

The Board of Commissioners of Fayette County, Georgia met in Official Session on Thursday, October 13, 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

COMMISSIONER ABSENT: A.G. VanLandingham

STAFF MEMBERS PRESENT: Chris Venice, County Administrator
Dennis Davenport, Assistant County Attorney
Carol Chandler, Executive Assistant
Karen Morley, Chief Deputy Clerk

Chairman Dunn called the meeting to order and proceeded to this first item on the agenda.

CONSIDERATION OF PROPOSED AMENDMENTS TO THE FAYETTE COUNTY SIGN ORDINANCE IN ITS ENTIRETY:

Chairman Dunn said there were a lot of changes to the sign ordinance. He said the County was trying to be consistent with legal rulings by the courts and this involved several things that Judge English had pointed out in the county's ordinance. He said there were other issues as well that needed to be sorted out. He asked for the Board's consideration to table this item to the next public hearing date.

Assistant County Attorney Dennis Davenport suggested giving staff a thirty day time frame in order to have this item ready. He said that public hearing date would be November 10th.

On motion made by Commissioner Frady, seconded by Commissioner Wells to table this item to the November 10, 2005 Board of Commissioners meeting. The motion carried 4-0. Commissioner VanLandingham was absent.

FAYETTE COUNTY TRAVEL POLICY ADOPTED:

Director of Central Support Services Mark Pullium remarked that this was further discussion of the revisions to the Fayette County Travel Policy. (This item was previously discussed at the October 5th Commissioners meeting.)

Mr. Pullium remarked that during the last several months the management staff of the County had been working to revise the existing travel regulations. He said as part of the process the County Administrator working with the Division Directors and Department Heads had all participated in the development of this proposed policy. He said the County currently had a travel policy in place. He said the existing policy was adopted in 1992 and revised in 1996. He said this particular policy did not prescribe sufficient internal

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accounting controls and safeguards to insure that travel related expenditures were in conformity with the wishes of this Board. He said the management team was recommending a well structured travel policy which would result in appropriate oversight over travel expenditures.

Mr. Pullium further remarked on some of the highlights that were incorporated in this policy. He said meals would be reimbursed on an actual cost basis and therefore a receipt would be required for reimbursement within preset spending limits. He said departments would be required to submit a copy of the registration form for those who attend workshops. He said appropriate management authorizations must be documented prior to the travel dates in order to pay a reimbursement. He said appropriate management approvals would be required on all reimbursement requests. He said in addition an itinerary with a budget for the cost of the proposed travel would be prepared for all travel. He said in the policy there would be no travel advances to those who were p-card holders and those individuals who do not have a p-card would receive a travel advance. He said in addition there would be two mileage reimbursement rates. He said the first was a standard business rate which was \$.40½ and the other was \$.14. He said the difference between the two rates was when an individual makes the choice to use his or her own personal vehicle in lieu of using a County provided vehicle for travel. He said the lower rate would apply when an individual chooses to take his or her own personal car. He said if an individual got into a situation where there were no County pool vehicles available, the rate of reimbursement would revert back to the standard business rate of \$.40½. He said staff was trying to encourage the use of the County pool cars because it would be more economical. He said in addition the policy would allow no family members to ride in County owned vehicles unless they were also an employee of the County. He asked the Board if there were any questions.

Commissioner Wells said she did not have any questions but did have some comments. She called Mr. Pullium's attention to page 12 of the policy where reimbursement for business meals by the Division Director, County Administrator or Elected Officials was discussed. She said she would like to add verbiage "with a quarterly summary provided to the Board of Commissioners". She said this would allow the Board to budget appropriately for that. She also called Mr. Pullium's attention to page 8 where it said a qualified traveler was an elected official, member of a Board, or non-county employee. She asked for clarification on that. She said this was located under Section C-1.

Mr. Pullium said this was a policy that had come to the Board where these individuals would be exempt from the different rates and would automatically be receiving the \$.40½ per mile for the use of their vehicle when they travel. He said staff had included this in the policy. He said there might be someone who was on the Board of Assessors who might have to travel but they were not really an employee of the County. He said staff was concerned that these individuals would have to go through the same process of calling in and scheduling a vehicle. He said staff could make a provision if the Board chose to do so to allow them to use County vehicles. He said in addition staff was also concerned about

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how the various elected officials would be required to comply with this policy. He said staff could remove that from the policy if the Board so desired.

Chairman Dunn remarked that when the Board had previously tabled this he had asked Mr. Pullium if there was any justification to have an exception for elected officials. He said that was covered in this same sentence. He said there was very little reason to give elected officials more money than others for travel. He said the Commissioners wanted to travel at the same rate just like everyone else and he felt that verbiage needed to be taken out. He questioned if the paragraph concerning a non-county employee might refer to a consultant to the county for a certain period of time that might be included or anything like that. He said he certainly would not be in favor of that. He felt that entire paragraph should be eliminated so that there were no exceptions.

Commissioner Wells said she did not see any exceptions merited there. She said as long as there was a fleet of vehicles out there and they were available she saw no reason why someone could not make arrangements to use those.

Commissioner Pfeifer questioned if non employees were permitted to drive county vehicles under the county insurance.

Commissioner Wells said she was not sure what was meant by non-county employee in that paragraph. She said members of boards were also included in that.

Attorney Davenport remarked that those individuals should be insured under the county insurance.

Commissioner Wells said she was not sure who would be considered a non-county employee.

Chairman Dunn remarked that the county's librarian was actually a State of Georgia employee.

Commissioner Wells pointed out that the definition of a non-county employee was defined on page 2 of the policy and she definitely wanted to strike that verbiage out. She said it referred to a consultant whose compensation would be paid from a non-payroll expense line item; an employee of another governmental jurisdiction, local or federal, in whose travel the County may have a business interest; and volunteer would be an individual who performed helpful work without pay.

Mr. Pullium said staff would take out that verbiage.

Chairman Dunn remarked that the definition of a non-county employee could also be taken out.

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Mr. Pullium replied no, that definition would be necessary in the policy. He said he was referring to staff taking out the provision and everybody would travel the same way.

Chairman Dunn said staff had done a really good job of amending this policy to make it consistent with good accounting policies and fairness and equity. He said if he was to put this entire policy in context as to how he sees the whole regulation now he felt it would force everybody who had a legitimate reason to travel on behalf of this government to travel at the most cost effective means possible. He said if that was a plane trip that costs \$200 and if someone wanted to drive their own car then the county should not pay them more than \$200 to do that.

Commissioner Frady asked for clarification that the county was currently paying \$.40.5 per mile and now staff was recommending \$.14 per mile. He asked how this would save the county money. He said the county would supply the car, the gasoline, the insurance, the liability, collision and so forth.

Mr. Pullium responded that even at today's rates of \$.13 per mile, the depreciation on the cars that cost the county \$19,800 and have 150,000 miles that would be another \$.13 per mile. He said between the gas and the depreciation this would be \$.26 per mile. He said another nickel could be added for insurance, repairs and upkeep. He said this would come up to approximately \$.31 per mile and this was still cheaper than \$.41 per mile. He said this would save the county money.

Commissioner Wells said the vehicles were already in the county inventory and were already covered by insurance and the county had its own fleet maintenance.

Commissioner Frady asked how many cars were in the vehicle pool.

Mr. Pullium remarked that currently there were four cars and one truck in the pool. He said they wanted to encourage the use of those vehicles.

Chairman Dunn asked what someone would be paid if they wanted to take a county car and there was not one available for them to take.

Mr. Pullium replied if that occurred the county would pay \$.40.5 per mile.

Commissioner Frady asked for the age of the vehicles.

Mr. Pullium said the vehicles were different ages and he had picked the most recent vehicle with the highest cost. He said the county had purchased the current Crown Victorias for \$19,800. He said they had approximately 50,000 miles on them and they were in good condition.

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Commissioner Frady felt the county would really not be saving that much money and it would be very inconvenient for some people to travel that way.

Mr. Pullium said the county would save a considerable amount of money because a lot of employees would choose to drive their own car because of convenience.

Commissioner Frady asked Mr. Pullium what he had determined as the price of a gallon of gasoline when he had determined these figures.

Mr. Pullium replied he used \$2.59 per gallon which was the latest cost that he had for the price of gasoline per gallon.

Commissioner Frady questioned someone traveling to Savannah for a meeting and the price of a gallon of gasoline being a lot more than here. He felt the price per gallon that the county would pay someone should be increased. He felt \$.13 per mile for gasoline could not be used here when someone was paying \$2.59 for a gallon of gasoline in one area and \$3.50 for a gallon in another area.

Commissioner Wells said it would depend on how far out the cars were driven. She said some people only drive the cars to Jonesboro, Athens or some place of that nature. She felt this would be a tremendous savings and if nothing else it would make people start thinking about this.

Chairman Dunn said the employees should be using the cars that the taxpayers have purchased for use by these employees. He said if these employees did not choose to do that, the county was willing to compensate them for their gasoline but not for the wear and tear on their private car because it was their choice to take it. He said if an employee did not take a county car they would only be reimbursed for the gasoline. He said this sounded fair to him. He said even by using his personal car and gas being \$3.00 per gallon getting paid \$.14 per gallon would get him most places and back.

Commissioner Frady felt this would be very inconvenient and awfully tight for employees to use this method.

Chairman Dunn remarked that the county already had the cars and they were already being maintained. He said the I.R.S. had recently changed the reimbursement rate to \$.48.5.

Mr. Pullium said he was not recommending that because that had not been budgeted for.

Chairman Dunn said that would be a huge expense for a long trip for the county to pay for.

Commissioner Frady asked Mr. Pullium to make a note that in six months he wanted to know how much money the county was saving.

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Chairman Dunn said if the gasoline went up to \$5.00 per gallon then the county might have to relook this and he would be willing to do that.

Chairman Dunn asked if there were any further comments.

Commissioner Frady questioned the per diem rate.

Mr. Pullium remarked that the amount that would be allowed for meals in State was \$43 and out-of-State was \$47. He said the lodging costs shall not exceed \$105 per night in-State or \$125 out-of-State. He noted that there was a provision if someone went into a high cost area that they would have to get prior approval.

Chairman Dunn remarked that the county was generally following the Federal guidelines on this.

Chairman Dunn asked if there were anymore comments. Hearing none, he asked for the Board's pleasure in this matter.

On motion made by Commissioner Wells, seconded by Commissioner Pfeifer to approve the Fayette County Travel Policy as presented with the change on page 8 regarding the deletion of a qualified traveler and with the addition on page 12 regarding a quarterly summary that would be provided to the Board of Commissioners relating to business meals for guests of Fayette County that could be paid for by the County Administrator, Division Directors and elected officials. The motion carried 3-1 with Commissioner Frady opposing the motion. Commissioner VanLandingham was absent. A copy of the Fayette County Travel Policy, identified as "Attachment No. 1", follows these minutes and is made an official part hereof.

WORKERS COMPENSATION PANEL OF PHYSICIANS APPROVED:

Director of Human Resources Connie Boehnke remarked that she would like to discuss the Workers Compensation Panel of Physicians. She said every year the panel of physicians was reviewed by staff and recommendations for changes were made. She presented these recommendations to the Board and asked for consideration to approve these recommendations.

On motion made by Commissioner Wells, seconded by Chairman Dunn to approve the Workers Compensation Panel of Physicians. The motion carried 4-0. Commissioner VanLandingham was absent. A copy of the list, identified as "Attachment No. 2", follows these minutes and is made an official part hereof.

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UPDATE BY THE DIRECTOR OF HUMAN RESOURCES CONNIE BOEHNKE REGARDING (A) MILITARY TRAINING LEAVE; AND (B) EMPLOYEE HEALTH BENEFITS - POST EMPLOYMENT:

Director of Human Resources Connie Boehnke requested that the issue of military training leave be tabled to the December 7, 2005 Board of Commissioners meeting.

Mrs. Boehnke said the next item was the issue of post employment employee health benefits. She said staff was requesting to add Section 5.R. She there had recently been an eligible employee return to work. She said staff quickly realized that this situation had never been anticipated especially after twenty-five years of service. She said there had been several employees return to work part time but never in a full time status. She said there was a couple of issues that staff felt needed to be addressed. She called the Board's attention to letter C. under Section 5.R discussing where if an employee had retired and met the criteria and received a lump sum payment that they would either have to waive that benefit when they returned to work or they would have to repay what they paid. She also presented the supporting documents to the Board that the employee would sign upon separating from the County.

Chairman Dunn clarified that if an employee took the lump sum payment and left county employment and then returned to work for the county at a later date they would have to repay the county the balance or decline coverage.

Mrs. Boehnke remarked that was correct.

On motion made by Commissioner Wells, seconded by Commissioner Pfeifer to adopt the Employee Health Benefits Plan regarding post employment with the change in Section 5.R regarding a retired employee returning to work for the county. The motion carried 4-0. Commissioner VanLandingham was absent. A copy of Addendum IV of the Employee Health Benefit Plan, identified as "Attachment No. 3", follows these minutes and is made an official part hereof.

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 VanLandingham was absent.

WATER SYSTEM - BID AWARD #530 TO STILES-KEM: Approval of recommendation from Director of Purchasing Tim Jones to award Bid #530 (Phosphate) to Stiles-Kem at a price of \$82.50 per pail. A copy of the recommendation, identified as "Attachment No. 4", follows these minutes and is made an official part hereof.

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FINANCE DEPARTMENT - INSURANCE FUNDS FOR DAMAGED VEHICLES:

Approval of request from Division Director Mark Pullium to increase expenditure vehicle repair due to receipt of insurance funds for damages to county vehicles. 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 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.

MINUTES: Approval of minutes for Board of Commissioners meeting held on September 22, 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:

ZONING ADMINISTRATOR AARON WHEELER: Zoning Administrator Aaron Wheeler reported to the Board that an annexation request from the City of Fayetteville had officially been received today regarding two pieces of property on S.R. 54 West located diagonally across from Fayette Medical Center. He said the request was proposing O-I and the property was currently zoned O-I. He remarked they were proposing to raise the buildings that were currently there and construct two new medical office buildings.

Chairman Dunn said the new law gives the County seven days to decide on this annexation but none of the Board members had seen any of the paper work on the request. He said the Board would not have the ability tonight to discuss it or to vote on it. He said the law also stated that the county had seven days to notify the City of Fayetteville if the County was going to object but the written objection could be sent later. He said the Board would have to sit down and take a vote later if it was going to object to this annexation request. He pointed out if the Board decided not to object to this request, the Board would not have to do anything.

EXECUTIVE SESSION: Attorney Davenport requested an executive session to discuss six legal matter.

Commissioner Pfeifer requested an executive session to discuss one legal matter.

EXECUTIVE SESSION: On motion made by Commissioner Wells, seconded by Commissioner Pfeifer to adjourn to executive session to discuss seven legal items. The motion carried 4-0. Commissioner VanLandingham was absent.

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LEGAL: Attorney McNally discussed a legal matter with the Board

On motion made by Commissioner Wells, seconded by Commissioner Pfeifer to authorize Attorney McNally to proceed in this matter. The motion carried 4-0. Commissioner VanLandingham was absent.

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

The Board took no action on this matter.

LEGAL: Attorney McNally reported to the Board on a legal matter.

On motion made by Commissioner Wells, seconded by Commissioner Pfeifer to authorize Attorney McNally to proceed in this matter. The motion carried 4-0. Commissioner VanLandingham was absent.

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

The Board took no action on this matter.

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

The Board took no action on this matter.

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

The Board took no action on this matter.

LEGAL: Commissioner Pfeifer 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 Pfeifer to authorize the Chairman to execute the Executive Session Affidavit affirming that seven legal matters were discussed in executive session. The motion carried 4-0. Commissioner VanLandingham was absent. A copy of the Affidavit, identified as "Attachment No. 7", follows these minutes and is made an official part hereof.

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There being no further business to come before the Board, Chairman Dunn adjourned the meeting at 9:30 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 27th day of October, 2005.

Karen Morley, Chief Deputy Clerk