



## *Action Agenda*

Board of Commissioners  
November 15, 2012  
7:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on November 15, 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, Interim County Administrator  
Scott Bennett, County Attorney  
Floyd Jones, County Clerk

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

Chairman Frady called the November 15, 2012 Board of Commissioners meeting to order at 7:02 p.m. Commissioner Hearn offered the Invocation and led the audience in the Pledge of Allegiance.

**Acceptance of Agenda.**

Commissioner Brown moved to accept the Agenda as published. Commissioners Horgan and McCarty seconded the motion. No discussion followed. The motion passed unanimously.

**PUBLIC COMMENT:**

**Bob Ross:** Mr. Ross commented on the appointment process to the Fayette County Ethics Board.

**Steve Smithfield:** Mr. Smithfield commented on the appointment process to the Fayette County Ethics Board.

**Ginger Smithfield:** Mrs. Smithfield commented on the appointment process to the Fayette County Ethics Board.

**Arnold Martin:** Mr. Martin commented on the appointment process to the Fayette County Ethics Board.

**Bonnie Willis:** Ms. Willis commented on the appointment process to the Fayette County Ethics Board.

**Dawn Oparah:** Ms. Oparah commented on the appointment process to the Fayette County Ethics Board.

**Tom Halpin:** Mr. Halpin commented on the need for the Fayette County Board of Commissioners to work closer with the Fayette County Board of Education.

**Walter Hopewell:** Mr. Hopewell commented on the appointment process to the Fayette County Ethics Board.

**CONSENT AGENDA:**

Commissioner Brown moved to approve Consent Agenda Items 1-6. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

1. **Approval of staff's request to accept an Adult Felony Drug Court Grant Award in the amount of \$152,711.00 and to authorize the Chairman to sign the grant application and any related documents contingent upon the County Attorney's review.**
2. **Approval of staff's recommendation to accept a grant from the Criminal Justice Coordinating Council's Accountability Courts / Grant Department, in the amount of \$5,439.00, that has been awarded to the Griffin Judicial Circuit Drug Court, and to authorize the Chairman to sign the grant documents contingent upon the County Attorney's review.**
3. **Approval of a Fiscal Year 2013 budget amendment to property taxes for the 2012 adopted fire services millage rate and rate and to establish additional appropriations for the Fire Fund's payment of property insurance, administrative costs, and funding for vehicle replacement.**
4. **Approval of staff's request to transfer \$4,532.50 from the Warning Siren Fund Capital Improvement Projects (CIP) Account into the Public Safety & Emergency Management Account for the repair of Warning Siren No. 25 located near the intersection of Highway 74 and Kedron Drive in Peachtree City.**
5. **Approval of the Sheriff's Office request to amend the Overtime Budget for the Criminal Investigations Division by \$1,780.11 for reimbursement for employees assigned to work with various federal agencies.**
6. **Approval of staff's recommendation to enter into Contract ID No. C38931-12-000-0 with the Georgia Department of Transportation (GDOT) for the resurfacing of 6.47 miles of County roads (GDOT Project No. S014261-PR), and authorization for the Chairman to sign the contract contingent upon the County Attorney's review.**

**OLD BUSINESS:**

1. **Appointment of two members to the Public Facilities Authority.**

Commissioner Brown moved to issue press releases for both positions on the Public Facilities Authority to the Atlanta Journal-Constitution, the Fayette Daily News, and The Citizen newspapers to solicit input and applications from all citizens of Fayette County. Chairman Frady and Commissioner McCarty seconded the motion. Discussion followed. The motion passed unanimously.

**2. Appointment of a member to the Region Six Mental Health Regional Planning Board.**

Commissioner Brown moved to issue a press release for the position on the Region Six Mental Health Regional Planning Board to the Atlanta Journal-Constitution, the Fayette Daily News, and The Citizen newspapers to appoint a person to the Board. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

**3. Consideration of a proposed Policies and Procedures document relating to the use of speed tables on select County roads.**

Commissioner Hearn moved to approve the proposed Policies and Procedures document relating to the use of speed tables on select County roads. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

**4. Discussion of the results of Phase II of the segmented approach for Fayette County's Parks and Recreations Needs Assessment.**

Mr. Darryl Hicks, Vice President of the Fayette County Recreation Commission, spoke about the results of Phase II of the segmented approach for Fayette County's Parks and Recreations Needs Assessment with the Board. The Board did not take any formal action and did not give any direction on the matter.

**NEW BUSINESS:**

**1. Consideration of the appointment of Mike Saul to the Post 4 seat of the Fayette County Recreation Commission, for a four-year term which will begin April 1, 2012 and will expire March 31, 2016.**

Commissioner Brown moved to appoint Mike Saul to the Post 4 seat of the Fayette County Recreation Commission, for a four-year term which will begin April 1, 2012 and will expire March 31, 2016. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

**2. Consideration of a proposed 2013 Local Maintenance & Improvement Grant (LMIG) project list for unincorporated Fayette County, and authorization for the Chairman to sign the LMIG Application and related documents contingent upon the County Attorney's review.**

Commissioner Hearn moved to approve the proposed 2012 Local Maintenance & Improvement Grant (LMIG) project list for unincorporated Fayette County, and to authorize the Chairman to sign the LMIG Application and related documents contingent upon the County Attorney's review. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

**3. Consideration of staff's request to award Bid #850- Westbridge Road Construction, including Bridge over Morning Creek, to the low bidder Southeastern Site Development, Inc., in the amount of \$1,798,747.29, for the realignment of Westbridge Road and construction of a new 180-ft long offset bridge, and authorization for the Chairman to sign the contract contingent upon the County Attorney's review.**

Commissioner Horgan moved to award Bid #850- Westbridge Road Construction, including Bridge over Morning Creek, to the low bidder Southeastern Site Development, Inc., in the amount of \$1,798,747.29, for the realignment of Westbridge Road and construction of a new 180-ft long offset bridge, and authorization for the Chairman to sign the contract contingent upon the County Attorney's review. Commissioner Hearn seconded the motion. Discussion followed. The motion passed 3-2 with Commissioners Brown and McCarty voting in opposition.

**4. Consideration of Commissioner Brown's recommendation to continue imposing the Energy Excise Tax in Fayette County.**

Commissioner Brown moved that the Board continue imposing the Energy Excise Tax in Fayette County. Commissioner McCarty seconded the motion. Discussion followed. The motion failed 2-3 with Chairman Frady, Commissioner Hearn, and Commissioner Horgan voted in opposition. County Attorney Scott Bennett noted that no action had been taken on this matter since no motion passed.

**5. Approval of the October 25, 2012 Board of Commissioners Minutes. Chairman Frady was not present at this meeting.**

Commissioner McCarty moved to approve the October 25, 2012 Board of Commissioners Minutes. Commissioner Brown seconded the motion. No discussion followed. The motion passed 4-0-1 with Chairman Frady abstaining from the vote.

**ADMINISTRATOR'S REPORTS:**

There were no Administrator's Reports.

**ATTORNEY'S REPORTS:**

There were no Attorney's Reports.

**COMMISSIONERS' REPORTS:**

**Commissioner Horgan:** Commissioner Horgan asked for Executive Session to discuss one personnel item.

**Commissioner McCarty:** Commissioner McCarty thanked the audience for coming and for providing their input, and he welcomed the audience to return to the meeting at any time. He added that if anyone had a problem to give the Board a call.

**Commissioner Brown:** Commissioner Brown recognized Representative-elect Mabra was in attendance, and he pointed out that the Representative would be one of Fayette County's new elected representatives in a new district. He asked Representative Mabra to stand so people could recognize him.

**EXECUTIVE SESSION:**

**Personnel:** Commissioner Hearn moved to recess into Executive Session. Commissioner Horgan seconded the motion. No discussion followed. The motion passed unanimously.

The Board recessed into Executive Session at 8:15 p.m. and returned to Open Session at 8:33 p.m.

**Executive Session Affidavit:** Chairman Frady asked the record to reflect that one personnel matter was discussed in Executive session, and asked the Board to authorize the Chairman to sign an Executive Session Affidavit. The Board consented to the request.

**Termination of County Attorney Scott Bennett's Contract:** Commissioner Horgan moved to honor County Attorney Scott Bennett's contract and for the Board to terminate County Attorney Scott Bennett's contract on December 31, 2012. Commissioner McCarty seconded the motion. Discussion followed. The motion passed 4-1 with Commissioner Brown voting in opposition.

**ADJOURNMENT:**

Commissioner Brown moved to adjourn the November 15, 2012 Board of Commissioners meeting. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

The Board adjourned the November 15, 2012 meeting at 8:36 p.m.

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Floyd L. Jones, County Clerk