

The Board of Commissioners of Fayette County, Georgia met in Official Session on Wednesday, July 7, 2004 at 3:30 p.m. in the public meeting room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

COMMISSIONERS PRESENT: Greg Dunn, Chairman  
Linda Wells, Vice Chair  
Herb Frady  
Peter Pfeifer  
A.G. VanLandingham

STAFF MEMBERS PRESENT: Dennis Davenport, County Attorney  
Carol Chandler, Executive Assistant  
Peggy Butler, Chief Deputy Clerk

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Chairman Dunn called the meeting to order, gave the invocation and led the pledge to the flag.

**NEW BUSINESS:**

**OUT-OF-COUNTY RESIDENTS TO PAY TO FISH AT LAKE HORTON:**

Tony Parrott, Water System Manager, requested that the Board consider a fee of \$10 per day per car for out-of-county residents for use of the facilities at Lake Horton. He also asked the Board to approve the installation of a lock box, covered shelter and asphalt lane at Lake Horton in the amount of \$2,450.00.

Commissioner VanLandingham said he understood that this fee was just for fishing.

Chairman Dunn asked if someone was going to go out to Lake Horton to walk the walking paths they would be charged \$10.00. Ron Salmons, Director of Leisure Services and Development, said that everyone who came into the park from out-of-county would be charged \$10.00. He said if they were going to utilize the facilities in any fashion and were out-of-county they would be charged \$10.00.

Commissioner Frady asked if that was going to apply to all parks. Mr. Salmons responded that it was not, only to Lake Horton.

Commissioner Wells said she wanted to make this clear. She clarified that they were talking about any usage at the park would be a charge of \$10.00 a day. Mr. Salmons said yes for out-of-county people. Commissioner Wells said she thought this charge was to be strictly for fishing. She said she could support fishing but she could not support the other.

Mr. Salmons said they could try just charging for fishing. He said they would have to work with the Marshal's office on how to enforce that. He said they tried to make it simple by having a charge for everyone who came in. Mr. Salmons said they would identify out-of-county citizens by license plates. He said that was how they were approaching this.

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Commissioner Frady asked if people went out to Lake Horton just to go walking.

Chairman Dunn said there was a lot of people who walked and jogged out there.

Mr. Salmons said a lot of folks did use the park for walking and jogging but he thought the majority were from Fayette County.

Commissioner VanLandingham said that did not cost us any money and he thought it was a compliment to our facilities that someone would want to come that far to use it.

Chief Jack Krakeel, Director of Public Safety, said that in March of this year Mr. Cofty asked him to look at the usage of the park during the Marshal's patrol of the facility. He said they visited Lake Horton every day during the month of April. He said they found in only checking out-of-county tags and those with trailers carrying boats that of those fishing the lake 68% of the population were out-of-county residents.

Chairman Dunn asked about fishing from the bank. Chief Krakeel said they did not ask those they saw fishing from the banks. The survey was limited to vehicles with trailers. He said it was a random survey done at different times each day.

Chairman Dunn asked if they were to put a fee on fishing only would it include fishing from the bank. Mr. Krakeel and Mr. Salmons said yes it would.

Motion was made by Commissioner VanLandingham to approve a fee of \$10.00 per day per car for non-county residents to come to Lake Horton to fish with this to be in effect 60 days from this date. Motion was seconded by Commissioner Frady. Discussion followed.

Commissioner Frady asked if there was this same charge at Kedron. Mr. Parrott replied that Kedron was different because of the way Kedron was financed and constructed. He said it had received some federal funding.

Chairman Dunn said he had a problem with the continuity of charging. He was concerned with charging people to fish in one lake and not charging at another lake such as Starr's Mill. He said if there was going to be a charge at one lake it should be a charge at all lakes.

Commissioner VanLandingham asked if there was a box at Starr's Mill that people payed on an honor system. Mr. Parrott said there was a donation box. Chairman Dunn said that a donation was different than a fee.

Commissioner Wells said she would feel better if they put this off long enough to get an opinion from the legal counsel as to whether or not this could be implemented countywide. She said she had concerns about charging people at one facility and not another, and she felt it was going to get real confusing.

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Commissioner VanLandingham said he would like to see this fee implemented now at Lake Horton and add the others if possible.

Commissioner Pfeifer said he agreed. He said this had been the subject of numerous conversations with the Water Committee.

Chairman Dunn said he was all for limiting the use of the facilities to the taxpayers that built them. He said he did not feel there should be a situation where one body of water was free and the other body of water cost \$10.00 per day. He said he would not support the motion now. He said he would like to see it come back after it was checked out.

Commissioner Pfeifer asked if the County Attorney was present at all the Water Committee meetings. Mr. Parrott said that he was. Mr. Pfeifer said he assumed if there was a problem he would have mentioned it.

Commissioner Wells said it would not be a problem just doing one. She said sometimes all of us were so intent on solving a problem that we forget that the problem did not exist in and of itself. She said all of us were very much aware that there was a problem at Lake Horton that needed addressing. She said in addressing that problem sometimes it was forgotten that there were other facilities that should also be addressed at the same time. She said she had a problem with doing things piece mill.

Chairman Dunn called the question. Motion passed 3-2 with Chairman Dunn and Commissioner Wells voting in opposition.

**3 APPOINTMENTS TO THE HOSPITAL AUTHORITY:**

Chairman Dunn said there was one unfilled position and two that were filled at the present time that could be reappointed.

Commissioner VanLandingham said for the unfilled position he wanted to nominate Mr. Aaron Adams who the Board had considered and talked about.

Commissioner Frady said he thought they had talked Mr. Adams into not taking another position because he was better suited for this position. He said he would not want the Board to change their mind since the gentleman was expecting to be appointed to this Hospital Board.

Commissioner Wells said this gentleman did put his name in some time ago when they were considering people for the Recreation Committee. She said at that time there was only one slot and his name was put on the forward motion for this position. She said she did not know that he was promised a slot here but that he would be considered for a slot here. She said any time the Board had the opportunity to receive two very qualified

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individuals they needed to look at them both equally and the spot needing to be filled. She said it was mentioned to her that there might be two positions here.

Carol Chandler replied that with one of the positions that there could be a reappointed because there may be a conflict of interest with that person sitting on the Board.

Commissioner Wells said if that was the case then there were two very qualified individuals that could be appointed. She said both individuals should be equally considered. She said she had nothing against Aaron Adams nor any vested interest in Steve Widener. She said sometimes they got the Boards they deserved because they did not have qualified people apply or they go ahead and rubber stamp the people who put their names in.

Commissioner Wells said they needed to look at the existing Board. She said there were five slots on the Board. She said currently on the Board was Chief Jack Krakeel, who had medical background expertise in the emergency. She said there was a doctor on the Board. She said Joan Smith was on this Board and she was a registered nurse. She said Mr. McKinney was serving on the Board but she was not sure of his affiliation. She said Aaron Adams was a physical therapist which was a medical background. She said Mr. Widener had a tremendous amount of experience as CEO's of hospitals and he had been a hospital administrator. She said he understood the operation of hospitals far more than anyone else on the Board.

She said when looking at a Board of five individuals of a hospital she said they needed to get a wide variety of expertise. She said Mr. Widener would have that expertise that was missing whereas Mr. Adams was bringing another medical philosophy to that Board. She thought they needed to bring as much diversity as possible.

Commissioner Wells said they were both qualified but they needed to look and see if they wanted all medical people on the Board or the medical people currently on the Board and the expertise from the operations side also because a hospital cannot exist strictly from the medical concept.

Chairman Dunn said this was a great problem to have two very qualified people. He said Mr. Adams was a therapist and not a medical doctor and he was also a sports medicine person which was different than the medical positions held on the Board. He said Mr. Widener seemed very qualified in both hospital administration and management. He said that was a great combination to put on the Board.

Chairman Dunn said he was aware of the conflict and he felt that what was going to happen in the future was that the doctor was going to have to leave. He asked if the Hospital Administrator, Darrell Cutts, was aware of the potential conflict of one of the hospital board members. Carol Chandler said that he was aware and he did not feel it would be inappropriate to replace this person.

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Chairman Dunn said they had implied to Mr. Adams that he would be seriously considered for this position so he would like to keep him. He said he did not know Mr. Widener and but he had tremendous experience.

Commissioner Pfeifer said he would like to reappoint Jack Krakeel and appoint these two gentlemen.

Chairman Dunn said the terms had totally expired on the previous Board members and they were under no obligation to reappoint anyone.

Motion was made by Commissioner VanLandingham to appoint Aaron Adams, Jack Krakeel and Stephen Widener to the Hospital Authority Board for the term of June 1, 2004 thru May 31, 2008. Motion was seconded by Commissioner Frady. Motion carried 5-0.

**CONSENT AGENDA:** Motion was made by Commissioner Wells, seconded by Commissioner Pfeifer, to approve the consent agenda as presented. Motion carried 5-0.

**INCREASE THE INSURANCE REFUNDS REVENUE AND FIRE DEPARTMENT VEHICLE REPAIR EXPENSE BUDGET:** Approval to increase the insurance refunds revenue budget and Fire Department vehicle repair expense budget by \$2,471.12. Funds were received from insurance reimbursement.

**CONTINGENCY FUNDING TO COVER OVERTIME EXPENDITURES IN THE FIRE AND EMERGENCY SERVICES BUDGET:** Approval for contingency funding to cover overtime expenditures in excess of available funds in the Fire and Emergency Services budgets, \$4,355 from the General Fund and \$20,251 from the Fire Fund.

**TRANSFER OF FUNDS TO THE COUNTY'S VEHICLE REPLACEMENT FUND:** Approval to transfer funds from the General Budget fund to the County's Vehicle Replacement fund in the amount of \$11,830.25. Funds were received from insurance reimbursement.

**INCREASE BUDGET FOR THE GEORGIA DEPARTMENT OF HUMAN RESOURCES FOOD STAMP PROGRAM:** Approval to increase FY2004 budget by \$4,000 for the Georgia Department of Human Resources Food Stamp Program.

**AUTHORIZATION OF CHAIRMAN TO SIGN THE "RESOLUTION TO AUTHORIZE INVESTMENT":** Approval of authorization of the Chairman to sign the "Resolution to Authorize Investment" due to change of job responsibilities in the Finance Department. A copy of the Resolution, identified as "Attachment No. 1", follows these minutes and is made an official part hereof.

**REMOVAL OF OUTSTANDING PERSONAL PROPERTY TAX BILLS:** Approval to allow Tax Commissioner George Wingo to remove outstanding personal property tax bills that are below the taxable threshold of \$7,500.00 from his records.

**APPOINTMENTS TO THE PUBLIC FACILITIES AUTHORITY:** Approval to reappoint Chuck Watkins, Mary Shaver and Jack Smith to the Public Facilities Authority for a one year term retroactive to March 1, 2004 and ending on February 28, 2005.

**APPOINTMENT TO THE DFCS BOARD:** Approval to reappoint Karen Spangler to the DFCS Board for a term beginning July 1, 2004 and ending June 30, 2009.

**BID AWARD TO MCCORD COMMUNICATIONS:** Approval to award the bid for 4 emergency warning sirens to the low bidder, McCord Communications, in the amount of \$142,592.00. A copy of the bid, identified as "Attachment No. 2", follows these minutes and is made an official part hereof.

**BOARD MINUTES:** Approval of minutes for Board of Commissioners' Special Called Budget meeting held on June 7, 2004 and the minutes for the Board of Commissioners' meeting held on June 10, 2004.

**PUBLIC COMMENT:**

Members of the public are allowed up to five minutes each to address the Board on issues of concern other than those items which are on this evening's agenda. There was no public comment.

**STAFF REPORTS:**

**DENNIS DAVENPORT:** Attorney Davenport requested an Executive Session to discuss two legal items.

**HERB FRADY:** Commissioner Frady said he had one legal item for Executive Session.

**GREG DUNN:** Chairman Dunn said he had one legal item for Executive Session.

Motion was made by Commissioner Wells, seconded by Commissioner Pfeifer, to adjourn to Executive Session to discuss four legal items. Motion carried 5-0.

**EXECUTIVE SESSION:**

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**LEGAL:** Attorney Davenport advised the Board on a legal matter.

Motion was made by Commissioner Wells, seconded by Commissioner Pfeifer, for the attorney to proceed in this matter. Motion carried 4-1 with Commissioner Frady voting in opposition.

**LEGAL:** Attorney Davenport discussed a legal matter with the Board.

The Board took no action on this matter.

**LEGAL:** Commissioner Frady discussed a legal matter with the Board.

The Board took no action on this matter.

**LEGAL:** Chairman Dunn discussed a legal matter with the Board.

Motion was made by Commissioner Wells, seconded by Commissioner Frady, for the Board to proceed in this matter. Motion carried 5-0.

**EXECUTIVE SESSION AFFIDAVIT:** Motion was made by Commissioner Wells, seconded by Commissioner Pfeifer, authorizing the chairman to execute the Executive Session Affidavit affirming that four legal items were discussed in Executive Session. Motion carried 5-0. A copy of the Affidavit, identified as "Attachment No. 3 ", follows these minutes and is made an official part hereof.

There being no further business to come before the Board, Chairman Dunn adjourned the meeting at 5:25 p.m.

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Peggy Butler, Chief Deputy Clerk

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Gregory M. Dunn, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 22nd day of July, 2004.

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Peggy Butler, Chief Deputy Clerk