



Action Agenda

Board of Commissioners
April 23, 2009
7:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on April 23, 2009, at 7:00 p.m. in the Public Meeting Room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

Commissioners Present:

Jack Smith, Chairman
Herb Frady, Vice-Chairman
Lee Hearn
Robert Horgan
Eric Maxwell

Staff Present:

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

Call to Order, Invocation and Pledge of Allegiance

Chairman Smith called the April 23, 2009 Board of Commissioners meeting to order at 7:04 p.m.
Commissioner Hearn gave the invocation.
Chairman Smith led the audience in the Pledge of Allegiance.

Acceptance of Agenda.

Commissioner Horgan moved to accept the agenda as published. Commissioner Hearn seconded the motion. The motion passed unanimously.

PRESENTATION/RECOGNITION:

A. Proclamation recognizing May 4, 2009 as "Honor Flight Fayette Day".

The Board of Commissioners proclaimed May 4, 2009 as "Honor Flight Fayette Day".

B. Proclamation recognizing May 2009 as "Foster Parent Month" and May 12 through May 18, 2009 as "Foster Parent Appreciation Week"

The Board of Commissioners proclaimed May 2009 as "Foster Parent Month" and May 12 through May 18, 2009 as "Foster Parent Appreciation Week".

PUBLIC HEARING:

- C. **Consideration of Petition No. 1213-09, Johnie Williams and JEW Properties, LLC., and Billy Brundage of Brundage Engineering, Inc., Agent, request to rezone 37.08 acres from A-R to M-1 to construct a new maintenance building for Dixieland Fun Park. This property is located in Land Lot 216 of the 5th District and fronts on Corinth Road and Curved Road. STAFF RECOMMENDED DENIAL. THE PLANNING COMMISSION TABLED SAID PETITION UNTIL MAY 7, 2009 AS REQUESTED BY THE APPLICANT.**

Chairman Smith stated that the petitioner requested that the Board table the petition and that the petition would be readvertised and be heard at a future date. The Chairman then declared the public hearing closed without objection from the Board.

PUBLIC COMMENT:

There were no public comments.

CONSENT AGENDA:

Commissioner Horgan moved to approve Consent Agenda Items 1-10. Commissioner Hearn seconded the motion. The motion passed unanimously.

1. **Approval of staff's recommendation to extend Proposals P558, P614, and P623 to Building Maintenance Services, Inc., and Imagann Cleaning Service, Inc., for one year, becoming effective on July 1, 2009, at an aggregate cost of \$57,996.**
2. **Approval of staff's recommendation to award Bid #706 to Walker Concrete for one year for the purchase of Ready-Mix concrete.**
3. **Approval of request from the Sheriff's Office to dispose of thirty-one (31) Sig-Arms P229R .40 S&W caliber pistols in exchange for thirty-eight (38) P226R .40 S&W caliber pistols.**
4. **Approval of request from the Sheriff's Office to amend the Overtime Budget Account for the Criminal Investigations Division by \$2,288.41 for reimbursement for employees assigned to work with various federal agencies.**
5. **Approval of the Sheriff's Department-Jail Division request to dispose of items of clothing and bedding from the Jail which are no longer serviceable.**
6. **Approval of staff's request for permission to apply for a grant from the Department of Homeland Security Assistance to Firefighters Grant Program, in the amount of \$18,675.41.**
7. **Consideration of staff's request that the Board authorize a change order in the amount of \$12,788.20 to STRACK, Inc. for plan and field changes to Proposal #P689, Storm Drainage System for the West Fayetteville Bypass Phase I Project.**
8. **Approval of staff's recommendation that Bellfair Run, Broad Meadows Lane, and Wildflower Court, located in Bellfair Walk Preserve Subdivision, be authorized for motorized cart travel in accordance with Ordinance 95-10.**

9. **Approval of staff's request to award Bid #710 to Enviro Recyclers, Inc., of Fairburn, in the amount of \$28,500, to grind vegetative debris at the Fayette County Transfer Station.**
10. **Approval of April 1, 2009, Board of Commissioners Workshop minutes and April 9, 2009 Board of Commissioners minutes.**

OLD BUSINESS:

- D. **Consideration of staff's recommendation for a designated vendor to provide the County's employee health insurance services. This item was last discussed at the April 9, 2009 Board of Commissioners meeting.**

Commissioner Maxwell moved to approve Human Resources' recommendation that Fayette County maintains its employees' health insurance benefit with Blue Cross/Blue Shield through ACCG, to modify the current plan by accepting the proposed new plan by Blue Cross/Blue Shield as recommended by Human Resources, and for the modified plan to become effective on June 1, 2009. Commissioner Horgan seconded the motion. The motion passed with a 4-1 vote with Commissioner Frady voting in opposition.

- E. **Discussion of proposed amendments to the Fayette County Subdivision Regulations. This issue was last discussed at the April 1, 2009 Workshop.**

The Board's consensus was to authorize staff to advertise the proposed amendments to the Fayette County Subdivision Regulations for the May 28, 2009 Board of Commissioners meeting.

NEW BUSINESS:

- F. **Approval of staff's request to extend the current Technical Support Program coverage for the Siemens Building Automation System at the Fayette County Justice Center, including the Jail Complex, and the Fayette County Annex Building with Siemens Building Technologies for three years, beginning on July 1, 2009, at an aggregate cost of \$168,960.**

Commissioner Horgan moved to approve staff's request to extend the current Technical Support Program coverage for the Siemens Building Automation System at the Fayette County Justice Center, including the Jail Complex, and the Fayette County Annex Building with Siemens Building Technologies for three years, beginning on July 1, 2009, at an aggregate cost of \$168,960. Commissioner Hearn seconded the motion. The motion passed unanimously.

- G. **Consideration of staff's recommendation that the County adopt a policy to be known as the Fayette County Identity Theft Protection Program designed for the detection, prevention, and mitigation of identity theft pertaining to customers' accounts administered by the Fayette County Water System.**

Commissioner Horgan moved to accept staff's recommendation that the County adopt a policy to be known as the Fayette County Identity Theft Protection Program. Commissioner Hearn seconded the motion. The motion passed unanimously.

H. Consideration of staff's recommendation for renewal of property and casualty insurance with Public Risk Underwriters for Fiscal Year 2010 at the proposed premium of \$415,660.

Commissioner Horgan moved to approve staff's recommendation for the renewal of property and casualty insurance with Travelers, through Public Risk Underwriters, for Fiscal Year 2010 at the proposed annual premium of \$415,660. Commissioner Frady seconded the motion. The motion passed unanimously.

ADMINISTRATOR'S REPORT

2008 Annual Report: County Administrator Jack Krakeel reported that the Commissioners received the 2008 Annual Report. He added that this was the first time an annual report was produced for Fayette County since 2003, and he mentioned the report would not be printed but would rather be made available on-line at the County's website next week. He asked the Commissioners to read and review the report as soon as possible and to report any factual errors that would need to be corrected prior to the report being posted on-line.

ATTORNEY'S REPORT

Delegated Authority to sign GEBCorp Contracts and Other Legal Documents: County Attorney Scott Bennett reported that during the last Board of Commissioners meeting, the Board approved GEBCorp to administer the Defined Benefit Retirement Plan for Fayette County. He anticipated that as discussions occur as a result of the Board's action there would be several contracts or documents coming to the County next month pertaining to the implementation of the Defined Benefits Retirement Plan. He asked the Board to consider delegating authority to the Chairman to sign the contracts and other legal documents after review by the County Attorney and the County Administrator in order to prevent running against deadlines and having to arrange called meetings in order to gain approval. He added that if there were any documents that may change what the Board anticipates the plan to be, or policy issues, the Board would be notified.

Commissioner Horgan moved to authorized the Chairman to sign contracts and other legal documents from GEBCorp, after review by the County Attorney and County Administrator, as related to the County's Defined Benefits Retirement Plan. Commissioner Hearn seconded the motion. The motion passed unanimously.

Resolution of the Aircraft Spruce Case: County Attorney Scott Bennett reported that, in 2007, Aircraft Spruce filed an appeal upon the County's denial of a freeport exemption before giving a brief explanation of the issues driving the court case. He stated that Aircraft Spruce appealed the County's decision to the Superior Court of Fayette County, and the County obtained a favorable judgment from the Court. Aircraft Spruce then appealed the favorable judgment to the Georgia Court of Appeals which also ruled in Fayette County's favor. The ruling from the Georgia Court of Appeals was appealed by Aircraft Spruce before the Georgia Supreme Court, but the Georgia Supreme Court has denied a review of the case. He said the case is now concluded and resolved in favor of Fayette County.

STAFF REPORT

Notice of Violation: Director of Utilities Management Tony Parrott reported that notification has been provided from the Drinking Water Program stating that the Fayette County Water System failed to meet treatment techniques for the disinfection of by-products, specifically total organic carbons (TOC), in its water treatment. He emphasized this is not a health hazard or anything water customers need to be concerned about, but it is a failure on the part of the Fayette County Water System to meet the 35% reduction of TOC in the water that was treated at the South Fayette Water Plant.

He said the Fayette County Water System would work with the State in order to come into compliance, but since averages are calculated on a yearly-quarterly basis, the County will not be in compliance at the end of this current quarter since it takes more than one quarter to return to compliance.

Cancellation of the May 6, 2009 Workshop Meeting: Executive Assistant Carol Chandler reported that no agenda requests have been submitted to the Board for its scheduled May 6, 2009 Workshop, and the deadline for submitting requests has expired.

Commissioner Horgan moved to cancel the May 6, 2009 Workshop Meeting for lack of agenda items. Commissioner Hearn seconded the motion. The motion passed unanimously.

BOARD REPORT

There was no Board Report.

EXECUTIVE SESSION

There was no Executive Session.

ADJOURNMENT

No further business came before the Board, and without objection the Chairman adjourned the April 23, 2009 Board of Commissioners meeting at 8:09 p.m.

Floyd L. Jones, Deputy Clerk