



Action Agenda

Board of Commissioners
March 8, 2012
7:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on Thursday, March 8, 2012, 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 Brown made a motion to accept the Agenda as presented. Commissioner Horgan seconded the motion. The motion carried 5-0.

Public Comment:

Steve Smithfield: Steve Smithfield commented on the ongoing work around his property for the construction of the West Fayetteville Bypass. He expressed concern with the possibility of serious drainage problems as a result of the clearing of the property and runoff going into the County's water supply. He recommended landscaping along this roadway and remarked that this would add to the character and desired layout of Fayette County, and he asked for the Board's consideration of his request.

Denise Ognio: Denise Ognio thanked Commissioner Horgan for attending a Republican event that was held earlier today. She said it was much appreciated when Commissioners attend these events and hear what the citizens have to say. She also commented that the Republican Party holds its meeting every year at the same time and this year was no different from any other year. She said the Republican Party meeting was well advertised and also brought to the Board's attention by at least one of the Commissioners that the Commissioners' Retreat Meeting schedule was a direct conflict with the Republican Party meeting. She said this was very disappointing that this Board still voted to have the Commissioners' Retreat on the same day as the Republican Party meeting. She said this makes her question this Board's Party loyalties and this was just one more reason to sweep the shelves in 2012.

Randy Ognio: Randy Ognio commented on consent agenda item #2 and questioned the delay in the renewal of this agreement. He felt this put the County at risk with all of the storms that had recently come through Fayette County. He commented on consent agenda item #7 and questioned the funding for this project. He also questioned item #1 under Old Business and noted the request referred to six vendors responding to the bid but none of these were listed in the backup information. He commented on item #5 under New Business regarding amendments to Article VI regarding tree retention, protection and replacement. He said this was amazing to him since the County had destroyed a path through the County land for the West Fayetteville Bypass. He remarked on item #8 under New Business regarding illicit discharge. He felt the Board was trying to put this item on the fast track and place it on the consent agenda for the next Board meeting. He noted that this was the first meeting that this item has been discussed. He said this was a very involved issue that might affect property values. He also expressed concern with the Commissioners' Retreat being scheduled on the same day as the Republican Party meeting. In his final comment, he commented on the continued construction of the West Fayetteville Bypass and the noise this has generated even until 9:00 p.m. He said this Board had no respect for the citizens of Fayette County.

Consent Agenda: Commissioner Brown requested to remove item #7 and item #8 for discussion. Commissioner Horgan made a motion to approve the consent agenda items 1-9 with the exception of item #7 and item #8 as presented. Commissioner Brown seconded the motion. The motion carried 5-0.

1. Approval of staff's recommendation to approve "Amendment to Service Agreements between Fayette County, Georgia and the Town of Brooks, Georgia", which makes all service agreements between the County and the Town expire on December 31 in the years in each agreement, and provides consistent renewal terms and conditions; and authorization for the Chairman to execute said Amendment pending review by the County Attorney.
2. Approval of staff's request to continue the Agreement between Fayette County and Georgia Emergency Management-Homeland Security as outlined in the Statewide Mutual Aid and Assistance Agreement; and authorization for the Chairman to execute the Agreement pending review by the County Attorney.
3. Approval of staff's request for authorization for \$2,085 for a Radio Transfer Unit (RTU) to repair the Weather Warning Siren System in Landmark Mobile Home Community and \$4,755 to repair the site on Ellis Road.
4. Approval of staff's request to accept the proposed amendment to extend the term of existing Intergovernmental Agreement between the Town of Tyrone and Fayette County for the Valleywood Road Project from February 24, 2012 to February 23, 2013.
5. Approval of staff's recommendation to receive a 1999 Ford Taurus from the Prosecuting Attorney's Council of Georgia, and in trade, transfer to the Council a 2007 Ford Crown Victoria.
6. Approval of Water Committee's recommendation to award the bid for Highway 85/Bernhard Road Water Line Relocation to the low bidder, Mid-South Builders, in the amount of \$233,680; and authorization for the Chairman to execute the contract pending review by the County Attorney.
7. Approval of Water Committee's recommendation to award the Lake McIntosh Park and Boat Ramp to the low bidder Headley Construction, in the amount of \$894,980; and authorization for the Chairman to execute the contract pending review by the County Attorney.

After a brief discussion, Commissioner Brown made a motion to approve consent agenda item #7 for approval of the Water Committee's recommendation to award the Lake McIntosh Park and Boat Ramp to the low bidder Headley Construction, in the amount of \$894,980; and authorization for the Chairman to execute the contract pending review by the County Attorney. Commissioner Horgan seconded the motion. The motion carried 5-0.

8. Approval of County Human Resources Policy No. 404.07 which establishes a code of ethics for County employees.

After a brief discussion, Commissioner Horgan made a motion to approve County Human Resources Policy No. 404.07 which establishes a code of ethics for County employees. Commissioner Hearn seconded the motion. The motion carried 5-0.

9. Approval of minutes for Board of Commissioners' meeting held on February 9, 2012 and Board of Commissioners' Special Called Meeting held on February 14, 2012.

Old Business:

1. Consideration of staff's recommendation to renew Proposal No. P764 to Jacobs Engineering Group, Inc. to conduct post-closure environmental monitoring and compliance activities at the two closed Fayette County solid waste facilities on First Manassas Mile Road for a 12-month period, in an amount not to exceed \$80,270.

Commissioner Horgan made a motion to approve staff's recommendation to renew Proposal No. P764 to Jacobs Engineering Group, Inc. to conduct post-closure environmental monitoring and compliance activities at the two closed Fayette County solid waste facilities on First Manassas Mile Road for a 12-month period, in an amount not to exceed \$80,270. Commissioner Hearn seconded the motion. The motion carried 5-0.

2. Consideration of the Memorandum of Understanding with Jefferson Woods Subdivision and a request for \$8,000 from the County's General Fund to cover the cost of the path repairs; and authorization for the Chairman to execute the Memorandum of Understanding pending review by the County Attorney.

Commissioner Brown made a motion to approve the Memorandum of Understanding with Jefferson Woods Subdivision and a request for \$8,000 from the County's General Fund to cover the cost of the path repairs; and authorization for the Chairman to execute the Memorandum of Understanding pending review by the County Attorney. Commissioner McCarty seconded the motion. The motion carried 5-0.

3. Consideration of proposed changes to Fayette County's Development Regulations, Article III, Street Design Standards and Specifications.

After some discussion, there was a consensus by the Board that this item would be on the April 14th agenda for further discussion.

4. Consideration of staff's recommendation to work with planners at the Georgia Department of Transportation (GDOT), the Atlanta Regional Commission (ARC), and neighboring jurisdictions to identify and program regionally-significant transportation improvements along I-85 in the vicinity of Bohannon Road, SR 74, SR 92, Fayetteville Road and SR 138.

After some discussion, Commissioner Brown made a motion to approve Resolution No. 2012-06 by the Board of Commissioners of Fayette County, Georgia in Support of Expanding the Scope or Creating the Next Phase of the I-85 and SR 74 Interchange to Promote Lasting Congestion Relief. Commissioner McCarty seconded the motion. The motion carried 5-0.

New Business:

1. Consideration of an Intergovernmental Agreement between Fayette County and Clayton County for repairs to the bridge on McDonough Road over the Flint River; and authorization for the Chairman to execute the Agreement pending review by the County Attorney.

Commissioner Horgan made a motion to approve the Intergovernmental Agreement between Fayette County and Clayton County for repairs to the bridge on McDonough Road over the Flint River; and authorization for the Chairman to execute the Agreement pending review by the County Attorney. Commissioner McCarty seconded the motion. The motion carried 5-0.

2. Consideration of staff's request to award Bid #820 to Atlanta Paving & Concrete Construction, Inc. for an annual contract for asphalt milling services to be used on various projects throughout calendar year 2012 in an amount not to exceed \$125,000.

Commissioner Horgan made a motion to approve staff's request to award Bid #820 to Atlanta Paving & Concrete Construction, Inc. for an annual contract for asphalt milling services to be used on various projects throughout calendar year 2012 in an amount not to exceed \$125,000. Commissioner Hearn seconded the motion. The motion carried 3-2 with Commissioner Brown and Commissioner McCarty voting in opposition.

3. Discussion of proposed amendments to the Fayette County Code of Ordinances, Chapter 13. Pawnbrokers, Dealers in Precious Metals and Gems, and Flea Market Operators.

After some discussion, staff remarked that this item would come back to the Board at a future meeting for further discussion.

4. Discussion of proposed amendments to the Fayette County Code of Ordinances, Chapter 8. Development Regulations, Article II. Nonresidential Construction Permit and Compliance Procedures.

After some discussion, staff remarked that this item would be placed on the March 22, 2012 Agenda for consideration.

5. Discussion of the proposed amendments to Fayette County Code, Chapter 8, Development Regulations, Articles VI. Tree Retention, Protection and Replacement.

After some discussion, staff remarked that this item would be placed on the March 22, 2012 Agenda for consideration.

6. Discussion of proposed amendments to Fayette County Code, Chapter 8, Development Regulations, by amending Article X. Dam and Impoundment Design Specifications and Permit Requirements.

After some discussion, staff remarked that this item would be placed on the March 22, 2012 Agenda for consideration.

7. Discussion of proposed amendments to Fayette County Code, Chapter 8, Development Regulations, by amending Article XI. Groundwater Recharge Area Protection.

After some discussion, staff remarked that this item would be placed on the March 22, 2012 Agenda for consideration.

8. Discussion of proposed amendments to Fayette County Code, Chapter 8, Development Regulations, by amending Article XIII. Illicit Discharge and Illegal Connections.

After some discussion, staff remarked that this item would be placed on the March 22, 2012 Agenda for consideration.

9. Consideration of the appointment of Mr. Gary North to the Region 4 EMS Council for a two year term commencing on July 1, 2012 and expiring on June 30, 2014.

Commissioner Brown made a motion to appoint Mr. Gary North to the Region 4 EMS Council for a two year term commencing on July 1, 2012 and expiring on June 30, 2014. Commissioner McCarty seconded the motion. The motion carried 5-0.

Administrator's Reports:

None.

Commissioners' Reports:

Commissioner Brown: Commissioner Brown said he wanted to reiterate that the Board of Commissioners' Retreat would be held on Saturday, March 10th beginning at 8:30 a.m. He encouraged anyone interested to attend the meeting. He said he would be leaving the Commissioners' Retreat meeting for a brief period in order to attend the Republican Party meeting but would return to the Retreat meeting afterward.

Chairman Frady: Chairman Frady remarked that this Board had set the date for the Commissioners' Retreat a while back. He said it was hard to find a time when all of the Board members could attend the Retreat, but noted that this particular date was voted on by this Board. He said the date of the Retreat was not meant to conflict with the Republican Party meeting.

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

Commissioner Horgan made a motion to adjourn to Executive Session to discuss litigation. Commissioner McCarty seconded the motion. The motion carried 5-0.

Chairman Frady reconvened the meeting back to open session. He stated that the Board had authorized him to execute the Executive Session Affidavit affirming that litigation was discussed. He said the Board advised the County Attorney how to proceed in the matter.

Adjournment: Hearing no further business to come before the Board, Commissioner Brown made a motion to adjourn the meeting at 8:45 p.m. Commissioner McCarty seconded the motion. The motion carried 5-0.

Karen Morley, Chief Deputy Clerk