

The Board of Commissioners of Fayette County, Georgia met in Official Session on Thursday, May 11, 2006, at 7:00 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
Robert Horgan
Peter Pfeifer

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

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

PRESENTATION OF 1ST PLACE AWARDS TO FAYETTE COUNTY 4-H'ERS:

Chairman Dunn remarked that this was the presentation of 1st Place Awards to Fayette County 4-H'ers Edmund Smith and Saikat Karmakar for winning the U.G.A. Traffic Injury Prevention Institute's Statewide Seat Belt and Child Safety Seat Essay and Poster Contests. He introduced John Babcock of the Fayette County Extension Office 4-H Program to present these awards.

Mr. Babcock asked Edmund Smith and Saikat Karmakar to come forward for the presentations. He said Saikat and Edmund had won first 1st place awards for the U.G.A. Traffic Injury Prevention Institute's Statewide Seat Belt and Child Safety Seat Essay and Poster contests. He said both of these students had been in the 4-H program for several years and both had won all of the district wide 4-H district project achievement which was the formal speech contest. He introduced Mary Ann Robinson from the U.G.A. Traffic Injury Prevention Institute to speak at this time.

Ms. Robinson remarked that Fayette County had been very fortunate in that two of the State 1st place winners were from Fayette County. She said this was actually the nineteenth year that this competition had been held. She said the poster winners get published in a calendar. She commented that this year there had been 35,000 students who participated in this contest. She said she had two awards to present tonight. She said the first award would go to Edmund Smith and he would receive a check in the amount of \$100. She remarked that the second award would go to Saikat Karmakar and he would receive a check in the amount of \$50. She thanked everyone in Fayette County who had participated and worked on this project.

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Chairman Dunn said it was certainly a pleasure for the Board to recognize these outstanding students in the community.

PROCLAMATION FOR NATIONAL SAFE KIDS WEEK IN FAYETTE COUNTY:

Chairman Dunn read and the Board presented a Proclamation for National Safe Kids Week in Fayette County. A copy of the Proclamation, identified as "Attachment No. 1", follows these minutes and is made an official part hereof. He remarked that Marshal Warren Chamberlin had been working with these kids and promoting these safety programs for the last nine years. He said a lot of the work was done on Warren's own personal time. He said he also wanted to thank the other individuals in the County who helped with this program but were unable to attend the meeting tonight. He asked Warren to comment on this organization.

Warren Chamberlin remarked that Safe Kids was a world wide organization now known as Safe Kids Worldwide. He said these were organizations and coalitions throughout the entire United States as well as fourteen countries. He said this had also extended into China, Japan, Russia, England, and Germany. He said this organization was helping to prevent the widespread of unintentional injury to children. He said in Fayette County they hold child safety seat events where they check these seats free of charge for anyone. He said typically there was a 90% chance of misuse of the seats. He commented that they also hold bike rodeos. He said he was proud to say that he was a member of this organization.

Chairman Dunn commended Warren for his work in this organization and said it was people like Warren who make Fayette County such a great place to live.

CONSIDERATION OF THE COUNTY'S PROPOSED ANNUAL BUDGET FOR FISCAL YEAR BEGINNING JULY 1, 2006 AND ENDING JUNE 30, 2007:

Chairman Dunn said the Board was required by law to hold public hearings for discussion of the County's budget at least three times before it would be voted on. He asked the Finance Director Mark Pullium to come up and give a brief overview of the budget. He said he would then ask anyone in the audience if they wished to make any comments.

Finance Director Mark Pullium remarked that Resolution No. 2006-10 for the 2006/2007 budget. He stated that the Fayette County Board of Commissioners was authorized by Georgia law to establish and adopt a budget for the purpose of providing appropriations for the proper and orderly operation of government in Fayette County, Georgia. He said the following appropriations were for the Board's consideration: Total General Fund in the amount of \$49,426,129, Total Special Revenue Funds in the amount of \$11,492,479, Total Capital Project Funds in the amount of \$2,296,930, Total Solid Waste Fund in the amount of \$141,317, Total Water System Fund in the amount of \$12,902,766, Total Internal

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Service Funds in the amount of \$2,083,957 for a total of all funds for the budget in the amount of \$78,343,578.

Mr. Pullium further remarked that this was a modest increase in the general fund of 3.8% or \$1.8. He pointed out that staff was projecting the millage rate to decrease in the general fund from 5.191 mills to 4.94 mills. He said this would be the fifth year in a row that the Board of Commissioners and staff had developed a budget which had reduced the tax rates. He said there had been a 25.5% reduction in the tax rates since 2001 for the general fund and 23.4% reduction in taxes in the fire fund. He said the millage rates that he was quoting tonight were projections and the numbers would probably change a little bit as the digest numbers come out.

Chairman Dunn said previous to this meeting tonight the Board had just finished a budget meeting. He said the budget process started in February for the staff and the Board had spent several days going through every line in the County budget. He said staff had done an excellent job on protecting every penny that the Fayette County taxpayers were putting into this. He said a citizen tax bill included city taxes, school taxes and county taxes. He said generally speaking over the last five years County taxes had stabilized. He said the Board could not do this without staff. He noted that staff had put in countless hours and discussions of where every penny was going. He said this was a public hearing and anyone wishing to comment in favor or in opposition of the budget could do so at this time.

Malcolm Hughes asked the Board for the budgeted and actual expense for the last fiscal year for the park in North Fayette County. He asked what was being budgeted this year for the North Fayette park. He said he would also like to know the status of that park.

Chairman Dunn remarked that the Finance Director Mark Pullium would be glad to answer those questions after the meeting.

Commissioner Frady remarked to Mr. Hughes that the Board would be discussing phase I of Kenwood Park in just a few moments if he wanted to stay and hear that discussion.

Commissioner Frady said he along with the Board members announced that tomorrow was Mark Pullium's last day. He said everyone was very happy for him on his new endeavor and wished him well. He said Mark had been the Finance Director for the last five years and he had done a great job for the County.

Commissioner Pfeifer commented that Mark would have a huge responsibility as well as handling a huge budget in his new position. He pointed out that Mark would be one of only fifty people in the United States of America who was a Director of Finance for a State Educational Institution.

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Chairman Dunn remarked that some of the Commissioners had served with other Chief Financial Officers. He said in his personal opinion he believed that since Mark came on board, the Board and the public as well had must more visibility of what the County does and where the money was and where it was going and the planning that goes into it. He said for that every Board member thanked Mark. He said every citizen in this County could go on the County's website and find out anything that they needed to know about the budget. He said the Board appreciated everything that Mark had done for this County.

Mr. Pullium said he appreciated the opportunity to serve in such a responsible position and also the support that this Board had given to the staff in terms of achieving the objections that they have tried to accomplish. He thanked the Board for everything they had done and stated that he had certainly enjoyed his tenure with the County. He said it had been a real pleasure for him to work here and he looked forward to his new opportunity. He said the citizens, the Board and everyone here at the County would always hold a special place in his heart.

RESOLUTION NO. 2006-09 ADOPTED - COMMUNITY ASSESSMENT AND COMMUNITY PARTICIPATION PROGRAM ELEMENTS OF THE FAYETTE COUNTY COMPREHENSIVE PLAN:

Assistant Director of Planning and Zoning Tom Williams remarked that this item was in reference to the Community Assessment and Community Participation Program Elements for the 2006 full plan update of the Fayette County Comprehensive Plan prior to transmittal to the Atlanta Regional Commission and the Department of Community Affairs for review. He said the Planning Commission recommended approval 4-0. He said the Resolution, if adopted by the Board, would approve the transmittal of the first two elements of this Plan which were the Community Assessment (including the Technical Addendum), and the Community Participation Program. He said these documents would go to the Atlanta Regional Commission for review.

Mr. Williams remarked that just a little over two years ago on April 22nd, 2004 the Board adopted the 2004 Comprehensive Plan. He said a little over one year after that on May 1st, 2005 new rules for standards and procedures for local government planning were issued by the Georgia Department of Community Affairs (D.C.A.). He said they have given Fayette County and a number of other jurisdictions until February 28, 2007 to adopt a Plan that would be in compliance with those rules. He said the new rules divided the Comprehensive Plan into three elements: the Community Assessment including the Technical Addendum, the Community Participation Program and Community Agenda. He said a community assessment included the data and information and lists potential issues and opportunities, analyses existing development patterns including the existing Land Use Map and identifies the maps and areas requiring special attention. He said it also recommended character areas for consideration and developing an overall vision of the community. He said it required an evaluation of current policies, activities and

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development patterns for consistency with D.C.A.'s Quality Community Objectives. He stated that it also required an analysis of data and information to check the validity of the above evaluations and the potential issues and opportunities. The bulk of the data is included in the Technical Addendum. He said the Community Participation Program defined the proposed strategy for public participation and stakeholder involvement in the preparation of the third element which was the Community Agenda portion of the Plan. He said the Community Participation Program had identified a stakeholder group, a steering committee and public participation techniques that included a kick-off public meeting, public outreach (including project website, public information materials, cable television), a public meeting on the Community Agenda draft and a final public hearing on the draft Community Agenda. He said a public hearing was required on these first two elements before proceeding to the Community Agenda. He said it was at that point that he was before the Board tonight in compliance with the requirement for the first public hearing to approve transmittal of those first two elements to the A.R.C. and the Department of Community Affairs. He said after approval of that from the A.R.C. and the D.C.A., work would be initiated on the third element, the Community Agenda. He said the Community Agenda would further develop the Character Areas requiring special attention and issues and opportunities and it would identify an implementation program including a short term work program. He said staff expected approval to initiate work on the Community Agenda toward the end of June. He said they would then begin the public involvement activities. Upon completion of the Community Agenda they would hold a public hearing in October and ask for approval of a Resolution to transmit the third element to the A.R.C. and the D.C.A. He said once these go through the final review, staff would then be on schedule to ask the Board of Commissioners to adopt the new plan in February, 2007.

Chairman Dunn remarked that this was a public hearing and he asked if anyone wished to speak in favor of in opposition of the proposed Comprehensive Plan. Hearing none, he asked for the Board's pleasure in this matter.

Chairman Dunn commented that this document was incredibly detailed and incredibly difficult to put together. He commended the staff for all of their hard work on this document. He remarked that he sees first hand at the A.R.C. in Atlanta that Fayette County was one of the few communities that meets every time line every time, gets it in on time and gets it right. He said Pete Frisina and his staff do a tremendous job for the County.

Commissioner Pfeifer said he would like to make a comment on this process. He said in going through the information that had been provided by planning staff regarding the Fayette County Comprehensive Growth Management Plan he had checked the list of people who participated in this process. He said this was a true citizens generated document. He said this was the citizens' vision of what Fayette County should actually be. He said the thing that really struck him was the number of people who were still involved in shaping this community and were actively involved in this process back in 1990. He said

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this included George Patton, Bill Bonner, Rick Price, Ted Kemberling, Tom Parker, Jim Williams, Phyllis Aquayo, Kathy Allgood, Hughey Braves, Barbara Buckley, Grace Caldwell, Bob and Alicia Craft, Rick Fehr, Al Gilbert, John Grunden, Rose Marie Harper, Jack Krakeel, Gary Laggis, Dan Lakly, Bill McNally, Jake Mask, Rick Minter, Lisa Richardson, Bob Truitt, Marilyn Watts, Christine Venice and Pete Frisina. He said because these people guided the County through this process was one of the reasons that this County was in such great shape.

On motion made by Commissioner Wells, seconded by Commissioner Frady to adopt Resolution No. 2006-09 as presented. The motion carried 5-0. A copy of Resolution No. 2006-09, identified as "Attachment No. 2", follows these minutes and is made an official part hereof.

DISCUSSION OF PHASE I FACILITIES AT KENWOOD PARK:

Director of Parks and Recreation Anita Godbee presented the Master Plan for Kenwood Park. A copy of the Master Plan, identified as "Attachment No. 3", follows these minutes and is made an official part hereof. She said this had been adopted by the Board in 2004. She said when this plan was adopted it was noted on the plan that the development of the program facilities would occur in phases as determined by the Board. She said at the current time staff was in the process of constructing phase I which was everything North of the pipeline. She remarked that the facilities program in phase I included a running track, a walking track, paved drives, paved parking, storm drainage erosion control, fine grading, site lighting, three restroom facilities, community pavilion, three picnic shelters, an office for the Marshals and the Recreation Department and a maintenance building that had been moved up from phase II into phase I. She said there would also be four lighted tennis courts, four lighted basketball courts, two racquetball courts, two sand volleyball courts, four horseshoe pits, one bocce ball court, one playground, one lighted multi-purpose field, Highway 279 main widening and entrance sign and also fencing around the park.

Ms. Godbee said she had provided the Board in their packets a preliminary cost estimate prepared by Mallett Consulting for these program facilities. A copy of the cost estimate, identified as "Attachment No. 4", follows these minutes and is made an official part hereof. She pointed out on the estimate that Public Works was in the process of completing the clearing, mass grading and the graded aggregate base (gravel layer) for the walking trails. She said the Public Works staff was completing this work in their down time and it was saving the County a tremendous amount of money. She said they certainly appreciated everything that the Public Works Department was doing to help in this project. She said the construction cost for that was not as great as it would be if this work had been contracted out.

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Ms. Godbee remarked that one of the things that was not listed on the preliminary cost was the playground equipment, picnic tables, benches and signage throughout the park, She said these items would be additional costs. She said she had asked the Project Manager David Jaeger with Mallett Consulting to come and speak to the Board about these costs and any questions the Board might have regarding the preliminary costs.

David Jaeger with Mallett Consulting remarked that he was the Project Manager for the Kenwood Park project. He pointed out that in addition to what Ms. Godbee had noted for phase I was the area South of the gas line which would provide access to this portion. He said at Ms. Godbee's request Mallett Consulting had prepared a preliminary construction cost estimate for phase I. He said this estimate included all of the major amenities and facilities in phase I as shown on the Master Plan. He said the total for the preliminary construction cost was \$3.7 million and did not include the items that Ms. Godbee had listed. He said he was available tonight to answer any questions that the Board might have regarding any of the individual items shown on the construction cost estimate.

Commissioner Frady asked if this was just concerning this phase

Mr. Jaeger replied yes. He said at this stage of the design process, a 10% contingency was usually estimated. He said as final design comes closer and bid packages go out, this would be reduced.

Commissioner Frady remarked that according to his figures from the budget the County was only \$561,000 short of the total project and this included a lot of infrastructure.

Mr. Jaeger said he had not seen the budget figures so he was not sure how they would compare to the construction cost estimate.

Chairman Dunn questioned the need for a bocce court. He said he had not really seen any of these anywhere else in the County.

Ms. Godbee said there were some bocce players in Fayette County. She said there were approximately fifty special Olympic athletes who practiced every year for bocce. She said these individuals compete at the State level every year during the Fall State games. She hesitated to say that the County actually needed an actual bocce court or not.

Chairman Dunn asked where the individuals practiced for bocce.

Ms. Godbee replied at the current time they were practicing at Kiwanis Park on the grass of the baseball fields.

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Chairman Dunn said the cost for these courts was \$3,000. He pointed out that the newspaper had described this park as sticker shock. He also questioned the need for horseshoe pits.

Ms. Godbee responded that most horseshoe games were done during family gatherings and picnics. She said she did not know of any leagues at this time.

Chairman Dunn questioned the need for outdoor racquetball courts. He said he was not sure if there had ever been any demand for this. He pointed out that his experience with handball courts and racquetball courts was that most of these end up as graffiti walls and nobody playing on these courts. He said he realized that this was something in the national scheme of what should be included in a park but questioned the true need for those here.

Ms. Godbee replied that was correct and stated this was derived from the national standards. She said she did not know of a whole lot of people who need outdoor racquetball courts. She said no one had contacted her with that need either.

Chairman Dunn said for the three items that had just been discussed there was a price tag of \$62,000. He said he was not really sure who would be using these kinds of activities.

Commissioner Wells and Commissioner Frady said they agreed that they were not sure if these three items were really needed in the park.

Chairman Dunn remarked that at this point the Board would really have to decide what should actually be needed in the park and what the cost would be.

Ms. Godbee pointed out that the paths would be there and would be grassed so if a future Commission wanted these there would be a spot for them. She said it did not mean that these courts had to be built today but there would be a space for them if the need should arise.

Commissioner Frady asked Mr. Jaeger for an estimate of the completion date for phase I of the project.

Mr. Jaeger said the last conversation that he had with the Director of Public Works indicated that he was targeting September 1st to be completed with the work that they were doing there now. He said he had done a preliminary schedule based on that information together with the remainder of the site work that would be bid out to be done in the Fall. He said there would be a break in work during the wet and cold months with work to resume in the Spring and next Summer. He said he estimated completion around the end of next Summer and then using the following Fall for landscaping and planting.

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Commissioner Frady interjected that by next Spring the County would have another half a million dollars in it which would cover the cost of the park.

Chairman Dunn questioned the location of the office in the maintenance building.

Ms. Godbee replied that originally this was scheduled to be done in phase II and it was being proposed to move this up into phase I.

Chairman Dunn remarked that there would also be a security office in that building for a Marshal.

Ms. Godbee remarked that the Marshals and the Recreation Department would be sharing offices.

Chairman Dunn noted that some of the cost now would come out of phase II into phase I since the maintenance building was moved up. He said the cost of the maintenance building was \$370,000 that would be moved up into phase I.

Commissioner Pfeifer said he had been very supportive of moving that up and putting it where it was going to be seen.

Chairman Dunn asked Ms. Godbee what action the Board needed to take tonight.

Ms. Godbee replied that the Board could do one of two things. She said the Board could authorize her to proceed in obtaining true prices for all of the facilities or the Board could vote tonight as to which ones they wanted to come out of the project and she could get true cost estimates for what the Board really wanted to go into the park at this time.

Commissioner Frady said he really did not see anything else to come out of the project.

Chairman Dunn said he would like to make a motion removing the items the Board had discussed.

On motion made by Chairman Dunn, seconded by Commissioner Frady to remove the racquetball courts, horseshoe pits and bocce court and to transfer the \$370,000 to build the maintenance/security office now and to prepare bid documents for this phase of Kenwood Park, discussion followed.

Mr. Jaeger said he recommended that the big documents include line items for everything on the list with the exception of what the Board wanted to eliminate and then the Board could evaluate the cost of each item with a true bid number instead of a cost estimate.

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Chairman Dunn said this park was a long time coming and he was glad to see it getting on track. He said that was the one area of the County where citizens have not had access to any kind of park.

Mr. Jaeger remarked that if the Board had any future questions about this, he was available at any time.

The motion carried 5-0.

CONSENT AGENDA: On motion made by Commissioner Wells, seconded by Commissioner Pfeifer to approve the consent agenda as presented. The motion carried 5-0.

ENGINEERING DEPARTMENT - STREET LIGHT DISTRICTS: Approval of request from the Engineering Department to accept Newhaven (Phase II), Quiet Waters, and Allenwood Estates as Street Light Districts in Fayette County. A copy of the request, identified as "Attachment No. 5", follows these minutes and is made an official part hereof.

ELECTIONS OFFICE : Approval of budget adjustment in the amount of \$19,319 from contingency funds to be transferred to the Elections Department line item for Technical Services (52-1316) to pay Diebold Elections Systems for the March 21, 2006 Special Election. A copy of the request, identified as "Attachment No.6", follows these minutes and is made an official part hereof.

BID AWARD #558 - CLEANING SERVICES: Approval of staff recommendation to award Proposal #558 (Cleaning Services) to the companies with the lowest and best proposals, Building Maintenance Services at \$1,750 per month and Imagann Cleaning Services at \$705 per month and authorization for execution of subsequent contract by the Chairman. A copy of the recommendation and contract, identified as "Attachment No. 7", follow these minutes and are made an official part hereof.

MINUTES: Approval of minutes for Board of Commissioners meeting held on March 1, 2006.

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.

Marc Rogers: Marc Rogers, Fayetteville, Georgia said he had a quick comment to make about the departure of Mr. Mark Pullium who was the County's current Finance Director.

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Commissioner Wells and the other Board members interjected at this time that Mr. Rogers could not make any comments against a County employee in a public meeting.

Mr. Rogers interjected that this comment did not relate to any items that were on tonight's agenda.

Commissioner Wells said the comment was libelous and he would not be allowed to continue.

Mr. Rogers continued with his comments and a County Marshal had to escort him from the meeting at this time.

STAFF REPORTS:

EXECUTIVE SESSION: Attorney McNally requested an executive session to discuss six legal items and three real estate matters.

Commissioner Frady requested an executive session to discuss one legal item.

EXECUTIVE SESSION: On motion made by Commissioner Wells, seconded by Commissioner Pfeifer to adjourn to Executive Session to discuss three real estate matters and seven legal items. The motion carried 5-0.

LEGAL: Attorney McNally discussed a legal matter with the Board.

The Board took no action on this matter.

REAL ESTATE: Attorney McNally discussed a real estate item with the Board.

It was the consensus of the Board for the County Attorney to proceed in this matter.

REAL ESTATE: Attorney McNally discussed a real estate item with the Board.

On motion made by Commissioner Wells, seconded by Commissioner Frady advising the County Attorney to proceed with this matter. The motion carried 5-0.

REAL ESTATE: Attorney McNally discussed a real estate item with the Board.

It was the consensus of the Board for the County Attorney to proceed in this matter.

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The Board took no action on this matter.

EXECUTIVE SESSION AFFIDAVIT: On motion made by Commissioner Wells, seconded by Commissioner Pfeifer to authorize the Chairman to execute the Executive Session Affidavit affirming that seven legal items and three real estate matters were discussed in executive session. The motion carried 5-0. A copy of the Affidavit, identified as "Attachment No. 8", 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 10:23 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 7th day of June, 2006.

Karen Morley, Chief Deputy Clerk

*Minutes transcribed by Karen Morley