The Board of Commissioners of Fayette County, Georgia met in Official Session on November 29, 2007, 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
Robert Horgan
Eric Maxwell
Peter Pfeifer

STAFF MEMBERS PRESENT: Jack Krakeel, Interim County Administrator
Scott Bennett, County Attorney
Carol Chandler, Executive Assistant
Karen Morley, Chief Deputy Clerk
Floyd Jones, Deputy Clerk

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Chairman Smith called the meeting to order.
Commissioner Pfeifer offered the Invocation.
Pledge of Allegiance.

ACCEPTANCE OF AGENDA:
Commissioner Frady made a motion and Commissioner Horgan seconded the motion to accept the agenda as presented, discussion followed.

Chairman Smith requested that the agenda be amended and that the May 22, 2007 Board of Commissioners budget meeting minutes as listed in item #13 be removed from the consent agenda and moved to old business for discussion. The motion carried 5-0.

A. RECOGNITION OF BILLY GUNNIN AS A MEMBER OF FAYETTE COUNTY PARKS AND RECREATION COMMISSION:
The Board recognized Billy Gunnin and presented him with a plaque for his many years of service on the Fayette County Parks and Recreation Commission.

B. RECOGNITION OF LIEUTENANT KEVIN COMBS:
The Board recognized Lieutenant Kevin Combs on his promotion to Fire Officer in the Fayette County Fire and Emergency Services Department.

PUBLIC HEARING
Director of Community Development Pete Frisina read the rules of procedure for public hearings.

C. PACKAGED BEER AND WINE SALES PERMIT FOR RELIABLE DEVELOPMENTS GROUP, INC. APPROVED:

Director of Community Development Pete Frisina asked for the Board's consideration for a request for a Packaged Beer and Wine Sales Permit for Reliable Developments Group, Inc. d/b/a BP Food Mart, 166 Corinth Road, Jonesboro, Georgia, Aamera N. Ahmed and Fayez Ahmed, Owners, and Aamera N. Ahmed, Applicant. He said this property was located in Land Lot 182 of the 5th District, fronted on Corinth Road and S.R. 54 East, and was zoned C-H. He said the request was for a Change of Ownership only.

Chairman Smith asked if the applicant was present. There was no one appearing on behalf of the request. He then asked if anyone wished to speak in favor of the request. Hearing none, he asked if anyone wished to speak in opposition of the request. Hearing none, he asked for the Board's pleasure in this matter. He noted that this was a request for a Change of Ownership only.

Commissioner Frady made a motion and Commissioner Horgan seconded the motion to approve the request as presented. The motion carried 5-0. A copy of the request, identified as "Attachment No. 1", follows these minutes and is made an official part hereof.

D. CONSIDERATION OF AN AMENDMENT TO THE FAYETTE COUNTY COMPREHENSIVE PLAN TO INCLUDE THE DRAFT "FAYETTE COUNTY ANNUAL REPORT ON FIRE SERVICES IMPACT FEES, INCLUDING FY 2007 IMPACT FEES FINANCIAL REPORT, FY 2008-FY 2010 SHORT TERM WORK PROGRAM AND CAPITAL IMPROVEMENTS ELEMENT"; AND APPROVAL OF A RESOLUTION NO. 2007-23 FOR THE TRANSMITTAL OF SAID DRAFT DOCUMENT TO THE ATLANTA REGIONAL COMMISSION AND THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS:

Assistant Director of Planning and Zoning Tom Williams remarked that this item for the Board's consideration was the proposed amendment to the Fayette County Comprehensive Plan to include the DRAFT "Fayette County Annual Report on Fire Services Impact Fees, including FY 2007 Impact Fees Financial Report, FY 2008-FY 2010 Short Term Work Program and Capital Improvements Element"; and approval of a Resolution for the transmittal of said DRAFT document to the Atlanta Regional Commission and the Georgia Department of Community Affairs for their review and approval. He said the County was required to file these reports annually and was a requirement of the Minimum Planning Standards Act and Impact Fee Act. He noted that since May of 2001 the County had collected over $2.2 million in impact fees and in FY 2007 the amount collected totaled just over $200,000. He asked for the Board's consideration to approve Resolution No. 2007-23 to transmit this document to the A.R.C. and the D.C.A. for State and Regional review. He said at the end of that review period this will come back to the Planning and Zoning Department and staff will then bring this to the Board with a Resolution to adopt.

Mr. Williams said staff had become aware of an error in the report regarding the project for fire and emergency operation center including fire station no. 4. He said the fiscal years had been changed to FY 2008 and FY 2009 and this was in keeping with the budget process.

Chairman Smith asked if anyone wished to speak in favor or in opposition to this item.

Angela Hinton-Fonda remarked that she had downloaded the documents and read them in their entirety and questioned if there were any differences from what she had reviewed on line with the document presented tonight.

Mr. Williams responded that the project start date for the fire headquarters and emergency operations center would be FY 2008 with an end date of FY 2009. He said these would be done as one entity and would increase the cost from $2,225,000 to $3,600,000. He said the percentage of funding from impact fees would result in a slight increase to $2,250,000 and the percentage would changed from 84% to 62.5%. He said the other item was on the Short Term Work Program and the completion year was shown as 2012. He said this was now shown as a start date of 2008 with an end year of 2009. He said the estimated cost reflected the $3.6 million and the fire tax was added to the impact fees.

Commissioner Pfeifer made a motion and Commissioner Horgan seconded the motion to submit the draft Fayette County Annual Report on Fire Services Impact Fees and authorize the Chairman to execute a Resolution for transmittal to the Atlanta Regional Commission and the Georgia Department of Community Affairs The motion carried 5-0. A copy of the Request.and Resolution No. 2007-23, identified as "Attachment No. 2", follow these minutes and are made an official part hereof.

E. CONSIDERATION OF PETITION NO. 1202-07, THOMAS B. CHANDLER, OWNER, AND GEORGE W. WEST, AGENT, REQUEST TO REZONE 4.02 ACRES FROM A-R TO O-I TO DEVELOP A 12-BED HOSPICE. THIS PROPERTY IS LOCATED IN LAND LOT 126 OF THE 5TH DISTRICT AND FRONTS ON S.R. 54 WEST. STAFF RECOMMENDED APPROVAL. THE PLANNING COMMISSION RECOMMENDED APPROVAL 4-0:

Director of Community Development Pete Frisina read the petition request as listed.

Chairman Smith asked if the applicant or representative was present for this discussion.

Attorney Crandall Bray said he represented Mr. Chandler in this rezoning request. He noted that Doctors Hospice of Henry was actually the entity proposing the 12-bed hospice center to be located on S.R. 54 consisting of 4.02 acres. He said there were actually two parcels of land that totaled the 4.02 acres. He said he would like to present the Board with a Constitutional Challenge to be filed in this matter. A copy of the Constitutional Challenge, identified as "Attachment No. 3", follows these minutes and is made an official part hereof. He said Mr. Chandler and Mr. West were also present and would be glad to answer any questions that the Board might have.

Chairman Smith commented on the smaller tract of land and said the concrete shop building appeared to be over the property line.

Attorney Bray replied yes, that was correct. He said there was a boundary line agreement in the Fayette County records. He said this building was dilapidated and would be taken down. He said the houses that used to exist on this property had already been removed and the land prepared for the new construction.

Chairman Smith asked if anyone wished to speak in favor of the petition. Hearing none, he asked if anyone wished to speak in opposition. Hearing none, he asked for the Board's pleasure in this matter.

Commissioner Frady made a motion and Commissioner Pfeifer seconded the motion to approve Petition No. 1202-07 as presented. The motion carried 5-0. A copy of Staff's Analysis and Investigation, identified as "Attachment No. 4, follow these minutes and are made an official part hereof. A copy of the Ordinance and Resolution approving Petition No. 1202-07, identified as "Attachment No. 5", follow these minutes and are made an official part here

F. CONSIDERATION OF PETITION NO. RDP-008-07, RIVER PARK SUBDIVISION, JOHN WIELAND HOMES & NEIGHBORHOODS, INC., OWNER, AND LOU COURCHAINE, AGENT, REQUEST TO REVISE THE DEVELOPMENT PLAN TO ALLOW RELOCATION OF THE AMENITY AREA PLUS THE ADDITION OF A COMMON AREA AND INCREASED RIGHT-OF-WAY AT THE ENTRANCE AT S.R. 92 NORTH. THIS PROPERTY IS LOCATED IN LAND LOTS 194, 223, AND 224 OF THE 5TH DISTRICT, FRONTS ON S.R. 92 NORTH AND EASTIN ROAD, AND IS ZONED C-S. STAFF RECOMMENDED APPROVAL WITH TWO (2) CONDITIONS. THE PLANNING COMMISSION RECOMMENDED APPROVAL WITH TWO (2) CONDITIONS 4-0.

Director of Community Development Pete Frisina read Petition No. RDP-008-07 as listed.

Chip Prochino, the South Division Vice President for John Wieland Homes & Neighborhoods, Inc., requested a revision to the development plan to allow for the relocation of the amenity area. He said at the request of the County the applicant had made two changes to the plan which included the addition of the common area and also an increase in the right-of-way at the S.R. 92 entrance. He said applicant had already agreed and completed the two additional items that were discussed at the Planning Commission hearing. He said they were currently at the final plat stage. He said he would be glad to answer any questions or address any concerns.

Commissioner Maxwell said it was his understanding that this would not increase the number of residential lots and Mr. Prochino replied that was correct. Mr. Prochino remarked that they were just switching two lots, taking the amenity area from one area onto two lots and those two lots were going back to where the original amenity area was. He said there was no density change and no land change. He noted that the conservation area would remain the same.

Chairman Smith asked if anyone wished to speak in favor of the petition. Hearing none he asked if anyone wished to speak in opposition. Hearing none, he asked for the Board's pleasure in this matter.

Commissioner Horgan made a motion and Commissioner Pfeifer seconded the motion to approve RDP-008-07 with two recommendations as presented. The motion carried 5-0. A copy of the request, identified as "Attachment No. 6", follows these minutes and is made an official part hereof.

PUBLIC COMMENT:

Rick Price: Rick Price of Fayetteville expressed concern over the possibility of the Board adopting a defined benefit program for County employees. He asked that ten questions he had for the Board to answer be read into the minutes. The questions are as follows:

1. Is the Board going to vote to implement a benefit plan change of any type before the end of 2007?

2. Will the Board vote to implement a defined benefit retirement plan without a series of public meetings once the Board has made a decision to implement a defined benefit plan.

3. Can the Board explain why it has not hired an independent pension consultant. When the Board enhanced the existing defined contribution retirement plan in 1995, the Board hired an independent consultant to evaluate the options for plan design, cost and eventual coordination of the bidding process and finally the selection of a new defined contribution plan company.

4. Please explain why this Board has their stated goal that Fayette County employees retire with 100% of an employee's preretirement salary. He said he was aware that there was integration with Social Security and this was part of the calculations. Please name any major private sector employer who has as their stated goal that their employees retire with 100% of their preretirement salary.

5. Please explain why this particular Board was willing to commit future Boards and taxpayers to the unfunded liabilities that are prevalent in most government defined benefit programs.

6. Is the Board aware that constitutional officers and emergency services personnel have other options available in addition to the current County plan?

7. In the Board's research, is the Board aware of Henry County's defined benefit plan shortfall? Is the Board aware that Henry County implemented their defined benefit plan four years ago and now has a $25 million unfunded liability?

8. Can the Board explain why most major corporations in general and Delta Airlines in particular have frozen or cancelled their defined benefit retirement plans but Fayette County was reversing this trend by planning to add a defined benefit retirement plan?

9. Is the Board aware of the possible negative exposure a County employee's spouse or beneficiaries may have by participating in a defined benefit plan versus the current plan?

10. Please review the attachments on #10 that show the three local governments whose audits show that even though they were funding their annual dollars at a100% of the actuarial calculations that they all have shortfalls which will have to be paid by the taxpayers. Will this Board show the true cost of a defined benefit plan?

Mr. Price asked for the Board's consideration to provide a response from the Board as a whole or individually to his questions.

Angela Wright: Angela Wright of Senoia commented on the four wheeler track located on her property and complaints that had been made to the Marshals Office. She presented a petition to the Board. A copy of the petition, identified as "Attachment No. 7", follows these minutes and is an official part hereof.

Richard Price: Richard Price of Fayetteville commented on the water level at Lake Horton and suggested this would be a good time for the Water System to make repairs to the boat ramp. He also commented on a small trench located in the grassy area at Lake Horton where people walk and play and the possibility of someone falling down.

Tim Thoms: Tim Thoms of Fayetteville said he would like to comment on the issue regarding water violations and would do so under New Business on the agenda.

Angela Hinton Fonda: Angela Hinton Fonda discussed the issue of a defined benefits pension plan.

CONSENT AGENDA: Chairman Smith reminded the Board that the May 22, 2007 Board of Commissioners' Budget Minutes had been removed and would be discussed under Old Business.

Commissioner Frady made a motion and Commissioner Horgan seconded the motion to approve consent agenda item nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 with the exception of the May 22, 2007 Board of Commissioners' budget minutes. The motion carried 5-0.

SHERIFF'S DEPARTMENT

1. Approval of staff's recommendation for authorization to proceed with the acquisition of a new 2008 Ford Crown Victoria for the Sheriff's Department's new Compliance Officer position, including the execution of tag and title documents, as approved in the FY 08 Budget. A copy of the request, identified as "Attachment No. 8", follows these minutes and is made an official part hereof.

SHERIFF'S DEPARTMENT

2. Approval of staff's recommendation for authorization to proceed with the acquisition of two new 2008 Ford Crown Victorias for the Traffic Enforcement Division of the Sheriff's Department, including execution of tag and title documents, for two new positions, as approved in the FY 08 Budget. A copy of the request, identified as "Attachment No. 9", follows these minutes and is made an official part hereof.

SHERIFF'S DEPARTMENT

3. Approval of staff's recommendation for authorization to proceed with the acquiring replacement titles for three vehicles for the Sheriff's Department which were acquired as seized property through the court system. A copy of the request, identified as "Attachment No. 10", follows these minutes and is made an official part hereof.

SOLICITOR'S OFFICE

4. Approval of staff's recommendation for authorization to proceed with the acquisition of a Ford Crown Victoria for the Solicitor's Office, including the execution of tag and title documents, as approved in the FY 08 Budget. A copy of the request, identified as "Attachment No.11", follows these minutes and is made an official part hereof.

FIRE AND EMERGENCY SERVICES

5. Approval of Fire and Emergency Services' request to trade an existing Hurst Power Unit to Municipal Emergency Services, Inc. for a unit of equal value. A copy of the request, identified as "Attachment No. 12", follows these minutes and is made an official part hereof.

WATER COMMITTEE RECOMMENDATION

6. Approval of Water Committee recommendation for authorization for Mallett Consulting to draw up the specifications and the bid work to install the fence at the mitigation site on Helmer Road. A copy of the request, identified as "Attachment No. 13", follows these minutes and is made an official part hereof.

WATER COMMITTEE RECOMMENDATION

7. Approval of Water Committee's recommendation to adopt the revised Reservoir Management Plan. A copy of the request, identified as "Attachment No. 14", follows these minutes and is made an official part hereof.

LAKE MCINTOSH RESERVOIR PROJECT

8. Approval of "Proposal for Mitigation Site Assessments, Work Plan Preparations and Construction Support Service" with Eco-South, Inc., Environmental Consultants, for work associated with the Lake McIntosh Reservoir Project and authorization for the Chairman to execute said document. A copy of the request and contract, identified as "Attachment No. 15", follow these minutes and are made an official part hereof.

TAX ABATEMENTS

9. Approval of recommended disposition of tax abatement requests as presented. A copy of the list of tax abatement requests, identified as "Attachment No. 16", follows these minutes and is made an official part hereof.

TAX REFUNDS

10. Approval of recommended disposition of tax refund requests as presented. A copy of the list of tax refund requests, identified as "Attachment No. 17", follows these minutes and is made an official part hereof.

PARKS AND RECREATION

11. Approval of budget adjustment for the Parks and Recreation Department in the amount of $5,230.05 to account 10060110 541320 for a donation from the Youth Softball Association to be used for improvements to softball facilities. A copy of the request, identified as "Attachment No. 18", follows these minutes and is made an official part hereof.

VOICE AND CABLING BID AWARDED TO TELESOURCE, INC.

12. Approval of staff's recommendation to award Bid #636 for the Stonewall Administrative Complex Voice and Data Cabling to the low bidder TeleSource, Inc. in the amount of $27,400. A copy of the request, identified as "Attachment No. 19", follows these minutes and is made an official part hereof.

MINUTES

13. Approval of minutes for the Board of Commissioners' Budget Meeting held on May 22, 2007, Board of Commissioners' regular meeting held on October 25, 2007 and Board of Commissioners' Special Called Meeting held on November 19, 2007. *(May 22, 2007 Board of Commissioners' Budget Meeting Minutes were moved to the Old Business section of the agenda for discussion).*

OLD BUSINESS:

G. CONSIDERATION OF ALLOWING THE ACQUISITION AND INSTALLATION OF WATERLESS URINALS THROUGHOUT COUNTY BUILDINGS:

Director of Building and Grounds Maintenance Greg Ownby asked for the Board's consideration to proceed with the acquisition and installation of 53 waterless urinals throughout County buildings and for the funds to be taken from the County's contingency fund account. He remarked that the waterless urinals could save the County approximately 38,200 gallons of water per urinal or 53 times that amount for a total of 2,024,608 gallons of water. He felt his recommendation would create moreless a lifestyle in saving water instead of just being concerned with the current drought situation. He noted that installation would be done by the Maintenance Department employees.

Commissioner Frady made a motion and Commissioner Horgan seconded the motion to approve the acquisition and installation of waterless urinals throughout County buildings in the amount of $15,000 to come out of the contingency fund. The motion carried 5-0. A copy of the request, identified as "Attachment No. 20", follows these minutes and is made an official part hereof.

H. CONSIDERATION OF REQUEST BY THE ROAD DEPARTMENT TO HIRE A CIVIL ENGINEER TO ASSIST WITH S.P.L.O.S.T. AND C.I.P. ROAD DESIGN, CONSTRUCTION AND PROJECT MANAGEMENT ACTIVITIES:

Director of Public Works Phil Mallon asked for the Board's consideration to hire a Civil Engineer to assist with S.P.L.O.S.T. and C.I.P. road design, construction and project management activities. He said he had created a job description for this position and it had been reviewed by the Human Resources Department. He said the individual would have a work space at the Public Works Department and would share a vehicle. He said the individual would need a computer station and some design software as well. He noted the majority of this individual's time would be spent on S.P.L.O.S.T. projects and he could charge against this fund to pay for the individual's salary. He said the balance of the salary would have to come out of the contingency fund.

Commissioner Pfeifer questioned the experience requirements listed. He said it stated the requirement as over four years and up to and including eight years. He asked if the individual had ten years, would they be hired and Mr. Mallon replied yes. Mr. Mallon said the form also stated experience was preferred and the check boxes were there just to give an idea of the years of experience.

Chairman Smith asked Mr. Mallon if he felt the addition of this position would in any way decrease the County's reliance on the external engineer that the County currently uses and Mr. Mallon replied yes. Mr. Mallon felt over time with some of the existing projects and most notably the West Fayetteville Bypass, McIntosh bridge replacement and the capital improvement project for Snead Road which were already in the pipeline for the consultant but other projects could certainly be done in house. He interjected that Human Resources had indicated that this position should be advertised depending upon experience and qualifications.

Commissioner Pfeifer made a motion and Commissioner Horgan seconded the motion to approve the request to hire a civil engineer to assist with the S.P.L.O.S.T. and C.I.P. road design, construction and project management activities. The motion carried 5-0. A copy of the request, identified as "Attachment No. 21", follows these minutes and is made an official part hereof.

Addition of May 22, 2007 Board of Commissioners' Budget Minutes to the Agenda:

Chairman Smith asked for the Board's consideration to amend the May 22, 2007 Board of Commissioners' Budget Meeting Minutes regarding the discussion by the representatives of the Development Authority. He said they had not only talked about their budget but they also discussed the location of a Chinese Company that would be locating in Fayette County. He asked that the minutes be amended to reflect that discussion.

Chairman Smith made a motion and Commissioner Frady seconded the motion to amend the May 22, 2007 Board of Commissioners' budget meeting minutes to include the discussion by the representatives of the Fayette County Development Authority regarding the location of a Chinese company that would be locating in Fayette County. The motion carried 5-0.

NEW BUSINESS:

I. DISCUSSION OF THE MUTUAL AID AND AUTOMATIC AID AGREEMENT WITH THE CITY OF FAIRBURN:

Interim Public Safety Director Allen McCullough and Chief of Operations Tom Bartlett and the Chief of the Fairburn Fire Department Jody Weller asked for the Board's consideration to enter into a Mutual Aid and Automatic Aid Agreement with the City of Fairburn. He noted that in 1994, Fayette County had entered into an automatic as well as mutual aid agreement with the Fulton County Fire Department. He noted that Fulton County no longer houses apparatus in the Fairburn fire station and under the proposed agreement Fayette County would supply one engine company to Fairburn in a specified response area. Fayette County would also have a predetermined area where Fairburn would respond to a specified area. He said this agreement would not be extended for emergency medical services and was for fire and rescue operations only.

Commissioner Maxwell made a motion and Commissioner Frady seconded the motion to enter into a Mutual Aid and Automatic Aid Agreement with the City of Fairburn, discussion followed.

Commissioner Maxwell remarked that he noticed a termination clause three months before the end of the year and then the County would be entering into a new one that would take the County to the end of next year. He asked Chief McCullough to give the Board an updated status report in August of 2008.

The motion carried 5-0. A copy of the request and Agreement, identified as "Attachment No. 22", follows these minutes and are made an official part hereof.

J. CONSIDERATION OF A PROPOSED AMENDMENT TO THE COUNTY'S WATER RESTRICTIONS ORDINANCE THAT WOULD ALLOW FOR A THREE-TIER FINE SCHEDULE FOR VIOLATIONS.

Director of the Fayette County Water System Tony Parrott asked for the Board's consideration to adopt an amendment to the County's water restrictions ordinance that would allow for a three-tier fine schedule for violations. He noted that there would be a warning for the first violation, a $500 fine for the second violation and a $1,000 fine for a third violation with service disconnected until the fine and any additional fines were paid. He said because this was an administrative program, any appeal would be to the Board of Commissioners. He said the request also included the option for the Water System to terminate the service to irrigation meters during this Level IV drought. He said after any professional landscaping was done, a citizen would only have thirty days to water the new landscaping. He said after the thirty day period, the Water System would turn off these irrigation meters. He said there were approximately 260 irrigation meters that still had active service.

Chairman Smith said it was not this Board's intention to prevent watering on new landscaping installations.

Commissioner Frady said he did not favor this Board sitting in judgment and felt that should be something the courts would handle.

Commissioner Maxwell made a motion and Commissioner Frady seconded the motion that this would be dealt with in the State Court system with a three tier level with a warning, a $500 fine and a $1,000 fine, discussion followed.

Chairman Smith suggested an ordinance be drawn up and brought back to the Board at the December 5th Board meeting for review and adoption.

Commissioner Maxwell withdrew his motion.

It was the consensus of the Board that staff draw up an ordinance and come back to the Board at the December 5, 2007 workshop meeting for further discussion.

Chairman Smith asked if anyone in the audience wished to speak on this issue.

Brian Arnold said he represented Nature's Nursery and expressed concern over the Level IV water ban and the turning off of irrigation meters and the impact on their business..

Karen Siever said she represented Andy's Nursery and expressed concerned with the water restrictions and the impact on their business.

John Newman said he was a landscape architect from the University of Georgia and he discussed some of his irrigation concerns.

Tim Thoms questioned the amendments involved in the water ordinance and felt more thought needed to go into this.

Mr. Parrott remarked that one of the biggest issues was the County having to meet the 10% reduction in water consumption.

Commissioner Maxwell made a motion and Commissioner Horgan seconded the motion to lock all irrigation meters and discontinue service on these meters beginning the week of December 3, 2007. The motion carried 3-2 with Commissioner Frady and Commissioner Pfeifer voting in opposition.

K. DISCUSSION OF SHERIFF'S DEPARTMENT FIELD OPERATIONS DIVISION'S REQUEST TO SELL 207 GLOCK HANDGUNS TO AUTREY'S ARMORY IN THE AMOUNT OF $54,582.00; AND TO USE THE PROCEEDS TO REPLACE EMERGENCY LIGHTING EQUIPMENT, RADIOS, IN-CAR CAMERAS, ETC.

Captain Barry Babb asked for the Board's consideration to sell 207 Glock handguns to Autrey's Armory in the amount of $54,582 and use the proceeds to replace emergency lighting equipment, radios, and in-car cameras and return these funds back to the Sheriff's Department Field Operations Division to improve the equipment in the patrol fleet. He said these guns were not currently in use and were stored at the Armory.

Commissioner Pfeifer expressed concern that the taxpayers had paid for these weapons and now they were being sold. He felt the proceeds should go back into the General Fund and any needs from this department should be budgeted during the budget discussions.

Commissioner Maxwell made a motion and Commissioner Frady seconded the motion to approve the Sheriff's Department Field Operations Division's request to sell 207 Glock handguns to Autrey's Armory in the amount of $54,582.00 and to use the proceeds to replace emergency lighting equipment, and radios in the Sheriff's Department. The motion carried 4-1 with Commissioner Pfeifer voting in opposition. A copy of the request, identified as "Attachment No. 23", follows these minutes and is made an official part hereof.

ADMINISTRATOR'S REPORT
None.

ATTORNEY'S REPORT
None.

BOARD REPORTS
None.

STAFF REPORTS:
None.

EXECUTIVE SESSION: County Attorney Scott Bennett requested an Executive Session to discuss one litigation matter.

Commissioner Maxwell made a motion and Commissioner Horgan seconded the motion to adjourn to Executive Session to discuss one litigation matter. The motion carried 5-0.

LITIGATION: County Attorney Scott Bennett discussed a litigation matter with the Board.

Chairman Smith reconvened the meeting at this time.

Commissioner Horgan made a motion and Commissioner Frady seconded the motion to authorize the Chairman to execute the Executive Session Affidavit affirming that one legal matter was discussed in Executive Session. The motion carried 5-0. A copy of the Affidavit, identified as "Attachment No. 24", follows these minutes and is made an official part hereof.

Chairman Smith said the Board had directed the County Attorney to proceed in the legal matter.

Commissioner Maxwell made a motion and Commissioner Horgan seconded the motion to adjourn the meeting at 9:50 p.m. The motion carried 5-0.

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Karen Morley, Chief 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 2nd day of January, 2008.

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Karen Morley, Chief Deputy Clerk