

The Board of Commissioners of Fayette County, Georgia met in Official Session on Thursday, July 14, 2005, at 7:00 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
Dennis Davenport, Assistant 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 EMPLOYEE PERFORMANCE APPRAISAL SYSTEM:

Human Resources Director Connie Boehnke discussed the proposed separation of the county's current employee Performance Appraisal System into two segments: (1) Pay for Performance and (2) Employee Evaluation. She remarked that the current plan provided employees with ten factors that equated to a score which then equated to an automatic salary increase. She said this would increase an employee's annual salary until they reached the end of the scale and at the end of the scale no one would be awarded anything for merit at that time. She provided a memorandum to the Board that indicated under the proposed plan it would separate the two plans. She said the entire program would be renamed in two programs and those would be Performance Pay and Employee Evaluation Program. She said in order to separate these two programs, the proposal also recommended that the periods of evaluation and performance pay be changed to identify the performance period from January through December of every year with every employee continuing to be evaluated in their anniversary month. She said if an employee was hired in January of 2005, that employee would be evaluated in January of 2006. She remarked that the performance pay period would be from July 1 to June 30. She commented that the reason to separate that primarily was to give the Board adequate time to designate an amount of money that they wished to have the departments distribute for performance pay.

Ms. Boehnke further remarked that the plan would be modified slightly this year if it was implemented. She said staff would like to proceed and award the amount of money that the Board wanted to give the departments and let them designate how much they would like to give their employees between now and some time in August. She said if it was the direction of the Board to proceed with this plan, then the increase would be awarded in September and retroactive to July so that it would be a full fiscal year.

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Chairman Dunn clarified that whatever merit pay would be given would be given in September and retroactive to July.

Ms. Boehnke replied that was just for this year. She said from that point on the money would be awarded to the departments in July and it would then be awarded to the employee in September.

Commissioner Frady asked Ms. Boehnke how many positions did she plan on paying in each department.

Ms. Boehnke replied that would be up to the each and every department head. She said that person would make the recommendation.

Commissioner Frady asked if everyone in a department could receive a pay raise.

Ms. Boehnke responded yes if that was the desire of the department head but that was not the objective of this plan. She said the objective of this plan was to reward performance. She pointed out that the cost of living would address the issue that Commissioner Frady was referring to. She said everyone received the cost of living increase and that would be the increase for every employee. She noted that the performance pay was intended to be for outstanding performance.

Commissioner Frady asked how many positions would this apply to.

Ms. Boehnke replied that this would not be attached to a number anymore. She said there was no automatic increase.

Commissioner Frady remarked that employees would be evaluated on their performance and given points. He asked if that was correct.

Ms. Boehnke replied no. She said the current plan was exactly what Commissioner Frady was talking about. She said in the new plan there would be a correlation in the evaluation in the performance pay solely for the performance but it would not automatically generate an increase. She said if an employee received a score of 70, 80 or 90 there was no automatic increase as there was currently.

Commissioner Frady said he did not understand how it would be decided which person would receive an increase in salary under the merit system. He said merit was something that someone would get paid for doing something that they did extraordinary on their job. He said if a department had thirty positions would this be paid to all thirty positions or just three positions. He felt it would be the most outstanding people that made the highest evaluation grades.

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Chairman Dunn said it was his understanding that a designated amount of money would go to a department head and that department head would make those decisions.

Ms. Boehnke remarked that was correct. She said that was her recommendation.

Chairman Dunn remarked the proposal was to change the old system which made an automatic merit pay raise associated with a numerical evaluation. He said this would be separated out. He said evaluations would be used for other things but not the designation of performance pay each year.

Commissioner VanLandingham said this would also give the Board the opportunity to budget the money as evaluations come in. He said the Board would know how much money needed to be budgeted. He said currently this was done on an employee's anniversary date and there was no way for the Board to know how much money should be budgeted.

Chairman Dunn remarked that the money would be given to the department heads to make these determinations as to who gets merit pay in their departments. He said part of the County Administrator's review of her directors would be how they managed that leadership and developmental program.

Commissioner Wells interjected that managers would manage and be evaluated as such.

Chairman Dunn said the development of talent, leadership and management would be placed on the managers' shoulders and if they did this well then they would do well and if they did not do well, that would be one thing that would reflect negatively.

Commissioner Frady felt this Board had to look at this issue from a financial standpoint. He said the 3.3% increase in C.O.L.A. this year amounted to \$858,000. He said the budget was unfortunately in a declining mode of revenue.

Chairman Dunn remarked that a few years ago all there was in place was merit pay. He said basically everybody in the county was receiving merit pay no matter what they did. He said even unsatisfactory employees got a little bit of merit pay and this did not make a lot of sense. He said a couple of years ago the Board instituted a C.O.L.A. on an annual basis for all employees to keep them current with their purchasing power. He said few people now would receive the merit pay and the design of the new programs was to actually give merit pay to people who actually deserved merit pay and this would be the better performing employees. He said this would be divorced completely from any automatic system where everybody was going to get something based on the number that they received on their report. He said each year the Board would make a determination on the monetary value that would be given to the County Administrator to be used for merit pay. He said this would be determined on many things such as the economic condition of the county and what the internal and external factors

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of the county were and how much money was available and how much the Board felt was judicious considering the economic situation. He said with the current system the Board could not tell how much money was needed for pay raises because everybody who received a certain number received a pay raise and therefore certain people were giving too many people pay raises. He said the county currently had an inflated system like most evaluation systems and this was one way of bringing fiscal sanity back to the program and put some responsibility and leadership on the people who were supposedly leading and developing the talent here.

Ms. Boehnke remarked that this system would also give the employee the opportunity to exceed the current system if they have outstanding performance. She said if someone did something spectacular right now a department head was limited to 5%.

Chairman Dunn said if an employee received a 7% raise plus the C.O.L.A. then that employee had better be super person. He said he understood what Commissioner Frady was saying. He said this would be a change and it would be a little difficult in the beginning to change the mind set and to realize that this was both a leadership development program plus it was fiscal responsibility that was being brought into the system and both at the same time. He said this would be a difficult thing to do but it could be done.

Ms. Boehnke interjected that this would not be done in one year and stated that it might take two or three years. She said staff had an objective and this would be the goal that they would attain.

Chairman Dunn said the new program would not take that long but what would be applied to it would change over time.

On motion made by Commissioner VanLandingham, seconded by Commissioner Pfeifer to approve the separation of the County's current Employee Performance Appraisal System into two segments (1) pay for performance and (2) employee evaluation. The motion carried 5-0.

DISCUSSION OF WATER CONSERVATION RATE FOR RESIDENTIAL AND IRRIGATION METERS:

Water System Director Tony Parrott remarked that the recommendation to the Board was the water conservation rate for residential and irrigation meters. He said a lot of research had been done by the Metropolitan North Georgia Water Planning District on the amount of water for this area. He said the D.N.R. had signed off on an idea that the County needed to save 12% total water to different means of conservation. He said one of these was the current outside watering restrictions and the other was that D.N.R. wanted a low flow fixture for houses and things like that. He said another part of this program was a conservation water rate to reduce the amount of water that was used above a certain amount in a community and that was what this proposal was. He said this proposal was for a rate to meet the D.N.R.'s requirement to come up with a conservation rate for this community. He said this rate would increase the

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price per thousand gallons from the current \$2.80 to \$3.80 for those people who were using over 20,000 gallons. He said the current average 3/4 inch meter was approximately 8,200 gallons of water per month. He said this would never apply to the average customer and would only apply to the top 10% of customers using the water for irrigation. He said the proposal was to raise the rate above 20,000 gallons residential and irrigation meters by \$1.00 per thousand.

Commissioner Frady asked if there was an option on any of the mandated items or did the county have to agree to them all.

Mr. Parrott replied that the rate would have to be three tier and it could be anything that the community wanted other than being a three tier.

Commissioner Frady clarified that only 10% of the users were using over 20,000 gallons. He asked if this was household, commercial or everybody.

Mr. Parrott replied that was residential use.

Chairman Dunn asked for the current rate.

Mr. Parrott replied that the current rate was \$16 for the first 2,000 gallons and then \$2.80 for each 1,000 gallons over that.

Chairman Dunn asked what the rate would go to now.

Mr. Parrott responded that above 20,000 gallons it would be \$3.80 and it was \$2.80 now. Chairman Dunn asked how this figure was arrived at.

Mr. Parrott remarked that several of the other surrounding areas had used 20,000 for that step. He said approximately fourteen years ago the Board had a rate that applied to over 20,000 gallons. He said it was just an arbitrary standard.

Commissioner Frady asked for the number of water customers.

Mr. Parrott replied there were 27,000.

Commissioner VanLandingham said in looking at these figures it seemed that the more water a person used the cheaper it was. He said it cost \$16 for the first 2,000 gallons and then it was \$2.80 up to 17,999 gallons. He said a person could get 15,000 gallons of water for \$2.80.

Commissioner Wells said it was \$2.80 per thousand gallons of water.

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Commissioner VanLandingham remarked that it was not indicated that way and said the cost was \$2.80 for the next 17,999 gallons.

Mr. Parrott interjected that it should read per thousand gallons.

Chairman Dunn said the County had been directed by the State to conserve water. He said Fayette County had been conserving water fairly well here compared to the other jurisdictions after he reviewed all of the regional data. He said everyone would have to come under this conservation pricing but they had not directed the county on exactly what must be done. He said to start with the county would have to institute conservation pricing.

Mr. Parrott remarked that there would have to be three tiers in the conservation pricing and that was what this recommendation represented.

Chairman Dunn said this would have to be well posted so that everyone was aware of this. He questioned why commercial was not included.

Mr. Parrott replied that this was basically just for irrigation water.

Chairman Dunn felt it was unfortunate for the county to have to do this but it did not have a choice but to institute a program like this.

Commissioner Frady asked when this would go into effect and Mr. Parrott replied August 1st or September 1st would be the best.

Chairman Dunn said Mr. Parrott would have to advise the Board on the best date to put this into effect. He said a notice would have to go into each water bill to notify the customers. He asked if September 1st would be even time to notify customers.

Mr. Parrott replied yes that would be fine.

On motion made by Commissioner Pfeifer, seconded by Commissioner Wells to approve the water conservation rate for residential and irrigation meters to go into effect September 1, 2005 as recommended by the Water Committee. The motion carried 5-0.

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

SHERIFF'S OFFICE: Approval of request from the Sheriff's Office to transfer \$1,000 from General Budget Funds to Sheriff's Office Budget category 10030323-522233

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(Vehicle Repair Fund). A copy of the request, identified as "Attachment No. 1", follows these minutes and is made an official part hereof.

SHERIFF'S OFFICE: Approval of request from the Sheriff's Office to transfer \$451.60 from General Budget Funds to the Sheriff's Office Budget Category 10030323-522233 (Vehicle Repair Services). A copy of the request, identified as "Attachment No. 2", follows these minutes and is made an official part hereof.

SHERIFF'S OFFICE: Approval of request from the Sheriff's Office to increase overtime expenditure \$5,533.85 and miscellaneous revenue for ACH wires received from the U.S. Department of Treasury for overtime incurred in a joint investigation. A copy of the request, identified as "Attachment No. 3", follows these minutes and is made an official part hereof.

Commissioner VanLandingham questioned what ACH stood for and recommended that all acronyms be spelled out.

LIBRARY: Approval of request from Library Director Chris Snell to recognize donation from the Institute of Continuing Legal Education in Georgia in the amount of \$240 increasing revenue and other supplies expenditure. A copy of the request, identified as "Attachment No. 4", follows these minutes and is made an official part hereof.

WATER COMMITTEE - SHOCKLEY PLUMBING, INC. AWARDED CONTRACT FOR WATERLINE EXTENSIONS: Approval of recommendation from the Water Committee to award bid to Shockley Plumbing, Inc. in the amount of \$1,061,380 for the annual contract for waterline extensions. A copy of the request, identified as "Attachment No. 5", follows these minutes and is made an official part hereof.

TAX ABATEMENT REQUEST: Approval of a tax abatement request as recommended. A copy of the request, identified as "Attachment No. 6", follows these minutes and is made an official part hereof.

EMERGENCY SERVICES: Approval of request from Chief Jack Krakeel to approve a grant in the amount of \$53,438 for the acquisition of web EOC software and hardware through the Office of Homeland Security. 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 Board of Commissioners meeting held on June 23, 2005.

PUBLIC COMMENT:

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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:

INVOICE FROM WEBB, LINDSEY & WADE, ATTORNEYS: Assistant County Attorney Dennis Davenport asked for the Board's consideration as to payment of a bill in the amount of \$322 from the law firm of Webb, Lindsey & Wade. He said this bill had been received by the Finance Department and was for services incurred by the Tax Commissioner's Office for legal representation. He said the reason he was bringing this to the Board was because the Board of Commissioners was the Board which authorizes payment for legal representation for all county officers.

Commissioner Wells interjected that the policy was that prior commitments needed approval and she recommended denial. She said legal council was available and chosen not to be utilized.

On motion made by Commissioner Wells, seconded by Commissioner Pfeifer to deny payment of a bill received by the Finance Department from the law firm of Webb, Lindsey & Wade in the amount of \$322 for services incurred by the Tax Commissioner's Office for legal representation. The motion carried 5-0.

EXECUTIVE SESSION: Attorney Dennis Davenport requested an executive session to discuss one real estate acquisition and two legal matters.

COMMISSIONER FRADY: Commissioner Frady said he had received a letter from a citizen in Peachtree City expressing concern over the increase in property taxes year after year. He discussed several other States and Counties who have put a cap on their property taxes. He commented that the State of Nevada had put a cap on property taxes at 3% for residential and 8% for commercial. He pointed out that Henry County had also capped their property taxes. He said he agreed with the citizen and felt Fayette County's property taxes were running rampant.

Chairman Dunn said he agreed with Commissioner Frady that the assessments were running rampant but for the last four years the Board of Commissioners had compensated for that by reducing the millage rate. He said he would be agreeable to look into this.

EXECUTIVE SESSION: On motion made by Commissioner Wells, seconded by Commissioner Pfeifer to adjourn to Executive Session to discuss one real estate acquisition and two legal matters. The motion carried 5-0.

REAL ESTATE ACQUISITION: Assistant County Attorney Dennis Davenport discussed a real estate acquisition matter with the Board.

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On motion made by Commissioner VanLandingham, seconded by Commissioner Frady to authorize Assistant County Attorney Dennis Davenport to proceed in this matter. The motion carried 5-0.

LEGAL: Assistant County Attorney Dennis Davenport reported to the Board on a legal matter.

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

LEGAL: Assistant County Attorney Dennis Davenport discussed a legal 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 real estate acquisition and two legal matters were discussed in executive session. The motion carried 5-0. A copy of the Executive Session 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 8:00 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 28th day of July, 2005.

Karen Morley, Chief Deputy Clerk