Minutes

Board of Commissioners
July 14, 2011
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, July 14, 2011, at 7:00 p.m. in the Public Meeting Room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

Commissioners Present:	Herb Frady, Chairman Robert Horgan, Vice Chairman Steve Brown Lee Hearn Allen McCarty
Staff Present:	Jack Krakeel, County Administrator Scott Bennett, County Attorney Carol Chandler, Executive Assistant Karen Morley, Chief Deputy Clerk

---

Chairman Frady 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 McCarty seconded the motion. The motion carried 5-0.

PRESENTATION/RECOGNITION:

1. Presentation of the Government Finance Officers Association Distinguished Budget Award for Fayette County's annual budget document for the fiscal year beginning July 1, 2010 and ending June 30, 2011.

County Administrator Jack Krakeel presented the Government Finance Officers Association Distinguished Budget Award for Fayette County's Annual Budget Document for the Fiscal Year beginning July 1, 2010 and ending June 30, 2011 to Chief Finance Officer Mary Holland and Budget Officer Sergio Acevedo. The Board and Mr. Krakeel commended staff for all of their hard work on the completion of this document and meeting National standards of excellence with respect to financial reporting. Mr. Krakeel remarked that this was the 14th consecutive year that the County had received this award. A copy of the request and backup, identified as "Attachment No. 1", follow these minutes and are made an official part hereof.

PUBLIC COMMENT:

Dennis Chase: Dennis Chase remarked that he wanted to make clear to everyone that he most emphatically did not support the proposed Stormwater Utility for Fayette County. He said he assumed that at some point in the future this Board would hold a Public Hearing in regard to establishing this utility and he would present all of his reasons at that time as to why this utility was so poorly planned. He pointed out that the Fayette County Stormwater Department was adequately meeting all of the requirements of their discharge permit and has done so for the last four or five years. He questioned what the County would get for the additional $1 million to $1.5 million that would be spent. He said a Stormwater Utility would not make the County's compliance any better and all it would do would be to provide the County with a funding source for doing maintenance of stormwater culverts and so forth.

Steve Smithfield: Steve Smithfield remarked that during the last three years citizens had made numerous public comments regarding their opposition to the West Fayetteville Bypass. He pointed out that during these three years there had not been one comment in favor of this project. He said there was currently a petition circulating with approximately 400 signatures regarding the County's budget shortfall and the possibility of the Commissioners increasing property taxes to make up that shortfall. He remarked that HB 240 that was signed into law by Governor Deal would be another option. He said this would allow the citizens to vote to use the SPLOST funds to cover County expenses so taxes would not have to be raised. He said by signing the petition the citizens were urging leaders to act now to put this on the ballot for citizens to vote on and for the County to stop spending SPLOST fund money on the West Fayetteville Bypass until this was voted on. He said signatures had been obtained from the residents of Fayetteville, Peachtree City, Tyrone and other communities within Fayette County. He said it was evident now that the voters of Fayette County demand better stewardship of their tax dollars. He said the citizens of Fayette County expect a great deal more from their elected officials than the indifference that the Board had thus far demonstrated.

Consent Agenda: Commissioner Horgan made a motion to approve the consent agenda items 2-6 as presented. Commissioner Hearn seconded the motion. The motion carried 5-0.

Tax assessor - Disposition of Tax Refund Requests:

2. Approval of staff's recommendation for the disposition of tax refund requests submitted by taxpayers in accordance with O.C.G.A. 48-5-380. A copy of the request and backup, identified as "Attachment No. 2", follows these minutes and are made an official part hereof.

Sheriff's Office - Amendment of the State Confiscated Revenue Budget Account:

3. Approval of request from the Sheriff's Office to amend the State Confiscated Revenue Budget Account for Technical Services by $5.00 to recognize abandoned monies which have been retained for law enforcement enhancement as required by law. A copy of the request, identified as "Attachment No. 3", follows these minutes and is made an official part hereof.

Sheriff's Office - Amendment of Overtime Budget Account:

4. Approval of request from the Sheriff's Office to amend the FY 2011 Overtime Budget Account for the Criminal Investigations Division by $10,623.63 for reimbursement for employees assigned to work with various Federal Agencies. A copy of the request, identified as "Attachment No. 4", follows these minutes and is made an official part hereof.

Finance Department - County's mileage reimbursement rate increased:

5. Approval of staff's recommendation to increase the county's mileage reimbursement rate from 41.82 cents per mile to 45.51 cents per mile for use of a privately owned vehicle when traveling on official county business. A copy of the request and backup, identified as "Attachment No. 5", follow these minutes and are made an official part hereof.

Minutes:

6. Approval of minutes for the Board of Commissioners' meeting held on June 23, 2011.

New Business:

7. Discussion of a request from staff for authorization to initiate proposed amendments to the Fayette County Code of Ordinances, Chapter 20. Zoning Ordinance, Article VI. District Use Requirements, Sec. 6-25. Planned Unit Development, F. Planned Retreat or Lodge:

Director of Community Development Pete Frisina presented this item for discussion. A copy of the request and backup, identified as "Attachment No. 6", follow these minutes and are made an official part hereof. He said staff had been talking with a landowner for the last several months about a project that he was interested in doing, but the project didn't fit into any of the current zoning districts. He said staff had reviewed the PRL which would give the landowner flexibility and would give the County control through the process. He said staff felt this was a workable solution for the landowner to try and rezone this property. He noted that this was a rather old ordinance and had not been used in a while. He said some global changes in general had been made to the ordinance in December 2010 and he felt a few conflicts had been created. He said staff would like to remove those conflicts and put better clarification into the zoning district. He said staff had met with the Planning Commission once already and would meet with them again and then come back to the Board in August with the proposed amendments.

Commissioner Horgan asked if there was a maximum size of a development in this particular zoning. Mr. Frisina replied there was none and that was the beauty of the PUD. Mr. Frisina remarked that the PUD was meant to encompass large developments or large tracts of land that allows for a lot of flexibility in the interior. He said the developer can set all of the development standards but the County has to approve all of those.

Director of Community Development Pete Frisina asked for the Board's consideration for staff to proceed with public hearings regarding proposed amendments to the Fayette County Code of Ordinances, Chapter 20. Zoning Ordinance, Article VI. District Use Requirements, Sec. 6-25. Planned Unit Development, F. Planned Retreat or Lodge. He said the Planning Commission would be fine tuning these proposed amendments and it would come back to the Board of Commissioners in August for a vote.

There was a consensus of the Board to approve staff's request to proceed.

ADMINISTRATOR'S REPORTS:

Chris Snell's position as Library Director: County Administrator Jack Krakeel reported on the Flint River Regional Library Board voting not to fund Ms. Chris Snell's position as Director of the Fayette County Library. He remarked that during the last 14 years Ms. Snell has been an employee of the Flint River Regional Library System and not a Fayette County employee. He said he had previously informed the Board at the Budget Workshop of Ms. Snell's dismissal by the Flint River Regional Library System due to budgetary cuts being made by the State. He said he would be meeting with Ms. Snell and bringing options and recommendations to the Board during the next several weeks to determine how the Board of Commissioners would like to move forward post January 1, 2012. He commended Ms. Snell on the outstanding job she has done for the Fayette County Library during the last 14 years. He noted that Ms. Snell's

Director's position was the only one of its kind in the entire Regional Library System paid for by the Flint River Regional Library Board. He said the citizens of Fayette County view Chris Snell as the heart and soul of the Fayette County Public Library.

Commissioner Brown remarked that the Flint River Regional Library System was still asking for the same amount of money, and were just cutting the services through Ms. Snell that they were providing.

Mr. Krakeel replied that the Flint River Library System receives funding from each of the participating counties and municipalities that are part of the system. He said Fayette County's contribution to that system on an annual basis was approximately $75,000 per year and was predicated on a per capita basis. He said the City of Peachtree City and the Town of Tyrone also participate financially and have a fee that they pay to the Regional Library System. He pointed out that according to Ms. Zeiger of the Regional Library, who he had spoken to prior to final adoption of the County budget, their board made this decision recognizing additional cuts were coming from the State to their budget. He said when the Regional Library reviewed their position and the positions that they were filling, they felt this was the only course of action available to them since Ms. Snell was the only Director that they were paying within the Regional Library System. He also noted that out of all of the participating agencies and counties in that system, Fayette County was the most populated and by far the most urbanized county of all the counties in the Flint River Regional Library System. He said during the course of the next month to two months staff will move forward to formulate a plan. He said there might be some additional information potentially forthcoming that staff may be directed to look at and he felt staff would wait until after the August Workshop to really begin discussions specific to how the Board wants to proceed with this matter. Chairman Frady asked if this item would be on the August Workshop agenda and Mr. Krakeel replied yes.

Commissioner Horgan questioned if the Regional Library had stated what would happen with Ms. Snell's position after December 31st and Mr. Krakeel replied that this would be left up to the County and he noted that all of the rest of the employees at the Fayette County Library were County employees. Mr. Krakeel remarked that Ms. Snell's position was the only one paid for by the Flint River Regional Library System.

Update on relocation of WIC (Women, Infants and Children) Office: County Administrator Jack Krakeel reported on the property being considered for relocation of the WIC facility. He said at the Board's July 6th workshop the Board had directed staff to research the feasibility of property located on McDonough Road. He remarked that unfortunately the property was not suitable and noted that the property had failed a perculation test. He said there had been discussions and suggestions made regarding property located on Long Avenue which is adjacent to the Sheriff's Office. He pointed out that this property had been purchased by the County to square out the tract on Long Avenue. He said there used to be two single family residential dwellings there and they had been removed. He also noted that sewer was available in that area. He asked for the Board's direction as to how they would like staff to proceed.

Chairman Frady felt this would be a an excellent temporary location for the facility especially with sewer and utilities being available there. He felt it would have to be a temporary location for this facility because this property was included in the five acre tract designated for the fire emergency services headquarters/emergency operation center to be built at some point in the future.

Mr. Krakeel interjected if the emergency operations center was constructed at some future date, that would free up additional space with respect to Johnson Avenue and the old fire station facility. He said that facility might be a suitable facility for WIC if it is properly remediated and remodeled, but he believed there was sufficient square footage to provide for the needs of the public health department.

Commissioner Horgan said he had visited the site and felt it would be suitable but suggested that the City of Fayetteville also be involved in this since the property was located in the City. He said it was his understanding from WIC that the modular building for them would be a temporary situation and they would move it upon ample time to vacate it.

Commissioner Brown questioned the parking facilities at that location and recalled there were none. Mr. Krakeel replied that onsite parking would have to be established. Commissioner Brown ask who would pay for that. Mr. Krakeel said during his conversations with the Health Department it was stated there was funding available at the State level and that funding has to be committed no later than September of 2011. He said they are willing to pay primarily for the cost of materials and would like to have the County's assistance with labor for things such as paving and grading and putting the brick skirting around the base of the modular building to make it more aesthetically pleasing. He noted that the building was a prefabricated modular that was actually 24 to 28 feet wide.

Mr. Krakeel said before staff proceeded with this process and a lot of staff time was spent he wanted to make sure that this was the direction that the Board wanted to move forward with as far as the location.

Commissioner Brown interjected that he would like staff to look at the Spalding County option with what they had done. He said this would cost Fayette County a lot less in terms of labor and funds to put all of the infrastructure in to make the facility work. He said, in addition, it would keep the facility off a piece of property that the County was going to eventually use for another purpose. He said his understanding of the word temporary was that it was always vague and very nebulous. He said one person's temporary is another person's lifetime. He said he would not mind looking at the methodology that Spalding County employed and having the Federal Government just cover the entire service since it was a service of the Federal Government and let them look at it.

Chairman Frady clarified that there was a consensus of the Board that County Administrator Jack Krakeel proceed with looking at this particular piece of property located on Long Avenue for the relocation of the WIC facility. Chairman Frady said if Mr. Krakeel wanted to check with Spalding County to determine how they had handled this, that would be fine.

COMMISSIONERS' REPORTS:

Commissioner McCarty: Commissioner McCarty said he felt he had figured out a way to get some more funds in the County. He said there were stormwater fees on rain that God sends down and he suggested taking moonlight and charge fees for moonlight and call them moonshine fees.

ADJOURNMENT: Hearing no further business to come before the Board, Chairman Frady adjourned the meeting at 7:29 p.m.

Karen Morley, Chief Deputy Clerk

Herbert E. Frady, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 28th day of July, 2011.

Karen Morley, Chief Deputy Clerk