Minutes

Board of Commissioners
July 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 July 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 Lee Hearn Allen McCarty
Commissioner Absent:	Steve Brown
Staff Present:	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 12, 2012 Board of Commissioners Meeting to order at 7:01 p.m. Commissioner Hearn offered the Invocation and led the audience in the Pledge of Allegiance.

Acceptance of Agenda.

Commissioner Horgan moved to approve the Agenda as published. Commissioner McCarty seconded the motion. No discussion followed. The motion passed 4-0-1 with Commissioner Brown being absent.

Chairman Frady mentioned that Commissioner Brown was absent from the meeting since he was appearing on Georgia Public Broadcasting.

PUBLIC COMMENT:

Pat Earnest: Ms. Earnest spoke to the Board concerning the traffic, trash, and speeders on Redwine Road. She asked for efforts to be taken that would manage the traffic and slow drivers down.

Kelvin Watson: Mr. Watson spoke to the Board about mortgages and homeowners in the Fayetteville community. He asked the Board what its position was pertaining to helping out homeowners who have depreciating properties. He said that whatever a property is worth is what it should be assessed at, but that the assessors were assessing properties that "are not at that value". He also asked about who is educating homeowners about programs and "situations like Wells Fargo [and] Bank of America". He said the people were looking to the Board to represent and to advocate for the community, and he suggested that the Board could find a way to work with real estate agencies and other companies in order to educate the public on these issues so that home values could begin appreciating.

Angela Hinton Fonda: Ms. Angela Hinton Fonda spoke about the issue of fire taxes and fees, located on Consent Agenda Items 1 and 2. She also spoke about her disagreement with the possibility of re-employing a retired employee as an Interim County Administrator who is receiving pension payments under an early-out option since it would reflect a failure by the Board to the taxpayers.

Steve Smithfield: Mr. Steve Smithfield said he was asked by Mr. Jim Richter to read a comment to the Board on his behalf. Mr. Smithfield then read the letter to the Board but was unable to complete it due to time expiring.

Tom Halpin: Mr. Tom Halpin said he had spoken to the Board some time ago about how many numbers of people shopped at the Fayetteville Pavilion, and how many cars with license plates from other counties other than Fayette County were shopping there, which, he claimed was approximately 60%. He said he asked for documentation, but was told there was no documentation. He said the answer of "there is no documentation" seems to be a pattern for a number of areas in County government, and that the result was that the County was losing money. He also asked for greater transparency in the County. He also suggested that the two incumbent Commissioners who are running for reelection should inform the County how they stand on the T-SPLOST issue before the election takes place.

CONSENT AGENDA:

Commissioner Hearn moved to approve Consent Agenda Items 1-6. Commissioner Horgan seconded the motion. No discussion followed. The motion passed 3-1-1 with Commissioner McCarty voting in opposition and Commissioner Brown being absent.

1. **Approval of Ordinance No. 2012-10 which removes fees for services provided by the Fayette County Bureau of Fire Prevention from the Fayette County Code of Ordinances. A copy of the request and Ordinance No. 2012-10, identified as "Attachment 1", follow these minutes and are made an official part hereof.**

2. **Approval of Resolution No. 2012-17 which establishes fees for services provided by the Fayette County Bureau of Fire Prevention. A copy of the request and Resolution 2012-17, identified as "Attachment 2", follow these minutes and are made an official part hereof.**

3. **Approval of staff's request to accept a reimbursement from Safe Auto Insurance Company, in the amount of $14,117.0, due to a settlement of a vehicular accident, and approval to amend the Fire Budget's Fiscal Year 2012 Revenues and Expenditures account in order to provide for the repair of the damaged fire apparatus. A copy of the request, identified as "Attachment 3", follows these minutes and is made an official part hereof.**

4. Approval of staff's recommendation to modify the awarding of Bid #823 by rescinding the award for cleaning services to Chi-Ada, to award an annual contract to Imagann Cleaning Services, Inc. for cleaning the Library, at a rate of $1,663 per month, not to exceed $19,956.00, and to authorize the Chairman to sign the contract for these services after review by the County Attorney. A copy of the request and contract, identified as "Attachment 4", follows these minutes and is made an official part hereof.

5. Approval of the Sheriff's Office request to amend the 2012 Overtime Budget for the Criminal Investigations Division by $2,713.55 for reimbursement for employees assigned to work with various Federal agencies. 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 Gasoline Vendor Budgeting Category for the Criminal Investigations Division by $1,000 for reimbursement received from the US Marshals Service for gasoline expenditures incurred for the vehicle which was purchased for Fayette County. A copy of the request, identified as "Attachment 6", follows these minutes and is made an official part hereof.

NEW BUSINESS:

1. Update on quarterly groundwater monitoring events at the Public Works - Fleet Maintenance Facility.

Fleet Maintenance Director Bill Lackey spoke to the Board about his request, about the need to have a Corrective Action Plan (CAP), and the effort to retain Mill Creek Environmental Services (MCES) in order to prepare the plan. He reported that MCES has been handling the quarterly groundwater monitoring and paperwork; including Georgia Underground Storage Tank (GUST) Trust Funds. He informed the Board that the latest samples that were taken from the location showed "some product in one of the monitoring wells, and they recommended to the EPD (Environmental Protection Division) that we pump that out [with] a 24-hour high-vacuum recovery." He told the Board that MCES has proposed to retain a subcontractor and to supervise the process at a cost of $7,382.00, which is fully reimbursable to Fayette County. He clarified that MCES has already been retained to do monitoring work at the Public Works - Fleet Maintenance Facility, but that this request pertained to a "different scope of work" that MCES would supervise. He asked the Board if it wanted to send the work out to bid, or did it want to retain the subcontractor through MCES. Discussion followed.

Commissioner Hearn moved to proceed with the remediation efforts at the Public Works - Fleet Maintenance location by retaining and supervising a subcontractor through Mill Creek Environmental Services, to authorize an expenditure of $7,382 with said expenditure to be reimbursed through the Georgia Underground Storage Tank (GUST) Trust Fund, and to authorize the Chairman to sign any related documents or contracts continent upon review by the County Attorney. Commissioner Horgan seconded the motion. No discussion followed. The motion passed 4-0-1 with Commissioner Brown being absent. A copy of the request, identified as "Attachment 7", follows these minutes and is made an official part hereof.

2. Discussion of an Interim County Administrator.

County Attorney Scott Bennett reminded the Board that it held a Special Called Meeting on July 3, 2012 where it discussed options for retaining an Interim County Administrator, and at that meeting the Board gave the Chairman authority to discuss the matter further. Chairman Frady agreed that there was a meeting, and that the Board consented to re-hire Mr. Jack Krakeel as a "part-time" employee, as Interim County Administrator.

Chairman Frady stated that Mr. Krakeel's contract would expire at the end of December 31, 2012, however, there could be a two-week notice given by either party should a permanent Administrator be hired before December 31, 2012. He explained that Mr. Krakeel would continue to receive the salary he was getting before retirement, but he would not receive a car allowance or retirement since he was only working as a temporary employee of Fayette County. Discussion followed.

County Attorney Scott Bennett clarified that the position that Mr. Krakeel would fill is classified as a "temporary" employee. He explained that temporary employees, under Fayette County's Personnel Policy, are a very specific type of employee since they are hired for specific term of employment, since they are not eligible for any benefits, since they are not eligible for any other considerations such as vacations or sick leave, and since they are not eligible to accrue any additional time in the retirement plan. He added that the only compensation Mr. Krakeel would receive is a paycheck that is equivalent to his salary when "it is left without any benefits". He said that Mr. Krakeel would be paid on a two-week basis, and at any point during this time, either party can give written notice and terminate two weeks later.

Chairman Frady moved to extend a contract to hire Mr. Jack Krakeel as temporary County Administrator of Fayette County, Georgia, with said contract to expire by December 31, 2012 or sooner, and to authorize the Chairman to sign the contract between Fayette County and Mr. Krakeel. Commissioner Horgan seconded the motion. No discussion followed. The motion passed 4-0-1 with Commissioner Brown being absent.

ATTORNEY'S REPORTS:

There was no Attorney's Report given.

COMMISSIONERS' REPORTS:

Commissioner McCarty: Commissioner McCarty commented that he has a friend who is a real estate attorney, and that his friend informed him that within the past three months he has lost four sales cancelled because of an Animal Control Ordinance that only allows three animals per address.

Commissioner Hearn: Commissioner Hearn pointed out that Major Bryan Woodie of the Fayette County Sheriff's Office was in the audience, and he suggested that both he and Ms. Earnest should discuss the situation on Redwine Road. He also spoke about the letter that Mr. Smithfield read about the County's Defined Benefits Plan, and about Fayette County's goals related to the Defined Benefits Plan.

ADJOURNMENT:

Commissioner Hearn moved to adjourn the July 12, 2012 Board of Commissioners meeting. Commissioner Horgan seconded the motion. No discussion followed. The motion passed 4-0-1 with Commissioner Brown being absent.

The Board of Commissioners adjourned its July 12, 2012 meeting at 7:41 p.m.

Floyd L. Jones, County 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 July 2012.

Floyd L. Jones, County Clerk