Minutes

Board of Commissioners
June 24, 2010
7:00 P.M.

Notice: A complete audio recording of this meeting can be heard by accessing Fayette County's Website at www.fayettecountyga.gov. Click on "Board of Commissioners", then "County Commission Meetings", and follow the instructions. The entire meeting or a single topic can be heard.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on Thursday, June 24, 2010, 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 L. Jones, Deputy Clerk

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Call to Order, Invocation, and Pledge of Allegiance.

Chairman Smith called the June 24, 2010 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 Hearn seconded the motion. No discussion followed. The motion passed unanimously.

PRESENTATION / RECOGNITION:

A. Presentation of a Resolution to the Marquis de Lafayette Chapter of the Sons of the American Revolution recognizing the observance of the "National Let Freedom Ring" Bell Ringing Ceremony on July 4.

Chairman Smith, on behalf of the Board, read and presented a Resolution to the Marquis de Lafayette Chapter of the Sons of the American Revolution recognizing the observance of the "National Let Freedom Ring" Bell Ringing Ceremony on July 4. The Chairman thanked the Chapter for its work in Fayette County and for keeping history alive and accurate. A copy of the Resolution, identified as "Attachment 1", follows these minutes and is made an official part hereof.

PUBLIC HEARING:

B. Public Hearing on the County's proposed annual budget for the fiscal year beginning July 1, 2010 and ending June 30, 2011, and consideration of Resolution 2010-10 enacting said budget.

Finance Director Mary Holland presented the proposed annual budget to the Board. She reminded the Board that at its last public meeting it was made aware of some outstanding issues related to the Drug Abuse and Treatment Fund (DATE) and the Victim's Assistance Fund.

Ms. Holland recommended that the DATE Fund's expenditures be reduced by $59,969 since they did not meet necessary criteria. Chairman Smith noted that the DATE Fund is a court-fined addition, meaning that it is not funded directly by taxpayer's money but with fines and forfeiture monies as earmarked by State law. Discussion followed. The Board unanimously consented to reduce the DATE fund's expenditures by $59,969, and to include the reduction in the proposed Fiscal Year 2011 budget.

Ms. Holland further recommended that the Victim's Assistance Fund's expenditures be reduced by $45,000. She explained the reduction was recommended due to staff's analysis that there would be a revenue shortfall. Chairman Smith noted that Victim Assistance Funds were similar to the DATE funds since they were funded by fines and forfeiture monies. Discussion followed. The Board unanimously consented to reduce the Victim's Assistance fund's expenditures by $45,000, and to include the reduction in the proposed Fiscal Year 2011 budget.

After receiving the Board's consent and direction, Ms. Holland informed the Board that the Total All Budgeted Funds for the Fiscal Year 2011Budget was $73,310,034, and that the Total Special Revenue Funds had decreased from $14,298,908 to $14,193,939.

Chairman Smith commended Ms. Holland and her Finance Staff for doing an excellent job with the Fiscal Year 2011 budget. He mentioned that the budget was about $1,000,000 less than last year's budget, and that in the face of declining revenues the County's employees are doing more with less. He publically acknowledged Ms. Holland, the Finance Department, Budget Officer Sergio Acevedo, and the rest of the County's employees and management who have "done a yeoman's job in putting together the budget request to keep us at a service level that the citizens expect while at the same time being able to manage the reduction in revenues that we are seeing".

Tom Waller: Mr. Tom Waller, a resident of Fayette County, spoke as a representative of Master Gardeners, but added he was not speaking at the request or the behest of the Fayette County Extension Office. He told the Board that last year the Fayette County Master Gardeners provided over 26,000 pounds of fresh produce for charitable organizations within the County. He explained that the leadership liaison in the County is the County Horticultural Agent in the Extension Office, but that position is vacant. He recalled that the Office is partially funded by Fayette County and partially funded by the University of Georgia. He continued that during the last few years Fayette County has cut its portion of the funding it provides to the Extension Office by 46%, and that the University of Georgia has continued to leave the position of Horticultural Agent vacant. He told

the Board that these cuts in funding require Mr. Craig Gross, the 4-H Director, to fill the void created by the lack of a Horticultural Agent. He requested that Fayette County not cut the operating funds further than the 46% that has already been cut, and that the Board engage in dialogue with the University of Georgia in order to fill the Horticultural Agent position. He suggested, if necessary, the County should fully fund the position so that the Master Gardeners can have guidance for next year and thereby continue serving the constituents within Fayette County.

No one else spoke in favor of or in opposition to the proposed Fiscal Year 2011 budget.

Jack Krakeel: County Administrator Jack Krakeel responded to Mr. Waller's concerns at the Board's request. He reminded the Board that it implemented a hiring freeze approximately three years ago, and at that time he was directed to maintain positions deemed absolutely critical, principally those within public safety and other positions which are considered crucial to the operation of Fayette County government. He told the Board that he has met with the Extension Office on multiple occasions throughout the budget processes during the years, and has received concurrence with respect to reductions in expenditures. He continued that the Extension Office, like other departments in the County, understands the criticality of the economic situation and the need to curtail expenditures. He added that the Extension Office also understands that when revenues recover reconsideration will be given to vacant positions. He explained that the Horticultural Agent is a position that the University of Georgia Extension Service program opted not to fund; while the County is currently funding two or three additional part-time positions in the Extension Office. He acknowledged that the budget cuts have impacted the Master Gardener program, and that the Master Gardener program has been recognized regionally and statewide for their excellent program and work in Fayette County. He concluded by saying it was unfortunate, that in developing budgets such as the one before the Board, difficult decisions had to be made. Discussion followed.

Commissioner Frady moved to adopt Resolution 2010-10 enacting the proposed annual budget for the fiscal year beginning July 1, 2010 and ending June 30, 2011 in the amount of $73,310,034, and to authorize the Chairman to sign the Resolution. Commissioner Hearn seconded the motion. No further discussion followed. The motion passed unanimously. A copy of the request, proposed budget, and recommended changes, identified as "Attachment 2", follow these minutes and are made an official part hereof.

C. Consideration of Ordinance 2010-05, proposed amendments to the Fayette County Code regarding Chapter 8 Development Regulations by adding Article XIV Subdivision Regulations, in its entirety.

Director of Community Development Pete Frisina briefly reviewed Ordinances 2010-05, 2010-06, 2010-07, and Resolution 2010-11. He spoke about why amendments were required, and he explained that the work required participation from the Planning and Zoning, Engineering, Stormwater Maintenance, and other departments. He added that a group of local surveyors, engineers, and builders also worked with the County in reviewing and updating the Ordinances and Resolution, and that the body of work provided to the Board was the result of their collaborative efforts. He discussed the proposed amendments and changes to Ordinances and Resolution, and he explained minor changes to the wording in the Subdivision Regulations Discussion followed.

Chairman Smith thanked Mr. Frisina for doing "a yeoman's job". Mr. Frisina acknowledged that he had a lot of help from Public Works Director Phil Mallon, Stormwater Management Director Vanessa Birrell, County Engineer Brian Keller, Mrs. Robyn Wilson, and some of the local design professionals.

Randy Boyd: Mr. Randy Boyd spoke in favor of Ordinances 2010-05, 2010-06, and 2010-07. He thanked the Board and staff, especially Mr. Pete Frisina and Phil Mallon, for allowing engineers, surveyors and developers to be a part of this amendment process. He pointed out that this work has been ongoing for approximately 18 months and while it required many meetings, it was a good process. He concluded that this was a good piece of legislation that the County can be proud of for future development, that it would leave a good legacy for others in the County, and that it was legislation all Fayette citizens could be proud of.

Chairman Smith thanked Mr. Boyd, the engineers, surveyors, and others who agreed to be a part of this work, who participated in the work from its start, and for their input.

No one else spoke in favor of or in opposition to Ordinance 2010-05.

Commissioner Horgan moved to adopt Ordinance 2010-05, proposed amendments to the Fayette County Code regarding Chapter 8 Development Regulations, by adding Article XIV Subdivision Regulations, in its entirety. Commissioner Hearn seconded the motion. The motion passed unanimously. No further discussion followed. A copy of the request and Ordinance 2010-05, identified as "Attachment 3", follow these minutes and are made an official part hereof.

D. Consideration of Ordinance 2010-06, proposed amendments to the Fayette County Code, regarding Chapter 8 Development Regulations, Article III Street Design Standards and Specifications.

No one spoke in favor of or in opposition to Ordinance 2010-06.

Commissioner Hearn moved to adopt Ordinance 2010-06, proposed amendments to the Fayette County Code, regarding Chapter 8 Development Regulations, Article III Street Design Standards and Specifications. Commissioner Horgan seconded the motion. No discussion followed. The motion passed unanimously. A copy of the request and Ordinance 2010-06, identified as "Attachment 4", follow these minutes and are made an official part hereof.

E. Consideration of Resolution 2010-11, proposed amendments to the Planning and Zoning Department Fee Schedule.

No one spoke in favor of or in opposition to Resolution 2010-11.

Commissioner Maxwell moved to adopt Resolution 2010-11, proposed amendments to the Planning and Zoning Department Fee Schedule, based on a hardcopy provided to the Board. Commissioner Horgan seconded the motion.

Commissioner Maxwell noted that the Fee Schedule provided on the County's website had contained some errors, and he ensured that his motion was based on the hardcopy provided to the Board prior to the meeting. Discussion followed.

The motion to adopt Resolution 2010-11, proposed amendments to the Planning and Zoning Department Fee Schedule, based on a hardcopy provided to the Board passed unanimously. A copy of the request and Resolution 2010-11, identified as "Attachment 5", follow these minutes and are made an official part hereof.

F. Consideration of Ordinance 2010-07, proposed amendments to the Fayette County Code, Chapter 12 Offenses and Miscellaneous Provisions, by adding Article VII Cemetery, Burial Ground, Human Remains, or Burial Object, in its entirety.

No one spoke in favor of or in opposition to Ordinance 2010-07.

Commissioner Horgan moved to adopt Ordinance 2010-07, proposed amendments to the Fayette County Code, Chapter 12 Offenses and Miscellaneous Provisions, by adding Article VII Cemetery, Burial Ground, Human Remains, or Burial Object, in its entirety. Commissioner Hearn seconded the motion. No discussion followed. The motion passed unanimously. A copy of the request and Ordinance 2010-07, identified as "Attachment 6", follow these minutes and are made an official part hereof.

PUBLIC COMMENT:

No one spoke during Public Comment.

CONSENT AGENDA:

1. **Approval of reappointment of Darryl McKinney to the Fayette County Hospital Authority for another four-year term commencing June 1, 2010 and ending May 31, 2014. A copy of the request, identified as "Attachment 7", follows these minutes and is made an official part hereof.**

2. **Approval of reappointment of Joan Smith to the Fayette County Hospital Authority for another four-year term commencing June 1, 2010 and ending May 31, 2014. A copy of the request, identified as "Attachment 8", follows these minutes and is made an official part hereof.**

3. **Approval of the reappointment of Harriett Steele to the Region Three Mental Health Planning Board for another three-year term commencing April 1, 2010 and ending July 22, 2011. A copy of the request, identified as "Attachment 9", follows these minutes and is made an official part hereof.**

4. **Approval of the reappointment of Brian Cardoza to the Fayette County Public Facilities Authority for another one-year term commencing July 23, 2010 and ending July 22, 2011. A copy of the request, identified as "Attachment 10", follows these minutes and is made an official part hereof.**

5. **Approval of reappointment of Mary Shaver to the Fayette County Public Facilities Authority for another one-year term commencing July 23, 2010 and ending July 22, 2011. A copy of the request, identified as "Attachment 11", follows these minutes and is made an official part hereof.**

6. **Approval of reappointment of Jack Smith to the Fayette County Public Facilities Authority for another one-year term commencing July 23, 2010 and ending July 22, 2011. A copy of the request, identified as "Attachment 12", follows these minutes and is made an official part hereof.**

7. **Approval of staff's request to renew the Annual Support Agreement with Data Voice, Inc. for telecommunications equipment and software beginning July 1, 2010 and ending June 30, 201 at a total cost of $39,996.00. A copy of the request and Data Voice Support Agreement, identified as "Attachment 13", follow these minutes and are made an official part hereof.**

8. Approval of staff's recommendations for the disposition of requests for property tax refunds. A copy of the request, identified as "Attachment 14", follows these minutes and is made an official part hereof.

9. Approval of a request from the 911 Communications for authorization to dispose of uniforms and related equipment no longer of use to the Department. A copy of the request, identified as "Attachment 15", follows these minutes and is made an official part hereof.

10. Approval of the Sheriff's Office request to amend the Overtime Budget for the Fayette County Sheriff's Office Criminal Investigations Division by $1,440.40 for reimbursement for employees assigned to work with various Federal Agencies. A copy of the request, identified as "Attachment 16", follows these minutes and is made an official part hereof.

11. Approval of the Water Committee's recommendation to insert a septic tank maintenance mailer in water bills mailed to customers in unincorporated Fayette County. A copy of the request, identified as "Attachment 17", follows these minutes and is made an official part hereof.

12. Approval of May 24, 2010 Board of Commissioners Budget Meeting Minutes, May 27, 2010 Board of Commissioners Minutes, June 2, 2010 Board of Commissioners Workshop Minutes, and June 10, 2010 Board of Commissioners Minutes.

Commissioner Horgan moved to adopt Consent Agenda Items 1-12. Commissioner Hearn seconded the motion. No discussion followed. The motion passed unanimously.

ADMINISTRATOR'S REPORT

Millage Rate Not to Change: County Administrator Jack Krakeel said he would be remiss if he did not remind the Board that with its adoption of the Fiscal Year 2011 budget that the County's millage rate would remain at the same level as last year, meaning there will be no change in the millage rate based on the Board's adoption of the Fiscal Year 2011 budget. Discussion followed.

Chairman Smith stated that he did not properly include Mr. Krakeel in his thanks to those who worked on the budget, but since he was the coordinator of the budget requests and putting them together, he thanked Mr. Krakeel on behalf of the Board and the citizens of Fayette County for a job well done.

ATTORNEY'S REPORT

Atlanta Regional Commission–Amendment of Subgrant Agreement: County Attorney Scott Bennett informed the Board he had a contract amendment that would extend the Subgrant Agreement the County has with the Atlanta Regional Commission (ARC). He explained that Fayette County's agreement with the ARC provided funds and grants to Fayette County for its Comprehensive Transportation Plan. He concluded that since the agreement was scheduled to expire on April 30, 2010 this amendment would extend the Subgrant Agreement until June 30, 2010. Discussion followed.

Commissioner Horgan moved to authorize the Chairman to sign the contract amendment to the Subgrant Agreement between Fayette County and the Atlanta Regional Commission. Commissioner Frady seconded the motion. No discussion followed. The motion passed unanimously. A copy of the Amendment of the Subgrant Agreement, identified as "Attachment 18", follows these minutes and is made an official part hereof.

Contract with LBL Technology Partners for the Strategic Technology Plan and Risk Assessment: County Attorney Scott Bennett reminded the Board that at its May 27, 2010 meeting it awarded a bid to LBL Technology Partners for the Strategic Technology Plan and Risk Assessment in the amount of $57,480. He stated that he had the contract, that it had been signed by the consultant, that the bonds were present, and that it was ready for the Chairman's signature.

Commissioner Frady moved to authorize the Chairman to sign a contract with LBL Technology Partners for the Strategic Technology Plan and Risk Assessment in the amount of $57,480. Commissioner Horgan seconded the motion. The motion passed unanimously. A copy of the LBL Technology Partners contract, identified as "Attachment 19", follows these minutes and is made an official part hereof.

STAFF REPORTS

Upgrade of Kronos Software: Finance Director Mary Holland requested the Board to authorize the transfer of funds that are available in the Fiscal Year 2010 budget to upgrade the County's Kronos software. She explained that Kronos is the County's time and attendance software, that it is utilized throughout the County, and that while the software has been in use since 2005 it is becoming obsolete. She restated that the software needed to be upgraded, and that the upgrade would be in conjunction with some other hardware upgrades that the Board just approved in the Fiscal Year 2011 budget. She concluded that both upgrades were necessary for the County to record the time and attendance of its employees and to process payrolls. She concluded that the cost upgrade to the Kronos Software, as well as a service license, was $17,970.

Commissioner Frady moved to transfer $17,970 of available Fiscal Year 2010 budgeted funds to a project for the Kronos Software Upgrade that will coincide with server replacement projects approved and scheduled for the Fiscal Year 2011 budget, and to authorize the Chairman to sign a Statement of Work document as provided by Kronos. Commissioner Horgan seconded the motion. No discussion followed. The motion passed unanimously. A copy of the Statement of Work document, identified as "Attachment 20", follows these minutes and is made an official part hereof.

Transfer and Sale of Unserviceable Equipment as Requested by the Sheriff's Office: Sergeant Kevin Kahl of the Fayette County Sheriff's Office's informed the Board that the Sheriff's Office purchased car video systems with budgeted general funds during the past several years, that the equipment has become cost prohibitive to repair and replace, and that its technology is "completely different from what is available now". He continued that the cameras have already been replaced with newer equipment, and that staff at the Fayette County Sheriff's Office had already communicated with the Pike County Sheriff's Office about selling twenty of the cameras "As Is" to Pike County. He said the Fayette County Sheriff's Office is looking to the Board of Commissioners for approval for disposal and sale of the cameras. Discussion followed during which Sergeant Kahl mentioned there were additional cameras scattered throughout the County's storage areas, but that they were not a part of the sale since Pike County has already selected the twenty cameras they want. Chairman Smith asked how the other cameras would be disposed. Sergeant Kahl speculated that they would probably be transferred to the County for sale on the GovDeals website. Chairman Smith asked how long the equipment has been in storage. Sergeant Kahl replied some have been in storage for approximately eight months, others have been in storage for two or three years.

Chairman Smith directed County Administrator Jack Krakeel to coordinate with the Sheriff how to best to dispose of the additional cameras being kept in storage.

Commissioner Frady moved to approve the request from the Fayette County Sheriff's Office to declare twenty car video systems unserviceable, to authorize the transfer and sale of said car video systems to the Pike County Sheriff's Office for $100 each, and to return the full sales proceeds to the Fayette County Board of Commissioners' General Fund. Commissioner Horgan seconded the motion.

Commissioner Maxwell asked County Attorney Scott Bennett if the County can dispose of the property in this method by entering a transaction with another government agency. Mr. Bennett replied the County can contract with another government agency for sales like this since it is surplus equipment that the County has no longer use and since there could be a limited market for items like police video cameras.

Commissioner Horgan asked if there would be an affidavit or other document use to ensure the cameras were going to Pike County Sheriff's Office and no where else. Mr. Krakeel replied there would be a Bill of Sale between Fayette County Government and Pike County Government.

The motion to approve the request from the Fayette County Sheriff's Office to declare twenty car video systems unserviceable, to authorize the transfer and sale of said car video systems to the Pike County Sheriff's Office for $100 each, and to return the full sales proceeds to the Fayette County Board of Commissioners' General Fund passed unanimously. A copy of the request, identified as "Attachment 21", follows these minutes and is made an official part hereof.

BOARD REPORTS

There were no Board Reports.

EXECUTIVE SESSION

Real Estate Acquisition: County Administrator Jack Krakeel told the Board that an item of Real Estate Acquisition needed to be discussed in Executive Session. Commissioner Frady moved to recess into Executive Session for the purpose of discussing Real Estate Acquisition. Commissioner Horgan seconded the motion. No discussion followed. The motion passed unanimously.

The Board of Commissioners recessed into Executive Session at 8:04 p.m. and returned to Official Session at 8: 31p.m.

Executive Session Affidavit: Commissioner Horgan moved to authorize the Chairman to sign an Executive Session Affidavit stating that Real Estate Acquisition was discussed during Executive Session . Commissioner Frady seconded the motion. No discussion followed. The motion passed unanimously. A copy of the Executive Session Affidavit, identified as "Attachment 22", follows these minutes and is made an official part hereof.

ADJOURNMENT

Hearing no further business to come before the Board, Chairman Smith adjourned the meeting at 8:32 p.m.

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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 August 2010.

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Floyd L. Jones, Deputy Clerk