

The Board of Commissioners of Fayette County, Georgia met in Official Session on Wednesday, February 2, 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
Peter Pfeifer
A.G. VanLandingham

COMMISSIONER ABSENT: Herb Frady

STAFF MEMBERS PRESENT: Chris W. Cofty, County Administrator
William R. McNally, County Attorney
Carol Chandler, Executive Assistant
Karen Morley, Chief Deputy Clerk

Chairman Dunn called the meeting to order, offered the Invocation and led the Pledge to the Flag.

DISCUSSION OF REGULATIONS ON PARKING VEHICLES FOR SALE IN NON-COMMERCIAL AREAS:

Commissioner VanLandingham remarked that this item had been discussed by the Board on two previous occasions including a regular Commission meeting and also at the Board's retreat. He said last week it was recommended by staff that the Board just delete this ordinance from the Fayette County Code of Ordinances and enforce problems through other ordinances that were already on the books that could be strengthened. He said this would give the latitude to homeowners to sell their vehicles but not have a car lot. He said the way it was written now, no one could park any kind of vehicle on grass at any time. He said it was felt that this would be a proper procedure and to delete this from the Code. He said he would like to make a motion accordingly.

On motion made by Commissioner VanLandingham, seconded by Commissioner Wells to delete this ordinance from the County Code of Ordinances and instruct staff to strengthen the other two ordinances to accomplish the issues that had been discussed, discussion followed.

Commissioner Wells asked Attorney McNally if the Board could just delete an ordinance of this nature or would it have to be advertised or anything of that nature.

Attorney McNally replied that he would have to review exactly where this was located in the County Code. He said he suspected that it was within the County Code of Ordinances which would mean that the Board could just proceed and delete it. He said he was not that familiar with this item at this time.

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Chairman Dunn asked if it was wise to delete this ordinance without something to replace it in the meantime.

Attorney McNally said he would really like the opportunity to take a look at this. He said he had been out of town for the last week and he really had not had an opportunity to review it.

Chairman Dunn remarked that Attorney Dennis Davenport had advised the Board last week about the problems with this ordinance. He said the citizens were not well served by this nor were the marshals and it was very difficult to enforce it. He felt this ordinance could be done in a better way with a different ordinance. He said his only question was if the current ordinance should be deleted which would leave a gap in the ordinances before a new ordinance was put in. He questioned if staff should be directed to come back to the Board with recommendations to achieve these things in the other ordinances.

Commissioner Wells asked if Commissioner VanLandingham would be agreeable to tabling this item for two weeks.

Commissioner VanLandingham said two weeks would be the limit. He said the Board had been discussing this off and on for a year and it was time to do something.

Commissioner Wells said she would be glad to withdraw her second to the motion.

Commissioner VanLandingham said he would withdraw his motion and asked that this be tabled for two weeks.

It was the consensus of the Board that this item be tabled for two weeks and discussed at the February 24, 2005 meeting.

CONSENT AGENDA: On motion made by Commissioner Wells, seconded by Commissioner Pfeifer to approve the consent agenda as presented. The motion carried 4-0. Commissioner Frady was absent.

PURCHASING DEPARTMENT - BID AWARD TO MARTIN ROBBINS FOR GUARDRAIL INSTALLATION: Approval of recommendation from Director of Purchasing Tim Jones to award bid #499 to low bidder Martin Robbins in the amount of \$44,902 for guardrail installation. A copy of the memorandum, identified as "Attachment No. 1", follows these minutes and is made an official part hereof.

PURCHASING DEPARTMENT - BID AWARD TO APAC-SOUTHEAST, INC. FOR LARP PATCHING WORK: Approval of recommendation from Director of Purchasing Tim Jones to award bid #497 to APAC-Southeast, Inc. for LARP patching work. A copy of the memorandum, identified as "Attachment No. 2", follows these minutes and is made an official part hereof.

INFORMATION SYSTEMS - AGREEMENT WITH METRO ETHERNET BELLSOUTH: Approval of recommendation from Director of Information Systems Russell Prince to enter into an Agreement with Metro Ethernet BellSouth to provide a 100 Megabit circuit for data and phone service from the Justice Center on Center Drive to the Water System on McDonough Road for a period of 60 months at a cost of \$1,665.20 per month. A copy of the memorandum and Agreement, identified as "Attachment No. 3", follows these minutes and is made an official part hereof.

LIBRARY: Approval of request from Library Director Chris Snell to increase the Donation Revenue Account by \$435 and increase the Books and Magazine Account by \$435. A copy of the memorandum, identified as "Attachment No. 4", follows these minutes and is made an official part hereof.

LIBRARY: Approval of request from Library Director Chris Snell to increase ICLE Satellite Revenue account 10060002-341960 by \$150 and Public Relations expenditure account by \$150. A copy of the memorandum, identified as "Attachment No. 5", follows these minutes and is made an official part hereof.

PUBLIC MEETING ROOM - VIRGIL FLUDD RESERVED: Ratification of approval to allow Representative Virgil Fludd to use the public meeting room for a forum on February 22, 2005 at 7:00 p.m.

LIBRARY - NAACP TO HOST PROGRAM: Ratification of approval to allow the Education Committee of the NAACP to host a program for 30-50 students on February 5, 12, 16, 19, and 26, 2005 at the Library. A copy of the request, identified as "Attachment No. 6", follows these minutes and is made an official part hereof.

PUBLIC FACILITIES AUTHORITY: Approval of appointment of Jack Smith, Chuck Watkins and Mary Shaver to the Fayette County Public Facilities Authority for a one year term commencing March 1, 2005 and ending February 28, 2006. A copy of the request, identified as "Attachment No. 7", follows these minutes and is made an official part hereof.

MINUTES: Approval of minutes for the Board of Commissioners' meeting held on January 13, 2005.

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:

JACK KRAKEEL: Chief Jack Krakeel said he would like to inform the Board that late Friday he had received notification from the Department of Homeland Security that the county had received approval on a grant request that was actually submitted in March, 2004. He said they had received a favorable review of that grant in May by the review committee that is in charge of the selection process. He said subsequently in October they were notified that the grant was being reduced by approximately \$60,000 from the original request. He said at that time he filed an appeal and went through two appeal processes without a favorable conclusion. He said then in December, 2004 and early January, 2005 additional negotiations were started and those negotiations concluded last Friday. He said they were successful in getting this grant moved back up to \$65,000, which would accomplish their objectives. He said he would be sending the Board a memorandum on this grant but he wanted to go ahead tonight and inform the Board on this decision.

EXECUTIVE SESSION: Chairman Dunn requested an executive session to discuss one personnel matter.

CHAIRMAN DUNN: Chairman Dunn remarked that the county had been notified by the Georgia Department of Community Affairs that the county's Capital Improvement Element and Short Term Work Programs have been updated and were in total compliance with the county's Comprehensive Plan. He said this makes Fayette County a qualified local government for certain monies from the State of Georgia. He said he wanted to thank Director of Planning Chris Venice and Assistant Director of Planning Pete Frisina for all of their work on this project. He said these two individuals had to put in an enormous amount of work and required coordination with staff. He said there was also an enormous amount of preparation to send this to the State of Georgia. He pointed out that as usual Fayette County was one of the first communities of Georgia that had been approved and was totally qualified for every program that the county was asking for money from. He said once again the staff had done a super job and he wanted to commend the Planning Staff and the rest of the staff who had worked with them on this every single year. He said they had done a super job.

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EXECUTIVE SESSION: On motion made by Commissioner Wells, seconded by Commissioner Pfeifer to adjourn to executive session to discuss one personnel matter. The motion carried 4-0. Commissioner Frady was absent.

PERSONNEL: The Board discussed a personnel matter with the Board.

The Board took no action on this matter.

EXECUTIVE SESSION AFFIDAVIT: On motion made by Commissioner Wells, seconded by Commissioner VanLandingham to authorize the Chairman to execute the Executive Session Affidavit affirming that one personnel matter was discussed in Executive Session. The motion carried 4-0. Commissioner Frady was absent. 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 6:25 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 24th day of February, 2005.

Karen Morley, Chief Deputy Clerk