Minutes

Board of Commissioners
June 14, 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 June 14, 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 Lee Hearn Allen McCarty
Commissioner Absent:	Steve Brown
Staff Present:	Jack Krakeel, County Administrator Scott Bennett, County Attorney Carol Chandler, Executive Assistant Floyd Jones, Chief Deputy Clerk

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Call to Order, Invocation and Pledge of Allegiance.

Chairman Frady called the June 14, 2012 Board of Commissioners Meeting to Order at 7:01 p.m. Commissioner Hearn gave the Invocation and led the Audience in the Pledge of Allegiance.

Acceptance of Agenda.

Commissioner Horgan moved to Accept the Agenda as published. Commissioner Hearn seconded the motion. No discussion followed. The motion passed 4-0. Chairman Frady informed the Board that Commissioner Brown was absent from the meeting due to family vacation.

PRESENTATION/RECOGNITION:

1. **Presentation by Fire and EMS to recognize Fire Apparatus Operator Russell Sharpe as the 2012 Fayette County Firefighter of the Year and Firefighter/EMT Joshua Sisk with a Distinguished Service Award.**

Fire Chief Allen McCullough and Deputy Chief Tom Bartlett introduced Fire Apparatus Operator Russell Sharpe and Firefighter / EMT Joshua Sisk to the Board, spoke about their outstanding service to Fayette County and its citizens, and presented each of them with a plaque in appreciation. A copy of this request, identified as "Attachment 1", follows these minutes and is made an official part hereof.

PUBLIC HEARING:

1. Public Hearing on the County's proposed Annual Budget for Fiscal Year 2013 which begins July 1, 2012 and ends June 30, 2013.

Chief Financial Officer Mary Holland spoke about the proposed Annual Budget for Fiscal Year 2013 before she provided additional information to the Board and answered questions from the Board. She also informed the Board that it would need to give direction to the staff pertaining to the Fire Services Fund, and she updated the Board on the Early Retirement Plan.

Fire Services Fund: Ms. Holland reminded the Board that there was not sufficient funding to cover the cost of the Fire Services Fund, that there was a shortage of $275,000 for the proposed Fiscal Year 2013 budget, and that the large majority of the shortage was due to a 12.8% loss in the Fire Digest that represented about a $750,000 loss in tax revenues. She continued that there are several expense items that the Fire Fund should be providing for but has not been able to provide for, so the General Fund has been paying for those items. She said those expense items include the property insurance, administrative costs, funding for vehicle replacement, and capital needs. She told the Board that the total cost of the expense items was over $700,000. She summarized that the shortage in the Fire Digest and the large expense items actually meant that the Fire Fund was short just over $1,000,000 for Fire Operations. She reminded the Board that in order to provide revenue for fire services and because of the decline in the digest, there would have to be an increase to the Fire Fund's Millage Rate in the amount of 0.523 in order to cover fire services. Ms. Holland explained that, based on the latest calculations and if there was no increase to the Fire Fund's Millage Rate, the County's General Fund would have to continue paying for the expense items used for fire services as well as any capital projects– including one capital project for approximately $800,000 for breathing apparatuses.

County Administrator Jack Krakeel recommended to the Board that it increase the Fire Fund's Millage Rate from the current millage rate of 2.50 mills to 3.023 mills in order to cover the shortfall that the Fire Fund is facing. He added that almost .40 mills of the recommended increase of .523 mills to the Fire Fund was directly attributable to the loss of value in the Digest last year. He explained how the Fire Fund is funded and why it is impacted as heavily as it is, and he reminded the Board that it increased the Fire Fund for the Fiscal Year 2012 budget from 1.99 mills to 2.50 mills and it decreased the EMS Fund's Millage Rate from .50 mills to .40 mills. Ms. Holland then provided the Board with the impact the proposed increase to the Fire Fund would have on the typical residential property in Fayette County valued at $250,000. Discussion followed.

Mr. Krakeel informed the Board that staff's intention was to provide information to the Board, and that this Public Hearing was the first of two scheduled Public Hearings for the budget. He continued that at the second Public Hearing, a resolution would be provided to the Board for the adoption of the budget, and that the Board would actually set its millage rates in early August 2012.

Commissioner Horgan asked if the proposed consolidation of Fayette County's Fire Services and the City of Fayetteville's Fire Services would have any impact on the current shortfall and if there was an expected shortfall in the coming future. Mr. Krakeel spoke about the potential immediate and long-term impacts that could be

experienced due to consolidating the two fire services before he summarized that, while he did not anticipate any immediate significant savings in a consolidation effort, he did anticipate substantial savings in the long-term. He acknowledged that the full impact of savings is not totally clear, but he did not anticipate a reduction in the County's Fire Fund Millage Rate as a result of the consolidation effort. Further discussion followed.

Early Retirement Plan: Ms. Holland updated the Board on the Early Retirement Plan. She told the Board that the cut-off date for the eligible employees to decide on whether to retire or not had passed, and that 32 out of the 44 eligible employees decided to retire early. She told the Board that the final numbers indicating the saving to the County would be available in July since those numbers would include the final payroll information as of the end of June and all of the completed forms for the 32 employees that elected early retirement. She said the preliminary calculations from the Early Retirement was that the County would expect a savings in both salaries and benefits of $1.1 million, and that this savings would be an annual benefit on a "go-forward" basis. She told the Board that it has the option of amortizing the cost of the Early Retirement Plan over a 20-year period, however, staff recommends paying the full cost as soon as possible since it would be more cost effective and since there are funds available in the unassigned fund balance. She explained that if the cost was amortized over twenty years, the cost would increase due to interest charges.

Chairman Frady opened the meeting for public input. No one spoke in favor of the proposed Fiscal Year 2013 budget.

Randy Ognio: Mr. Randy Ognio told the Board that he had a number of concerns with the proposed budget such as how next year's budget will look as the economy continues to decline, his understanding that the Early Retirement Plan did not benefit the County as well as it was anticipated, and the financial burden that was to be expected by consolidating the City of Fayetteville's Fire Services with Fayette County's Fire Services where there was no money available for the consolidation.

Steven Wooodworth: Mr. Steven Woodworth acknowledged that Ms. Holland had just provided an excellent report, but that he had concerns with the proposed budget. His concerns centered mostly with the ongoing discussion about consolidating the City of Fayetteville's Fire Services with Fayette County's Fire Services. He said that he could not understand why, when the County was experiencing a budgetary shortfall, it would take on further financial obligations such as capital improvement projects by consolidating fire services. He asked if consolidation would lower his fire tax, but suggested that it would not. He understood that the early analysis indicated that consolidation would not provide any initial savings to Fayette County, but questioned how long "initial" meant since no definition was given. He asked if there was a benefit to the people that would be provided through consolidation, but he speculated that the only thing he would see is higher taxes. Mr. Woodworth mentioned that he has lived in south Fayette County for twenty-five years and has worked in fire services for over thirty years. He told the Board that he had learned the various responsibilities of the fire services, and so he was concerned to see that the fire services in the southern part of Fayette County had decreased from an Insurance Service Office (ISO) Class 9 to an ISO Class 8-B. He continued that his portion of the Fayette County is the only ISO Class 8-B in the entire State of Georgia, and that there are volunteer fire departments that are rated ISO Class 6; meaning they pay less insurance than he does. He closed his remarks saying he had reviewed the reports and, as a professional, he could not find where a consolidation of fire services would help him as a taxpayer.

No one else spoke in opposition to the proposed Fiscal Year 2013 budget.

The Board took no action on this item. The Board is expected to vote on the proposed Fiscal Year 2013 budget at the June 28, 2012 Board of Commissioners Meeting. A copy of the request, identified as "Attachment 2", follows these minutes and is made an official part hereof.

PUBLIC COMMENT:

Samuel McKeough: Mr. Samuel McKeough stated that he has the same concerns that were expressed by Mr. Woodworth as they pertained to the consolidation of fire services. He asked how the Board would save the taxpayers money since it appeared that there were always more taxes being levied on the people. He asked if the millage rate would continue to increase each year. He mentioned that there were discussions about job layoffs, and he asked how the people would be served through those layoffs. He asked why the county would continue to make "itself hurt even worse" and said he could not comprehend the reasons.

Randy Ognio: Mr. Randy Ognio commented on Consent Agenda Item 3 saying that he could not believe when the system was originally installed that they did not purchase a spare Radio Transfer Unit (RTU) at that time. He noted that the RTU controller had been struck by lightening twice and he asked why measures had not been taken to rectify the lightning problem. Mr. Ognio then commented on Consent Agenda Item 4 by asking why the County needed to pay for an error made by Midwest Employers Casualty Company. He suggested that the insurance carrier made the mistake and questioned why the County should have to pay for it. Concerning Consent Agenda Item 6, Mr. Ognio said he understood why the Memorandum of Agreement was under consideration, but he questioned if there was any cost to Fayette County. He next spoke about Consent Agenda Item 7 saying it was baffling to him since it is on the Consent Agenda even though it has not been discussed in the past. He said he was concerned that the Lake McIntosh would have "wave action" since he did not know of many lakes with wave action. He questioned why the County would spend $39,000 to protect the 17th Green of Planterra Ridge Golf Course, and he asked if the County had explored other options and if there was money Lake McIntosh's budget for this request. He closed his remarks saying he agreed with the earlier concerns expressed about consolidating the fire services between the City of Fayetteville and Fayette County. He thought the merger would hurt the County's Fire Fund, especially in its early stages when the County does not have the funds to deal with it.

CONSENT AGENDA:

Chairman Frady asked to remove Consent Agenda Number 9 since he was absent from the meeting held on May 10, 2012.

Commissioner Horgan moved to approve Consent Agenda Items 1-9 excluding Consent Agenda Items 4 and 9. Commissioner Hearn seconded the motion. No discussion followed. The motion passed 4-0.

1. **Approval of staff's request to accept a donation of $8,000 from a private citizen to the Animal Control Department. A copy of this request, identified as "Attachment 3", follows these minutes and is made an official part hereof.**

2. **Approval of staff's recommendation that John Dunlap be appointed as the representative from Peachtree City Fire and Rescue to the Region 4 EMS Council for a two-year term which commences July1, 2012 and ends June 30, 2014. A copy of this request, identified as "Attachment 4", follows these minutes and is made an official part hereof.**

3. Approval of staff's recommendation to purchase a spare Radio Transfer Unit (RTU) for use in existing sirens and an RTU controller for the 911 Center with funding to come from the 2012 Warning Siren Fund budget CIP for siren purchase, at a cost not to exceed $8,300. A copy of the request, identified as "Attachment 5", follows these minutes and is made an official part hereof.

4. Approval of staff's recommendation to amend the one year contract renewal for the period July 1, 2012 through June 30, 2013 with Midwest Employers Casualty Co. for excess workers' compensation insurance and claims service to reflect a net premium increase of $6,971 due to a premium calculation error and to authorize the Chairman to execute any agreements pending review by the County Attorney.

Commissioner Horgan asked for further information to the citizens regarding this request.

Assistant Human Resources Director Lewis Patterson introduced President John Young of Atlantic General Underwriters; the firm that handles the County's Workers Compensation needs, to the Board. Mr. Young informed the Board that this request pertains to the second contract renewal between Fayette County and Atlantic General Underwriters for the excess workers' compensation insurance. He explained that the insurance basically losses over the County over its $400,000 limit. He told the Board that he received quotes from the County's current carrier (which is the renewing carrier), along with other carriers, and that the current carrier replied that at the limits Fayette County currently has in place they were not interested in quoting this year. He explained that he calculated the figures which were given to him personally, that he delivered the figures to Fayette County personally, but that he had transposed figures and so the error was his personally. He said he realized the mistake when he went to invoice the figures, so he went met with Assistant Finance Director Lewis Patterson as well as with Human Resources Director Connie Boehnke, Benefits Supervisor Lori Smith, and County Administrator Jack Krakeel. He explained to each of them what occurred and took responsibility for the error. He emphasized that his error was one in calculation, and so the insurance company has given the premiums that they wanted and they also gave a minimum premium that would be due on the policy if the policy was cancelled in the year. He closed by emphasizing that the error was his fault.

Commissioner Horgan moved to approve Consent Agenda Item 4. Commissioner Hearn seconded the motion. No discussion followed. The motion passed 4-0. A copy of the request, identified as "Attachment 6", follows these minutes and is made an official part hereof.

5. Approval of a request from the Sheriff's Office to amend the Overtime Budget Account for the Criminal Investigations Division by $11,531.57 for reimbursement for employees assigned to work with various Federal agencies. A copy of this request, identified as "Attachment 7", follows these minutes and is made an official part hereof.

6. Approval of Memorandum of Agreement with the Town of Tyrone that establishes cost sharing and data consistency between Fayette County and Town of Tyrone for floodplain mapping of tributaries of Line Creek and upper Whitewater Creek and its tributaries and authorization for the Chairman to execute the Agreement pending review by the County Attorney. A copy of this request and the Memorandum of Agreement between Fayette County and the Town of Tyrone, identified as "Attachment 8", follow these minutes and are made an official part hereof.

7. Approval of the Water Committee's recommendation to install rip rap stone to protect the 17th Green of Planterra Ridge Golf Course from wave action coming from Lake McIntosh, at a cost not to exceed $39,000. A copy of this request, identified as "Attachment 9", follow these minutes and are made an official part hereof.

8. Approval of staff's recommendation that the July 5, 2012 County Commission Workshop be cancelled. A copy of this request, identified as "Attachment 10", follows these minutes and is made an official part hereof.

9. Approval of minutes for the Board of Commissioners Budget Meeting held on May 9, 2012 and the Board of Commissioners regular meeting held on May 10, 2012.

Commissioner Horgan moved to approve Consent Agenda Item 9. Commissioner McCarty seconded the motion. No discussion followed. The motion passed 3-0-1 with Chairman Frady abstaining from the vote since he was not present at the May 10, 2012 Board of Commissioners Meeting.

OLD BUSINESS:

1. Consideration of the appointment of Geoff Fulton to the Fayette County Recreation Commission Post 4 seat, for a four-year term which began April 1, 2012 and which will expire March 31, 2016.

Commissioner Horgan told the Board that he knows Mr. Fulton and he has had numerous conversations with Mr. Fulton about being on the Recreation Commission. He said Mr. Fulton is a Certified Public Accountant with a very large firm in Jonesboro, Georgia, that he lives in Fayette County with a couple of children, and that he would be a great asset to the Recreation Commission.

Commissioner Horgan moved to appoint Geoff Fulton to the Fayette County Recreation Commission, Post 4 seat, for a four-year term which began on April 1, 2012 and will expire March 31, 2016. Commissioner McCarty seconded the motion.

Commissioner Hearn asked if the position was advertised. Executive Assistant Carol Chandler replied that the position was advertised, that this was the position that would normally be sponsored by Commissioner Brown, and that Commissioner Brown did make several contacts in an effort to get applicants. She continued that Mr. Fulton was not one of the people Commissioner Brown reached out to, but instead, Mr. Fulton went to directly to the Recreation Department to check on the appointment. She said that was how he was discovered.

The motion to appoint Geoff Fulton to the Fayette County Recreation Commission Post 4 seat, for a four-year term which began on April 1, 2012 and which will expire on March 31, 2016 passed 4-0. A copy of the request, identified as "Attachment 11", follows these minutes and is made an official part hereof.

NEW BUSINESS:

1. Update concerning the rotation of the County's elected representative on the Board of the Metropolitan North Georgia Water Planning District from the Mayor of the City of Fayetteville back to the Chairman of the Board of Commissioners, as required by law.

County Administrator Jack Krakeel reminded the Board that Fayette County is a member of the North Georgia Metropolitan Water Planning District (NGMWPD) and thus, the County has membership on its Board. He explained that the Board promulgates regulations associated with water systems and stormwater management. He told the Board that Fayette County has historically participated with the NGMWPD, and that there is a rotation process that takes place with that membership. He said the rotation of members is between the Chairman of the Board of Commissioners and a mayor of a municipality that holds state permits to operate a water system, and that this rotation would require a formal appointment by the Board. He noted that Water System Director Tony Parrott routinely attends those meetings on behalf of Fayette County as well.

Commissioner Horgan moved to appoint the Chairman of the Fayette County Board of Commissioners to the Board of the Metropolitan North Georgia Water Planning District to represent Fayette County. Commissioner McCarty seconded the motion. No discussion followed. The motion passed 3-0-1 with Chairman Frady abstaining from the vote. A copy of the request, identified as "Attachment 12", follows these minutes and is made an official part hereof.

ADMINISTRATOR'S REPORTS:

Fire Services Consolidation: County Administrator Jack Krakeel said he wanted to follow up on the discussions concerning the consolidation of fire services between Fayette County and the City of Fayetteville. He stated that he had alluded to the Board previously, at its last meeting, there was an initial request by the City of Fayetteville that the County have a joint City Council- County Commissioners Workshop Meeting to discuss the issue of consolidating the fire services. He told the Board that the meeting will take place on Thursday, June 21 beginning at 5:30 p.m. He said Fire and Emergency Services staff have been requested to attend the meeting and provide any information regarding the process that has so far taken place. He mentioned that this meeting would be open to the public as well. He also took exception to Mr. Woodworth's comments given during Public Hearing concerning fire ratings in south Fayette County. He told the Board that Fayette County is not an 8b County, but that it is a 48b County, meaning that if a house is within 1,000 feet of a fire hydrant, you have a class 4 ISO rating. He continued that the 8b rating is attached to properties that are more than 1,000 feet from a fire hydrant. He added that he just wanted to make that clear.

ATTORNEY'S REPORTS:

There was no Attorney's Report.

COMMISSIONERS' REPORTS:

Commissioner Hearn: Commissioner Hearn responded to the questions that were given about consolidating fire services by asking the people to understand that the parties recognize that there is still much discussion that needs to take place between the City of Fayetteville and Fayette County. He added that if the consolidation of fire services does actually occur, there is a cash funding stream that comes with that from the City of Fayetteville that the County currently does not have access to. He mentioned that there is also equipment that comes. He explained that part of the valuation of the City's Fire Department involved looking at the City's liabilities, there cash on hand, the status of their equipment. He said this consolidation needs to make sense for the County in order for the Board and for him to vote for it. He stated that the County needs to look long-term as well, and that if the consideration was simply how a consolidation affects Fayette County in the next year or two that the short consideration may not be the best for the County. He suggested that the Board look at the issue from an long-term stance such as eight years or ten years in order to see if it makes sense as a County to consolidate fire services. He told the people that he hears their concerns and understands them and appreciates them, but there is still much work to be done before that comes to fruition.

Chairman Frady: Chairman Frady added to Commissioner Hearn's statement by saying that a common complaint given to the Board concerned a lack of transparency. He told the audience that transparency was before the audience now and that the people could comment about the issue before a decision was made. He said that is what transparency is, what it always has been, and what it will continue to be.

Commissioner Horgan: Commissioner Horgan agreed with the Chairman Frady and he said the same thing would fall in suit with the possibility of the take over of the City's Water System as well as their Building Inspection. He said all of these issues were very much in the preliminary state, and until all of the final numbers and figures are arrived at, he was agreeable with the people and the statements from the Commissioners that the issues need to be looked at very hard.

Chairman Frady: Chairman Frady thought the Board always looked at these types of decisions very seriously, and that when opportunities like these come around they need to be looked at. He said if a person is going to be a good businessman, you have to look at these opportunities because it is not possible to know what is going to happen later by reading a few paragraphs of something. He said if a person does not study the issues and get all of the information together, it is hard to make a business decision. He said it is easy to "no" upfront, but it makes it a lot easier to say "no" after studying the issues. He said the Board does study the issue.

Commissioner McCarty: Commissioner McCarty suggested that the County needs to also look at the location of the city's fire services as compared to what is in the county and what is going to be needed in the county. He said that it is possible that by taking over some of the city's services and fire stations that it can eliminate the expense of having to provide more within the county because it would all then fall under the same jurisdiction and provide service to all of the citizens of the County and the City. He told the audience that the Board was looking at everything very carefully and that the Board would not jump into anything without reasonable assurance that it would work. He said his comments were given not just as a Board member but as a taxpayer as well.

Chairman Frady: Chairman Frady agreed with Commissioner McCarty as a taxpayer because if it alleviates the need to build a new fire station then it would save the County about $2.5 million.

County Administrator Krakeel: County Administrator Jack Krakeel said his intention with respect to the issue was clearly that the City approached the County early on about this matter requesting consideration for a joint exploration of a possible consolidation of services. He said after next Thursday night's meeting, the County will have better information from the city with respect to this particular initiative. He explained that if the city chose not to pursue the initiative then there would not be any need for further dialog with the Board on this matter, however, if they decide that it is appropriate, then he would return to the Board in a Workshop session to provide the Board with all of the information and all of the analytical findings that have been accomplished in order to give the Board all of the necessary financial information from which to make an informed decision.

Chairman Frady: Chairman Frady agreed that the County was approached by the City on the issue and that the County was not out trying to initiate this discussion.

ADJOURNMENT:

Commissioner Hearn moved to adjourn the June 14, 2012 Board of Commissioners Meeting. Commissioner McCarty seconded the motion. The motion passed 4-0.

The Board adjourned the June 14, 2012 Board of Commissioners Meeting at 7:55 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 28th day of June 2012.

Floyd L Jones, Chief Deputy Clerk