



Action Agenda

Board of Commissioners
October 7, 2009
3:30 P.M.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on Wednesday, October 7, 2009, at 3:30 p.m. in the Commissioners' Conference Room, Suite 100, of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

Commissioners Present: Jack Smith, Chairman
Herb Frady, Vice Chairman
Robert Horgan
Eric Maxwell (entered meeting at 4:43 p.m.)

Commissioner Absent: Lee Hearn

Staff Present: Jack Krakeel, County Administrator
Scott Bennett, County Attorney
Carol Chandler, Executive Assistant
Floyd Jones, Deputy Clerk

Chairman Smith called the meeting to order.

ACCEPTANCE OF AGENDA: COMMISSIONER FRADY MADE A MOTION TO ACCEPT THE AGENDA AS PRESENTED. COMMISSIONER HORGAN SECONDED THE MOTION. THE MOTION CARRIED 3-0 WITH COMMISSIONERS HEARN AND MAXWELL BEING ABSENT.

NEW BUSINESS:

A. Approval of staff's recommendation for supplemental budget adjustments for the fiscal year ending June 30, 2009.

COMMISSIONER FRADY MADE A MOTION TO APPROVE STAFF'S RECOMMENDATION FOR FINAL BUDGET ADJUSTMENTS FOR THE FISCAL YEAR ENDING JUNE 30, 2009. COMMISSIONER HORGAN SECONDED THE MOTION. THE MOTION CARRIED 3-0 WITH COMMISSIONERS HEARN AND MAXWELL BEING ABSENT.

B. Approval of staff's recommendation to award construction services for Special Purpose Local Option Sales Tax (SPLOST) intersection improvements at McBride and Antioch Roads (Project No. 1-12) to Southeastern Site Development for the amount of \$301,052.85

COMMISSIONER HORGAN MADE A MOTION TO APPROVE STAFF'S RECOMMENDATION TO AWARD CONSTRUCTION SERVICES FOR SPECIAL PURPOSE LOCAL OPTION SALES TAX (SPLOST) INTERSECTION IMPROVEMENTS AT MCBRIDE AND ANTIOCH ROADS (PROJECT NO. 1-12) TO SOUTHEASTERN SITE

DEVELOPMENT IN THE AMOUNT OF \$301,052.85. COMMISSIONER FRADY SECONDED THE MOTION. THE MOTION CARRIED 3-0 WITH COMMISSIONERS HEARN AND MAXWELL BEING ABSENT.

- C. Approval of staff's recommendation to award construction services for Special Purpose Local Option Sales Tax (SPLOST) intersection improvements at Kenwood and New Hope Roads (Project No. R-6) to B&J Paving for the amount of \$177,309.15

COMMISSIONER HORGAN MADE A MOTION TO APPROVE STAFF'S RECOMMENDATION TO AWARD CONSTRUCTION SERVICES FOR SPECIAL PURPOSE LOCAL OPTION SALES TAX (SPLOST) INTERSECTION IMPROVEMENTS AT KENWOOD AND NEW HOPE ROADS (PROJECT NO. R-6) TO B&J PAVING IN THE AMOUNT OF \$177,309.15. COMMISSIONER FRADY SECONDED THE MOTION. THE MOTION CARRIED 3-0 WITH COMMISSIONERS HEARN AND MAXWELL BEING ABSENT.

- D. Discussion of a proposed Driveway Easement Policy as presented by Public Works.

DIRECTOR OF PUBLIC WORKS PHIL MALLON DISCUSSED THIS ITEM WITH THE BOARD. THE BOARD DIRECTED MR. MALLON TO GATHER FURTHER INPUT FROM THE ENGINEERING STAFF, THE SPLOST GROUP AS WELL AS THE PLANNING COMMISSION REGARDING THIS ISSUE.

ADMINISTRATOR'S REPORT:

UPDATE ON LAKE MCINTOSH DAM: County Administrator Jack Krakeel remarked that Consulting Engineer David Jaeger had indicated to him today that D.N.R. was supposedly stamping the plans today for this project. He said the stamped and approved construction plans should be provided to the County tomorrow morning for construction of the dam at Lake McIntosh.

UPDATE ON G.D.O.T. GATEWAY GRANTS FOR ENHANCEMENT OF MEDIANS AND RIGHT-OF-WAY AREAS:

County Administrator Jack Krakeel remarked that at the July 23rd Commission meeting staff had presented the Board with a summary of cost estimates and funding that was available for the installation for right-of-way landscaping on S.R. 85 near the Clayton County line and S.R. 74 near the Fulton County line. After discussion of the funding for these projects, the Board decided to take no action.

ATTORNEY'S REPORT:

CONTRACT FOR PROPOSAL #P713 TO CURB SPECIALIST, INC.: County Attorney Scott Bennett asked for the Board's consideration to authorize the Chairman to execute the contract for Proposal #P713 with Curb Specialist, Inc. in the amount of \$183,182.75 for installation of curbing, catch basins and other concrete work for the West Fayetteville Parkway Project. He noted that this bid was awarded by the Board at its August 13, 2009 meeting.

COMMISSIONER FRADY MADE A MOTION TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE CONTRACT FOR PROPOSAL #P713 WITH CURB SPECIALIST, INC. IN THE AMOUNT OF \$183,182.75. COMMISSIONER HORGAN SECONDED THE MOTION. THE MOTION CARRIED 3-0 WITH COMMISSIONERS HEARN AND MAXWELL BEING ABSENT.

DRAFT ORDINANCE FOR USE OF ALCOHOLIC BEVERAGES AT SPECIAL EVENTS HELD BY THE CHAMBER OF COMMERCE, FAYETTE COUNTY DEVELOPMENT AUTHORITY AND FAYETTE SENIOR SERVICES:

County Attorney Scott Bennett remarked that Fayette Senior Services would be having an October Fest event and had requested the possible use of alcohol at this event. He said a draft ordinance would be brought to the Board at its October 22, 2009 meeting. He said the County would continue to ban the use of alcoholic beverages on all County property except

property that was leased by the Chamber of Commerce, the Economic Development Authority and the Fayette Senior Services. He said these organizations would be allowed to serve alcohol under special conditions as outlined in the proposed ordinance that he would present to the Board at its October 22nd meeting for consideration.

UPDATE ON ETHICS COMPLAINT: County Attorney Scott Bennett updated the Board on the ethics panel hearing on September 28th wherein the panel had determined the events that Commissioner Horgan was involved in did constitute two counts of an ethics violation. He said to date the County had not received a written decision from that panel stating exactly what the decision was and any reasoning or findings that the panel made with respect to their decision. He said once this order was received, that would start a thirty (30) day period during which Commissioner Horgan would have an opportunity to appeal that decision to the Superior Court. He said if no appeal was filed within thirty (30) days of the County receiving the order, that decision would become final and would not be appealable. He said at that point it would be appropriate for this Board to move forward in making a decision on what should be done in dealing with the panel's decision.

STAFF REPORTS:

UPDATE ON CONSTRUCTION OF LAKE MCINTOSH DAM AND RESERVOIR: Water System Director Tony Parrott presented information to the Board concerning general contractors who had been prequalified by Mallett Consulting, Inc. to bid on the construction of the Lake McIntosh Dam, in order to save time after bids had been submitted.

AFTER DISCUSSION, COMMISSIONER FRADY MADE A MOTION TO AUTHORIZE THE USE OF THE LIST OF IDENTIFIED QUALIFIED CONTRACTORS AS PRESENTED BY MR. PARROTT WHEN SOLICITING BIDS IN THE NEAR FUTURE FOR THE CONSTRUCTION OF THE LAKE MCINTOSH DAM PROJECT. COMMISSIONER HORGAN SECONDED THE MOTION. THE MOTION CARRIED 3-0 WITH COMMISSIONER HEARN BEING ABSENT AND COMMISSIONER MAXWELL ARRIVING AT THIS TIME AND NOT BEING PRESENT FOR THE DISCUSSION.

COMMISSIONER MAXWELL ENTERED THE MEETING AT 4:43 P.M.

UPDATE ON H1N1 (SWINE FLU): Director of Public Safety Allen McCullough updated the Board on the H1N1 mitigation, preparedness, response and recovery activities that the Fire and Emergency Services Department had initiated or partnered with Public Health in anticipation of the H1N1 virus in Fayette County.

REPLACEMENT OF MEDIC UNITS FOR EMERGENCY SERVICES: Director of Public Safety Allen McCullough briefed the Board on the replacement of medic units for Emergency Services and stated that this request would come before the Board at its October 22nd meeting for consideration.

REPORT ON REQUESTS FROM THE CITY OF PEACHTREE CITY CONCERNING REAFFIRMATION OF ANNEXATION FOR TWO PROPERTIES AND DE-ANNEXATION OF 1.17 ACRES: Director of Zoning Dennis Dutton reported that the County had received four requests from Peachtree City concerning annexations and a de-annexation. Two requests were asking the County to reaffirm the annexation of two large tracts, the de-annexation of a ten-foot strip and the annexation of a parcel on S.R. 74 South. He stated that no action would need to be taken on the requests for reaffirmation of the two large tracts and that the request for de-annexing the 1.17 acres comprising the ten-foot strip would appear on the Board's October 22nd agenda and that staff was preparing information about this issue for the Board.

BOARD REPORTS:

NONE.

EXECUTIVE SESSION:
NONE.

ADJOURNMENT: Chairman Smith asked if there was any further business to come before the Board. Commissioner Frady announced that he would be out of town on October 22, 2009 and would not be present at the Board meeting. Hearing no further business to come before the Board, Chairman Smith adjourned the meeting at 5:25 p.m.

Karen Morley, Chief Deputy Clerk