

The Board of Commissioners of Fayette County, Georgia met in Official Session on Wednesday, September 4, 2002, at 3:30 p.m. in the public meeting room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

COMMISSIONERS PRESENT: Greg Dunn, Chairman
Linda Wells, Vice Chair
Herb Frady
Peter Pfeifer
A.G. VanLandingham

STAFF MEMBERS PRESENT: Chris W. Cofty, County Administrator
William R. McNally, County Attorney
Karen Morley, Chief Deputy Clerk

Chairman Dunn called the meeting to order, offered the Invocation and led the pledge to the Flag.

DAN SMITH NOMINATED TO SERVE ON THE MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE BOARD:

Chairman Dunn remarked that the Board had been requested to appoint a person to a vacancy on the Mental Health, Developmental Disabilities, Addictive Diseases, Mental Retardation and Substance Abuse Board. He said there had been a vacancy on that board for some time. He said the Board had received a nomination for Mr. Dan Smith from Peachtree City. He stated that Marjorie Peterson had made the nomination and also Mr. Smith had submitted his bio. He said he found Mr. Smith's bio to be a very good mix. He said he would like to nominate Mr. Smith to fulfill the vacancy on this particular board.

On motion made by Chairman Dunn, seconded by Commissioner Wells to nominate Dan Smith to serve on the Mental Health, Mental Retardation and Substance Abuse Board. The motion carried 5-0.

COMMISSIONER PETER PFEIFER NOMINATED TO SERVE ON THE UNIVERSITY CENTER ADVISORY COUNCIL OF THE FAYETTE COUNTY UNIVERSITY CENTER:

Chairman Dunn said the Board had received a letter from Bob Brooks who was on the Peachtree City Development Authority. He said they were putting together the University Center which would be located at the Tennis Center located in Peachtree City. He said this would be operated through Clayton State University. He said they were developing a University Center Advisory Council and this would basically determine what the curriculum for the various programs would be. He said they had asked that the Board of Commissioners provide one member to serve on this Council. He said he had spoken to Commissioner Pfeifer who said he was willing to do this.

September 4, 2002

Page 2

Commissioner Frady said he also was thinking about Commissioner Pfeifer being the Board's representative on this Council.

On motion made by Commissioner Frady, seconded by Commissioner Wells to nominate Commissioner Peter Pfeifer to serve on the University Center Advisory Council of the Fayette County University Center. The motion carried 5-0.

FAYETTE COUNTY'S 2004 LOCAL ASSISTANCE ROAD PROGRAM LIST APPROVED:

Public Works Director Lee Hearn remarked that each year the county receives a request from the Georgia D.O.T. to submit a resurfacing priority list to them for consideration for funding for next year. He said he had compiled a list consisting of approximately 33 miles of road in Fayette County. He stated that these roads typically come from the needs assessment that was done a couple of years ago plus some that had deteriorated a little faster than others. He said he would be glad to answer any questions that the Board might have.

Commissioner Frady asked if Mr. Hearn knew of what kind of funds the county would be receiving from the D.O.T. for the LARP Program.

Mr. Hearn replied no. He said each year this was appropriated at a different funding level. He said typically this could be anywhere from \$180,000 to \$325,000 or even \$350,000.

Commissioner Frady interjected that this had been as high as \$720,000.

Mr. Hearn interjected that he believed the highest it had been was somewhere around \$325,000 or \$350,000. He said Commissioner Frady might be including some project monies that the county had included in that and that would be a different fund. He said this particular money comes from the gas tax that citizens pay for each gallon of gas. He said this only applied to the citizens in the unincorporated county.

Chairman Dunn remarked that having the 33 miles listed was great even though there was probably 100 miles that could be done. He said according to what he had read in a memo from the State recently the Governor was looking for more cuts because of the sales tax in the State going down 11%. He said he would not be surprised if the county received another cut. He said the Governor had cut this for the last two years in a row.

Commissioner VanLandingham felt there might also be another problem with the Northern Arc. He said the bonds that were floated on that were dependent on the gasoline tax and a lot of that was going south. He said if that particular project went away then the bonds would still be there and the recommendation would be for it to come out of the gasoline tax.

Chairman Dunn said there was a lawsuit by the Northern Arc opposition which takes on an even bigger problem than the Northern Arc. He said this involved taking on the entire debt and issuing State bonds using proposed Federal revenues over the next ten years to pay it back.

September 4, 2002

Page 3

He said the former Attorney General Mike Bowers was defending them and the people in the ARC and G.D.O.T. were very concerned if that turned out to be a good lawsuit then the way all of the transportation money was raised would have to be rethought.

Chairman Dunn remarked that this year's LARP Program had gone extremely well and the county had done most of Peachtree City's work.

Mr. Hearn said the county was in the process. He said the county had probably done more than 50% of that work completed at the present time.

Commissioner Frady asked for the cost of resurfacing.

Mr. Hearn replied that G.D.O.T. provided the county in terms of funding was approximately \$20,000 per mile and that was only for the materials. He said any repair work or any leveling that the county would provide would be in addition. He said if there was a road that needed a lot of repair work done it might cost double the amount just for preparation of resurfacing.

Mr. Hearn interjected that the LARP List was due to Georgia Department of Transportation by September 30, 2002.

On motion made by Commissioner Frady, seconded by Commissioner VanLandingham to approve the LARP list for resurfacing projects and submit same to the Georgia Department of Transportation. The motion carried 5-0. A copy of the L.A.R.P. list, identified as "Attachment No. 1", follows these minutes and is made an official part hereof.

CONSENT AGENDA: Chairman Dunn requested item no. 1 be removed for discussion. On motion made by Commissioner VanLandingham, seconded by Commissioner Frady to approve consent agenda item nos. 2, 3, 4, 5, 6, 7, and 8 as presented. The motion carried 5-0.

SHERIFF'S DEPARTMENT: Approval of request from the Sheriff's Department to authorize the Chairman to execute the Federal Annual Certification Report and an "Amended Certification" for the Criminal Investigations Division.

Chairman Dunn remarked that he had removed this item from the consent agenda because he needed more information. He said this was a form that he would have to sign guaranteeing that the Sheriff's funds received from drug money and so forth had been spent properly. He said he had no doubt that the money had been spent properly but when he compared the two year forms there was approximately \$170,000 that did not match up. He said he was sure there was a simple explanation but he needed to discuss this first before he could sign the form. He said he would discuss this with the Sheriff first. He said the Board could either bring

September 4, 2002

Page 4

this item back to the Board at the next Commission meeting or the Board could approve it when he was satisfied with the numbers. He said either way was fine with him.

On motion made by Commissioner Wells, seconded by Commissioner Pfeifer to authorize the Chairman to execute the Certification Report and "Amended Certification" after he has reviewed same with the Sheriff. The motion carried 5-0. A copy of the Report and "Amended Certification", identified as "Attachment No. 2", follows these minutes and is made an official part hereof.

PUBLIC WORKS DEPARTMENT: Approval of recommendation from the Director of Purchasing Tim Jones to award the Public Works Gradall bid to Tractor and Equipment Co.-Stith Division in the amount of \$234,000 plus \$4,454 for the pavement removal bucket for a total of \$238,454. A copy of the memorandum, identified as "Attachment No. 3", follows these minutes and is made an official part hereof.

PUBLIC WORKS DEPARTMENT - TRANSFER OF FUNDS: Approval of request from the Director of Public Works Lee Hearn to approve the transfer of funds received from APAC for damages done to county property. A copy of the memorandum, identified as "Attachment No. 4", follows these minutes and is made an official part hereof.

WATER SYSTEM - MALLETT AND ASSOCIATES TO DESIGN AND BID THE DISTRIBUTION SHOP: Approval of request from the Director of the Water System Tony Parrott to authorize Mallett and Associates to design and bid the distribution shop. A copy of the memorandum, identified as "Attachment No. 5", follows these minutes and is made an official part hereof.

WATER SYSTEM - MALLETT AND ASSOCIATES TO BID THE NEW HOPE ROAD WATER LINE PROJECT: Approval of request from the Director of the Water System Tony Parrott to authorize Mallett and Associates to bid the New Hope Road water line project. A copy of the memorandum, identified as "Attachment No. 6", follows these minutes and is made an official part hereof.

D.O.T. CONTRACT PR 359-2(113) - CONSTRUCTION OF A BRIDGE CULVERT ON HAMPTON ROAD: Approval of authorization for the Chairman to execute D.O.T. Contract PR 359-2(113) for construction of a bridge culvert on Hampton Road. A copy of the contract, identified as "Attachment No. 7", follows these minutes and is made an official part hereof.

September 4, 2002

Page 5

JOEY ROGERS CHARITY BENEFIT - OVERFLOW PARKING REQUEST: Approval of request from Billy Martin to use the Administrative parking lot for overflow parking only on Saturday, September 7, 2002 or rain date of Saturday, September 14, 2002 for the Joey Rogers charity benefit from 9:00 a.m. to 5:00 p.m. A copy of the request, identified as "Attachment No. 8", follows these minutes and is made an official part hereof.

MINUTES: Approval of minutes for Board of Commissioners' meeting held on August 22, 2002.

PUBLIC COMMENT:

Members of the public are allowed up to five minutes each to address the Board on issues of concern other than those items which are on this evening's agenda.

There was no public comment.

STAFF REPORTS:

EXECUTIVE SESSION: Attorney McNally requested an executive session to discuss two legal matters.

EXECUTIVE SESSION: On motion made by Commissioner VanLandingham, seconded by Commissioner Frady to adjourn to executive session to discuss two legal matters. The motion carried 5-0.

LEGAL: Attorney McNally advised the Board on a legal matter.

On motion made by Commissioner Wells, seconded by Commissioner Frady to take action in an ongoing matter of litigation. The motion carried 5-0.

LEGAL: Attorney McNally advised the Board on a legal matter.

The Board took no action on this matter.

EXECUTIVE SESSION AFFIDAVIT: On motion made by Commissioner Wells, seconded by Commissioner Frady to authorize the Chairman to execute the Executive Session Affidavit affirming that two legal matters were discussed in executive session. The motion carried 5-0. A copy of the Affidavit, identified as "Attachment No. 9", follows these minutes and is made an official part hereof.

September 4, 2002

Page 6

There being no further business to come before the Board, Chairman Dunn adjourned the meeting at 4:45 p.m.

Karen Morley, Chief Deputy Clerk

Gregory M. Dunn, 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 September, 2002.

Karen Morley, Chief Deputy Clerk