Minutes

Board of Commissioners
April 12, 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. 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 April 12, 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, County Administrator Scott Bennett, County Attorney Carol Chandler, Executive Assistant

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Call to Order, Invocation and Pledge of Allegiance.

Commissioner Frady called the April 12, 2012 Board of Commissioners Meeting to Order.
Commissioner Hearn offered the Invocation and led the audience in the Pledge of Allegiance.

Acceptance of Agenda.

Commissioner Hearn moved to approve the Agenda as published. Commissioner McCarty seconded the motion. The motion passed unanimously.

PUBLIC COMMENT:

David Hall: Mr. David Hall challenged the Commissioners to use taxpayers' money wisely. He also urged the Board to address the issue of mold in the jail.

CONSENT AGENDA:

Commissioner Brown requested that Consent Agenda Item Numbers 1, 2, 4, and 9 be removed for discussion. Commissioner Horgan requested that Consent Agenda Item Number 7 be removed for discussion.

Commissioner Brown moved to approve Consent Agenda Item Numbers 3, 5, 6, 8, 10 and 11 as listed. Commissioner Horgan seconded the motion. No discussion followed. The motion passed unanimously.

1. **Approval of staff's recommendation to issue a request for proposals for a telecommunications consultant, and for the Chairman to sign and execute three-year contracts for AT&T internet, Centrex, and MegaLink services, as well as contracts for AT&T Metro Ethernet and Data Voice, Inc. support services, pending review by the County Attorney.**

   Commissioner Brown asked Information System's Director Russell Prince if there was a reason Fayette County was experiencing such sharp rate increases as reflected in the various proposals. Mr. Prince replied that in the past, Fayette County had been billed based on three-year contracts it had entered into, however, those contracts had expired. He explained that the vendors have slowly been increasing their rates for the circuits, and that was one reason he wanted to enter into the recommended contracts.

   County Administrator Jack Krakeel added that these contracts had been delayed somewhat because staff wanted to ensure that, given the possibility that Fire and Emergency Services would be relocated from the County's Administrative Complex to the Emergency Operations Center in the next couple of years, the County would not be in a position of installing infrastructure or technology only to do it again in such a short timeframe. He emphasized that the delay was based on the County's attempt to ensure it was "heading in the right direction with this effort".

   Commissioner Brown moved to approve staff's recommendation to issue a request for proposals for a telecommunications consultant, and for the Chairman to sign and execute three-year contracts for AT&T internet, Centrex, and MegaLink services, as well as contracts for AT&T Metro Ethernet and Data Voice, Inc. Support services, pending review by the County Attorney. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously. A copy of this request and associated contracts, identified as "Attachment 1", follows these minutes and are made an official part hereof.

2. **Approval of staff's recommendation to award Bid #821 for the purchase, rental, and cleaning of uniforms to Aramark Uniform Services, with a contract renewable annually for a maximum of three years, and authorization for the Chairman to sign the contract and any related documents contingent upon the County Attorney's review.**

   Commissioner Brown stated that he understood that the County was not asking to award Bid #821 to the low bidder since there were some problems with that bidder. He noted, however, that the cost differential between the low bidder and the recommended bidder was approximately $13,000. He asked if the problem with the low bidder was indeed a $13,000 problem, or could the problems be resolved with honest communication. County Administrator Jack Krakeel replied that Commissioner Brown had identified the "fundamental problem", but that "heart to heart" talks had occurred with no correction. Commissioner Hearn added that he had experience with the low bidder as well, and since the low bidder did not provide good customer service, he would support awarding the bid to the recommended bidder.

Commissioner Brown moved to approve staff's recommendation to award Bid #821 for the purchase, rental, and cleaning of uniforms to Aramark Uniform Services, with a contract renewable annually for a maximum of three years, and authorization for the Chairman to sign the contract and any related documents upon the County Attorney's review. Commissioner Hearn seconded the motion. No discussion followed. The motion passed unanimously. A copy of the request and contract, identified as "Attachment 2", follow these minutes and are made an official part hereof.

3. **Approval of staff's recommendation to modify the awarding of Bid #814 by rescinding the award of six sizes of solid-sleeve fittings and re-awarding them to other vendors, and authorization for the Chairman to sign any contracts or related documentation contingent upon the County Attorney's review. 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 award Bid #827 to low bidder, Manatron Inc. & Diversified Printing, in the amount of $23,459, for preparing and mailing Personal Property Return Forms and Assessment Notices, and authorization for the Chairman to sign the contract and related documents contingent upon the County Attorney's review.**

Commissioner Brown said he noticed as he reviewed Bid #827 that some of the bidders did not include the amount for postage in their bid proposals, so he asked if the County had actually requested the bidders to include that figure in their proposals. County Administrator Jack Krakeel replied that it was his understanding that the potential bidders were requested to include the amount for postage in their bid proposals. Commissioner Brown next asked if there was a requirement to use First Class postage since some of the bids included First Class postage rates and others did not. Chief Appraiser / Director of the Tax Assessors Joel Benton responded that the law requires that the forms and notices must be mailed with First Class postage.

Commissioner Brown moved to approve staff's request to award Bid #827 to low bidder, Manatron Inc. & Diversified Printing, in the amount of $23,459, for preparing and mailing Personal Property Return Forms and Assessment Notices, and authorization for the Chairman to sign the contract and related documents contingent upon the County Attorney's review. Commissioner Hearn seconded the motion. No discussion followed. The motion passed unanimously. A copy of the request and contract, identified as "Attachment 4", follow these minutes and are made an official part hereof.

5. **Approval of staff's request to award Proposal #P817 for Fire Station Architectural Services to The Howell Group, in the amount of $98,000, and to authorize the Chairman to sign a contract or any related documents contingent upon the County Attorney's review. A copy of the request and contract, identified as "Attachment 5", follow these minutes and are made an official part hereof.**

6. **Approval of staff's request to purchase 35 laptop computers from CDW, through a State contract, for Fire and Emergency Services' Computer Aided Dispatch (CAD) system in an amount not to exceed $49,875.00. A copy of the request, identified as "Attachment 6", follows these minutes and is made an official part hereof.**

7. **Approval of staff's request to authorize the Chairman to sign a six month "Agreement of Temporary Automatic Aid for Fire and Emergency Medical Services" that will authorize the City of Peachtree City to provide emergency assistance to a portion of Fayette County.**

Commissioner Horgan asked Public Safety Director Allen McCullough or Assistant Fire Chief Tom Bartlett to explain why there was a need for Fayette County to enter into a temporary "Automatic Agreement" with Peachtree City. Chief Bartlett explained that Public Safety had received information from the Public Works Division about the closing of Bernhard Road. He said that closing Bernhard Road created some concern with Public Safety and, with the Sheriff's support, a letter was sent to the Georgia Department of Transportation (GDOT) expressing those concerns. Chief Bartlett continued that GDOT responded to Public Safety stating that due to the nature of work to be performed, it would not be able to afford Public Safety with any emergency access. He said that response caused Public Safety to review all of its options and to look at the areas affected by the closure of Bernhard Road before approaching Peachtree City with a temporary "first response agreement". Chief Bartlett concluded his explanation by saying Fayette County would continue to respond to emergencies with its units, as in normal circumstances, but that this agreement would allow emergency response to arrive at a scene within a maximum of five minutes.

Commissioner Horgan asked why an automatic aid agreement had not been entered into in the past. Chief McCullough answered that Fayette County has had an Automatic Aid Agreement with the City of Fayetteville for several decades, and that the agreement has worked "very successfully". He told the Board that there is a distinction between a Mutual Aid Agreement and an Automatic Aid Agreement. He explained that a Mutual Aid Agreement goes into effect when an emergency occurs and when the first unit that arrives to the scene determines that it is overwhelmed and calls for assistance. He continued that the Automatic Aid Agreement differs from a Mutual Aid Agreement since it is "predetermined by a geographical area typically amongst borders that says when something happens that automatically everybody goes." Chief McCullough added that an Automatic Aid Agreement helps with response times, and that Fayette County has this type of agreement with most of its neighboring counties and jurisdictions. He informed the Board that before and during Chief Jack Krakeel's administration, Fayette County had approached the City of Peachtree City for an Automatic Aid Agreement, but for various reasons an agreement was not reached. He stressed that Fayette County has a very workable relationship with the City of Peachtree City, that the proposed temporary agreement was a good start, and that Fayette County always welcomes the opportunity to work with its neighbors since all parties would benefit from the cooperation.

Commissioner Brown explained that, from Peachtree City's perspective, there were "a lot of taxation issues related to emergency services", but that he was also happy to say most of those issues have been resolved. He pointed out that Fayette County has a new E-911 Agreement that seems to please everyone and that Fire and EMS Districts have been established. He conjectured that "things have never been better, so perhaps things will go in that direction now since a lot of the obstacles have been removed."

Commissioner Horgan moved to approve Consent Agenda Item 7 as presented by staff. Commissioner Hearn seconded the motion. No discussion followed. The motion passed unanimously. A copy of the request and the "Agreement of Temporary Automatic Aid for Fire and Emergency Medical Services", identified as "Attachment 7", follow these minutes and are made an official part hereof.

8. Approval of the Sheriff's Office request to amend the Overtime Budget for the Criminal Investigations Division by $6,634.60 for reimbursement for employees assigned to work with various federal agencies. 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 to award the alternate bid to low bidder East Electrical Company, for electrical modifications to one raw water pump and one finished water pump at Crosstown Water Treatment Plant, in the amount of $36,600, and to authorize the Chairman to sign a contract or related documents contingent upon the County Attorney's review.

Commissioner Brown informed the Board that Mr. Randy Ognio had emailed comments pertaining to this request to the Board, and, since Mr. Ognio works in the industry, if the Board had read and considered his comments. County Administrator Jack Krakeel replied that he had not forwarded Mr. Ognio's comments to Water System Director Tony Parrott since the comments generally dealt with the issue of a "soft starter" as opposed to the recommendation from staff.

Chairman Frady asked if a "soft starter" is the same as a "step start". Mr. Parrott answered that the drive for the 600 horsepower (hp) pump was similar to what would be considered a "soft start", but he added that the recommended 600 hp pump was based off of a review by an electrical engineer. He mentioned that this recommendation also would save Fayette County $12,000 for a week's delay on getting the parts.

Commissioner Brown replied that Mr. Ognio made a professional and expert comment, and that it would be beneficial for Fayette County to listen to what he has to say. Mr. Krakeel replied that the County had engaged an electrical engineer to research and provide a professional recommendation, and he was not sure if the County wanted get into a situation where an electrical contractor is questioning the electrical engineer who would be responsible for the work performed.

Commissioner Brown moved to approve the Water Committee's recommendation to award the alternate bid to low bidder East Electrical Company, for electrical modifications to one raw water pump and one finished water pump at Crosstown Water Treatment Plant, in the amount of $36,600, and to authorize the Chairman to sign a contract or related documents contingent upon the County Attorney's review. Commissioner Hearn seconded the motion. No discussion followed. The motion passed unanimously. A copy of the request and contract, identified as "Attachment 9", follow these minutes and are made an official part hereof.

10. Approval of the Water Committee's recommendation to award a bid for the Lake McIntosh Park Water Line Extension to the low bidder, Strack, Inc., in the amount of $39,778, and to authorize the Chairman to sign the contract and related documents contingent upon the County Attorney's review. A copy of the request and contract, identified as "Attachment 10", follow these minutes and are made an official part hereof.

11. Approval of the March 8, 2012 Board of Commissioners Minutes and the March 22, 2012 Board of Commissioners Minutes.

<u>OLD BUSINESS:</u>

12. Consideration of Ordinance No. 2012-06 which amends the Fayette County Code, Chapter 8, Development Regulations, Article III, Street Design Standards and Specifications.

Public Works Director Phil Mallon reminded the Board that the proposed amendments under consideration had been discussed several times in prior meetings, and that due to those discussions a "polished" document was ready for the Board's approval. He briefly explained how he reevaluated the amendments based on the Board's feedback and told how the document differed from the one presented at the last meeting. Mr. Mallon concluded

his presentation by recognizing that the Board had a good amount of discussion about the Traffic Impact Study, and he assured the Board that if the proposed amendments were approved, he would develop a policy paper that would be presented to the Board at a Workshop meeting on that topic. Specifically, he stated that the policy paper would define exactly what Fayette County means by threshold values, would provide standards for establishing the zone of influence, would give examples of significant impacts, and would ensure that Fayette County is coordinated with the Georgia Department of Transportation (GDOT).

Commissioner Hearn complimented Mr. Mallon for presenting "a good piece of work". He added, with regard to the Traffic Impact Study, that, "much has to be planned in that area, especially as the County goes for rezonings". He explained that when a developer approaches the County with a request for denser zoning than the County's current Land Use Plan allows, that developer would have to "pony up" in terms of helping the County with the traffic. He continued, however, by saying if someone is developing property in accordance to the current Land Use Plan, then the County would be obligated to provide adequate traffic handling capacity on its road network. He suggested that two sets of standards should be considered based on whether or not a rezoning request complies with the current Land Use Plan. He said the first set of standards should be "very rigid and strict" because he did not want to "shipwreck the County's transportation work" due to a large development that does not comply with the Land Use Plan. He indicated that the second set of standards would apply to rezoning requests to do comply with the current Land Use Plan, and they would recognize that the County is obligated to provide a good transportation network. Mr. Mallon replied that he understood Commissioner Hearn's position and that he would address it in his proposed policy paper.

Commissioner Brown presented a scenario where someone bought two 1960's style commercial strip malls located next to each other and then decided to replace them with a big box store that would draw more traffic, even though it would remain in the same commercial zoning classification. He asked if, given those circumstances, the County should "take a look at what the Traffic Impact would be." Commissioner Hearn replied that while he was considering residential property more than commercial property, he agreed that Commissioner Brown's scenario could occur and that the County needed teeth and strength written into its ordinance so that it could make stores, as described in the scenario, meet the County's standards and "not shipwreck what the County already has."

County Attorney Scott Bennett explained that one paragraph in the proposed ordinance addresses rezonings and the need to have a traffic study. He clarified that the ordinance addresses a traffic study with a site plan, and if a request were to redevelop a shopping center, the developer would have to submit to a site plan. He continued that part of the site plan includes a traffic study with anticipated traffic. He emphasized that the County was "covering rezoning and non-rezoning issues", and that he thought what Mr. Mallon was saying is that rezoning might not be as stringent in its details but only an estimate; however, whenever a developer actually "does a development", the County is going to have a detailed traffic analysis and their plans on calming and controlling traffic.

Commissioner Hearn suggested that the County should be clear in terms of what effect development would have on traffic "downstream", and how it would affect areas such as lower-grade intersections. He clarified that it is not some developer's fault where traffic's current level of service currently is, but their development could push the area's level of service over a threshold, and that could bring issues that the developer should be obligated to address. He clarified that he did not want to be overly cumbersome, but simply fair in these matters. Commissioner Brown added that it would be nice to have some metrics in place that would include

measurements of the intersections and then as the level of service changed the developers would be responsible for "kicking in something for that intersection." He pointed to Kedron Shopping Center as an example of his suggestion.

Commissioner Hearn repeated that the Commissioners appreciated Mr. Mallon's work, specifically because he was a real strong proponent of putting together good documents for the Board. He then challenged Mr. Mallon to look toward some of the other "progressive counties and how they are approaching this issue" since they had already faced these issues and since there is benefit by learning from prior work. Mr. Mallon replied that he had already looked at those counties to some extent, and that once this immediate work was completed he would be able to put more effort into further research.

Commissioner Brown moved to approve Ordinance Number 2012-06 which amends the Fayette County Code, Chapter 8, Development Regulations, Article III, Street Design Standards and Specifications, with the change to page five that changes the effective date from April 2, 2012 to May 1, 2012. Commissioner Horgan seconded the motion. No discussion followed. The motion passed unanimously. A copy of the request and Ordinance 2012-06, identified as "Attachment 11", follow these minutes and are made an official part hereof.

13. Consideration of a request from the Sheriff's Department Jail Division to award Jail mold remediation and repairs in the inmate shower areas to MC's Painting, to authorize Mallett Consulting, Inc. as the project manager, and to authorize the Chairman to sign any contracts or related documents contingent upon the County Attorney's review.

Major Charlie Cowart requested that the Board award a contract to the low bidder, MC's Painting, in order to perform mold remediation and repairs in the Jail's inmate shower areas. He also informed the Board that both Mallett Consulting, Inc., and Mr. Jim Ingram of IPG were satisfied that the low bidder could properly accomplish the job within the bid amount.

Commissioner Brown recalled that during prior discussions with the Board there was a suggestion that changing duct covers and taking other similar measures should be considered. He then asked if any consideration had been given to how to prevent moisture and mold in the ductwork itself, and if the engineers had considered that issue. Major Cowart replied that while this consideration was beyond his expertise, engineers did inspect the jail and had some concerns about the ventilation's adequacy. He continued that the engineers later determined that the jail's ventilation was adequate, but he was unsure whether Commissioner Brown's concern had truly been considered. Commissioner Brown suggested that someone needed to look into that issue.

County Administrator Jack Krakeel stated that, based on the analytical results from the labs that studied samples from the jail, that only two of the samples reflected the presence of mold while twenty locations were identified for remediation work. He then asked Major Cowart to explain that study. Major Cowart answered that there are actually nineteen shower areas recommended for remediation in a total of nine different areas in the jail. He explained that the company that inspected the jail and tested it for mold tested only a couple of the cellblocks, however, mold is visually apparent in every one of the cellblocks.

Commissioner Brown returned to his previous point, and he asked that Major Cowart to talk to the engineers about the potential mold in the ductwork. He asked for the results to be provided to Mr. Krakeel who could then report them to the Board at the next scheduled meeting. Major Cowart replied that he would talk to Mr. David Jaeger of Mallett Consulting, Inc. about Commissioner Brown's concern.

Commissioner Brown moved to approve the contract for the Sheriff's Department Jail Division related to the jail mold remediation and repairs in the inmate shower areas to MC's Painting and to authorize Mallett Consulting, Inc. as the project manager, and to authorize the Chairman to sign any contracts or related documents contingent upon the County Attorney's review. Commissioner McCarty seconded the motion.

Commissioner Horgan asked if there was a dollar amount associated with the motion. Mr. Krakeel asked the Board to amend the motion to include funding to come from the County's General Fund fund balance for $16,250 and with the remainder of balance to come from the project account.

Commissioner Brown amended his motion to include funding to come from the County's General Fund fund for $16,250 and with the remainder coming out of the project account fund. Commissioner McCarty seconded the amendment to the motion. No further discussion followed. The motion passed unanimously. A copy of the request and contract, identified as "Attachment 12", follow these minutes and are made an official part hereof.

NEW BUSINESS:

14. Consideration of staff's recommendation to authorize Mallett Consulting, Inc. to prepare a bid package with the necessary specifications and technical drawings, to solicit bids, and to provide project management services for the Strategic Technology Plan's Fiber Optic Cabling Project at an estimated cost of $16,250.

Information Systems Director Russell Prince reported to the Board that as part of Fayette County's Strategic Technology Plan, the department developed a project to install fiber optic cabling from its core networks at the Stonewall Avenue and Johnson Avenue sites to sites at McDonough Road. He explained that the fiber optic cabling would be installed in underground conduits along the right-of-ways beside Georgia Highway 54 and McDonough Road, and next to adjacent utilities in those areas. He reminded the Board that this type of work requires construction drawings, technical specifications, Georgia Department of Transportation (GDOT) permits, coordination with other utility providers, as well as an RFP package to solicit bids, project management needs, and on-site monitoring. He informed the Board that he has spoken to County Administrator Jack Krakeel about the project, and that they agreed the Information Systems Department should work with the Water System on the project in order to take advantage of their resources and their expertise. He further reported that a meeting had taken place between key staff from the Information Systems Department, the Water System, and Mallett Consulting in order to understand the necessary steps required and the resources needed for the project.

Mr. Prince continued that Mallett Consulting is the engineering firm that the Water System uses for all of its utilities and water line needs, and as a result they have a "vast amount of experience." He added that the County used Mallett Consulting when it ran fiber optic cabling from the Stonewall location under Georgia Highway 85 (GA 85) to the County Jail, and that during that process specifications were developed for the cabling, the pull boxes, and the termination devises. He stated that those specifications are the same for the currently proposed project. He closed his presentation by asking the Board to authorize Mallett Consulting to prepare the required technical drawings and specifications, the bid package, and to provide project management and on-site monitoring.

Commissioner Hearn asked how well did the work of extending fiber optic cabling from the Stonewall location to the Jail go, since Mallett Consulting was the project manager. Mr. Prince answered that the work "went along great" before he gave a brief description of the work. Commissioner Hearn asked if Mr. Prince would describe the work on the previous project as "good". Mr. Prince replied that he would.

Commissioner Brown reminded the Board that his constant complaint is that work needs to be bid out, and he quipped that he would hate to see what would happen to Fayette County if a meteor fell from the sky and landed on Mallett Consulting's building. Mr. Prince clarified that staff would like to bid out its Strategic Technology Plan, but in this case he really valued the expertise that Mallett Consulting would bring to the table with respect to working with local representatives and local utilities.

Commissioner Hearn moved to approve staff's recommendation to authorize Mallett Consulting, Inc. to prepare a bid package with the necessary specifications and technical drawings, to solicit bids, and to provide project management services for the Strategic Technology Plan's Fiber Optic Cabling Project at an estimated cost of $16,250. Commissioner Horgan seconded the motion. No discussion followed. The motion passed unanimously. A copy of the request, identified as "Attachment 13", follows these minutes and is made an official part hereof.

ADMINISTRATOR'S REPORTS:

Promise Place Grant Authorization: County Administrator Jack Krakeel reported to the Board that during the budget deliberations that took place earlier in the week, he was provided with a request for the Board from Promise Place; a nonprofit agency who operates the Domestic Violence Shelter in Fayette County and is provided $19,200 from the County's Victims Assistance Fund. He informed the Board that Promise Place has been applying to get a $30,000 grant through the Georgia Department of Community Affairs (GDCA), that they have already completed the first two phases of three phases of the grant application process. He continued that since Promise Place is a nonprofit agency, GDCA has a requirement that the local government "sign off of the grant and give their approval for the nonprofit agency to pursue the grant." He told the Board that he reviewed the data and the information that are in the grant proposal, and that there did "not appear that there is any incumbency upon the county with respect to this matter other than to recognize and approve that this grant is being applied for." Mr. Krakeel explained that the reason GDCA requires local government approval is so that the local government is aware of the fund source so that it "does not become a duplicative issue if there is local government funding being provided". He continued that the potential grant funding would not duplicate the funding Promise Place receives from Fayette County. He noted that this item just came up within a matter of days, that it was due Monday, April 16, and so there was no time to place it on the agenda as would otherwise be the practice. He closed by asking for the Board to consider the request in order for the Chairman to sign the grant application and for the Board's approval to allow Promise Place to proceed to Phase III of the grant process.

Commissioner Brown replied that if this request was known at least 24 hours prior to the meeting, then the Board and the press should have been notified and the request placed on the agenda using the rationale given to the Board. He said he had nothing against the Promise Place since he fully supported them, but he thought it the County should be more transparent. He continued that he would be supportive of calling a Special Called Meeting as soon as possible in order to meet the deadline, but he could not support voting on something without the public being notified. Commissioner Horgan replied that this request was a "no-brainer", that he supported the request, that Promise Place has a deadline to meet, and that the County should help them meet that deadline. Chairman Frady added that these types of scenarios were discussed when the County reviewed its policies, and that the Board was able to vote on this request. He further noted that this request does not impose a financial obligation on anyone, that there should be recognition that Promise Place is asking for a grant, and that, at times, late information has to be addressed.

Commissioner Horgan moved to authorize the Chairman to sign the grant application as provided by Promise Place and to give the Board's approval to Promise Place allowing them to proceed to Phase III of the grant application process. Commissioner Hearn seconded the motion. Commissioner Brown repeated that he had nothing against Promise Place, but he could not vote for the motion based on principle. The motion passed 4-1 with Commissioner Brown voting in opposition.

Commissioner McCarty suggested that an agenda item be placed on the next agenda that would ratify the request and vote from the Board. Mr. Krakeel replied that the request could be included on the next agenda for ratification, and he added that he has made the Executive Director of Promise Place the Grant Policy that the Board had established.

May 2012 Budget Hearing Rescheduled: County Administrator Jack Krakeel asked Chairman Frady if it was correctly understood that he would not be able to attend the May 12, 2012 Budget Hearing. Chairman Frady replied that the understanding was correct since his granddaughter would be graduating in Florida during that time and he would be attending that ceremony. Mr. Krakeel replied that it is typical for Commissioners to request rescheduling of various meetings, and that the request is circulated amongst the Board members in order to select a different time to meet. He reminded the Board that with regard to budget deliberations there were some limitations imposed on them since the budget documents would need to be presented for Public Hearings during the two June meetings. He asked the Board to consider rescheduling the May 12, 2012 Budget Hearing to another date. After some conversation, the Board agreed to meet on Tuesday, May 8 at 6:30 p.m. and on Wednesday, May 9 at 5:00 p.m. Mr. Krakeel informed the Board that he would have preliminary schedules drawn up and presented to the Board.

ATTORNEY'S REPORT:

Update on the Qualifying Deadline and Fayette County's Justice Department Submittal: County Attorney Scott Bennett reminded the Board that during the last Board of Commissioners meeting, Commissioner Brown had asked him about the County's status regarding "qualifying and our Justice Department submittal." He reported that he spoke to the County's outside counsel at Strickland, Brockington, and Lewis, and they confirmed to him that the County is "not anticipating a delay right now." He continued that the outside counsel are in weekly contact with the Justice Department, and that it was anticipated that something would come back from the Justice Department before the qualifying deadline. He added that if a response does not come back within a week or two of the qualifying deadline, then the County would ask a judge to "stay qualifying" until it receives a response from the Justice Department. He said that measure would not affect the date of the election, but it would have an impact on the 2½ days of qualifying. He repeated that currently the County is not anticipating a delay in qualifying, and that it anticipates operating under the proposed five-district map that the Board voted on and approved during its February 14, 2012 meeting.

Commissioner Brown asked if it would be prudent for the Board to implement a "Plan B" in the event that the qualifying deadline was postponed. Mr. Bennett replied that a judge could "stay qualifying through a court order" but currently the County is qualifying based on the State's schedule and the dates that the State has set. He said there was not much the County could do, but that there was no delay anticipated at this time.

COMMISSIONERS' REPORTS:

Commissioner Allen McCarty: Commissioner McCarty informed the Board that during the past ten days he saw more water snakes, water moccasins, and copperheads in his yard than he has seen in the previous 25 years. He said that he discovered that the source of the problem is a portion of the West Fayetteville Bypass that is being constructed about 1,000 feet downstream from the pond in his yard. He reminded the Board that he was opposed to the West Fayetteville Bypass, and that was one of the issues that led to his election. He warned everybody that when they go into their yards,

and if they are near the area where the West Fayetteville Bypass is being constructed, that "critters" are running from it. He reiterated that he has had more snakes in his yard in the past ten days than in the past 25 years, and he wanted everyone to be aware of that.

ADJOURNMENT:

Commissioner Brown moved to adjourn the April 12, 2012 Board of Commissioners Meeting. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

The Board of Commissioners April 12, 2012 Meeting adjourned at 8:05 p.m.

Floyd L. Jones, Chief Deputy Clerk

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 26th day of April 2012.

Floyd L. Jones, Chief Deputy Clerk