the Agenda was not designed to have the Board answer questions from the public, but was for public input only. Chairman Frady also informed Ms. Jackson that she could meet with County Clerk Floyd Jones in order to start the process of getting information she requested.

CONSENT AGENDA:

Chairman Frady moved to remove Consent Agenda Item 8 from the Agenda and for the item to be placed on a future Agenda. Commissioner Horgan seconded the motion. No discussion followed. The motion passed 5-0.

Commissioner Horgan moved to approve Consent Agenda Items 1-10 excluding Consent Agenda Item 8. Commissioner Hearn seconded the motion. No discussion followed. The motion passed 5-0.

1. **Approval of staff's recommendation to award Bid #847 to Alan Vigil Ford- Fayetteville for the procurement of one (1) 2013 Ford F-150 Crew Cab 4x4 truck, in the amount of \$25,834.92, to be used by Fire Services, and authorization for the Chairman to sign any documentation required for this purchase.**
2. **Approval of staff's recommendation to amend the awarding of Bid #P825- Existing and Future Conditions Floodplain Mapping Professional Engineering Services by an additional \$32,175.00 to study 55 additional stream miles for both 100 and 640-acre drainage basins, and authorization for the Chairman to sign the contract and related documents contingent upon the County Attorney's review.**
3. **Approval of staff's recommendation to adopt additional compliance documents that are required for Fayette County's Public Works' Title VI Program.**
4. **Approval of the Sheriff's Office request to amend the Fiscal Year 2012 Overtime Budget for the Criminal Investigations Division by \$4,125.13 for reimbursement for employees assigned to work with various federal agencies.**
5. **Approval of the Sheriff's Office request to amend the Fiscal Year 2013 Overtime Budget for the Criminal Investigations Division by \$2,981.53 for reimbursement for employees assigned to work with various federal agencies.**
6. **Approval of staff's request to allow designated Fire and Emergency Services' staff to maintain eligibility to procure surplus items from the Georgia Department of Administrative Services (DOAS), and authorization for the Chairman to sign the Georgia DOAS Surplus Property Eligibility Application and other related documents.**
7. **Approval of staff's request to amend the Lake McIntosh Park and Boat Ramp contract with Headley Construction by approving Change Order #1 and Change Order #2, at an aggregate increase of \$60,855.00, and authorization for the Chairman to sign the Change Orders contingent upon the County Attorney's review.**
8. **Approval of staff's recommendation to award Chemical Bid #845, for twelve (12) months, to nine companies who bid on chemicals used by the Fayette County Water System for water treatment, and authorization for the Chairman to sign any contracts or related documents related to this request contingent upon the County Attorney's review.**

Consent Agenda Item 8 was removed from the Agenda by unanimous vote of the Board.

9. **Approval of the Water Committee's recommendation to authorize the Peachtree City Water and Sewerage Authority (WASA) to insert a flyer into customers' water bills during the months of October 2012 and March 2013.**
10. **Approval of the May 24, 2012 Board of Commissioners' Budget Minutes and the August 23, 2012 Board of Commissioners' Meeting Minutes.**

OLD BUSINESS:

1. **Consideration of a request from the Sheriff's Department- Jail Division to authorize Mallett Consulting, Inc. to provide an Expanded Needs Assessment for the "Old Inmate Housing Pod," in the amount of \$4,750.00, to grant funding in the amount of \$4,750.00, and authorization for the Chairman to sign the contract or related documents contingent upon the County Attorney's review.**

Major Charlie Cowart of the Fayette County Sheriff's Department- Jail Division explained his request and answered questions from the Board.

Commissioner Horgan moved to approve the request from the Sheriff's Department- Jail Division to authorize Mallet Consulting, Inc. to provide an Expanded Needs Assessment Report for the "Old Inmate Housing Pod," in the amount of \$4,750.00, and authorization for the Chairman to sign a contract or related documents contingent upon the County Attorney's review. Commissioner Hearn seconded the motion.

County Clerk Floyd Jones noted that funding for the request included a recommendation that the \$4,750 be designated from the County's General Fund unassigned fund balance.

Commissioner Horgan amended his motion to approve the request from the Sheriff's Department- Jail Division to authorize Mallet Consulting, Inc. to provide an Expanded Needs Assessment Report for the "Old Inmate Housing Pod," in the amount of \$4,750.00 utilizing the General Fund's unassigned fund balance, and to authorize the Chairman to sign a contract or related documents contingent upon the County Attorney's review. Commissioner Hearn seconded the amended motion. No discussion followed. The motion passed 3-2 with Commissioners Brown and McCarty voting in opposition.

NEW BUSINESS:

1. **Consideration of staff's request to award Proposal #P842 to ABLE Contracting, Inc., to install an energy-efficient commercial roofing system for both the Fayette County Administrative Complex and the Fayette County Water System, at an aggregate cost of \$153,249.00, and to authorize the Chairman to sign the contract or any related documents contingent upon the County Attorney's review.**

Buildings and Grounds Director Greg Ownby presented his request to the Board and answered its questions.

Commissioner Brown moved to approve staff's request to award Proposal #P842 to ABLE Contracting, Inc. to install an energy-efficient commercial roofing system for both the Fayette County Administrative Complex and the Fayette County Water System, at an aggregate cost of \$153,249.00, and to authorize the Chairman

to sign the contract or any related documents contingent upon the County Attorney's review, and contingent that the builder's recommendation includes cap flashing as part of the new roof. Commissioner Hearn seconded the motion. No discussion followed. The motion passed unanimously.

2. **Consideration of staff's request to award Bid #841- Bridge Construction Over Whitewater Creek on the Veteran's Parkway (SPLOST Project # R-5C), to the low bidder, McCarthy Improvement Company, in the amount of \$1,863,682.80, and authorization for the Chairman to sign the contract or related documents contingent upon the County Attorney's review.**

Public Works Director Phil Mallon presented his request and answered questions from the Board.

Commissioner Horgan moved to approve staff's request to award Bid #841- Bridge Construction Over Whitewater Creek on the Veteran's Parkway (SPLOST Project #R-5C), to the low bidder, McCarthy Improvement Company, in the amount of \$1,8563,682.80, and to authorize the Chairman to sign the contract and / or related documents contingent upon the County Attorney's review. Commissioner Hearn seconded the motion. Discussion followed. The motion passed 3-2 with Commissioners Brown and McCarty voting in opposition.

3. **Consideration of the Water Committee's recommendation to install 1,100 feet of waterline to the Strathmore subdivision, to award the installation of the waterline to the County's annual waterline contractor, Shockley Plumbing, at an estimated cost between \$40,000 to \$50,000, and authorization for the Chairman to sign the contract and related documents contingent upon the County Attorney's review.**

Water System Director Tony Parrott spoke about this request and answered questions from the Board.

Commissioner Horgan moved to approve the Water Committee's recommendation to install 1,100 feet of waterline to the Strathmore subdivision, to award the installation of the waterline to the County's annual waterline contractor, Shockley Plumbing, at an estimated cost between \$40,000 and \$50,000, with costs not to exceed \$50,000, and to authorize the Chairman to sign the contract and related documents contingent upon the County Attorney's review. Commissioner Hearn seconded the motion. Discussion followed. The motion passed unanimously.

4. **Consideration of the Water Committee's recommendation to award an Environmental 404 study for the dredging project at Lake Peachtree to Kennedy Engineering & Associates Group, at an estimated cost of \$23,627.32, and to authorize the Chairman to sign the contract and related documents contingent upon the County Attorney's review.**

Water System Director Tony Parrott spoke about this request and answered questions from the Board.

Commissioner Hearn moved to approve the Water Committee's recommendation to award an Environmental 404 study for the dredging project at Lake Peachtree to Kennedy Engineering & Associates Group, at an estimated cost of \$23,627.32, and to authorize the Chairman to sign the contract and related documents contingent upon the County Attorney's review. Commissioner Horgan seconded the motion. Discussion followed. The motion passed 4-1 with Commissioner Brown voting in opposition.

ADMINISTRATOR'S REPORTS:

There was no Administrator's Report given.

ATTORNEY'S REPORTS:

There was no Attorney's Report given.

STAFF REPORTS:

Peachtree City's Annexation Request: Director of Community Development Pete Frisina reported that Peachtree City has notified the County that it received an annexation request, and he informed the Board that the County has thirty days to reply to the City of Peachtree City if the Board chooses to object to the annexation. He noted that the deadline to submit an objection would be September 28, 2012, and that an objection can only be submitted by Certified Mail or a statutory courier. He said since the only other time the Board would be meeting would be the evening of September 27, 2012, meaning there would be virtually no time to respond if the request was heard at that meeting. Mr. Frisina then discussed the aspects of the request with the Board, answered their questions, and took their comments. Commissioner Brown expressed several concerns with the request, acknowledged that it could not be stopped, but suggested that the Board send a message to Peachtree City asking it to consider the long-term opportunities are for putting in a corporate headquarters at the location under consideration. After further discussion, the Board consented to not object to the annexation request.

COMMISSIONERS' REPORTS:

Chairman Frady: Chairman Frady referred to Ms. Kristin Holm's public comments by reminding the audience that, while she mentioned three of the Commissioners had been voted out of office, he had, in fact, not been voted out of office since he did not run for reelection.

Commissioner Brown: Commissioner Brown reported that on Monday, September 10, 2012, the Peachtree City Water and Sewer Authority (WASA) voted to refinance their current outstanding bonds with solely their own funds without using the City of Peachtree City to back those bonds. He said there are some extremely serious implications with that vote since WASA has, on several occasions, tried to expand the sewer system into Coweta County. He said there is a current land plan in Coweta County for the eastern side of the County, next to Peachtree City, that calls for what amounts to a "small city-sized population" in terms of residential and commercial zoning. He added that there is a possibility that the sewer will be extended into southern Fayette County as well, and will radically change the density patterns that Fayette County has come to accept in its Land Use Plan. He said there are no controls on what WASA can do since the authority's members are not elected by the citizens, and until their terms expire, they cannot be replaced. He said the County and the citizens of Fayette County need to be aware of the situation, that the City of Peachtree City may take actions to curb WASA's intentions, and the city may ask Fayette County for assistance.

EXECUTIVE SESSION:

There was no Executive Session.

ADJOURNMENT:

Commissioner Hearn moved to adjourn the September 13, 2012 Board of Commissioners meeting. Commissioner Hearn seconded the motion. No discussion followed. The motion passed unanimously.

The September 13, 2012 Board of Commissioners meeting was adjourned at 8:31 p.m.

Floyd L. Jones, County Clerk