



Action Agenda

Board of Commissioners
December 10, 2009
7:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on Thursday, December 10, 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 ACCEPT THE AGENDA AS PRESENTED. COMMISSIONER HEARN SECONDED THE MOTION. THE MOTION CARRIED 5-0.

PUBLIC HEARING:

- A. Consideration of Petition No. 1216-09 and Petition No. RP-046-09, John Alan Bell, Owner/Agent, request to rezone Lot 18 of Lakeview Estates consisting of 1.03 acres from R-40 to O-I to develop Office Institutional Uses and request to Change the Use of Lot 18 from single-family residential to office-institutional. This property is located in Land Lot 127 of the 5th District and fronts on SR 54 West.

COMMISSIONER MAXWELL MADE A MOTION TO DENY PETITION NO. 1216-09 AND PETITION NO. RP-046-09 AS PRESENTED. COMMISSIONER HORGAN SECONDED THE MOTION. THE MOTION CARRIED 5-0.

- B. Consideration of Petition No. 1218-09, Southern Pine Plantations Commercial Group, LLC, Owners, and Seyfarth Shaw, LLP, Agent, request to rezone 27.46 acres from O-I, A-R, and C-C to C-C to develop Commercial Uses; and consideration of Petition No. 1219-09, Southern Pine Plantations Commercial Group, LLC, Owners, and Seyfarth Shaw, LLP, Agent, request to rezone 5.37 acres from O-I, A-R, and C-C to O-I to develop Office Uses. This property is located in Land Lots 17 and 18 of the 6th District and fronts on SR 74 South.

CHAIRMAN SMITH REMARKED THAT THE BOARD HAD RECEIVED A REQUEST FROM THE PETITIONER'S ATTORNEY REQUESTING TO TABLE THIS ITEM UNTIL THE BOARD'S PUBLIC HEARING MEETING IN JANUARY, 2010.

COMMISSIONER FRADY MADE A MOTION TO TABLE PETITION NO. 1218-09 AND PETITION NO. 1219-009 AS REQUESTED UNTIL THE BOARD OF COMMISSIONERS' MEETING ON THURSDAY, JANUARY 28TH. COMMISSIONER HORGAN SECONDED THE MOTION. THE MOTION CARRIED 5-0.

PUBLIC COMMENT:

BOB ROSS: Bob Ross said he would like to thank Fayette County employees for their service during this year. He said it had been a tough year financially with a lot going on. He said every time he had dealt with a member of staff and County employees he had received outstanding support from them. He said he wanted to publically thank the employees for what they do every day and to express his appreciation for what they do for Fayette County.

CONSENT AGENDA: COMMISSIONER HORGAN MADE A MOTION TO APPROVE THE CONSENT AGENDA AS PRESENTED. COMMISSIONER HEARN SECONDED THE MOTION. THE MOTION CARRIED 5-0.

1. Approval of staff's recommendation to extend Bid #694 for Printing and Mailing Services for twelve additional months with the current vendor, Dove Mailing, Inc., for the printing and mailing of assessment forms and notices by the Assessors' Office.
2. Approval of the reappointment of Theresa Ocheltree to the Board of Assessors for a six-year term commencing January 1, 2010 and ending December 31, 2015.
3. Approval of the reappointment of Al Gilbert to the Post 1 seat on the Planning Commission for a three-year term commencing January 1, 2010 and ending December 31, 2012.
4. Approval of the reappointment of Jim Graw to the Post 2 seat on the Planning Commission for a three-year term commencing January 1, 2010 and ending December 31, 2012.
5. Approval of reappointment of Bill Beckwith to the Zoning Board of Appeals for a three year term commencing January 1, 2010 and ending December 31, 2012.
6. Approval of the reappointment of Lyn Redwood to the Board of Health for a four-year term commencing January 1, 2010 and ending December 31, 2013.
7. Approval of the reappointment of Lynette Peterson to the Board of Health for a four-year term commencing January 1, 2010 and ending December 31, 2013.
8. Approval of the Vehicle Replacement Committee's recommendation to replace a New Holland tractor, Model TC33D with a tractor with comparable capabilities, and approval for the Purchasing Department to dispose of the old tractor which is no longer serviceable..
9. Approval of the Finance Department's request to amend the FY 2010 budget by accepting a \$4,665.52 grant from the Council of Juvenile Court Judges of Georgia.

10. Approval of the Sheriff's Office request to amend the Overtime Budget for the Criminal Investigations Division by \$2,312.95 for reimbursement for employees assigned to work with various Federal Agencies.
11. Approval of staff's recommendation to increase the FY2010 budget to recognize donations received by Animal Control and to apply \$386 of those donations to the Animal Control's van project 9910A to cover cost coverage of County Logo and close project.
12. Approval of minutes for Board of Commissioners' meeting held on November 12, 2009.

OLD BUSINESS:

- C. Consideration of staff's recommendation to reduce the county's participation in the Georgia Municipal Association (GMA) Lease Pool Program, including the outstanding amount of Certificates of Participation and the associated interest-rate swap agreement, by the amount of the account balance determined to be "excess funds."

COMMISSIONER FRADY MADE A MOTION TO APPROVE STAFF'S RECOMMENDATION TO REDUCE THE COUNTY'S PARTICIPATION IN THE GEORGIA MUNICIPAL ASSOCIATION (GMA) LEASE POOL PROGRAM, INCLUDING THE OUTSTANDING AMOUNT OF CERTIFICATES OF PARTICIPATION AND THE ASSOCIATED INTEREST-RATE SWAP AGREEMENT IN THE AMOUNT OF \$818,000. COMMISSIONER HORGAN SECONDED THE MOTION. THE MOTION CARRIED 5-0.

- D. Consideration of staff's recommendation to award Proposal # P726 to Peach State Ambulance for the purchase of three ambulances including radios and graphics at a total cost of \$439,230.

COMMISSIONER HORGAN MADE A MOTION TO APPROVE STAFF'S RECOMMENDATION TO AWARD PROPOSAL #P726 TO PEACH STATE AMBULANCE FOR THE PURCHASE OF THREE AMBULANCES INCLUDING RADIOS AND GRAPHICS AT A TOTAL COST OF \$439,230. COMMISSIONER HEARN SECONDED THE MOTION, DISCUSSION FOLLOWED. COMMISSIONER HORGAN AMENDED THE MOTION TO ALSO INCLUDE APPROVAL OF \$189,230 ADDITIONAL FUNDING FROM THE VEHICLE REPLACEMENT FUND. COMMISSIONER HEARN SECONDED THE AMENDED MOTION. THE MOTION CARRIED 5-0.

- E. Consideration of Stormwater Management Department's recommendation to award the preparation of a Stormwater Utility Feasibility Study to Integrated Science & Engineering in the amount of \$39,450.

COMMISSIONER HORGAN MADE A MOTION TO APPROVE THE STORMWATER MANAGEMENT DEPARTMENT'S RECOMMENDATION TO AWARD THE PREPARATION OF A STORMWATER UTILITY FEASIBILITY STUDY TO INTEGRATED SCIENCE & ENGINEERING IN THE AMOUNT OF \$39,450. COMMISSIONER HEARN SECONDED THE MOTION. THE MOTION CARRIED 5-0.

NEW BUSINESS:

- F. Consideration of the Board of Health's recommendation to implement a permitting fee of \$100 for mobile food cart applications.

COMMISSIONER HORGAN MADE A MOTION TO APPROVE THE BOARD OF HEALTH'S RECOMMENDATION TO IMPLEMENT A PERMITTING FEE OF \$100 FOR MOBILE FOOD CART APPLICATIONS. COMMISSIONER FRADY SECONDED THE MOTION. THE MOTION CARRIED 5-0.

- G. Consideration of a request for annexation from Peachtree City for Hyde Investments, LLLP for a 48.151 acre tract. This property is located in Land Lot 61 of the 7th District near Stagecoach Road.

AFTER A BRIEF DISCUSSION, CHAIRMAN SMITH CONCLUDED THE BOARD HAD NO LEGAL BASIS FOR OBJECTION TO THE REQUEST AND NO ACTION WAS TAKEN.

- H. Consideration of the Water Committee's recommendation that the bid for the construction of the Lake McIntosh Water Reservoir Project be awarded to Brad Cole Construction in the amount of \$7,932,434.82.

COMMISSIONER FRADY MADE A MOTION TO APPROVE THE WATER COMMITTEE'S RECOMMENDATION THAT THE BID FOR THE CONSTRUCTION OF THE LAKE MCINTOSH WATER RESERVOIR PROJECT BE AWARDED TO BRAD COLE CONSTRUCTION IN THE AMOUNT OF \$8,233,255.12 INCLUDING ALTERNATE 8. COMMISSIONER HORGAN SECONDED THE MOTION. THE MOTION CARRIED 5-0.

- I. Discussion of proposed special local legislation concerning Superior Court Judges in the Griffin Judicial Circuit

COMMISSIONER MAXWELL REQUESTED THIS ITEM BE REMOVED FROM THE AGENDA.

- J. Consideration of staff's request to proceed with repairs to a specified portion of foundation and wall(s) at the Fayette County Jail.

COMMISSIONER HORGAN MADE A MOTION TO APPROVE STAFF'S REQUEST TO PROCEED WITH REPAIRS TO A SPECIFIED PORTION OF FOUNDATION AND WALL(S) AT THE FAYETTE COUNTY JAIL NOT TO EXCEED \$161,800 WITH SAID FUNDS TO COME FROM THE CONTINGENCY FUND. COMMISSIONER FRADY SECONDED THE MOTION. THE MOTION CARRIED 5-0.

ADMINISTRATOR'S REPORT:

STAFF PROMOTIONS: County Administrator Jack Krakeel announced the promotion of two individuals to positions of Department Directors. He remarked that Vanessa Birrell was promoted to the Director of Stormwater Management and Fred Sisson was promoted to the Director of Animal Control.

REQUEST FROM THE TOWN OF TYRONE: County Administrator Jack Krakeel remarked that he had received a request from the Town of Tyrone regarding certain improvements to Valleywood Road with most improvements consisting of improvement of the drainage along Valleywood Road. He said staff had met with the Town's staff and they had reviewed the issues and had prepared a recommendation. He said the Town was requesting that the County conduct all work associated with this including the development of any plans and engineering work that would be required. He remarked staff was of the opinion that there were significant issues associated with the grading of this roadway and were requesting that the Town conduct engineering studies and the County could certainly perform the work subsequent to completion of the studies.

THERE WAS A CONSENSUS OF THE BOARD TO PROCEED.

ATTORNEY'S REPORT:

NONE.

STAFF REPORTS:

NONE.

BOARD REPORTS:

NONE.

EXECUTIVE SESSION: County Attorney Scott Bennett requested an Executive Session to discuss litigation.

COMMISSIONER FRADY MADE A MOTION TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS LITIGATION. COMMISSIONER HORGAN SECONDED THE MOTION. THE MOTION CARRIED 5-0.

COMMISSIONER HEARN MADE A MOTION TO ADJOURN THE EXECUTIVE SESSION AND RETURN TO OPEN SESSION. COMMISSIONER HORGAN SECONDED THE MOTION. THE MOTION CARRIED 5-0.

Chairman Smith called the meeting back to order and said that litigation had been discussed.

COMMISSIONER HEARN MADE A MOTION TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE EXECUTIVE SESSION AFFIDAVIT AFFIRMING THAT LITIGATION HAD BEEN DISCUSSED IN EXECUTIVE SESSION. COMMISSIONER FRADY SECONDED THE MOTION. THE MOTION CARRIED 5-0.

ADJOURNMENT: Hearing no further business to come before the Board, Chairman Smith adjourned the meeting at 8:43 p.m.

Karen Morley, Chief Deputy Clerk