Workshop Minutes

Board of Commissioners
January 2, 2008
3:30 P.M.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on January 2, 2008, at 3:36 p.m. in the Commissioners' Chambers 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 Karen Morley, Chief Deputy Clerk

---

Call to Order, Invocation, and Pledge to the Flag

Chairman Smith called the Workshop Meeting to Order at 3:36 p.m., Commissioner Pfeifer gave the invocation, and Chairman Smith led the pledge to the flag.

Acceptance of Agenda.

ORGANIZATIONAL SESSION:

A. Election of Board Chairman for the year 2008.

Chairman Smith said the past year was an exciting year to be the Board's Chairman, explained the election of Chairman was an annual event, and asked for nominations. Commissioner Frady nominated Jack Smith to be the Chairman of the County Commission for the year 2008 and was seconded by Commissioner Horgan. Commissioner Pfeifer said he could not support the nomination. No further discussion took place. The motion passed with a 4-1 vote with Commissioner Pfeifer voting in opposition.

B. Election of Board Vice-Chairman for the year 2008.

Vice-Chairman Herb Frady said the past year was a good year since much was accomplished and since there is more harmony on the Board than in recent years. Commissioner Horgan motioned to re-elect Commissioner Frady as the Vice-Chairman and was seconded by Chairman Smith. No discussion followed. The motion passed unanimously.

PRESENTATION / RECOGNITION:

C. Recognition of Fayette County employees who have successfully completed levels 1,2, and 3 of the Management Development Program offered by the University of Georgia Institute of Government. A copy of the request and the list of employees who have successfully completed levels 1,2, and 3 of the Management Development Program, identified as "Attachment 1", follow these minutes and are made an official part hereof.

Chairman Smith recognized the employees who completed levels 1,2, and 3 of the Management Development Program offered by the University of Georgia Institute of Government. He commended the employees for their dedication to Fayette County, for their hard work in order to receive their certificates, and for their willingness to improve their knowledge and education in order to benefit the citizens of Fayette County. On behalf of the Board and the citizens of Fayette County, he thanked them for working to make Fayette County the best county in metro-Atlanta and one of the best counties in the nation.

CONSENT AGENDA:

Commissioner Pfeifer motioned to approve the Consent Agenda with the exception of items 11, 12, 17, 18, 20 and 22 and Commissioner Horgan seconded the motion. No discussion followed. The motion passed unanimously.

Commissioner Frady addressed Consent Agenda Items 11 and 12 simultaneously and asked if there was documentation from the Executive Board from the two parties that indicated they had voted on the nominations. Executive Assistant Carol Chandler said she had letters from both parties on party letterhead stating the individuals had been appointed by parties. Commissioner Frady motioned to accept Consent Agenda items 11 and 12 as presented and was seconded by Commissioner Horgan. The motion passed unanimously.

1. Approval of authorization to sign checks combining any of the following two signatures for transactions exceeding $5,000: Chairman, Vice-Chairman, County Administrator.

2. Approval of authorization to sign checks for transactions $4,999 or less: Chairman, Vice-Chairman, County Administrator.

3. Approval of the Chairman and Vice-Chairman to execute contracts, resolutions, agreements and other documents approved by the Board of Commissioners.

4. Approval of the proposed meeting schedule for 2008. A copy of the request and the 2008 meeting schedule, identified as "Attachment 2", follow these minutes and are made an official part hereof.

5. Approval of Resolution Number 2008-01 appropriating funds necessary for the annual lease payment on the jail on the jail expansion and courthouse. A copy of Resolution 2008-01, identified as “Attachment 3", follows these minutes and is made an official part hereof.

6. Approval of Resolution Number 2008-02 renewing Resolution Number 90-07 which imposes a $1.50 monthly “911 charge upon each exchange access facility subscribed to by telephone subscribers. A copy of Resolution 2008-02, identified as “Attachment 4", follows these minutes and is made an official part hereof.

7. Approval of Resolution Number 2008-03 renewing Resolution Number 90-03A which imposes a $1.00 monthly “911" wireless enhanced charge upon each exchange access facility subscribed to by telephone subscribers. A copy of Resolution Number 2008-03, identified as “Attachment 5", follows these minutes and is made an official part hereof.

8. Approval of appointment of Scott Gilbert to the Fayette County Zoning Board of Appeals for a three-year term to commence January 1, 2008, and to expire on December 31, 2010. A copy of the request, identified as “Attachment 6", follows these minutes and is made an official part hereof.

9. Approval of reappointment of Tim Thoms to the Fayette County Planning Commission for an additional three-year term to commence on January 1, 2008, and to expire on December 31, 2010. A copy of the request, identified as “Attachment 7", follows these minutes and is made an official part hereof.

10. Approval of reappointment of Bill Beckwith to the Fayette County Planning Commission for an additional three-year term to commence January 1, 2008 and to expire on December 31, 2010. A copy of the request, identified as “Attachment 8", follows these minutes and is made an official part hereof.

11. Acceptance of appointment of David Studdard to the Board of Elections by the Fayette County Republican Party for an additional four-year term to commence February 1, 2008, and to expire January 31, 2012. A copy of the request, identified as “Attachment 9", follows these minutes and is made an official part hereof.

12. Acceptance of appointment of Judith Moore to the Board of Elections by the Fayette County Democratic Party for a four-year term to commence February 1, 2008 and to expire January 31, 2012. A copy of the request, identified as “Attachment 10", follows these minutes and is made an official part hereof.

13. Approval of a budget adjustment to accept a donation to Fire and Emergency Services for $850 and to increase the department’s expenditure budget account for Catered Food by $850. A copy of the request, identified as “Attachment 11" follows these minutes and is made an official part hereof.

14. Authorization for acquisition of title and license tag for an additional vehicle obtained by the Sheriff’s Department from the United States Marshals Service. A copy of the request, identified as “Attachment 12", follows these minutes and is made an official part hereof.

15. Approval of a budget adjustment to accept a reimbursement to the Sheriff’s Criminal Investigation Division in the amount of $2,721.28 and to increase the department’s expenditure account for Overtime by $2,721.28. A copy of the request, identified as “Attachment 13", follows these minutes and is made an official part hereof.

16. Approval of an increase in the 2008 mileage reimbursement travel rate for use of a private vehicle from 39.77 cents per mile to 41.41 cents per mile, in accordance with the County’s Travel Policy which governs employees

traveling on official county business. A copy of the request, identified as "Attachment 14", follows these minutes and is made an official part hereof.

17. Approval of a recommendation from staff that North Georgia Concrete, Inc., be awarded the bid to repair the culvert on Milam Road over Whitewater Creek, in the amount of $119,000. A copy of the request, identified as "Attachment 15", follows these minutes and is made an official part hereof.

Chairman Smith stated Consent Agenda Item 17 was permanently removed until more information could be supplied.

18. Approval to purchase 500 water saver kits to be distributed free of charge to Water System customers in homes built prior to 1994, at a cost of approximately $3,500, as recommended by the Water Committee. A copy of the request, identified as "Attachment 16", follows these minutes and is made an official part hereof.

Commissioner Maxwell asked Mr. Tony Parrott to give more information regarding Consent Agenda Item 18. Mr. Parrott gave an explanation and answered some questions from the Board. Commissioner Maxwell motioned to approve Consent Agenda Item 18 as written and was seconded by Commissioner Horgan. No discussion followed. The motion passed unanimously.

19. Approval of a budget adjustment to accept a donation to the Library in the amount of $750 and to increase the departments account for Books and Magazines by $750. A copy of the request, identified as "Attachment 17", follows these minutes and is made an official part hereof.

20. Approval of a budget adjustment to accept a donation to the Library of $375 and to increase the department's budget for Other Improvements by $375. A copy of the request, identified as "Attachment 18", follows these minutes and is made an official part hereof.

Chairman Smith said Consent Agenda Item 20 was about a donation to the Library, and said the second part of the written Consent Agenda Item description, namely the section that reads "and to increase the department's budget for Other Improvements by $375" was not necessary. Chairman Smith then motioned to approve the budget adjustment to accept a donation to the Library in the amount of $375 and was seconded by Commissioner Frady. No discussion followed. The motion passed unanimously.

21. Approval of a recommendation by E-911 Communications to enter into a contract with Motorola, Inc., for equipment and software for two call-taker positions approved in the FY08 budget, and authorization for the Chairman to execute said contract. A copy of the request and the Communications System Agreement, identified as "Attachment 19", follow these minutes and are made an official part hereof.

22. Approval of September 5, 2007 Workshop Minutes, October 3, 200 Workshop Minutes and November 29, 2007 Minutes.

Commissioner Pfeifer addressed Consent Agenda Item 22 and specified his concern was regarding the September 5, 2007, Workshop Meeting Minutes. He said the minutes are an accurate representation of what occurred, and asked County Attorney Scott Bennett how to correct an action by the Board that never should have occurred. Mr. Bennett said he was unaware of any problems, this was the first he had heard of potential problems, and he had not reviewed the minutes in question. Commissioner Pfeifer motioned to table Consent Agenda Item 22 until Mr. Bennett could review and discuss the minutes. The motion died for lack of a second.

Chairman Smith said the minutes are technically correct and thought they should be approved. Commissioner Horgan motioned to approve Consent Agenda Item 22 and was seconded by Commissioner Frady. No discussion followed. The motion passed with a 4-1 vote with Commissioner Pfeifer voting in opposition.

OLD BUSINESS:

D. Discussion of a recommendation from the Water Committee that the public boat ramp at Lake Horton be repaired but not extended. A copy of the request, identified as "Attachment 20", follows these minutes and is made an official part hereof.

Mr. Tony Parrott discussed the Water Committee's recommendation and answered questions from the Board. The consensus of the Board was to accept the Water Committee's recommendation to repair the public boat ramp at Lake Horton, but not to extend it.

E. Discussion of the Water Committee's recommendation concerning proposed ordinance amendments to the code to enable the Water System to take over community septic and drip irrigation systems within a subdivision. A copy of the request, identified as "Attachment 21", follows these minutes and is made an official part hereof.

Mr. Tony Parrott reminded the Board this issue had been discussed last year at which time recommendations were made. He told the Board the Water Committee reviewed and adopted the Board's previous recommendations, that the Metropolitan North Georgia Water District and the Department of Natural Resources have reviewed the current recommendation, and the current recommendation was reviewed by the county attorney. He said all that was needed was the Board's approval. Commissioner Frady said he wanted to table the item so he could study the issue further. Some discussion followed. Commissioner Frady motioned to table the item and was seconded by Commissioner Pfeifer. Some further discussion followed. The motion to table the item passed unanimously.

NEW BUSINESS:

F. Discussion of the setback requirements of the Fayette County Zoning Ordinance for lots with multiple frontages, as requested by the Zoning Board of Appeals. A copy of the request, identified as "Attachment 22", follows these minutes and is made an official part hereof.

Mr. Pete Frisina and Mr. Vic Bolton discussed this item and answered questions from the Board. The Board took no action.

G. Consideration to approve the revised FMLA policy recommended by Human Resources. A copy of the request and the revised FMLA policy, identified as "Attachment 23", follow these minutes and are made an official part hereof.

Mr. Lewis Patterson explained the revised FMLA policy as recommended by Human Resources. Some discussion followed. Commissioner Maxwell motioned to approve the revised FMLA policy as recommended by Human Resources, and Commissioner Frady seconded the motion. No discussion followed. The motion passed unanimously.

PUBLIC COMMENT:

Chairman Smith asked if there were any members of the public who wished to address the Board. Ms. Angela Wright asked for a place to be made available so citizens could ride dirt bikes and four-wheelers in the county.

ATTORNEY'S REPORT:

None.

DEPARTMENT REPORTS:

None.

BOARD REPORTS:

None.

EXECUTIVE SESSION:

Commissioner Frady motioned to adjourn to Executive Session to discuss one real-estate matter and was seconded by Commissioner Horgan. No discussion followed. The motion passed unanimously.

The Board adjourned to Executive Session at 4:38 p.m. and returned to Regular Session at 4:56 p.m.

One Real-Estate Item:

Chairman Smith said the Board discussed one real-estate item and gave staff direction to proceed on that matter.

EXECUTIVE SESSION AFFIDAVIT:

Commissioner Frady motioned to authorize the Chairman to sign an Executive Session Affidavit stating one real-estate matter was discussed in executive session, and was seconded by Commissioner Horgan. No discussion followed. The motion passed unanimously. A copy of the Executive Session Affidavit, identified as "Attachment 24", follows these minutes and is made an official part hereof.

CHAIRMAN'S COMMENT:

Chairman Smith said the Board had taken an unintended action. He said, traditionally, the Board has given each of the Commissioners the ability to table a matter under consideration by simply requesting the item to be tabled. He explained when Commissioner Pfeifer motioned to table the adoption of the minutes he thought it was a formal motion and not a request to postpone the adoption of the minutes, and therefore allowed the request to be seconded and voted upon. He said he did not want the Board to get into a position where the trust and confidence in each other is destroyed, and wants the members of the Board to accord each other the privilege to defer an item when requested. He regretted that he allowed the error to happen and apologized to Commissioner Pfeifer. He further added his actions were not intended to be a change of policy or precedent.

ADJOURNMENT:

Commissioner Horgan motioned to adjourn the Workshop Meeting and was seconded by Commissioner Frady. No discussion followed. The motion passed unanimously.

The Workshop Meeting adjourned at 4:59 p.m.

Floyd L. Jones , Deputy Clerk

Jack R. Smith, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 24th day of January, 2008.

Floyd L. Jones, Deputy Clerk