Minutes

Board of Commissioners
February 26, 2009
7:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on February 26, 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

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Call to Order, **Invocation, and Pledge of Allegiance**

Chairman Smith called the February 26, 2009 Board of Commissioners Meeting to order at 7:02 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 Frady seconded the motion. The motion passed unanimously.

PRESENTATION/RECOGNITION:

A. Recognition of Eagle Scout Alex Smith

Chairman Smith and the Commissioners recognized and commended Eagle Scout Alex Smith for attaining to the rank of Eagle Scout, thanked him for his contribution to Fayette County, and presented him with a letter of recognition. Alex thanked Fayette County for the opportunity to serve and also thanked his parents for their support. A copy of the request, identified as “Attachment 1", follows these minutes and is made an official part hereof.

PUBLIC COMMENT:

Ms. Alice Jones: Ms. Alice Jones, a resident of Fayette County, spoke in favor of constructing a community center for Fayette's young people and senior citizens and gave reasons for building a community center.

CONSENT AGENDA:

Commissioner Horgan moved to approve Consent Agenda Items 1-7 and was seconded by Commissioner Hearn. Chairman Smith asked for Consent Agenda Item 2 to be removed from consent for discussion. Commissioner Horgan amended his motion to approve Consent Agenda Items 1-7 with the exception of Consent Agenda Item 2. Commissioner Hearn seconded the amended motion. The motion passed unanimously.

1. **Approval of staff's recommendation to close capital and CIP project accounts and move remaining funds to the contingency account. A copy of the request, identified as "Attachment 2", follows these minutes and is made an official part hereof.**

2. **Approval of staff's recommendation to move funds from individual department budgets to the county's Contingency Account and to provide additional funding to the Election's Department. Specified funds were identified during the mid-year budget review as areas were a cost savings can occur. A copy of the request, identified as "Attachment 3", follows these minutes and is made an official part hereof.**

3. **Approval of the Sheriff's Department's request to amend the Overtime Budget for the Criminal Investigation Division by $5,459.73 for reimbursement of employees assigned to work with various Federal agencies. A copy of the request, identified as "Attachment 4", follows these minutes and is made an official part hereof.**

4. **Approval of a request from the Sheriff's Department to authorize the execution of tag and title documents for acquisition of four (4) new vehicles to be purchased with Federal Seizure funds. A copy of the request, identified as "Attachment 5", follows these minutes and is made an official part hereof.**

5. **Approval of staff's request to increase the Library's Donation Revenue Account and the Books and Materials Expenditure Account by $2,000 in order to recognize a donation from the Fayette County Board of Education. A copy of the request, identified as "Attachment 6", follows these minutes and is made an official part hereof.**

6. **Approval of staff's recommendation to extend an existing contract with Hanson Aggregates, referred to as Bid #657 Gravel and Rock, from March 30, 2009 to March 30, 2010. A copy of the request, identified as "Attachment 7", follows these minutes and is made an official part hereof.**

7. **Approval of minutes for Board of Commissioner Meetings held on February 4, 2009 and February 12, 2009.**

Consent Agenda Item 2: Chairman Smith said the reason he asked for Consent Agenda Item 2 to be removed for discussion was because there was a revision of the cost savings indicated in the agenda package, and he asked Finance Director Mary Holland to explain the revision.

Ms. Holland reviewed the request as submitted in the agenda package before informing the Board that the Sheriff's Department was able to augment their cost savings by $39,375 after it completed a separate review of its budget. She stated that with the additional cost savings identified by the Sheriff's Department, the aggregate savings identified by all County departments was $1,645,140 in the General Fund. She noted that the Sheriff's Department also provided additional information related to a capital project for $5,328 that was already included in the Capital Projects listing Consent Agenda item. In conclusion, she requested that the Board approve staff's recommendation to transfer the various cost savings identified by individual departments to the Contingency Account.

Commissioner Frady moved to approve staff's recommendation to move funds from individual department budgets to the county's Contingency Account as provided and discussed. Commissioner Horgan seconded the motion. Chairman Smith thanked Ms. Holland, County Administrator Jack Krakeel, and the Constitutional Officers who understand the economic situation the nation and Fayette County are facing and have made an effort to freeze and reduce expenditures "to this extent". He said it was a testament to the fact that they are cognizant of what is happening and they are working together to help Fayette County in these economic times. The motion passed unanimously.

OLD BUSINESS:

B. Representatives from TDK have requested a hearing with the Board of Commissioners concerning a request for tax refunds. This request was last discussed at the January 22, 2008 Board of Commissioners meeting.

The representatives from TDK did not appear for the hearing they had requested before the Board of Commissioners. Before County Attorney Scott Bennett reported that staff was recommending TDK's request be denied, he mentioned that he spoke to representatives from TDK who indicated they might abandon their appeal but did not submit a formal request to abandon the appeal.

Commissioner Maxwell moved to deny TDK's request for a refund due to the lack of a representative from TDK being present. Commissioner Frady seconded the motion. The motion passed unanimously. A copy of the request, identified as "Attachment 8", follows these minutes and is made an official part hereof.

NEW BUSINESS:

C. Consideration of a request from Fayette Senior Services to allow them to expand the use of their site to include a therapeutic garden.

Executive Director of Fayette Senior Services Debbie Britt, Landscape Designer Tim Martin of Andy's Nursery, and Fayette County Master Gardener Susan Stewart spoke to the Board about expanding the use of their site to include a therapeutic garden, the people who would benefit from the garden, where the garden would be located, the type of plants in the garden, and how funds would be raised to pay for the garden.

In response to questions from the Board, Ms. Britt stated that the proposed plans were what Fayette Senior Services actually wanted to build, described how the garden would look and where it would be located, assured the Board that the garden would look "absolutely beautiful" and would be like a park, that it was realistic to expect the garden to be constructed in about four to six months, and that it would be maintained by Fayette Senior Services, Master Gardeners, and other volunteers. The Commissioners thanked Fayette Senior Services, and Mr. Martin, for their work on the project.

Commissioner Frady moved to approve Fayette Senior Services' request to expand the use of their site to include a therapeutic garden. Commissioner Horgan seconded the motion. Chairman Smith thanked Mr. Martin for the work he has accomplished, and thanked the representatives for all their hard work by continuing to improve the situation. He noted that it was admirable that they were able to make improvements without asking the Board for funding. The motion passed unanimously. A copy of the request, identified as "Attachment 9", follows these minutes and is made an official part hereof.

ADMINISTRATOR'S REPORT

Shredding of Nonessential Records: County Administrator Jack Krakeel reported that the Building and Grounds Department completed the process of shredding approximately 38 tons of outdated and nonessential records about 10 days ago, that Fayette County's records are now consistent with the State's Retention Schedule, and the County was able to save approximately $5,000 in various elements of the records shredding process. He thanked the Building and Grounds staff for all their hard work in this effort.

Chairman Smith commented that while the records were being consolidated some "ancient minute books and tax records" were discovered. He said those records have been microfilmed, copied, and given to the historical society for historical value. He added that some of the records were much older than his grandfather would be, and he thanked the staff who recognized the records and saved them for historical value. He asked Mr. Krakeel to extend the Board's appreciation to the staff who recognized and saved the historical documents.

Recreation Program and Youth Associations Policies and Procedures Manual: County Administrator Jack Krakeel reported that he Recreation Program and Youth Associations Policies and Procedures Manual is about to be completed, should be available for consideration in two weeks, and will be brought before the Board in early April.

ATTORNEY'S REPORT

Update on Eco-South Incorporated Contract: County Attorney Scott Bennett reminded the Board that during the February 12, 2009 Board of Commissioners Meeting and Eco-South Incorporated contract was discussed pertaining to a specific mitigation site known as the Johnson tract. He reported that he has been in contact with Eco-South's representatives, that they have reached an understanding, and the understanding is being put into contract form. He did not anticipate any problems and said once the understanding is in contract form he will bring it to the Board for approval.

Approval of Q.T. Contracting Incorporated Contract: County Attorney Scott Bennett reminded the Board that it had approved Bid #P684 for the installation of an air-conditioning unit for computer equipment in the Fayette County Administration Building and the Fayette County Jail, contingent upon the contractor gaining certification to work on the specific type of equipment. He stated that certifications have been met and the contract is ready for approval.

Commissioner Maxwell moved to authorize the Chairman to sign the contract with Q.T. Contracting, Incorporated, doing business as Powers Heating and Air, in the amount of $92,395.62. Commissioner Frady seconded the motion. The motion passed unanimously. A copy of the contract, identified as "Attachment 10", follows these minutes and is made an official part hereof.

STAFF REPORT

There were no staff reports.

BOARD REPORT

First Manassas Mile Road: Commissioner Frady reported that a member of the Fayetteville City Council approached him earlier in the day and spoke to both him and County Administrator Jack Krakeel about diverting traffic from First Manassas Mile Road since that road had a lot of heavy truck traffic that passed by two schools. He suggested that Fayette County's property located on S.R. 54 could be used for a street that would work to divert traffic, and he added that the City of Fayetteville might be able to provide financial assistance with the construction of the road.

He asked for the Board's consent authorizing the County Administrator to conduct an analysis which would include cost estimates and funding sources on the property and to return with a report to the Board as early as possible. Commissioner Hearn asked that the study also distinguish who would "carry the ball" in terms of doing the engineering work since that preliminary work would need to be accomplished before anything else, and that the work could be expensive. Commissioner Frady also suggested that a traffic signal would also have to be included at S.R. 54.

Chairman Smith directed County Administrator Jack Krakeel to follow through with the Board's request.

EXECUTIVE SESSION

Real Estate Acquisition and Litigation: County Attorney Scott Bennett reported that real estate acquisition and litigation items needed to be discussed in Executive Session. Commissioner Horgan moved to adjourn into Executive Session to discuss real estate and litigation items. Commissioner Hearn seconded the motion. The motion passed unanimously.

The Board adjourned into Executive Session at 7:44 p.m. and returned to Official Session at 8:20 p.m.

Executive Session Affidavit: Commissioner Hearn moved to authorize the Chairman to sign an Executive Session Affidavit stating that real estate acquisition and litigation items were discussed in Executive Session. Commissioner Horgan seconded the motion. The motion passed unanimously. A copy of the Executive Session Affidavit, identified as "Attachment 11", follows these minutes and is made an official part hereof.

Chairman Smith asked for the record to reflect that the Board was made aware of a potential litigation item and a real estate acquisition item, that no action was taken in the litigation item which was for information only, and that staff was instructed to proceed in the real estate acquisition item.

ADJOURNMENT

Commissioner Hearn moved to adjourn the February 26, 2009 Workshop Meeting and was seconded by Commissioner Horgan. The motion passed unanimously.

Chairman Smith adjourned the February 26, 2009 Board of Commissioners Meeting at 8:21 p.m.

Floyd L. Jones, Deputy Clerk | **Jack R. Smith, Chairman**

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 12th day of March 2009.

Floyd L. Jones, Deputy Clerk