

The Board of Commissioners of Fayette County, Georgia met in Official Session on Wednesday, May 4, 2005, 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: Chris Venice, Acting County Administrator
William R. McNally, County Attorney
Carol Chandler, Executive Assistant
Karen Morley, Chief Deputy Clerk

PROCLAMATION RECOGNIZING MAY AS “OLDER AMERICANS’ MONTH”:

Chairman Dunn recognized representatives from Senior Services Board including Frances Reeves, Vicki Turner, Joan Neal, Elaine Galley and Director of Senior Services Andy Carden and presented them with a Proclamation recognizing May as “Older Americans’ Month.” A copy of the Proclamation, identified as “Attachment No. 1”, follows these minutes and is made an official part hereof.

UPDATE ON THE STORMWATER MANAGEMENT ORDINANCE:

Acting County Engineer Phil Mallon updated the Board on the Stormwater Management Ordinance. He remarked that firstly there had been a milestone in terms of the implementation schedule and secondly if everything goes according to schedule with the Planning Commission tomorrow night he would be bringing two major revisions to the county’s development regulations to the Board on May 26th. He said if the Board had any questions or concerns about these new regulations, he would be more than happy to meet with any Board member between now and May 26th to discuss it in more detail.

Mr. Mallon remarked that the stormwater management program was driven by two factors. He said one was the county’s NPDES general permit that was nationwide implementation at the Federal level and the second was Fayette County’s participation in the Metropolitan North Georgia Water Planning District. He said through the District the county had been strongly encouraged or required to adopt seven stormwater management ordinances. He said the county had done this for five of the ordinances. He said the county had either adopted new ordinances or had existing ones on the books that satisfied the requirements. He said the county should have had all seven ordinances done by the beginning of April, 2005. He said he was behind schedule on two of these ordinances. He said if these were approved by the Planning Commission and the Board, the county would be back in compliance. He said it was more important to him if there was a concern that needed to be addressed that he would rather get it right for the county rather than meet the schedule.

Mr. Mallon further remarked on the first regulation which was post-development stormwater management for new and redevelopment was a brand new ordinance for the county's development regulations. He said the two main things that this was going to do was (1) was to establish water quality criteria for new development and (2) require the inspection and maintenance of stormwater management facilities such as ponds, infiltration trenches or any other feature associated with stormwater control. He said a side affect of this would be for subdivisions. He said the county would require that all stormwater facilities be on common ground. He said this would mean a slightly smaller lot yield to the developers per development. He said the big benefit was that it would avoid people finding out sometimes at very inopportune times that they owned and were responsible for a portion or all of a pond, outlook control facility or some of the more elaborate water quality treatment systems that might be proposed. He said that common land that would be owned by a homeowners' association would be responsible for its maintenance and upkeep.

Mr. Mallon further remarked on the inspection and maintenance. He said staff had spent a lot of time reviewing options. He said every alternative that they looked at had some benefits as well as some drawbacks. He said that any new development commercial or residential would have to submit an inspection in a maintenance agreement. He said the operations and maintenance plan would be prepared by the design engineer that very clearly identified all of the control measures and at what intervals they would need to be inspected and what maintenance requirements were needed over time. He said the inspection and maintenance agreement would be more of a legal document that committed a party to performing that work.

Mr. Mallon said that on commercial projects staff felt this should be enforced through the normal notice of violation letter. He said if that failed to get the results necessary, then it could be accomplished through citations in the court system. He said this was the same procedure that the fire marshal would use for a commercial building whose sprinkler system was not working properly. He commented on residential developments and stated the burden of doing that work would go on the homeowners' association. He said the creation of a homeowners' association would be mandated as part of the final plat process so the developer would have to establish it as a legal entity. He remarked that everybody buying into that subdivision would become a member whether they liked it or not. He said as a member or in addition to the homeowners' association a special stormwater tax assessment area would be established. He said that would be the county's leverage to make certain the operation and maintenance activities were performed. He said if a homeowners' association did all of the work according to the plan and submitted all necessary reports, the county would review them and proceed. He said if the homeowners' association failed to do the work, then the county would have the option to do the work for them and recover costs during the following fiscal year through a special tax to them. He said the main benefit of putting the burden on the property owners was that it would minimize the growth of government and possibly avoid creating a new department or utility and minimize an increase in county staff.

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Commissioner Frady asked if the county could force people to have a homeowners' association under this law that was mandated.

Mr. Mallon responded yes.

Commissioner Frady asked who was mandating this.

Mr. Mallon replied that this was coming from the Water Planning District. He said the more common approach was to create a stormwater utility.

Commissioner VanLandingham asked what would happen now to existing subdivisions that had retention ponds but no homeowners' association in existence.

Mr. Mallon replied that those subdivisions would continue to operate as they currently did and that meant that probably no maintenance and operation procedures. He said this would only affect new development or substantial redevelopment.

Commissioner Frady clarified that everyone else would be grand fathered in and Mr. Mallon agreed.

Mr. Mallon remarked that one of the benefits to him of this approach was that this entire program and the technical book behind it had a lot of new information that was through some of the phase I communities in the Atlanta area. He said they had been doing this for the last year and a half. He said there was no way to tell three years from now if the county would look back and determine that this was really working or if the county might decide to change its direction. He said in his opinion it made the most sense to do the least amount of new government creation until it was determined if this system was really working the way the county wanted it to.

Commissioner Frady remarked that the alternative to this would be for the county to have a stormwater utility and tax everyone.

Mr. Mallon remarked that the county would have to decide what that tax structure would be and what the fee structure would be.

Commissioner Frady said the creation of tax districts for individual subdivisions would be an alternative.

Chairman Dunn remarked that the City of Fayetteville and the City of Peachtree City have stormwater utilities and were currently taxing citizens.

Mr. Mallon said the county was set up a lot differently in terms of density of development than a city.

Chairman Dunn pointed out that many subdivisions have homeowners' associations and after a period of time they become inactive. He said the county might end up with an enforcement problem in the years to come.

Mr. Mallon said people could not be made to come to a homeowners' association. He said there was language in this ordinance where the county could do the work and then it would just show up on their tax bill.

Commissioner Frady said he did not know if he would be in favor of that option.

Attorney McNally remarked that what was being anticipated was the existence of an agreement similar to what the county had on the street light ordinance. He said when someone buys into a new development, that was executed in advance and they agreed that in the event the system was not kept up, the county could keep it up and assess the development their share of that expense. He said it was not something of arbitrarily doing something but they would have to agree to it in advance.

Commissioner Frady asked if developments had the options of doing street light districts or not doing them.

Attorney McNally replied no and remarked that usually the development had bought into the street lights in advance and they had no choice. He said this pertained to new subdivisions only.

Commissioner VanLandingham asked if the county would be informed of the options or would it just have one choice when it was presented on May 26th.

Mr. Mallon replied that it would be written with the choice made. He said that was one of the reasons he felt he needed to discuss this further with the Board just in case there were any questions.

Commissioner Wells pointed out that this was not the first time the Board had been approached on this issue. She said Mr. Mallon had met with each and every Commissioner individually and collectively and discussed this. She felt the direction that the Board had been heading to all along was that it would prefer not to create another level of government, a utility or an authority if it was not necessary. She said this was very new and the county did not know what the State was going to require of the county. She said in order to be pre-emptive the county was going to handle it with the least amount of expense on the part of everyone and then see where the government takes it. She said the county had no choice on this and it had been known that it was coming down the pike for the last five years and rumored for the past ten years.

Chairman Dunn remarked that former County Engineer Ron Salmons briefed the entire Board on this issue in a public session several years ago. He said Mr. Salmons had

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discussed with the Board the way staff preferred to go and he recalled the entire Board agreeing that would be the best way to go. He said to say that there would be no problems did not exist in this world of water regulations.

Commissioner Wells said she preferred not to do any of it but the county really did not have a choice since this was one of those unfunded mandates that had come down to the county.

Mr. Mallon remarked that he did not have a good sense for the amount of inspection and maintenance requirements that the county would really end up seeing on these subdivisions. He said the county was in a good position in that the county's generally large lot sizes compared to most of the surrounding counties. He said there was an exemption if the subdivision was two acres or larger. He stated that a lot of the structural requirements might be a lot less for some of the subdivisions than what might be seen elsewhere.

Chairman Dunn remarked that the county had been using the best management principles for quite a while in new county development. He said there should not be that great of a problem as the county transitioned to this for the newer developments.

Mr. Mallon stated that the county had been requiring detention and this would be a little more.

Commissioner Frady felt this might be very expensive on a subdivision.

Mr. Mallon interjected that there were several ways to accomplish this and there would be a learning curve for the county staff as reviewers as well as all of the developers and engineers who did work in the county.

Chairman Dunn asked when this item would go before the Planning and Zoning Board.

Mr. Mallon replied that this item had been through three Planning and Zoning workshops and it was on the public hearing portion of their agenda tomorrow night.

Chairman Dunn remarked that citizens could discuss this and ask questions at that meeting and then the Board would be asked to approve it on May 26th at its regular meeting.

Mr. Mallon said he would be glad to discuss this further with any Board member.

Mr. Mallon commented on the stream buffer protection. He said staff had made a relatively last minute change in this and felt the existing watershed protection ordinance was going to be sufficient to meet what the State was requiring. He said through some seminars that staff had attended and most importantly some phone calls with the A.R.C. it was

determined that the county would not be sufficient with what it had and the stream buffer protections would have to be increased. He said staff felt the best way to do this instead of creating a new ordinance would be to add some additional language to the watershed protection ordinance and implement it in the same manner. He said, if approved, it would expand the State 25 foot natural buffer along all streams to a county 50 foot buffer. He said that would pertain to each side for a 100 feet total and then add on top of that a 25 foot impervious area setback. He said the total swath of land around every State water area would be up to 150 feet that would have some kind of regulation on it.

Commissioner Frady asked if this just pertained to the 18 county water board district or was it State wide.

Mr. Mallon replied that the requirement for the stream buffers was in the water planning district only. He said this also applied to the stormwater.

Commissioner Frady clarified that this would control the 18 counties.

Mr. Mallon remarked that a good number of the more urban counties were developing these voluntarily. He said this included Columbus and Athens-Clarke County were both adopting these.

Chairman Dunn interjected that they were not doing this voluntarily. He said there had been legislation that had been proposed this year and some of it did not pass but it was going to be passed next year to expand to the metropolitan areas throughout the State.

Commissioner Frady asked what if the other counties were adopting the utility or the subdivision.

Mr. Mallon replied that he had researched all of them but most were doing a utility. He said he had spoken to someone today who had said that Gwinnett County was not doing a utility and still trying to keep it under the private sector. He said Douglas County was doing it for their water and sewer authority and they were keeping most of it on the private sector as well.

Chairman Dunn remarked that the more dense a county was it was more likely that they would be doing a utility with a less dense county in the metropolitan area. He said Fayette County would be the most likely choice not to do the utility. He said there might be a time in the future where the county would have to change but right now he felt this was the way to go. He said the second item bothered him more than the first one. He said Fayette County's stream protection ordinances were stronger than anybody's right now for its major water sources. He said the county gets complaints all of the time where developers have been denied access to the watershed to put anything. He said this was one of the issues in the Pulte development that the Board had recently turned down because they wanted to put a golf course in the watershed. He said the Board felt that was totally inappropriate.

He said the State was now asking the county to find every stream regardless of size if it goes to any water source that is a State water source. He felt the county would have a hard time finding some of these streams.

Mr. Mallon said this would put the burden on the developer to find these streams. He said the county was not going into an existing subdivision that had a stream and implement a buffer. He said this would only be enforced in new development. He said the mapping work would be done by the developer.

Chairman Dunn asked how non-perennial streams would be handled.

Mr. Mallon said he had decided to use the term State waters and in the actual ordinance he referenced and used the same definition that the county had been using under the erosion control ordinance. He said the final determination would be made by the engineering department. He said he had specifically excluded wet weather only channels and streams.

Chairman Dunn thanked Mr. Mallon for his presentation.

DISCUSSION OF THE DEVELOPMENT OF A FIVE YEAR PLAN FOR THE FAYETTE COUNTY PUBLIC LIBRARY:

Fayette County Library Director Chris Snell thanked the Board for this opportunity to come before the Board. She said this discussion was a result of a strong recommendation from the Fayette County Library Board. She remarked in 1998 the library had developed a long range plan. She said while the library had achieved all of the goals that were in the 1998 plan, the Library Board now felt that the plan should include more of a community base and getting a task force together. She said they had contacted people in various organizations including healthcare organizations, governmental organizations and other international organizations of the community base that were within this community. She said while there were no funds to fund this project, they had asked the Friends of the Library if they would fund this project for the library. She introduced Ms. Dortha Stinson to speak on this issue.

Dortha Stinson, President of the Friends of the Library, the Friends organization was twenty years old. She said the library was a non-profit group and they were library advocates. She said their primary purpose was to raise funds and they accomplish this through used books sale. She said they would be having a sale on May 14th. She said there were different categories for memberships not the least of which was a corporate membership that was \$100 per year. She said the memberships range from \$1.00 all the way up to \$10.00 for individuals. She said they raise the funds and then meet with Chris Snell and the library staff and asked them what the library needs. She said then they underwrite what the library needs. She said the long term study that they were going to fund for the library would tell them where Fayette County was right now as far as library services and where the library would be in ten to twelve years and what would be needed from the library to meet those goals and reach the vision that they have for the library for

the next five to ten years. She said the Friends had undertaken the steps to fund this. She said Ms. O'Donnell had come to their meeting and gave an overview of what she had done previously. She said Ms. O'Donnell was very, very experienced and had done a lot of these. She said normally a study of this magnitude would cost \$15,000 to \$20,000. She said they did not need a building and this would allow for a discount. She said Ms. O'Donnell would be doing the study for the Fayette County Public Library for \$10,000. She said the Friends had \$5,000 right now and they were working on the second \$5,000. She said they would have the full \$10,000 at the time the study was completed. She said they were asking the community to support this endeavor. She said Ms. Snell would be asking the Board members as well as people from different organizations including government, education, medical, community advocates and community groups to come and spend some time with Ms. O'Donnell and help with the long term plan. She said they needed this input to let the library know what kind of services it needed and what kind of services the community would like to see in the next five to ten years and what the library needed to do to keep up with county growth. She said when the study was completed they would have a written presentation from Ms. O'Donnell as well as with the seniors of the community. She noted that Frances Reeves who had just spoken earlier in the meeting was a very dedicated Friends of the Library member. She said the focus of the library was to serve everyone from babies to seniors. She said this was their gift to Fayette County and she was requesting support and cooperation from the community.

Ms. Snell thanked Ms. Stinson for her presentation. She said the Friends group wished to start this on May 17th when Ms. O'Donnell would come down again and meet with the Library Board. She said normally plans of this nature take one year to complete but they hoped to have this established in approximately five to six months.

Commissioner Pfeifer said he would support this fully. He said Fayette County had great people and the more volunteers and participation from the community the better off the county would be.

Chairman Dunn remarked that the Friends of the Library did a great job for the library and there were so many things in the library today that were purchased with funds that were raised by the Friends organization. He said as with any study, this study would be conducted by a consultant that the library would pay and then that would be given to the Library Board.

Ms. Snell said that was correct but the Board of Commissioners would also be involved. She said Ms. O'Donnell would like to meet with the County Commissioners as well as the County Administrator.

Chairman Dunn clarified that the product would go to the Library Board first and then the Library Board would make some recommendations to the Board of Commissioners.

Ms. Snell replied yes, that was correct.

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Chairman Dunn said the Board would have to determine at that point what things in the study that the Board would agree or disagree on doing in the future.

Ms. Snell replied yes, that was correct.

Chairman Dunn said the Board did support the study 100% but that did not imply that he would support every recommendation that might be made in the study. He said the Board would have to operate with caution with taxpayers' money. He said this was a wonderful effort. He said the Fayette County Library continued to be leading the pack and the Board wanted this to continue. He thanked Ms. Snell and Ms. Stinson for all of their effort.

Commissioner VanLandingham said he would like to commend the Library Board and the Friends of the Library for what they had done. He said without these individuals the Fayette County Library would not be what it was today. He said he and his entire family utilized the library quite a bit. He said it was a wonderful place to learn and he felt was one of the best libraries in the Country.

Ms. Snell thanked the Board members for all of their support.

CONSENT AGENDA: On motion made by Commissioner VanLandingham, seconded by Commissioner Pfeifer to approve the consent agenda as presented. The motion carried 5-0.

WATER SYSTEM: Approval of request from Water System Director Tony Parrott to reimburse the developer to install a larger waterline on Rising Starr and Huckaby Roads. A copy of the memorandum, identified as "Attachment No. 2" follows these minutes and is made an official part hereof.

BID AWARD #508 - MCCURRY PARK SOUTH SOCCER FIELDS LIGHTING TO SOUTHEAST ELECTRICAL CONTRACTORS: Approval of recommendation from Director of Purchasing Tim Jones to award Bid #508 for McCurry Park South Soccer Fields lighting to low bidder Southeast Electrical Contractors in the amount of \$76,626. A copy of the memorandum, identified as "Attachment No. 3", follows these minutes and is made an official part hereof.

RECREATION DEPARTMENT - BUDGET ADJUSTMENT FOR MCCURRY PARK SOUTH SOCCER FIELDS LIGHTING PROJECT: Approval of request from Director of Recreation Anita Godbee for a budget adjustment to increase Soccer Light Refurbishment "P0005" CIP budget by \$30,000 to cover additional cost needed to award project as recommended by the Director of Purchasing Tim Jones to low bidder Southeast Electrical Contractors. A copy of the memorandum, identified as "Attachment No. 4", follows these minutes and is made an official part hereof.

D.O.T. CONTRACT LAR05-S007(761): Approval to enter into D.O.T. contract LAR05-S007(761) for resurfacing of several county roads. A copy of the contract, identified as "Attachment No. 5", follows these minutes and is made an official part hereof.

ELECTIONS OFFICE - GRANT APPLICATION: Approval of Elections Supervisor Carolyn Combs's request to authorize the Chairman to execute grant application for funding to improve the accessibility of elections to individuals with disabilities. A copy of the memorandum and application, identified as "Attachment No. 6", follow these minutes and are made an official part hereof.

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.

Kim Finck: Kim Finck, 330 North Fayette Drive, Fayetteville asked for the Board's consideration in amending the animal control ordinance to allow a citizen to have more than three animals.

STAFF REPORTS:

MAY 12TH BOARD OF COMMISSIONERS MEETING CANCELED: Executive Assistant Carol Chandler asked for the Board's consideration in canceling the May 12th, 2005 Board of Commissioners' meeting due to a lack of agenda items.

On motion made by Commissioner VanLandingham, seconded by Commissioner Wells to cancel the May 12th, 2005 Board of Commissioners' meeting due to a lack of agenda items. The motion carried 5-0.

PUBLIC WORKS DIRECTOR LEE HEARN: Director of Public Works Lee Hearn discussed the Intergovernmental Agreement for Johnson Road over Line Creek Bridge Replacement, Fulton County Project No. T178 with the Board. He said last summer he had begun discussions with Fulton County regarding the improvement of a bridge on Johnson Road in Fulton County. He said the name of the road was Bohannon Road in Fayette County. He said this bridge was scheduled to be replaced. He remarked that initially Fulton County had asked Fayette County for 50% participation in the bridge replacement. He said in working with Charlie Hogan in the Tax Assessor's Office the bridge was located 100% in Fulton County based on the county line. He said the bridge was on Line Creek but the Creek was not the county line in this particular location. He stated that he had asked Fulton County to revise their Intergovernmental Agreement that they were going to submit and to have it just include the work that would be done in Fayette County. He said during the budget process he had put money in his budget for this project in the amount of \$60,000. He said during the budget process he realized that he had not brought the Intergovernmental Agreement to the Board of Commissioners for consideration. He said

he was bringing this to the Board today and would be glad to answer any questions. He remarked that the work involved raising the height of the finished grade of the bridge and that was what was affecting Fayette County. He said the road would have to be increased in elevation approximately three feet. He said this would mean that Fayette County would be responsible for that work only. He remarked that other work the county would be responsible for would be the acquiring of right-of-way and any utility relocation that would be required on the project.

Commissioner Frady asked if Bohannon Road was the road just South of S.R. 74.

Mr. Hearn replied yes. He said the bridge was a very old bridge with wooden pilings under it that were in very bad shape. He said there were actually two bridges there and as soon as this bridge was repaired, they would drop back and detour the traffic and replace the other bridge.

Commissioner Frady asked if the bridge had a lot of tractor trailer traffic.

Mr. Hearn responded no, not at this time because of the very restrictive load limit.

Commissioner VanLandingham asked why the bridge could not be put back to the same grade.

Mr. Hearn replied that was a very good question. He said when Fayette County was required to repair a bridge, the county must provide at least as much area for the flow of the creek as there was before. He said in his discussion with the Fulton County engineers it was his understanding that they were going to use a deeper beam this time so that there could be a longer span and less obstructions in the creek bed and raise this.

Commissioner Frady asked if this would increase tractor trailer traffic on Kirkley Road. He said where would traffic go from Bohannon Road if they did not come down Kirkley Road.

Mr. Hearn responded that Bohannon Road tied into Creekwood Road that goes back into the industrial area toward Fairburn.

Commissioner Frady asked if the bridge was dangerous for automobiles.

Mr. Hearn replied no, not at this time but it was like some of the bridges on Fayette County's list that need to be upgraded and replaced.

Commissioner VanLandingham said he had spoken with Colonel Hannah of the Sheriff's Department this afternoon about this area. He said there was already a street up there where they were experiencing difficulty with speeding traffic coming out of Fulton County and Coweta County getting to S.R. 74 to go to Peachtree City. He said Colonel Hannah had indicated to him that this would be another place for that to happen and it would also

increase tractor trailer traffic. He said the question came up as to whether or not this would be more of a convenience for Fulton County than it would be for Fayette County. He felt we should be good neighbors but not to the tune of \$60,000 for an advantage to Fulton County and Fayette County gain nothing. He said he had asked Colonel Hannah to do a traffic study on how many vehicles come out of Fulton County and Coweta County into Fayette County and then how many leave Fayette County going into Fulton County and Coweta County to determine if there was a disparity. He said if there was, he would not be anxious to spend \$60,000 on this bridge now and Fayette County might have immediate needs for the money to use in other areas. He asked for the Board's consideration in not voting for this agreement until this information was obtained from Colonel Hannah.

Commissioner Frady asked if this bridge crossed over Highway 85.

Mr. Hearn replied no and stated that this bridge was over Line Creek.

Chairman Dunn remarked if the elevation of the bridge was going to be changed would there be any wetlands issues involved.

Mr. Hearn responded if there were any wetlands issues they would be Fulton County's issues. He said the county line and the Fayette County sign was back approximately 50 to 60 yards from the bridge. He said he would be glad to confirm that.

Chairman Dunn asked for clarification that the Fayette County line was 50 to 60 yards back from the bridge.

Mr. Hearn replied yes. He said originally with the Creek being called Line Creek, Fulton County had said the center of the Creek was the border between Fulton County and Fayette County.

Chairman Dunn said that was not everywhere and Mr. Hearn agreed.

Mr. Hearn stated in looking back at this the Fulton County line was on Fayette County's side of the creek. He said it might not be 50 yards but might be 20 yards.

Chairman Dunn remarked that regardless of the number of yards, would the work be done in Fulton County. He said he was referring to the elevation change.

Mr. Hearn replied that what Fulton County was requesting was that the transition from the existing grade to the new grade of the bridge that a portion of that would be in Fayette County.

Chairman Dunn asked how long the piece of road was that needed changing.

Mr. Hearn responded that he was not sure but he said he had a full set of drawings in his office.

Chairman Dunn remarked that it must be more than 50 or 60 yards and Mr. Hearn replied yes, it was.

Mr. Hearn said he would bring this item back to the Board at the May 26th Board of Commissioners' meeting.

Chairman Dunn clarified with Mr. Hearn that he had put this money in next year's budget and the Board would not be approving that budget until the end of June.

Mr. Hearn said he just wanted to get some input from the Board to determine the direction that he needed to go.

PRESENTATION OF PROPOSED BUDGET FOR FISCAL YEAR 2006: Director of Business Services Mark Pullium presented the proposed budget for Fiscal Year 2006 to the Board. He said the best news in this budget was that the recommended budget holds the line on taxes. He said the county had done this for the last several years. He said he was really proud of the effort that all of the departments had put together in developing this budget. He said he believed that this was a representation of the type of staff that the county has at all levels. He said there was careful planning and prudent financial management and all of the recommendations put forth in this year's budget represented the quality of life that the citizens had come to expect. He said this year's budget under the leadership of Chris Venice was in his opinion the best budget that he had been a part of. He said the budget process started in February with a kickoff meeting with all of the department heads. He said each department head had worked diligently to enter their budget and put forth recommendations. He said as with any budget there were good programs that might have to wait. He said one of the things that he was most proud of was that in Fayette County the citizens were provided first class governmental services and this was accomplished in a cost effective and efficient manner.

Mr. Pullium further remarked that one of the things that would affect this year's budget would be the S.P.L.O.S.T. He said this had been incorporated into this budget. He said many of the transportation improvements that were outlined in the master transportation plan would begin. He said these improvements would be over a long period of time and would not happen in one year but they would begin this year. He said another high point in this year's budget was that public safety accounted for approximately 48% of every M & O dollar spent in this budget. He said this makes a commitment to public safety and the number one priority in this budget. He said another important aspect of this budget was that the recreation enhancements in the budget was that the county would continue to be budgeted in the northern part of the county and also begin development the Kelly Park in Peachtree City.

Mr. Pullium further remarked that in working through this budget, he really had enjoyed working with Chris Venice and all of the staff members and appreciate all of the spirit of cooperation that each department head and member of the staff had shared with him and his staff. He said he had learned a lot and looked forwarded working with the Board closely to get this budget passed on the 23rd of June.

Commissioner Frady asked Mr. Pullium what the percentage for growth was in last year's budget.

Mr. Pullium replied it was approximately 2.9% in the general fund budget.

Chairman Dunn said this would be the fourth year in a row that the county would be able to lower the millage rate for everybody in Fayette County.

Mr. Pullium remarked that this budget was predicated on the premise that the county would roll back the increased assessed value associated with those reassessments.

BUDGET WORKSHOPS SCHEDULED: Executive Assistant Carol Chandler confirmed that the Board's Budget Workshops would be held on May 16th, May 17th, and May 18th, 2005 beginning at 8:30 a.m. in the Commissioners' Conference Room, Suite 100, 140 Stonewall Avenue, Fayetteville, Georgia. She remarked that these workshops were open to the public.

ANIMAL CONTROL AGREEMENT WITH THE TOWN OF TYRONE: Attorney McNally asked for the Board's consideration in authorizing the Chairman to execute the Animal Control Agreement between Fayette County and the Town of Tyrone.

On motion made by Commissioner Frady, seconded by Commissioner Wells to authorize the Chairman to execute the Animal Control Agreement between Fayette County and the Town of Tyrone. The motion carried 5-0. A copy of the Agreement, identified as "Attachment No. 7", follows these minutes and is made an official part hereof.

EXECUTIVE SESSION: Attorney McNally requested an executive session to discuss two real estate matters and three legal items.

EXECUTIVE SESSION: On motion made by Commissioner Wells, seconded by Commissioner Pfeifer to adjourn to executive session to discuss two real estate matters and three legal items. The motion carried 5-0.

REAL ESTATE: Attorney McNally discussed a real estate matter with the Board.

On motion made by Commissioner Wells, seconded by Commissioner VanLandingham to authorize the County Attorney to proceed in this matter. The motion carried 5-0.

REAL ESTATE: Attorney McNally reported to the Board on a real estate matter.

On motion made by Commissioner Frady, seconded by Commissioner Wells to authorize the County Attorney to proceed. The motion carried 5-0.

LEGAL: Attorney McNally advised the Board on a legal matter.

The Board took no action on this matter.

LEGAL: Attorney McNally discussed a legal matter with the Board.

It was the consensus of the Board to authorize the County Attorney to proceed in this matter.

LEGAL: Attorney McNally and Attorney Davenport updated the Board on a legal matter.

The Board took no action on this matter.

EXECUTIVE SESSION AFFIDAVIT: On motion made by Commissioner Wells, seconded by Commissioner Pfeifer to authorize the Chairman to execute the Executive Session Affidavit affirming that two real estate items and three legal matters were discussed in executive session. The motion carried 5-0. A copy of the Affidavit, identified as "Attachment No. 8", 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 5:50 p.m.

Karen Morley, Chief Deputy Clerk

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 26th day of May, 2005.

Karen Morley, Chief Deputy Clerk