Minutes

Board of Commissioners
September 3, 2008
3:30 P.M.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on Wednesday, September 3, 2008, at 3:30 p.m. in the Commissioners' Conference Room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

Commissioners Present:	Jack Smith, Chairman Herb Frady, Vice-Chairman Robert Horgan Eric Maxwell Peter Pfeifer
Staff Present:	Jack Krakeel, Interim County Administrator Scott Bennett, County Attorney Carol Chandler, Executive Assistant Floyd L. Jones, Deputy Clerk

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CALL TO ORDER BY CHAIRMAN

Chairman Jack Smith called the September 3, 2008 Workshop Meeting to order at 3:35 p.m.

ACCEPTANCE OF AGENDA

Commissioner Robert Horgan moved to accept the agenda as printed. Commissioner Herb Frady seconded the motion. No discussion followed. The motion passed unanimously.

CONSENT AGENDA

Commissioner Horgan moved to accept Consent Agenda Items 1-3. Commissioner Frady seconded the motion. No discussion followed. The motion passed unanimously.

1. **Approval of Public Works' recommendation to award a contract for the preparation of the Comprehensive Transportation Plan to Glatting, Jackson, Anglin in the amount of $311,780. A copy of the request, identified as "Attachment 1", follows these minutes and is made an official part hereof.**

2. **Approval of the Road Department's recommendation to award Bid #675 to Southeastern Road Treatment at a cost of $30,201.60 to continue the Road Department's Dust Control Program. A copy of the request, identified as "Attachment 2", follows these minutes and is made an official part hereof.**

3. **Approval of the August 14, 2008 Board of Commissioners Minutes.**

OLD BUSINESS

A. Discussion of the Vehicle Replacement Committee's recommendation for replacement of 19 vehicles included in the Fiscal Year 2009 budget. This item was tabled during the August 28, 2008 Board of Commissioners Meeting.

Assistant Finance Director Toni Jo Howard said that the Vehicle Replacement Committee was requesting that 19 vehicles be replaced, that replacement of those vehicles was previously approved in the Fiscal Year 2009 budget, and that pursuant to the Vehicle Replacement Policy, the vehicles qualified for replacement.

Commissioner Eric Maxwell reminded the Board that he was one of the Commissioners who had asked for this item to be tabled during the August 28, 2008 meeting, and explained that the reason he asked for the item to be tabled was due to his belief that the Vehicle Replacement Committee may not be adequately researching or analyzing alternative fuel vehicles, even though fuel prices are continuing to rise. He made it clear he had no problem with the criteria specified in the Vehicle Replacement Policy that is utilized for replacing vehicles, and that he would support the other Commissioners if they voted to replaced the 19 vehicles as requested, however, he suggested that either the Vehicle Replacement Committee or some other committee be tasked to research alternative fuel vehicles.

Chairman Smith asked how many alternative fuel vehicles Fayette County currently has, and Interim County Administrator Jack Krakeel replied that the County has 22 propane fuel vehicles as well as a propane fueling facility located at Fleet Maintenance. Mr. Krakeel continued saying that, several years ago, Ford had halted production of propane fuel trucks due to problems those trucks were experiencing, but now those problems had been alleviated. He said that during that time a financial analysis was done by Fayette County that compared savings that could be achieved by using propane fuel vehicles versus standard fuel vehicles, and that a decision was made not to move forward with acquiring alternative fuel vehicles due to the results of the analysis. Mr. Krakeel stated that with the rise of fuel prices, another analysis would now be warranted in order to determine if it is beneficial for Fayette County to obtain more alternate fuel vehicles, and informed the Board that he has directed Fleet Maintenance Director Bill Lackey to analyze the non-public safety vehicles Fayette County is acquiring to determine what would be needed to transition the County's fleet to run on propane. He added that some of the County vehicles can be retrofitted to run on propane fuel at a cost of approximately $3,000 to $6,000, but if that cost is equal to the amount of potential fuel savings during the life of a vehicle the question of why go through the process would have to be answered. He concluded by giving examples of how the County is currently saving money in other related areas by downsizing some vehicles in some departments and by using good parts from older vehicles to replace bad parts in better vehicles.

Commissioner Horgan asked how the determination was made regarding what vehicle would be the replacement for another vehicle. Ms. Howard answered that the decision was based on the needs of each department in order to accomplish their work as well as the type of vehicle needed to provide the services required from each department.

Further discussion occurred regarding the cost of vehicles obtained through State contracts versus vehicles obtained from local and metro Atlanta dealerships, the criteria used to determine if a vehicle should be replaced, and how decisions are made regarding what type of vehicle can replace another type of vehicle.

Chairman Smith directed that a committee be established to evaluate alternative fuel vehicles for future purchases in order to determine potential fuel cost savings and to alleviate part of the pollution index that metro Atlanta has. Mr. Krakeel suggested the Vehicle Replacement Committee study the issue comprehensively and to use their findings as part of the criteria in their decision making processes. Commissioner Maxwell agreed to the request as long as a report would be available within three months from the Vehicle Replacement Committee on the issue. The other Commissioners concurred.

Commissioner Horgan moved to approve the Vehicle Replacement Committee's recommendation to replace 19 vehicles that have been included in the Fiscal Year 2009 budget. Commissioner Frady seconded the motion. No further discussion followed. The motion passed unanimously. A copy of the request, identified as "Attachment 3", follows these minutes and is made an official part hereof.

B. Approval of the revised Employee Performance Appraisal Document as presented by Mr. Scot Wrighton of the University of Georgia and the Human Resources Department.

Mr. Scot Wrighton began his presentation by saying Interim County Administrator Jack Krakeel had informed him, on behalf of the Board of Commissioners, that Fayette County was interested in moving towards a pay for performance system that would reward employees for exceeding expectations and that would document employee performance in a manner that was both fair and appropriate. He said before that goal could be met it was important that all other factors that have a bearing on employee compensation but are not related to employee performance, such as COLAs, be removed from the equation since the topic in consideration was about developing an evaluation form that determines if specific employees are functioning above expectations. He said that determination would be aided by the right kind of evaluation forms, training for supervisors, and appropriate follow-up. He continued that he had worked with several employees who were both supervisors and non-supervisors and, by garnering their input and suggestions, determined what type of evaluation form would be the most appropriate. He explained that one of the singular features of the evaluation form was that it required the supervisor to identify the different factors by using only three choices: met expectations, did not meet expectations, exceeded expectations. He further explained that this evaluation form was different from other forms since it helped reduce the comparison of an employee against "some notion of what a perfect employee is" by turning the focus onto whether or not the employee was meeting or exceeding expectations. He stated that other counties and cities that use this type of evaluation form have discovered that only 20-30% of their employees exceeded expectations, that it was generally those employees who were eligible for pay for performance increases to their salary, and that those evaluations had to be effectively demonstrated, documented, and substantiated. He concluded that the evaluation form would work to motivate employees by informing them of ways to exceed expectations, and that training supervisors helped since it made everyone aware of the "rules of the game" and mitigated against supervisors doing evaluations based off of 'their own life experiences".

Discussion followed regarding the training of supervisors who would be responsible to determine what employees would be eligible for pay for performance, the amount of money to budget for pay for performance, the safeguards built into the evaluation form that mitigates against the "teacher's pet problem", if pay for performance should be a temporary increase to an employee's salary versus a career long raise to the employee's salary, how to determine if an employee's contribution was a one-time benefit to the County versus a career long benefit, the historical practices that Fayette County has taken in the past regarding these issues, and how the new evaluation system would replace the older system.

Commissioner Horgan moved to approve the revised Employee Performance Appraisal Document, as prepared and presented by the University of Georgia, for the purpose of evaluating County employees. Commissioner Pfeifer seconded the motion.

Commissioner Maxwell asked what the next step was in this process and was informed by Mr. Krakeel that the next step was to train all of the supervisors and managers. Commissioner Maxwell replied that the training would take care of the evaluation form, but wanted to know what the next step was in the process. Mr. Krakeel answered that he would return at a later date with a recommendation on funding the performance appraisal system and other criteria.

Commissioner Maxwell stated the pressure would be on supervisors to have a large evaluation score for those employees the supervisor wanted to advance and to be in the running for pay for performance. Next, he asked how a comparison would be done between an employee in Parks and Recreation with a staff of five or six people versus an employee in the Sheriff's Department with a staff of 250 people. Mr. Krakeel replied that the employee would be competing against his or her job description and the level of performance they are expected to meet. Mr. Wrighton concurred with Mr. Krakeel's answer, and suggested that after the pay for performance budget is established by the Board it should be divided between the departments based on the percentage of the County's aggregate payroll used by each department. He said that by making that type of division, it would prevent larger departments from "sucking the money from all of the other departments". Commissioner Maxwell agreed with Mr. Wrighton, and also expressed concern with a "lifetime benefit" given to employees for one good year's worth of service. He concluded that he would prefer to give a one-time check each year, but added that he was open to recommendations.

Further discussion continued about COLAs and how an employee advances in his or her paygrade. Chairman Smith said the conversation had moved past the motion on the table and called the question.

The motion to approve the revised Employee Performance Appraisal Document, as prepared and presented by the University of Georgia, for the purpose of evaluating County employees passed with a unanimous vote. A copy of the request and the Fayette County, Georgia Employee Performance Appraisal, identified as "Attachment 4", follow these minutes and are made an official part hereof.

C. Discussion of proposed amendments to the Fayette County Zoning Ordinance regarding the creation of a new zoning district which would permit a broad variety of uses or would augment the allowed uses with the M-1 zoning district, as requested by Mr. Richard Norman of Artisan Properties, Inc. (Storage Xxtra on State Route 85 North).

Community Development Director Pete Frisina introduced Mr. Richard Norman to the Board and said that both he and Mr. Norman had come to the Board seeking either permission or guidance, and then turned the discussion over to Mr. Norman.

Mr. Norman said he has a dilemma where the product that he offers does not fall comfortably within any zoning category, and explained that ten years ago, he started a self-storage company that has evolved into more of a business center with a large number of tenants, office complexes, self-storage buildings, and even a small conference room. He stated that in February 2007, the Board of Commissioners "generously consented" to amend some of the allowed uses under the M-1 zoning category and that their consent had been very helpful to him, but since that time a number of other uses have arisen that he also wanted to have permitted under M-1 zoning. He summarized that he was requesting a series of specific uses to be added to the M-1 zoning districts, reminded the Board that the uses he was requesting were detailed in the letter he provided them earlier, and mentioned that the bulk of the uses he was requesting was for professional type services.

Mr. Frisina resumed the conversation by reminding the Board that the County had been through this type of exercise with M-1 zoning a number of times in the past, and gave a brief history of past efforts and studies undertaken by the Board of Commissioners in relation to M-1 zoning. He stated that after looking at Mr. Norman's request, he noticed Mr. Norman did not desire the type of businesses that are "heavily used" in M-1 zoning and he did not want the retail uses found in commercial zoning, but did desire businesses that are service oriented, and that he desired to have a mixture of professional services. He explained that in short, Mr. Norman wanted to "cherry-pick" uses from Fayette County's three main nonresidential zoning categories and essentially wanted to create something that was a combination of all those categories. Mr. Frisina stated that the problem is that Fayette County does not have a mechanism in place to allow for situations that Mr. Norman presents since the County's zoning is very specific and the permitted uses are also separated uses. As a result, he said staff would like to explore what options are available and to explore creating either a new zoning district or something that allows for some flexibility as opposed to "just trying to fit a square peg into a square hole". He recalled that a few years ago Fayette County had a Planned Unit Development (PUD) zoning category that allowed for a mixture of nonresidential uses, but it was "deleted" from the zoning ordinance around 1998 when Fayette County enacted a "wholesale kind of amendment of the zoning ordinance". He suggested that what was once deleted would now have to be readdressed. He added that a PUD is a zoning classification that allows a developer to set standards for a development before bringing those standards to the County for the County's evaluation to determine if those standards met the County's expectations.

Commissioner Maxwell asked if Mr. Frisina was suggesting an increase to the number of uses in M-1 zoning or if his suggestion was to write a new ordinance to create a new zoning category. Mr. Frisina answered that he did not think that any one zoning category could address everything Mr. Norman was looking for, but reiterated that he would like to explore options in order to see if there is some way the County could create something that allows a business person or developer to create a mixture of uses within nonresidential zoning. Chairman Smith asked Mr. Frisina if he was thinking of a new zoning category, and Mr. Frisina replied that he was interested in reviewing the old PUD zoning for mixed-use businesses and wanted to see if they could be resurrected in order to meet these types of issues.

Commissioner Frady asked if nonresidential PUDs were similar in nature to residential PUDs, and Mr. Frisina replied that while they are similar there are exceptions. He said with a residential PUD, developers are allowed to set standards for different types of lot sizes and setbacks and the County would determine whether or not those standards are acceptable, but with a nonresidential PUD, the developers are also allowed to set their own standards and to supply to the County the types of uses they desire in the PUD district for the County's evaluation and approval.

Further discussion occurred in regard to the nature and safety concerns of nonresidential PUDs. Mr. Norman interjected that while he was open to the concept of a PUD, his original request was to allow some uses to be either directly or conditionally permitted in the M-1 category, and he thought that could be done rather quickly.

Chairman Smith said the problem he had with the request was with the safety issues that are inherent with businesses located in an M-1 zoning district, and that he was not comfortable with having forklifts and trucks in the same proximity where children may be present. He added that it was unfortunate the Board could not authorize an exception for this particular piece of property while it excluded all other properties located in M-1 zoning. He sympathized with Mr. Norman but said this was a safety issue, and he did not see any other way around the problem without developing some type of different zoning category for this type of unique use. Mr. Norman agreed that safety was an issue but added the types of businesses he wanted were professional services such as building contractors, engineering firms, insurance businesses, and real estate brokerages. Chairman Smith responded that while he did not object to those uses, he did object to permitting blanket professional services uses in an M-1 zoning since part of professional services includes child psychologists with the result that children and their safety are brought back into the equation.

Commissioners Frady and Horgan also were concerned that by creating a new zoning category or enacting nonresidential PUDs, Fayette County would take tenants away from people who constructed their buildings in properly zoned areas.

Chairman Smith said it was obvious that there were some problems with the issue and suggested that the Board allow Mr. Frisina to research two possible alternatives. He suggested the first alternative would be a long, drawn-out process of trying to design a new zoning district, and that the second alternative would be for Mr. Frisina to pick a few selected uses in order to review and determine if Fayette County should expand the allowable uses that are listed in the M-1 designation. Commissioner Peter Pfeifer added he would like to see some examples of nonresidential PUDs, and Commissioner Maxwell added that he wanted to have a report on this topic provided within three months.

The Board directed Community Development Director Pete Frisina to research two potential alternatives to the proposed amendments to the Fayette County Zoning Ordinance. The first alternative that the Board directed Mr. Frisina to research was the possibility of creating a new zoning district. The second alternative was to research some of the selected uses, as listed in the documentation provided with this request, in order to determine if there should be an expansion of the permitted uses in an M-1 zoning district. The Board further directed Mr. Frisina to return within three months to discuss his research. A copy of the request, identified as "Attachment 5", follows these minutes and is made an official part hereof.

NEW BUSINESS

D. Approval of the Finance Department's recommendation that the County's Vehicle Replacement Policy be amended to include an approved color scheme for various types of vehicles, heavy equipment and other assets.

Assistant Finance Director Toni Jo Howard informed the Board that during a Vehicle Replacement Committee meeting, a problem arose when some departments requested vehicles with colors that are not typically associated with those departments, so a decision was made to recommend an amendment to the Vehicle Replacement Policy by inserting language that states certain departments have certain vehicle colors associated with those departments.

Commissioner Frady asked if a color scheme was available stating what colors are allowed. Ms. Howard replied that the color scheme was included in the amended Vehicle Replacement Policy that was presented before the Board for this request, and explained that while the Sheriff's Department had the liberty to determine their own colors, the Marshal's Department would have black vehicles, Fire and Emergency Services would have either red or red and white vehicles, the County fleet vehicles would be white, and the Constable would have a beige or similarly colored vehicle.

Commissioner Pfeifer moved to approve the Finance Department's recommendation that the County's Vehicle Replacement Policy be amended to include an approved color scheme for various types of vehicles, heavy equipment and other assets. Commissioner Horgan seconded the motion. Chairman Smith asked for the phrase "as set out in the memorandum provided" to be included in the motion, and both Commissioners Pfeifer and Horgan agreed to the request. No other discussion followed.

The motion to approve the Finance Department's recommendation that the County's Vehicle Replacement Policy be amended to include an approved color scheme, as set out in the memorandum provided, for various types of vehicles, heavy equipment and other assets passed with a unanimous vote. A copy of the request and amended Fayette County Policy: Replacement of Vehicles, Heavy Equipment, and Other Assets, identified as "Attachment 6", follow these minutes and are made an official part hereof.

E. Consideration of Fire and Emergency Services' recommendation that the proposed Comprehensive Water Mitigation, Preparedness, Response and Recovery Plan be adopted.

Interim Public Safety Director Allen McCullough reported that last year, at the direction of Interim County Administrator Jack Krakeel, Public Safety was asked to coordinate a countywide effort that included the municipalities and the private sector in order to address a "worse-case scenario" caused by drought. Before he turned the discussion over to Captain Pete Nelms he said there had been several meetings and reviews involved in this effort, and now he was bringing the plan to the Board for its review and consideration.

Captain Pete Nelms continued the discussion by saying the plan was a result that came from the Drought Committee that Mr. Krakeel established last summer and then he briefly spoke about some of the highlights of the plan. He said it was important to know that the plan parallels the County's Local Emergency Operations Plan, and that it also identifies the processes and benchmarks needed for declaring a state of emergency. He added that the plan also identifies distribution locations for potable water distribution, and that it also identifies alternative water sources needed for firefighting techniques, fire protection, and other needs. He mentioned that the plan worked in conjunction with both the Public Health and the Environmental Health Departments in order to ensure that Fayette County has a safe and potable water supply. He concluded his presentation saying Water System Director Tony Parrott, Interim Public Safety Director Allen McCullough, and the City of Fayetteville's Public Works Director Rick Easton were in agreement with the plan.

Commissioner Frady moved to adopt the Comprehensive Water Mitigation, Preparedness, Response and Recovery Plan as recommended by Fire and Emergency Services. Commissioner Horgan seconded the motion. No discussion followed. The motion passed unanimously. A copy of the request and the Comprehensive Water Mitigation, Preparedness, Response and Recovery Plan, identified as "Attachment 7", follow these minutes and are made an official part hereof.

F. Approval of Fire and Emergency Services' request to apply for a grant from the Federal Emergency Management Agency in the amount of $30,000 for the purpose of updating the County's Pre-Disaster Mitigation Plan.

Interim Public Safety Director Allen McCullough reported that, in 2005, Fayette County had prepared its Current Risk Assessment, as required by a Federal mandate, and added that if the mandate had not been met then the County would not be eligible to apply for any grants. He discussed some of the grants Fayette County had been awarded in the past couple of years. He continued that in 2005, Fayette County was awarded approximately $30,000 in order to retain a consultant who would prepare its Current Risk Assessment, but added that it was thought that Fire and Emergency Services enough competent staff to complete the assignment. He mentioned that a consultant would have cost approximately $100,000, but the County was able to complete its own project, and that the project was approved on its first round of reviews. Based on that background, he asked for the Board's permission to apply for the grant as requested, to allow staff to complete the project internally, and to allow the money to be used for other purposes related to Emergency Management.

Chairman Smith asked if the grant was a matching grant and was informed by Captain Pete Nelms that while the grant was indeed a matching grant the money could be used for any kind of service such as labor. Commissioner Maxwell asked if there was a reason why the Board should not give the permission as requested, and Chief McCullough replied that while he could not think of a reason permission would be denied, he was still required to get permission from the Board. Commissioner Maxwell asked if the County was stepping on a landmine with this request, and Chief McCullough answered that he had not found a landmine.

Commissioner Frady moved to approve Fire and Emergency Services' request to apply for a grant from the Federal Emergency Management Agency in the amount of $30,000 for the purpose of updating the County's Pre-Disaster Mitigation Plan. Commissioner Horgan seconded the motion. No discussion followed. The motion passed unanimously. A copy of the request, identified as "Attachment 8", follows these minutes and is made an official part hereof.

ADMINISTRATOR'S REPORT

Refinancing of Water System Bonds: Interim County Administrator began his report by reminding the Board that Fayette County has been engaged in reviewing the possibility of refinancing its Water System Revenue Bonds as well as a new bond that is associated with the construction of Lake McIntosh. Mr. Krakeel further reminded the Board that several months ago he informed them that more time was needed for review and that the bond market had deteriorated to the point where the net present value savings were not sufficient enough to move forward with an issuance of bonds. He continued saying that in the past 30 days, the bond market has changed considerably, and explained that, if the Board desired to proceed with the refinancing of its Water System bonds and its new debt requirements for Lake McIntosh, Fayette County's net present value savings would be, net of the issuance costs, approximately $1.1 to $1.4 million. He stated that, based on this information, he had directed the County Engineer to prepare the necessary engineering work that is required for any consideration regarding the refinancing of the County's existing debt. He mentioned that Merchant Capital had provided a time frame to the Commissioners on this issue, but before refinancing of the bonds could occur, the County was required, per the previously issued bonds, to have the Water System's revenues audited. He said that Fayette County has received a quote of approximately $5,000 to $7,000 from its current auditor, Cherry, Bekaert, and Holland, L.L.P., in order to conduct an audit of the Water System's revenues. He summarized that he was bringing this issue to the Board to see if it had any interest in moving forward with the refinancing of the Water System Revenue Bonds and the issuance of a new bond for the construction and financing of costs associated with the construction of Lake McIntosh.

Chairman Smith asked if he understood correctly that there is a certain amount of work that Merchant Capital would have to accomplish in order to get the Board to the point where it could make a decision on whether or not to refinance, and Mr. Krakeel replied that the Chairman was correct in his understanding. Chairman Smith asked if there would by any out of pocket expense to Fayette County, and Mr. Krakeel answered that the only out of pocket expense would be the $5,000 to $7,000 needed for auditing the Water Systems revenues.

Chairman Smith asked how long the audit was good for with respect to the issuance of bonds. Assistant Finance Director Toni Jo Howard replied that, if the audit took place now, it would be good until the end of December and if the Board wanted to refinance the bonds prior to December it would have to spend the $5,000 to $7,000 for the audit as discussed. She added, however, that if the Board decided not to refinance until after December, then the County's annual audit that will be completed and available at the end of December could be used in lieu of the audit under discussion. Chairman Smith reiterated Ms. Howard's answer and added that if the County waited until six months into the next year to make a decision about refinancing, it would be faced with spending $5,000 to $7,000 again.

The consensus of the Board was to authorize Interim County Administrator Jack Krakeel to engage the County's current auditor, Cherry, Bekaert, and Holland, L.L.P., to conduct an audit of the Water System's revenues at a cost of approximately $5,000 to $7,000, and to authorize Merchant Capital to evaluate existing conditions that may indicate Fayette County's ability to realize a significant savings by refinancing the Water System's Revenue Bonds.

ATTORNEY'S REPORT

There was no Attorney's Report.

STAFF REPORTS

McIntosh Trail Scenic Byway Project: Executive Assistant Carol Chandler informed the Board that the Georgia Department of Transportation has a program called "Scenic Byways" that allows for certain roads throughout Georgia to be designated as scenic or special. She told the Commissioners that, in light of that information, there was an effort to have a scenic byway, named the "McIntosh Trail Scenic Byway' established and that it would have its genesis at Indian Springs State Park in Butts County, would traverse through five counties, and would terminate at the McIntosh Reserve in Carroll County where Chief McIntosh is buried. She continued saying that this scenic byway has been slated to enter Fayette County at McIntosh Road, would travel through Brooks to State Route 85 Connector at Starr's Mill, and turn south onto State Route 85 where it would then exit the county. She explained that it was hoped that, by having a scenic byway, historical sites would be identified and emphasized and communities would generate revenue from its tourism and retail sales. She told the Board that the process required in order to have a road declared a scenic bypass was "arduous and cumbersome" since it involves public hearings, talking to people who live along the roadway, engaging local governments, and submitting a Corridor Management Plan that addresses the impact such a designation would have on traffic, but she added that the McIntosh Trail Historic Preservation Society, who has begun this initiative, has begun to take the steps needed for this designation. She concluded by saying that she was bringing this issue to the Board's attention, and that if the Board should desire to support this effort, she had a canned resolution that was provided by the Society for their consideration as well.

Chairman Smith asked if this effort would preclude Fayette County from doing any kind of significant improvement to the road. Commissioner Frady replied that he thought it meant only signage was required, but Chairman Smith added that there had to be at least some restrictions involved.

Interim County Administrator Jack Krakeel mentioned that the former State Aid programs were being converted to State Grant programs that could be used for road assistance projects, and he explained that under the State Grant program a county able to select up to seven projects for funding consideration. He then asked this initiative would be considered one of the seven projects and if that would limit Fayette County's ability to obtain additional grant funding for those projects that the County would have that required actual road construction work. Chairman Smith replied that he did not believe there was any money going to the project, and Ms. Chandler added that this project was not being called a grant. She clarified that this project was being called a designation, and that meant, if the Department of Transportation awarded this initiative, it would place the appropriate signage.

The Board directed Ms. Chandler to obtain clarification regarding what the impact would be of having McIntosh Trail designated a scenic byway, and to determine if such a designation would impact road funds, the County's ability to control, improve or expand the roadways, and to gain more information in general.

Inquiry from Peachtree City concerning a Sewer Easement: Community Development Director Pete Frisina said he was contacted by Peachtree City's Engineer, approximately two weeks ago, who asked for his input on a proposed plan to install a pump station, force main and gravity sewer in the area around State Route 74 and Redwine Road. He told the Board that it was the first time he had heard of this issue, and that he informed the Engineer that he would not have a chance to respond to the inquiry until after he met with the Board. Using a map, he showed the Board the plans that Peachtree City was proposing, and said that he understood Fayette County's policy required that, if a sewer was to run through unincorporated Fayette County, the Board of Commissioners would have to give its permission first. He added that it was his understanding that the property owners in the area, as well as Peachtree City Water and Sewer Authority, were willing to pay for the installation of the sewer in this area. Next, Mr. Frisina reminded the Board that approximately eight years ago this area had 21 acres zoned for commercial use and another 5 acres zoned O-I, and that this area was still undeveloped. He mentioned that Peachtree City has stated that there is a law that reads that all properties within

200 feet of a sewer are required to "hook into" that sewer "when such a system is available". He said that he has asked opinions of what it means when it uses the word "available", and that he has received a different answer from every person he has asked. He reiterated that this was the first time he had heard of the issue and it was the first time he had been able to bring this issue to the Board of Commissioners. In conclusion, he mentioned that the Peachtree City Council had recently tabled this item since it was hoping to get easements in order to install the sewer line approximately 200 feet from the County's border.

A lengthy discussion followed regarding Peachtree City's possible intentions, the possible results that could occur should Peachtree City proceed with their plans, and the possible responses Fayette County could take in regard to this initiative by Peachtree City.

The Board directed Community Development Director Pete Frisina to convey to Peachtree City's Engineer that Fayette County does not have a fundamental objection to Peachtree City installing a proposed pump station, force main, and gravity sewer at Meade Field within 200 feet of Fayette County's border, as long as such installation does not alter the density of the development that is designated for the area in general, or the property of Meade Field in particular, and that the buffers and berms that were agreed to during the original rezoning process are maintained.

Notification and Public Information Regarding Phase II of the West Fayetteville Bypass: Director of Public Works Phil Mallon informed the Board that a notice had been mailed to all of the property owners who would be directly impacted by Phase II of the West Fayetteville Bypass. He added that the notice included a color rendering of the properties as they relate to the West Fayetteville Bypass and a list of frequently asked questions. Mr. Mallon also informed the Board that a Public Information Meeting was being scheduled for Tuesday, September 16, 2008 from 3:00 to 7:00 p.m. in the Commissioners' Chambers. He said the meeting would involve an informal walk around various information tables, and that about four or five people would be available to answer any questions.

Street Resurfacing Agreement between Fayette County and the Town of Tyrone: Director of Public Works Phil Mallon reminded the Board that in July 2006 Fayette County had entered into a Street Resurfacing Agreement with the Town of Tyrone in order to resurface two roads, and, in October 2007 the agreement was amended to include Senoia Road. He reported that the Town of Tyrone has asked for another amendment to the agreement in order for both Queens Court and Rollingbrook Trail to be resurfaced, and said that the Town of Tyrone would reimburse Fayette County for any material from their LARP funds. Mr. Mallon explained that both of these roads are slated to be milled and patched under the contract currently in place with C.W. Matthews, and that he was bringing the issue to the Board at this time so that the pavers could be "sent in to resurface those roads".

Commissioner Frady moved to amend the Street Resurfacing Agreement with the Town of Tyrone by adding Queens Court and Rollingbrook Trail, and to be reimbursed, per the language in the Street Resurfacing Agreement, by the Town of Tyrone. Commissioner Horgan seconded the motion. No discussion followed. The motion passed unanimously. A copy of the updated Street Resurfacing Agreement, July 5, 2006 Addendum(s) to Special Stimulations (pg. 6), identified as "Attachment 9", follows these minutes and is made an official part hereof.

Direction on the Paving of Snead Road: Director of Public Works Phil Mallon reminded the Board that the County is preparing to pave Snead Road, but about three weeks ago it was suggested to him that Snead Road could be paved with a 50' right-of-way with a 5' permanent easement along both sides of the road instead of the traditional 60' right-of-way. He said he thought about that suggestion and checked with the Department of Transportation, but could not think of any drawback to the suggestion. He added that there were several benefits that came with the suggestion, and that the first benefit was that by following the suggestion the County would reduce the amount of money it would need to pay to acquire the right-of-way from those property owners chose not to donate their right-of-way. He said the second benefit

the County could experience was also a reduction in cost since the County could save approximately $40,000 due to relocating some of the expensive and elaborate fences that are constructed "on top of the 60' right-of-way line". He added that a third benefit to the suggestion is that the County could have additional flexibility that would enable it to save some of the trees and landscaping along the road. He then concluded by asking the Board if it would consider allowing Snead Road to be paved with a 50' right-of-way with a 5' permanent easement along either side of the road.

Chairman Smith asked if this was a policy change that the Board ought to entertain. Mr. Mallon replied that he thought that the Board ought to consider a policy change, and pointed out that the Comprehensive Transportation Plan that was adopted through the Consent Agenda would involve a review of the County's "road processions and requirements", and that recommendations would be forthcoming with that plan. He thought that before the County made official, permanent policies, this suggestion should be considered and incorporated into the process. Additional discussion followed.

The Board directed Mr. Mallon to proceed with the paving of Snead Road by utilizing a 50' right-of-way with a 5' permanent easement along both sides of the road as discussed.

BOARD REPORTS

Letter to Atlanta Christian College: Chairman Smith stated that Peachtree City was asking the Commissioners for letters of support favoring the location of Atlanta Christian College in Peachtree City, and asked if the Commissioners wanted to send individual letters or if they preferred to have a letter written on behalf of the Board and signed by the Chairman. Commissioner Maxwell was concerned about Peachtree City's request since he did not have a clear understanding of what the people of Peachtree City wanted and since he had heard some grumbling among the people. He said he also had some reservations since he was not sure if the Peachtree City Council was unanimous in its support of Atlanta Christian College's consideration to relocate into the city. After some discussion, Commissioner Maxwell said that if anyone did not know of "anything bad" with the request, then he was fine with a letter being written on behalf of the Board and signed by the Chairman.

The consensus of the Board was to write a letter supporting the location of Atlanta Christian College in Peachtree City, and to authorize the Chairman to sign the letter on behalf of the Board of Commissioners. A copy of the letter to Atlanta Christian College, identified as "Attachment 10", follows these minutes and is made an official part hereof.

EXECUTIVE SESSION

There was no Executive Session.

ADJOURNMENT

Commissioner Frady moved to adjourn the September 3, 2008 Workshop Meeting. Commissioner Horgan seconded the motion. No discussion followed. The motion passed unanimously.

The September 3, 2008 Workshop Meeting was adjourned at 6:35 p.m.

Floyd L. Jones, Deputy Clerk	**Jack Smith, Chairman**

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 25th day of September 2008.

Floyd L. Jones, Deputy Clerk