

The Board of Commissioners of Fayette County, Georgia met in Official Session on Wednesday, August 2, 2006 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
 Robert Horgan
 Peter Pfeifer

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

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

PRESENTATION/RECOGNITION:

Chief Jack Krakeel said they wanted to recognize Captain Pete Nelms for going through the process in his discipline of expertise, Emergency Management, and earning the Certificate of Emergency Management. He said this certificate was awarded by the International Association of Emergency Managers and was a very difficult program to go through. He said it took about two years to achieve this. He said Captain Nelms was one of about 565 Emergency Managers worldwide that had received this distinction.

Chairman Dunn thanked Captain Nelms for his expertise and willingness to work 24 hours a day and congratulated him on this achievement.

PUBLIC HEARING:

CONSIDERATION OF RESOLUTION 2006-11 ESTABLISHING MILLAGE RATES AND LEVYING TAXES FOR 2006. Chairman Dunn complimented Mary Holland, Assistant Finance Director and Controller, for the fantastic work done on this all year long and for producing a tremendous product. Ms. Holland said she was asking for the Board's consideration in adopting Resolution 2006-11 regarding the 2006 millage rates. Ms. Holland said she wanted to point out in the hand out given to the Board that in comparing the 2005 and 2006 millage rate for the incorporated the 2006 was 5.692 , which was a reduction from last year of .391, and the unincorporated was 4.888, which was a reduction of .303 from last year. She said the fire fund had a reduction of .185 for a rate of 2.906. Ms. Holland said in keeping with the Board's goals and missions over the last five year span of 2001-2006, there had been a reduction in the millage rate of the General Fund of 26% and the Fire Fund of 23%.

Chairman Dunn asked when they would be approving the school board's millage rate. Ms. Holland responded that the school board's rate was part of this resolution. She said they had their last meeting on Monday morning and they provided the information and it is in this resolution. She said the school board absent the bond was 18.6 mills and for the bond it was 3.55 mills.

Chairman Dunn reminded the audience that this was a public hearing and asked if anyone in the audience wished to comment upon this matter they were free to do so at this time. No one responded.

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Motion was made by Commissioner Wells, seconded by Commissioner Pfeifer, to adopt Resolution 2006-11 setting the millage rates as described. Motion carried 5-0. A copy of the Resolution, identified as "Attachment No. 1," follows these minutes and is made an official part hereof.

OLD BUSINESS:

Presentation of organizational assessment by the UGA Carl Vinson Institute of Government:

County Administrator Chris Venice reminded the Board that several months ago the Board of Commissioners approved a study by the Carl Vinson Institute to look at the county's organizational structure and provide an assessment with recommendations. She said Mark Knowles from the University of Georgia Carl Vinson Institute of Government was here today to provide a summary of their findings.

Mr. Knowles provided a report of the organizational assessment to the Board. He said they were in Phase I of this project and Phase II would be implementation steps. He said they were asked to look at three specific objectives. He said one was to review and analyze the overall organizational structure for county departments. He said the second was to review and select best practices from comparable counties in Georgia and southeastern states. He said the third was to present alternatives for the organization structure for Fayette County government.

Mr. Knowles said in March of 2006 they met with county officials to gather information, to exchange information, to prepare financial analysis and to present a tentative work schedule which they followed in April, May, June and early July. He said in May and June they met and presented preliminary recommendations and sought feed back from each commissioner as well as appointed officials.

Mr. Knowles said the document was structured in a way that first was the existing organizational structure of the county and description of specific responsibilities by each division. He said they discussed recent organizational changes over a five to ten year span that led to where things were today. He said they reviewed comparable counties and discussed best practices. He said this was followed by their recommendations and a preliminary cost for implementations. He said following this was a section on comparable counties in Georgia and the southeast and how their existing organizations were structured.

Mr. Knowles said on page four of the document there was an existing organizational analysis and assessment which described the way the county was organized now. He said there were currently nine nonstatutory divisions which was their focus. He said they did not focus on the statutory organizations within the county such as the courts. He said they looked at the Central Support Services, Elections, Human Resources, Public Safety, Tax Assessor, Community Development, Facilities Management, Marshal's Office, and Public Works. He said they also looked at the administrative staff in the commissioners' department.

Mr. Knowles said there were several actions the Board had taken over the years to be where they were today. He said they had moved the Purchasing Department and Information Services Department under the direction of the Finance Department to create a Central Support Services Division. He said the Board had moved the Library under the direction of the Central Support Services Division and combined Planning and Zoning into one function. He said they moved the Engineering Department under the direction of the Community Development Division and removed the Marshal's Office from the direction of the Public Safety Division to a separate division that reported directly to the County Administrator.

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Mr. Knowles said as a part of their analysis they looked at what was happening in other communities of comparable size and primarily in a metropolitan area. He said bench marking was a management tool that was very common and provided a way to analyze at any given time how the county compared against other comparable entities. He said it provided a certain degree of assistance to elected officials when making specific decisions as to how to organize their government.

Chairman Dunn asked Mr. Knowles what they hoped to gain by analyzing Fayette County and Athens-Clark County which was a city-county hybrid and Fayette County was not organized anything like them. Mr. Knowles said that specifically Fayette County had certain features within their government that were common. He said Fayette County was an urbanized area, had specific information technology needs, and specific finance needs. He said they looked at how they managed it as an urbanized management structure, if that was better for Fayette County, and would it be recommended that Fayette County use some of these characteristics. He said that was what they examined when they looked at different forms of governments themselves.

Mr. Knowles said from all the information, discussions and comparisons, they came up with specific recommendations. He said they looked at the span of control, putting more power and authority into the department head level positions. He said they were recommending that the county stay with the nine direct reports. He said they were organizing the specific administrative office not to have so many direct reports. He said within the existing structure they were recommending hiring an addition of a Chief Information Officer and a Chief Financial Officer, and elevation of the Human Resources Director to the position of Chief Human Resources Officer. He said the Chief Information Officer would be responsible for leading the information technology infrastructure that was necessary to achieve the goals assigned to the specific county departments. He said the Chief Financial Officer would be responsible for coordinating the financial resources that were necessary. He said the Chief Human Resources Officer would be responsible for coordinating the people power necessary to achieve those objectives. He said high level authority of information technology, finance and human resources was a best practice in many organizations.

Mr. Knowles said they recommended that additional department level positions include Community Fire EMS Director, Community Services Director, Community Utilities Director, and a Community Development Director. He said the Tax Assessor, County Marshal, and Elections Supervisor would continue to report as is to the County Administrator.

Mr. Knowles said with the Chief Information Services area there would be the information technology, the communications and the library. He said with the Chief Finance Officer there would be finance, accounting, budget reporting, purchasing and inventory. He said the Chief Human Resources Officer would continue to provide the human resources necessary to support the departments. He said the Utilities area would be the water and other utilities. He said the Community Fire and EMS Director would include E911 and Emergency Services and Fire. He said the Community Services Director would include Building and Grounds, Roads, Feet, Parks and Recreation. He said the Development Director would focus on where the county was headed and how to develop a community. He said in the Engineering area would be storm water, solid waste, planning and zoning, permits and inspections and the transportation planning. He said then there would also be the traditional offices of tax assessor, elections, and marshal's office.

Mr. Knowles said they also recommended the board adopt an administrative supplement policy so that when specific changes were made in positions, which caused temporary changes in staff responsibilities, they would

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be able to elevate compensation and then relax the compensation when those responsibilities were taken away. He said the county did not currently have that in place and in the past they had made changes when someone assumed certain responsibilities their pay was set at a certain level and had never been reduced or changed back even to spite the fact that the position had been changed again.

Mr. Knowles said the county should also consider establishing an internal audit function.

Mr. Knowles said they looked at the organization of the board's department. He said they were recommending the board look at adding a position of Constituent Officer. He said that would be someone who served as the advocate for individuals walking through the process of government. He said they would help the board with public relations, advocacy and serve as the board's primary first response to a constituent. He said they recommended separating the county clerk's function from the county administrator's office. He said this was for a primary responsibility and unique position charged with maintaining all official records of the community. He said automated access of records had been talked about through all the interviews and discussions and they recommended that continue to be a priority and a goal of the Chief Information Officer once that was put in place.

Mr. Knowles said they also had estimated costs for the positions and salary recommendations in the booklet he had given the board today.

Chairman Dunn asked where the public information officer would be? Mr. Knowles said it was addressed in the Board of Commissioners office. He said there was the executive assistant/public information officer.

Chairman Dunn said he would ask Mr. Knowles to come back after the board had time to digest this information. He said there was a question as to when to implement such a thing.

NEW BUSINESS:

Request by the Department of Fire and Emergency Services to adopt recommended changes to four county ordinances.

Fire Chief Jack Krakeel said that earlier this year he asked Fire Marshal David Scarborough to do a comprehensive review of the county ordinances as they related to fire protection for the community to be sure the ordinances were up to date and determine if any modifications were required.

Mr. Krakeel said Mr. Scarborough was prepared today to speak specifically to four situations in which the department was requesting modifications to current county ordinances. He said he felt three were primarily house keeping in nature and one was related to an omission from the current county code of ordinances which related to the fee structure for certain services provided by the fire marshal's office.

David Scarborough said the first thing that needed to be addressed related to open burning. He said after having to write several tickets, and discussions with Georgia Forestry and working through the court system, several recommendations were made. He said the board had the document that outlined some of the specific language changes.

Commissioner Frady wanted to know if they were having trouble with fires getting away. He said he thought there was a reduction from 15 feet to 10 feet. Mr. Scarborough responded that they were having trouble with the

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interpretation of that. He said it was also due to the interpretation of Georgia Forestry and their interpretation of how things were to be done.

Chairman Dunn asked if the size was to be that small for commercial burning as well. Mr. Scarborough said they were not changing the size of commercial. It said it was based on pit size. He said they were not modifying that in any way.

Mr. Scarborough said in relation to their fire alarm ordinance over time there had been some definition changes within codes. He said they were not changing the intent or reducing any requirements, but were cleaning up the language as it related to what a monitor fire alarm system really was and the difference between monitored and central station.

Mr. Scarborough said the third recommendation related to Section 981 and there were a few words that were being deleted that in the past had lent themselves to some confusion with developers and what the difference was between the public and private water system and what the intent was in the ordinance as related to water line extensions.

Mr. Scarborough said the last item was related to the fee structure. He said their fee structure had not changed in six years but he discovered in the published municipal code there was a reference that the fee structure was referencing something that was in place back in 1992 and there had been several changes since then. He said they were not changing the fee structure from what it was currently but they were having the municipal code match what was previously approved.

Chairman Dunn asked if the current fee structure paid for the service. Mr. Scarborough responded that it did not completely.

Chairman Dunn said they should be able to get this on a meeting within the next month or so. A copy of the proposed changes to the ordinances, identified as "Attachment No. 2", follows these minutes and is made an official part hereof.

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

BID AWARD TO METRO ASPHALT PAVING

Approval of staff recommendation to award Bid #577, McCurry Park Asphalt Paving, to the low bidder, Metro Asphalt Paving, for \$103,719 for Area A, and \$30,535 for Area B, for a total price of \$134,254. A copy of the contract, identified as "Attachment No. 3," follows these minutes and is made an official part hereof.

INSERTION TO WATER BILLS

Approval of recommendation of the Water Committee to insert a notice in the water bills explaining the availability of recycling containers at the parks and the opportunity to get free mulch at McCurry Park and the Transfer Station. A copy of the notice, identified as "Attachment No. 4," follows these minutes and is made an official part hereof.

REAPPOINTMENT OF ANDY CARDEN TO THE DFCS BOARD

Approval of reappointment of Andy Carden for another 5-year term on the Department of Family and Children Services Board, beginning July 1, 2006, and ending June 30, 2011. A copy of the request, identified as "Attachment No. 5," follows these minutes and is made an official part hereof.

REAPPOINTMENT OF PETE NELMS TO THE DFCS BOARD

Approval of reappointment of Pete Nelms for another 5-year term on the Department of Family and Children Services Board, beginning July 1, 2006 and ending June 30, 2011. A copy of the request, identified as "Attachment No. 6," follows these minutes and is made an official part hereof.

BOARD MINUTES APPROVED

Approval of minutes of the Board of Commissioners Meeting held on July 13, 2006.

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:

EXECUTIVE ASSISTANT CAROL CHANDLER confirmed to the Board that on July 5 they approved a contribution to the Town of Tyrone for recreation in the amount of \$18,000. She said the Tyrone Council adopted the agreement on July 20, 2006 and the check had been received by the Town of Tyrone.

DENNIS DUTTON, PLANNING AND ZONING, stated that Fayette County had received an annexation request from the Town of Tyrone to annex 16.695 acres. He said the subject property was zoned AR which required five-acre minimum lot size. He said the request was to annex as well as rezone the property to R42, Single Family Residential, which was an one-acre minimum lot size. He said while the land use designation would remain single family residential to residential in both categories, there was a potential for an increase in density due to the minimum lot size requirements for the Town of Tyrone. He said the watershed protection ordinance for the county measured the water shed buffer and watershed set back from the 100 year flood plain, whereas the measurement from the Town of Tyrone measured from the bank of the stream. He said this would allow placement for single family dwelling and accessory use closer to Trickum Creek. He said Trickum Creek was a tributary of Line Creek which was a small water supply/water shed designated by the State of Georgia as one of the primary water supplies for Fayette County. He said the state minimums for Trickum Creek were an 100 foot undisturbed buffer, additional 50 foot buffer, for a total of 150 feet against impervious surfaces to build on. He said the subject property was located on Trickum Creek Road which was proposed for improvements to a minor arterial design. He said the project was recommended in the 2003 Fayette County Capital Improvement Program and was included in the Atlanta Regional Commission Regional Transportation Plan. He said the current alignment for this concept was along Trickum Creek Road and frontage of the subject property which the proposed construction on the property could possibly the future acquisition cost for this road way improvement.

Mr. Dutton said staff had concerns regarding increased density, environmental issues and future road improvements. He said to the extent that this was the type of land use difference which caused concern by the Board of Commissioners, staff could present a Notification of Intent to object to the Town of Tyrone to allow more time to fully develop the information and report at the next meeting.

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Commissioner Wells asked how much of that land was buildable. Mr. Dutton responded that technically it would allow for one residential structure. Commissioner Wells asked if it was annexed how much would it allow. Mr. Dutton responded that he would have to look at the ordinance to see if there was a provision for a variance. Commissioner Wells said that the assumption that it could have a higher density was merely an assumption because we did not know how much of that acreage was buildable because of the flood plane and wetlands. Mr. Dutton said that was correct.

Chairman Dunn said he happened to see the package that came in. He said there were 5.6 acres that were buildable on this 16 acre area right now, but if the watershed was changed the number would double. He said they would end up with 10 or 11 acres of one-acre zoning, where now there was 5.6 acres and five-acre zoning. He said the reality was there would be a gross increase.

Chairman Dunn said what came in today was the intent of the land owner to build one house. He said once it was rezoned they could do anything they wanted. He said based on the zoning he would have problems with it today. He said he also had the problem with changing the rules they had in Fayette County. He said they had a tougher standard than the state of Georgia. He said they were trying to protect the drinking water and the water sources of the people of Fayette County. He said Trickum Creek was a tributary of Line Creek and Line Creek was the new lake. He said 750 acres and 8 million gallons per day would be taken out of Line Creek and going into that storage facility. He said he did not think they wanted to play around with the cleanliness of that water or put a bunch of septic tanks right next to the stream. He said right now there was no sewer on that property even if they were in the city. He said they needed to be really careful there.

Chairman Dunn said he thought he understood that the Board could notify them that they may be objecting. Assistant Attorney Dennis Davenport said they had a seven day window to notify of an Intent to Object which bought them time to fully develop the issue.

Chairman Dunn said he was concerned about the density issue and protecting the water source from the lake. He said he would have to take a longer look at this.

Assistant County Attorney Dennis Davenport said to clarify things he wanted to point out that if the Board did not notify them of an Intent to Object they could not object within ten days. He said if the Board did notify them of an Intent to Object did not mean they had to but did give the Board more time to look in to it.

Motion was made by Commissioner Wells, seconded by Chairman Dunn, to notify the Town of Tyrone of the Board's Intent to Object to Tyrone's annexation request. Motion carried 5-0.

CHAIRMAN DUNN stated that at the last Commission Meeting the board authored and executed a letter requesting information and action on the PSC Plant that had caused the foul order in the northern part of Fayette County. He said actions were being done to take care of the problem. He said he had talked with Fulton County Commission Chair Karen Handel, and they were in agreement that it would be in both county's best interest to send a joint letter signed by all of the commissioners in both counties seeking a permanent closure of the plant. He said White Water Creek, which was a primary water source for Fayette County, was almost astride this plant. He said they were very concerned as to what may be entering the water. He said they did not discharge anything

into our water but in some of the reports we were reading, there was accidental release of chemicals in the ground on this property which would eventually get into the water system. He said they were already sampling this creek.

COMMISSIONER HORGAN requested an Executive Session to discuss one legal item.

Motion was made by Commissioner Wells, seconded by Commissioner Pfeifer, to adjourn to Executive Session to consider one legal item. Motion carried 5-0.

EXECUTIVE SESSION:

LEGAL: Commissioner Horgan discussed a legal item with the Board.

The Board took no action on this matter.

EXECUTIVE SESSION AFFIDAVIT:

Motion was made by Commissioner Wells, seconded by Commissioner Pfeifer, authorizing the Chairman to execute the Executive Session Affidavit affirming that one legal item was discussed in Executive Session. Motion carried 5-0. A copy of the Affidavit, identified as Attachment No. 7," 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 4:55 p.m.

Peggy Butler, 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 14th day of September 2006.

Peggy Butler, Chief Deputy Clerk