



Action Agenda

Board of Commissioners
August 13, 2009
7:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on Thursday, August 13, 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
Karen Morley, Chief Deputy Clerk

Chairman Smith called the meeting to order.
Commissioner Hearn offered the Invocation
Pledge of Allegiance.

ACCEPTANCE OF AGENDA:

COMMISSIONER HORGAN MADE A MOTION TO APPROVE THE AGENDA AS PRESENTED. COMMISSIONER HEARN SECONDED THE MOTION. CHAIRMAN SMITH REQUESTED CONSENT AGENDA ITEM #6 BE REMOVED FROM THE CONSENT AGENDA BECAUSE THE INTERGOVERNMENTAL AGREEMENT FOR THIS ITEM HAS NOT BEEN COMPLETED. COMMISSIONER HORGAN AMENDED THE MOTION TO APPROVE THE AGENDA AS PRESENTED WITH THE EXCEPTION OF CONSENT AGENDA ITEM #6. COMMISSIONER HEARN SECONDED THE AMENDED MOTION. THE MOTION CARRIED 5-0.

PRESENTATION/RECOGNITION:

A. Recognition of Ross King of the Association of County Commissioners of Georgia.

THE BOARD RECOGNIZED ROSS KING OF THE ASSOCIATION OF COUNTY COMMISSIONERS OF GEORGIA AS BEING SELECTED AS THE NEXT EXECUTIVE DIRECTOR FOR A.C.C.G.

PUBLIC HEARING:

B. Consideration of a Packaged Beer and Wine License for Duaa Express, Inc. d/b/a Shell Food Mart, 1183 SR 54 East, Fayetteville, Georgia, Munira Samnani, Owner/Applicant. This property is located in Land Lot 137 of the 5th District, fronts on SR 54 East and McDonough Road, and is zoned C-H.

COMMISSIONER HORGAN MADE A MOTION TO APPROVE THE PACKAGED BEER AND WINE LICENSE FOR DUAA EXPRESS, INC. D/B/A SHELL FOOD MART, 1183 SR 54 EAST, FAYETTEVILLE, GEORGIA, MUNIRA SAMNANI, OWNER/APPLICANT FOR PROPERTY LOCATED IN LAND LOT 137 OF THE 5TH DISTRICT AND FRONTING ON SR 54 EAST AND MCDONOUGH ROAD AND ZONED C-H. COMMISSIONER FRADY SECONDED THE MOTION. THE MOTION CARRIED 5-0.

PUBLIC COMMENT:

DENNIS CHASE: Dennis Chase said he was representing the Line Creek Association of Fayette County. He remarked that he was gathering information from State and Federal agencies for his lawsuit against the County regarding the West Fayetteville Bypass. He said a group of approximately 100 citizens would be voting against the S.P.L.O.S.T. and would campaign to address as many citizens as possible to support their anti S.P.L.O.S.T. movement.

BOB ROSS: Bob Ross commented on Commissioner Horgan's conduct on May 23, 2009 and his scope of duties as a Commissioner. He remarked that personal actions did matter to the citizens of this County and they expect Commissioners to lead by example, uphold values, have a sense of right and wrong and to build and maintain trust in government. He asked Commissioner Horgan to step down.

JOSEPH KREHEL: Joseph Krehel remarked that some of his friends also wanted to attend tonight's meeting but had already left for college. He commented on Commissioner Horgan's necessity to accept accountability for his actions. He said integrity and morality must be upheld not only in someone's personal life but in their business life. He said he would be leaving for college soon and the war against drugs was an ever present conflict in his life. He said it was not only acceptable but was a norm. He said if government leaders do not uphold the fight against such corrupting temptations, then why should anyone else.

TOM WALLER: Tom Waller commented on Commissioner Horgan being a member of the Board of Commissioners. He said he had no college degrees of any kind and no academic background. He also noted that Commissioner Horgan had no military service to his Country. He said Commissioner Horgan was hiding in open site and the citizens did not need this man as a Commissioner.

CONSENT AGENDA: COMMISSIONER FRADY MADE A MOTION TO APPROVE THE CONSENT AGENDA AS PRESENTED WITH THE EXCEPTION OF ITEM #6 THAT WAS REMOVED. COMMISSIONER HEARN SECONDED THE MOTION. COMMISSIONER MAXWELL MADE A MOTION TO VOTE SEPARATELY ON THE MINUTES FOR THE SPECIAL CALLED MEETING HELD ON JULY 29TH SINCE CHAIRMAN SMITH AND COMMISSIONER HORGAN WERE NOT PRESENT AT THAT MEETING. COMMISSIONER HEARN SECONDED THE MOTION. THE MOTION CARRIED 5-0.

1. Approval of staff's request to acquire new recording equipment for the 911 Communications Center from Quality Recording Solutions, LLC, at cost of \$59,820 and to authorize the Chairman to execute the purchase agreement.
2. Approval of a request from the Sheriff that the Chairman be authorized to execute the annual Federal Equitable Sharing Agreement and Certification between Fayette County and the U. S. Departments of Justice and Treasury for the period of July 1, 2008 through June 30, 2009.

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3. Approval of the Sheriff's Office request to amend the Overtime Budget Account for the Criminal Investigations Division by \$1,258.70 for reimbursement for employees assigned to work with various Federal Agencies.
4. Approval of staff's recommendation to award RFP #P711 to Deltacom, Inc. for the replacement of and service agreement for two PRI (Primary Rate Interlace) Telecommunications Circuits located at the Jail and Justice Center.
5. Approval of reappointment of Karen Spangler to the Fayette County Family and Children Services Board for a term commencing July 1, 2009 and ending June 30, 2014.
6. Approval of Water Committee's recommendation for approval of a Memorandum of Understanding between Fayette County and Peachtree City for the purpose of allowing Peachtree City's Dive Team to train at Lake Horton and Lake Kedron.

ITEM #6 WAS REMOVED FROM THE AGENDA.

7. Approval of staff's recommendation that a request for proposals be issued for the performance of a Stormwater Utility Feasibility Study.
8. Approval of minutes for Board of Commissioners' meetings held on July 23, 2009 and Special Called Meeting held on July 29, 2009.

COMMISSIONER FRADY MADE A MOTION TO APPROVE THE MINUTES FOR THE SPECIAL CALLED MEETING HELD ON JULY 29, 2009. COMMISSIONER MAXWELL SECONDED THE MOTION. THE MOTION CARRIED 3-0-2 WITH CHAIRMAN SMITH AND COMMISSIONER HORGAN ABSTAINING FROM THE VOTE.

OLD BUSINESS:

- C. Consideration of Intergovernmental Agreements with the County's municipalities for the distribution of special purpose local option sales tax proceeds, if approved by referendum on November 3, 2009.

COMMISSIONER FRADY MADE A MOTION TO APPROVE RESOLUTION NO. 2009-11 WHICH APPROVES THE INTERGOVERNMENTAL AGREEMENT AND ALSO AUTHORIZE THE CHAIRMAN TO EXECUTE THE INTERGOVERNMENTAL AGREEMENT WITH THE COUNTY'S MUNICIPALITIES FOR THE DISTRIBUTION OF SPECIAL PURPOSE LOCAL OPTION SALES TAX PROCEEDS, IF APPROVED BY REFERENDUM ON NOVEMBER 3, 2009. COMMISSIONER HORGAN SECONDED THE MOTION. THE MOTION CARRIED 5-0.

- D. Consideration of Resolution No. 2009-11 which provides for the imposition of a one percent Special Purpose Local Option Sales Tax and requests the call for an election to be held on November 3, 2009.

COUNTY ATTORNEY SCOTT BENNETT NOTED THAT THIS ITEM WAS RESOLUTION NO. 2009-12 AND HE DISCUSSED THIS RESOLUTION WITH THE BOARD.

COMMISSIONER HORGAN MADE A MOTION TO APPROVE RESOLUTION NO. 2009-12 AND TO ALSO AUTHORIZE THE CHAIRMAN TO EXECUTE SAID RESOLUTION WHICH PROVIDES FOR THE IMPOSITION OF A

ONE PERCENT SPECIAL PURPOSE LOCAL OPTION SALES TAX AND REQUESTS THE CALL FOR AN ELECTION TO BE HELD ON NOVEMBER 3, 2009 AND NOTIFICATION TO THE PUBLIC OF THIS ELECTION. COMMISSIONER HEARN SECONDED THE MOTION. THE MOTION CARRIED 5-0.

NEW BUSINESS:

- E. Consideration of a request from the Fayette County Sheriff's Office for assistance in applying for a grant from the United States Justice Department's Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program in the amount of \$17,367.

COMMISSIONER FRADY MADE A MOTION TO APPROVE THE FAYETTE COUNTY SHERIFF'S OFFICE REQUEST FOR ASSISTANCE IN APPLYING FOR A GRANT FROM THE UNITED STATES JUSTICE DEPARTMENT'S EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) FORMULA PROGRAM IN THE AMOUNT OF \$17,367. COMMISSIONER HORGAN SECONDED THE MOTION. THE MOTION CARRIED 5-0.

- F. Approval of staff's recommendation to award Miscellaneous Concrete Proposal #P713 to low bidder, Curb Specialist, Inc. in the amount of \$183,182.75, for installation of curbing, catch basins and other concrete work for the West Fayetteville Parkway Project.

COMMISSIONER HEARN MADE A MOTION TO APPROVE STAFF'S RECOMMENDATION TO AWARD MISCELLANEOUS CONCRETE PROPOSAL #P713 TO LOW BIDDER, CURB SPECIALIST, INC. IN THE AMOUNT OF \$183,182.75, FOR INSTALLATION OF CURBING, CATCH BASINS AND OTHER CONCRETE WORK FOR THE WEST FAYETTEVILLE PARKWAY PROJECT. COMMISSIONER HORGAN SECONDED THE MOTION. THE MOTION CARRIED 5-0.

ADMINISTRATOR'S REPORT:

MILLAGE RATE TO BE DECIDED AT THE AUGUST 27, 2009 COMMISSION MEETING: County Administrator Jack Krakeel remarked that the Board would be setting the millage rate for property taxes in Fayette County at the Thursday, August 27th meeting. He noted that the advertisement had been published in the newspaper. He pointed out that there would be no increase in the millage rate.

ATTORNEY'S REPORT:

RENEWAL AGREEMENT WITH UNDERWRITERS SAFETY & CLAIMS: County Attorney Scott Bennett asked for the Board's consideration to authorize approval of the renewal agreement in the amount of \$8,000 annually with Underwriters Safety & Claims and Fayette County to handle workers compensation claims and also authorize the Chairman to execute this agreement.

COMMISSIONER HORGAN MADE A MOTION TO APPROVE THE RENEWAL AGREEMENT WITH UNDERWRITERS SAFETY & CLAIMS IN THE AMOUNT OF \$8,000 ANNUALLY TO HANDLE THE COUNTY'S WORKERS COMPENSATION CLAIMS AND AUTHORIZE THE CHAIRMAN TO EXECUTE THIS AGREEMENT. COMMISSIONER FRADY SECONDED THE MOTION. THE MOTION CARRIED 5-0.

STAFF REPORTS:

PUBLIC WORKS DIRECTOR PHIL MALLON: Public Works Director Phil Mallon commented on the ongoing preparation of the County's Comprehensive Transportation Plan and remarked that the County was approaching the final phase of the project. He remarked that there would be a public meeting next week on Tuesday, August 18th at 6:30 p.m. at the Peachtree City Hall Council Chambers. He said the purpose of the meeting was to present draft policies and

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projects that have surfaced from public input as well as the project team. He said everyone was welcome to attend that meeting.

BOARD REPORTS:

WELCOME TO NEW EMPLOYEE ANDY ADAMS AT THE ROAD DEPARTMENT: Commissioner Hearn said he would like to welcome Andy Adams as the new Road Superintendent at the Road Department. He said Andy comes with 25 years of experience with Clayton County and he would be a tremendous asset to the Road Department.

EXECUTIVE SESSION:

NONE.

ADJOURNMENT:

Chairman Smith adjourned the meeting at 8:30 p.m.

Karen Morley, Chief Deputy clerk