

The Board of Commissioners of Fayette County, Georgia met in Official Session on January 4, 2006 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

STAFF MEMBERS PRESENT:           Chris Venice, County Administrator  
                                          William R. McNally, County Attorney  
                                          Carol Chandler, Executive Assistant  
                                          Peggy Butler, Chief Deputy Clerk

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Chairman Dunn called the meeting to order, offered the invocation and led the pledge to the flag.

Chairman Dunn stated that prior to starting the meeting he wanted to take care of an administrative matter. He said in reference to the Agenda, on the Consent Agenda item number 8 had a typographical error in it. He said it should read: Approval to upgrade FirePoint software and allocate funding in the amount of \$9,992 with \$6,544 paid from Grant Account 22330920-334219 and \$3,448 paid from Fire Contingency Account 27030520-579000.

**ORGANIZATIONAL SESSION:**

Election of Board Chairman for the year 2006. Motion was made by Commissioner Pfeifer, seconded by Commissioner Wells, to nominate the current Chairman, Greg Dunn. Motion carried 3-1. Commissioner Frady voted in opposition.

Election of Board Vice Chairman for the year 2006. Motion was made by Commissioner Dunn, seconded by Commissioner Pfeifer, to nominate Commissioner Wells as Vice Chair. Motion carried 3-1. Commissioner Frady voted in opposition.

**OLD BUSINESS:**

**DISCUSSION OF ACCRUAL OF SICK LEAVE FOR COUNTY EMPLOYEES.**

Chairman Dunn said he recalled that this item was tabled from the last meeting at the request of Commissioner Frady. Chairman Dunn asked Commissioner Frady if he had any questions. Commissioner Frady said he did not, he had spoken with whom he needed to and his questions had been answered. He said he felt he could support this.

Motion was made by Commissioner Wells, seconded by Commissioner Pfeifer, to approve the changes to the sick leave for county employees as presented in the memo.

Commissioner Wells said she felt this was the right thing to do.

County Administrator Chris Venice asked if that included the retro active. The Board said it did.

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Motion carried 4-0. A copy of the policy changes, identified as "Attachment No. 1", follows these minutes and is made an official part hereof.

Chairman Dunn commented that this had to do with accrual of sick leave for employees and the public discussion on this occurred last time. He said it was in the minutes of the meeting. He said Commissioner Frady wanted to research some things, he got his answers, so the Board voted on it tonight.

### **CONSIDERATION OF NEW FEE SCHEDULE FOR VARIOUS SERVICES BY THE ENVIRONMENTAL HEALTH DEPARTMENT.**

This item was tabled at the December 7 Board of Commissioners meeting. Rick Fehr, Director of Environmental Health, said that prior to the last meeting he had submitted information to the Board members and could answer any questions. He said as background information, this process was one that started with the District for Health Services staff. He said once approval was given from them approval was needed from the County Board of Health which was given last year. He said the final step was approval from the County Board of Commissioners of the approved environmental fees.

Chairman Dunn said that there were fees they were trying to get an increase on and there were some fees they were trying to institute. Mr. Fehr said that was correct.

Chairman Dunn asked Mr. Fehr to briefly summarize the changes to the current policy.

Mr. Fehr said for some years there had been fees for various services provided by the Environmental Health Department. He said when reviewing the fees this last time it was decided to inquire as to what other local communities were charging. He said in looking into this they found that in looking at eleven other counties who provided information that most fees were fairly consistent with other communities and wanted to be consistent with other communities.

Chairman Dunn said in looking at the list of fees for example the onsite sewage permit-residential-single family, Fayette County was the highest in District 4 and now it was suggested to raise the amount \$75 more. He said Mr. Fehr had just said they wanted to be consistent with the region and it seemed like Fayette was going to be double the rest of the region.

Mr. Fehr commented that was an exception to the rule. He said the basis for that was that in a previous fee adjustment a study of fees had been requested and cost including employee and staff expenditures. He said it was determined at that time that amount was \$275 which certainly higher than any other fee in the other communities but was one that was determined to be more proper for the amount of work that Environmental Health was doing. He said there had been changes in the regulations, different systems had come on board, and they were looking at including community systems. Mr. Fehr said the sewage system was the primary program they handled and the greater part of their budget.

Commissioner Frady asked how they determined which one of the items was most affecting the department that needed more money.

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Mr. Fehr responded that it was input all along from the district staff and the Board of Health as to what these fees should be. He said they made recommendations to them and along the way changes were made from his original proposals. He said this was the final result from the input from the various stages of approval.

Commissioner Frady asked was he saying that he needed more personnel and his greatest concern was the fact that he had a four to six week delay in responding to sewage system permit applications. Mr. Fehr said that was certainly a part of that particular consideration. He said he had builders indicate to him that what a tremendous financial hardship it was to wait that long. He said if their fees were higher so that they could hire more people so they would not have that kind of a situation would be a small amount in comparison to what they were paying in the construction loan interest fees.

Commissioner Frady asked what percentage of increases had he had in these permits over the last few years. Mr. Fehr said he did not have an exact figure for that. He said he felt it was a fairly consistent one over the years. He said with the addition of the swimming pool program and the emergency response program and other programs such as the injury control program he felt all of these programs were taxing their ability to meet those requirements plus meet the requirements of the sewage program.

Commissioner Frady said he was thinking the number of permits was down from last year. He asked if there was some kind of schedule that showed the time these inspections took. Mr. Fehr said when they did the original study he provided the average amount of time for certain activities dealing with sewage system approval for new residents, commercial, repair or replacement of existing sewage system. He said what was difficult was there was no telling what the future holds as to which program would generate additional work. He said they were not flexible as if they get a sudden increase in one year they can add another staff member. He said it had been a number of years since they had added a staff member, at least six years or more.

Commissioner Wells said permits last year were down. She asked was this something that was unprecedented. She said had there been times in the past where they were that far behind. Mr. Fehr said not that he could recall.

Commissioner Wells responded that there has to have been a management problem rather than a staffing problem because there had been a higher number of permits in the previous year than that and there had not been that far of a backlog. She said it had to be a management problem or someone was sick.

Mr. Fear said approximately four or five years ago they did have an occasion where several staff members left and at the time budgeting wise they did not fill all the vacant positions. He said they had one vacancy they had not filled.

Commissioner Wells said in 2004 there were a considerable more number of building permits issued and did not have that four to six weeks delay. Mr. Fehr said one of the reasons they were having difficulty was that in the last two years there had been an increasing amount of rainfall that has resulted in a tremendous increase in failure rates of sewage systems. He said that was one of the problems most Environmental Departments had been facing.

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Commissioner Wells said they were talking about two different items. The top one was talking about onsite sewage permit-residential-single family. She said they were increasing that from 275 which was the highest, to 350. She said then they go down to repair permits where they were already tied with Spalding County, which was \$100, and now we were wanting to double that. She asked where was the four to six week time frame occurring, in the initial permits or in the repairs. Mr. Fehr answered that as the fact that the failure of a sewage system has a higher health priority the backlog of permitting of septic tanks was in new residencies as they were responding to the failures first. Commissioner Wells asked if there were more failures this year than last year. Mr. Fehr responded that it was fairly much the same. He said it was the last two years that they had the significant increase not only in Fayette County but in most counties of the metropolitan area.

Commissioner Wells said there were fewer new requests in 2005 and the same numbers of failures and more initial requests in 2004 and the same number of failures. She said in 2005 there was a four to a six-week back log. She asked if it was a management problem. Mr. Fehr said he did not believe it was a management problem. He said the current staff is one of a number of years of experience.

Commissioner Wells said she wanted to go back to when Mr. Fehr said that about six years ago he had some turnover and had not replaced one of those employees. She asked if they had been replaced as of this date. Mr. Fehr responded that they had not been replaced. Commissioner Wells asked why. Mr. Fehr said there had been a budgetary problem, and there had not been sufficient funds to replace that individual. Commissioner Wells asked was that because raises were being given to the existing people. Mr. Fehr responded that was in part the reason.

Commissioner Frady asked if the number of people in that department had been reduced. Commissioner Wells responded they had not, that he had a vacancy.

Commissioner Wells said when she read the minutes for the Board of Health and Dr. DeCotis asked how the increase in the funds would be spent and Mr. Fehr responded the plan was to add staff, which was the greatest part of the budget, and possibly add needed equipment. She said she was not sure Mr. Fehr had been privy to their budget meetings. She said they go over the numbers very carefully. She said this was something that was mid budget and she did not think they had ever given any department head funding that came in and said the plan was to add staff, undefined, and possibly needed equipment. She said her problem with this was that it was very vague. She said her problem with this was they were increasing new permits to \$350 and also keeping a fee for residential site evaluation and inspection, which no other county has. Commercial site evaluation inspection, which no other county has, and is close to the top of the line for re-inspection, and then for repair permits, for people who are having problems, she could not think of anything worse than having her \$300,000+ home have problems with the septic system and now all of a sudden instead of charging \$100 to get a permit to repair something mandated to repair, we were going to double that.

Commissioner Wells said she was on the Board of Health for a few years and she remembered how the budget requests came to them and she was not sure who the nebulous persons were that Mr. Fehr had gotten input from. She said her assumption would be that from all of these different counties he got those figures, but she was not sure that he spoke to anyone in those counties and got anymore information than the figures here. She said in her history whenever the proposal was made Mr. Fehr was the one who made the proposal to the Board

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of Health. She said what she was saying was that she had all the admiration in the world for Mr. Fehr but people who knew her knew she was a bugger on budgets. She said she did not that for her satisfaction that this had been fully defined. She said when someone came to her and said they were going to add staff and they already had a vacancy and possibly add some equipment, and our fees on some of these were already higher than other agencies and also had some that no one else had, and they had a four to a six-week backlog last year that they could not justify from the previous year when they had higher numbers, she suddenly started thinking that maybe she needed more information. She said she was not really comfortable supporting this at this particular time. She said maybe at budget time if those issues were addressed more clearly and had a more definitive plan as to what kind of staff they were going to hire since there was still a vacancy and what type of equipment and justification what was needed, she might support this. She said she was not questioning Mr. Fehr's proposal per say as an individual, she was questioning it as to what the taxpayer was getting that she could turn to them and say it was justified because of this, this, this and this.

Commissioner Frady said he made a note on this last time that budget time was only two months away.

Mr. Fehr said part of that was that the County Commissioner representative for the Board of Health was not able to be present. He said these were legitimate concerns and he certainly wanted to address them.

Commissioner Frady said he would like to see data in reference to the time it takes to perform these inspections on an average.

Commissioner Pfeifer said he echoed the comments that were heard. He said to Mr. Fehr that when he was discussing the proposed \$350 for on sight residential, one of the reasons you used to justify that was community systems, but you had a separate listing for community systems.

Mr. Fehr said to do all these things required more time and more time meant more staff.

Mr. Fehr said this had to go through many persons and he could only present what was approved.

Chairman Dunn said one of the things the Board was trying to say was they were not opposed to raising fees, because they wanted their fee generating services to pay for themselves. He said in reference to the average fee for the number one item on the list, we were charging \$275 and the average in the other twelve counties was about \$150, and now we were proposing to go to \$350. He said the explanation was they were increasing this fee along with all the other fees. Chairman Dunn said he could not approve something like that, but he could approve it if there was data to show what the cost of doing an inspection.

**CONSENT AGENDA:** Motion was made by Commissioner Wells, seconded by Commissioner Pfeifer, to approve the Consent Agenda as presented. Motion carried 4-0.

**AUTHORIZATION TO SIGN CHECKS EXCEEDING \$5,000:**

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

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**AUTHORIZATION TO SIGN CHECKS LESS THAN \$4,999:**

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

**CHAIRMAN AND VICE CHAIR TO EXECUTE DOCUMENTS APPROVED BY THE BOARD:**

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

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**2006 MEETING SCHEDULE:**

Approval of proposed meeting schedule for 2006. A copy of the meeting schedule, identified as "Attachment No. 2", follows these minutes and is made an official part hereof.

**RESOLUTION NO. 2006-01-LEASE PAYMENT ON THE JAIL EXPANSION AND COURTHOUSE:**

Approval of Resolution No. 2006-01 appropriating funds necessary for the annual lease payment on the jail expansion and courthouse. A copy of the resolution, identified as "Attachment No. 3", follows these minutes and is made an official part hereof.

**RESOLUTION NO. 2006-02-\$1.50 MONTHLY "911" CHARGE TO TELEPHONE SUBSCRIBERS:**

Approval of Resolution No. 2006-02 renewing Resolution No. 90-07 which imposes a \$1.50 monthly "911" charge upon each exchange access facility subscribed to by telephone subscribers. A copy of the resolution, identified as "Attachment No. 4", follows these minutes and is made an official part hereof.

**RESOLUTION NO. 2006-03-\$1.00 MONTHLY "911" WIRELESS CHARGE:**

Approval of Resolution No. 2006-03 renewing Resolution No. 99-03A which imposes a \$1.00 monthly "911" wireless enhanced charge upon each exchange access facility subscribed to by telephone subscribers. A copy of the resolution, identified as "Attachment No. 5", follows these minutes and is made an official part hereof.

**UPGRADE OF FIREPOINT SOFTWARE:**

Approval to upgrade FirePoint software and allocate funding in the amount of \$9,992 with \$6,544 paid from Grant Account 22330920-334219 and \$3,448 paid from Fire Contingency Account 27030520-579000.

**DONATION OF OLD FIRE & EMERGENCY SERVICES TURNOUT GEAR:**

Approval to donate old Fire & Emergency Services turnout gear to Georgia Forestry. A copy of the request, identified as "Attachment No. 6", follows these minutes and is made an official part hereof.

**INCREASE OF EXPENDITURES FOR PAYMENT FOR GUARD RAIL DAMAGE:**

Approval of recommendation to increase expenditures in Road's technical services budget by \$3,347 for funds receipted for payment for guard rail damage. A copy of the information, identified as "Attachment No. 7", follows these minutes and is made an official part hereof.

**BID AWARD TO AMCO AUTOMATED SYSTEMS FOR A MINI MOBILE INTERROGATOR:**

Approval of recommendation to award the low bidder, Amco Automated Systems, bid #537, Mini Mobile Interrogator, in the amount of \$20,250 for a mobile unit to be used for the purpose of collecting automated meter readings. A copy of the bid information, identified as "Attachment No. 8", follows these minutes and is made an official part hereof.

**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.

**STAFF REPORTS:**

County Attorney Bill McNally asked for an Executive Session to discuss three legal items.

Motion was made by Commissioner Wells, seconded by Commissioner Pfeifer, to adjourn to Executive Session to consider three legal items. Motion carried 4-0.

**EXECUTIVE SESSION:**

**LEGAL:** Attorney McNally discussed a legal item with the Board.

The Board took no action on this matter.

**LEGAL:** Attorney McNally discussed a legal item with the Board.

The Board took no action on this matter.

**LEGAL:** Attorney McNally discussed a legal item with the Board.

The Board took no action on this matter.

Motion was made by Commissioner Wells, seconded by Commissioner Frady, for the Chairman to execute the Executive Session Affidavit affirming that three legal items were discussed in Executive Session. Motion carried 4-0. A copy of the Affidavit, identified as "Attachment No. 9", follows these minutes and is made an official part hereof.

There being no further business to come before the Board, Chairman Dunn adjourned the meeting at 6:10 p.m.

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Peggy Butler, 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 13th day of April 2006.

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Peggy Butler, Chief Deputy Clerk