



## *Minutes*

Board of Commissioners  
July 26, 2012  
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](http://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 July 26, 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:**

Jack Krakeel, Interim County Administrator  
Scott Bennett, County Attorney  
Floyd Jones, County Clerk

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**Call to Order, Invocation and Pledge of Allegiance.**

Chairman Frady called the July 26, 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 Horgan seconded the motion. No discussion followed. The motion passed unanimously.

**PUBLIC COMMENT:**

**Randy Ognio:** Mr. Randy Ognio commented on Consent Agenda Item 9 and Old Business Item 14.

**CONSENT AGENDA:**

Commissioner Horgan moved to approve Consent Agenda Items 1-12 with the exception of Consent Agenda Item 3. Commissioner Hearn seconded the motion. No discussion followed. The motion passed unanimously.

1. **Approval of staff's recommendation to modify the awarding of Bid #823 for custodial cleaning of the Fayette County Water System, by adding three (3) additional days per week for cleaning to Tribond, LLC., at an annual cost of \$12,720, and to authorize the Chairman to sign the contract or any related documents contingent upon the County Attorney's review. A copy of the request and contract, identified as "Attachment 1", follow these minutes and are made an official part hereof.**
2. **Approval of staff's recommendation that the County renew its annual Agreement with the University of Georgia for the provision of Extension Office Programs in Fayette County for a period beginning July 1, 2012 through June 30, 2013; and authorization for the Chairman to execute said agreement. A copy of the request and annual agreement, identified as "Attachment 2", follow these minutes and are made an official part hereof.**
3. **Approval of the disposition of tax refunds as recommended by the Tax Assessor's Office.**

Chief Tax Assessor Joel Benton told the Board that the information provided to it in the Agenda package was incorrect since three of the five requests for tax refunds had already been approved by the Board at an earlier date. He then provided an updated list containing the two recommended tax refunds to the Board for approval.

Commissioner Horgan moved to approve Consent Agenda Item 3, as revised, with only the two properties presented by staff. Commissioner Hearn seconded the motion. No discussion followed. The motion passed unanimously. A copy of the request and updated information, identified as "Attachment 3", follow these minutes and are made an official part hereof.

4. **Approval of the Sheriff's request to authorize the Chairman to sign the annual Equitable Sharing Agreement and Certification document, as required by the United States Department of Justice and the United States Department of the Treasury. A copy of the request and the annual Equitable Sharing Agreement and Certification document, identified as "Attachment 4", follow these minutes and are made an official part hereof.**
5. **Approval of the Sheriff's Office request to declare twelve (12) cellular telephones, wireless internet cards, and related ancillary equipment as unserviceable, and authorization to dispose of said items which were originally purchased with monies from Equitable Sharing Funds. A copy of the request, identified as "Attachment 5", follows these minutes and is made an official part hereof.**
6. **Approval of the Sheriff's Office request to amend the Fiscal Year 2012 Overtime Budget for the Criminal Investigations Division by \$3,708.14 for reimbursement for employees assigned to work with various Federal agencies. A copy of the request, identified as "Attachment 6", follows these minutes and is made an official part hereof.**
7. **Approval of the Sheriff's Office request to declare seven (7) various items as unserviceable, and authorization to either dispose of said items, or sell said items to the highest bidder or through the GovDeals website, with proceeds returning to the County's General Fund. A copy of the request, identified as "Attachment 7", follows these minutes and is made an official part hereof.**

8. **Approval of staff's request for the Board to declare 650 water meters, 12,000 transponders, excess copper, and excess brass as unserviceable, and to authorize staff to sell said items to the highest bidder or through the GovDeals website, with proceeds returning to the Water System's Sale of General Fixed Assets account. A copy of the request, identified as "Attachment 8", follows these minutes and is made an official part hereof.**
9. **Approval of the Water Committee's recommendation not to sell an outparcel piece of property that was purchased for the construction of Lake Horton. 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 Heritage Project to allow the Fayette County flag to be archived by the Fayette County Historical Society along with other historical items under their care. A copy of the request, identified as "Attachment 10", follows these minutes and is made an official part hereof.**
11. **Approval of the Fayette Heritage Project's request to install a historical marker at Heritage Park honoring Nellie Mae Rowe, provided that the marker is awarded through the Georgia Historical Society's Historic Marker Program. A copy of the request, identified as "Attachment 11", follows these minutes and is made an official part hereof.**
12. **Approval of the June 28, 2012 Board of Commissioners' Minutes.**

**OLD BUSINESS:**

13. **Consideration of staff's recommendation to transmit a request to the Atlanta Regional Commission to reallocate PLAN 2040 federal funds from the West Fayetteville Bypass, Phase 3 (FA-235C) to the East Fayetteville Bypass (FA-236A and FA-236B); in the event that the Transportation Investment Act referendum is not approved by voters on July 31, 2012.**

Public Works Director Phil Mallon requested that the Board table this request until another date in August. He explained that he had recently spoken to his counterparts at the Atlanta Regional Commission (ARC) about this issue, and he was informed that some of the issues associated with this request had changed since the Agenda was published. Mr. Mallon then explained those changes to the Board, and he suggested that the Board table this discussion until one of the regularly scheduled meetings in August

Commissioner Brown moved to table this item until the August 9, 2012 Board of Commissioners meeting. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously. A copy of the request, identified as "Attachment 12", follows these minutes and is made an official part hereof.

14. **Consideration of the Water Committee's recommendation to award the annual contract for Waterline Extensions for Fiscal Year 2013 to the low bidder, Shockley Plumbing, in the amount of \$769,950, and to authorize the Chairman to sign said contract pending review by the County Attorney.**

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

Commissioner Hearn moved to approve the Water Committee's recommendation to award the annual contract for Waterline Extensions for Fiscal Year 2013 to the low bidder, Shockley Plumbing, in the amount of \$769,950.00, and to authorize the Chairman to sign said contract pending review by the County Attorney. Commissioner Horgan seconded the motion. No discussion followed. The motion passed unanimously. A copy of the request and annual contract, identified as "Attachment 13", follow these minutes and are made an official part hereof.

**NEW BUSINESS:**

15. **Consideration of staff's recommendation to award Proposal #P834, for the Westbridge Road bridge replacement and roadway realignment (B-2) and Veterans Parkway new bridge construction over Whitewater Creek (R-5e), to Heath & Lineback, Engineers, Inc., in the amount of \$212,193.00, and authorization for the Chairman to sign the contracts contingent upon the County Attorney's review.**

Public Works Director Phil Mallon discussed this request and answered questions from the Board.

Commissioner Hearn moved to approve staff's recommendation to award Proposal #P834, for the Westbridge Road bridge replacement realignment (B2) and Veterans Parkway new bridge construction over Whitewater Creek (R-5e), to Heath & Lineback Engineers, Inc., in the amount of \$212,193.00, and authorization for the Chairman to sign the contracts contingent upon the County Attorney's review. Commissioner Horgan seconded the motion. Discussion followed. The motion passed 3-2 with Commissioners Brown and McCarty voting in opposition. A copy of the request and contract, identified as "Attachment 14", follow these minutes and are made an official part hereof.

16. **Consideration of staff's request to award Bid #839 to install culvert pipes along Veterans Parkway (SPLOST Project #R-5C), to the low bidder, Brent Scarbrough & Co., in the amount of \$107,362.00, and to authorize the Chairman to sign the contract and related documents contingent upon the County Attorney's review.**

Public Works Director Phil Mallon discussed this request and answered questions from the Board.

Commissioner Horgan moved to approve staff's request to award Bid #839 to install culvert pipes along Veterans Parkway (SPLOST Project #R-5C), to the low bidder, Brent Scarbrough & Co., in the amount of \$107,362.00, 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 3-2 with Commissioners Brown and McCarty voting in opposition. A copy of the request and contract, identified as "Attachment 15", follow these minutes and are made an official part hereof.

17. **Approval of the July 12, 2012 Board of Commissioners' Minutes. Commissioner Brown was not present for this meeting.**

Commissioner Horgan moved to approve the July 12, 2012 Board of Commissioners' Minutes. Commissioner Hearn seconded the motion. No discussion followed. The motion passed 4-0-1 with Commissioner Brown abstaining.

**18. Update on current Transportation SPLOST projects.**

Public Works Director Phil Mallon updated the Board on current SPLOST projects in Fayette County. The Board took no action and gave no direction on these items.

Mr. Mallon also reported that, at the Chairman's request, he attended a meeting hosted by the Association of County Commissioners of Georgia (ACCG) earlier in the week, and that the intent of the meeting was to receive input from the counties on what should the ACCG's position be on some of the proposed Regional Transit Governance bills which are being considered. He continued reporting that the attendees of the meeting were comprised mainly of staff members from the ten counties in the Atlanta Region, and the unofficial results of the meeting were: 1) there was almost unanimous support that the ACCG should represent the counties and take a strong position on the topic, and 2) that there was nearly unanimously agreement that the bills, as currently formatted, are not necessarily in the counties' best interests and that the bills were not supported for a variety of reasons. Mr. Mallon continued that the ACCG would develop a policy that argues against the Regional Transit Governance bills, and that those polices would come before the Board later in the year.

Chairman Frady said this was an issue the Board would need to address. Commissioner Brown added that he wanted the Board to build a consensus on this issue so that the County could stay out of Regional Transit Government if it wanted. Mr. Mallon then added that the current bills do not have an "opt-in / opt-out" clause, and that he and several others had expressed concerns over that. He concluded that while other counties expressed concerns for other reasons, everyone agreed the bills had to be "reworked."

The Board thanked Mr. Mallon for his update, and it directed him to keep up with the discussion and to continue to keep the Board updated.

**ADMINISTRATOR'S REPORTS:**

There was no Administrator's Report.

**ATTORNEY'S REPORTS:**

There was no Attorney's Report

**COMMISSIONERS' REPORTS:**

**Commissioner Steve Brown:** Commissioner Brown reported that, during the past several days, he has attended many debates pertaining to the July 31, 2012 Transportation Special Purpose Local Option Sales Tax (TSPLOST) referendum. He said one point that consistently comes up at the debates is that everybody believes that all of the 157 projects are fully funded. He stated that all of those projects are not fully funded, and he asked the audience to inform others that they are not fully funded and to research the issue for themselves.

**Commissioner Lee Hearn:** Commissioner Hearn asked Interim County Administrator Jack Krakeel if he would provide copies of resumes to the Board for the County Administrator's position. Mr. Krakeel replied that he had placed the resumes in each of the Commissioners' in-boxes with a synopsis of those applications.

**EXECUTIVE SESSION:**

There was no Executive Session.

**ADJOURNMENT:**

Commissioner Brown moved to adjourn the July 26, 2012 Board of Commissioners meeting. Commissioner Hearn seconded the motion. No discussion followed. The motion passed unanimously.

The July 26, 2012 Board of Commissioners meeting adjourned at 7:34 p.m.

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Floyd L. Jones, County Clerk

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Herbert Frady, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 9th day of August 2012.

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Floyd L. Jones, County Clerk