



BOARD OF COMMISSIONERS

Jack Smith, Chairman
Herb Frady, Vice-Chairman
Robert Horgan
Eric Maxwell
Peter Pfeifer



STAFF

Jack Krakeel, Interim County Administrator
Carol Chandler, Executive Assistant
Karen Morley, Chief Deputy Clerk
Floyd Jones, Deputy Clerk



MEETING LOCATION

Commissioners Conference Room
Administrative Complex
140 Stonewall Avenue
Fayetteville, GA 30214



MEETING TIMES

1st Wednesday each month at 3:30 p.m.



COMMISSION OFFICE

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Workshop Action of Agenda

Board of Commissioners
November 7, 2007
3:30 P.M.

Call to Order by Chairman.

Acceptance of Agenda.

Commissioner Horgan motioned to approve the agenda and was seconded by Commissioner Pfeifer. The motion passed with an unanimous vote.

CONSENT AGENDA:

1. Agree to enter into a "Limited Road Maintenance Agreement" with the Town of Woolsey for the support of Woolsey Creek Drive for a period to expire on July 24, 2009.
2. Approval to engage the services of the law firm of William Thomas Craig to continue post-permit representation of Fayette County.
3. Approval of staff recommendation to use \$3,975 from the Munis Upgrade Project to purchase the Contract Maintenance Software.
4. Approval of Sheriff Johnson's decision to dispose of county property purchased with Federal and State Seizure Fund.
5. Approval to allow the Sheriff's Department to dispose of items of clothing and bedding from the jail which are no longer serviceable.
6. Approval of the Street Resurfacing Agreement for the City of Fayetteville.
7. Approval of Street Resurfacing Agreement, and Carrington Lane addendum, for the Town of Brooks.
8. Approval to award bid to Reynolds-Warren Equipment Company Incorporated for the purchase of a Roscoe Maximizer 3 distributor with automatic extension spray bar in the amount of \$92, 250.
9. Approval of Recreation Department's request for a budget adjustment for a donation which would increase Account 10060110-523600 Seminars and Dues in the amount of \$150.

10. Approval of minutes for the Board of Commissioners' Special Called Budget Workshop held on May 21, 2007 and minutes for the Board of Commissioners' Special Called Meeting held on October 19, 2007.

Commissioner Maxwell motioned to approve Consent Agenda Items 1-10 with the exception of Item 2 so it could be discussed. Commissioner Horgan seconded the motion. The motion passed with a unanimous vote. Commissioner Maxwell motioned to approve Consent Agenda Item 2 with the following guidelines: 1) all work able to be completed in-house will be completed in-house, 2) Mr. Tony Parrott will be the fundamental coordinating entity for any dialogue between the attorney and the county, 3) all attorney's billing and itemization of work performed will be reviewed by the county attorney and Mr. Parrott, 4) the county attorney will attend as many meetings as possible, 5) no other attorneys will be hired apart from the consent of the county administrator, the county attorney, and the Board of Commissioners. The motion passed with an unanimous vote.

OLD BUSINESS:

- A. Presentation of retirement study committee decision tree and critical elements for the Board's decision making process with respect to a retirement plan. This item has been addressed both at the September 5, 2007 Workshop Meeting and at the October 3, 2007 Workshop Meeting. **The consensus of the Board was for Mr. Steve Vaughn to calculate the actual dollar amount an employee would make in retirement under both a Deferred Compensation plan and a Defined Benefits plan, and for Mr. Vaughn to return with the findings to the regularly scheduled meeting to be held on November 29, 2007.**
- B. Consideration of the proposed amendments to the Fayette County Code, Chapter 5 Buildings, General Fees, Section 5-212. Work Exempt from Permit of the Construction Codes Ordinance as presented by the Permits and Inspection Department. This item was previously addressed by the Board of Commissioners on August 1, 2007. **Commissioner Frady motioned to approve Item B as presented and Commissioner Maxwell seconded the motion. The motion passed with a 3-0-2 vote with Chairman Smith and Commissioner Pfeifer abstaining from the vote.**
- C. Consideration of the proposed amendments to the Fayette County Zoning Ordinance regarding Article III. Definitions (Cabana, Covered Patio or Covered Deck, detached; and Swimming Pool Screened Enclosure); Article V. General Provisions, Section 5-10. Accessory uses and structures; and Section 5-11. Guest Houses as presented by the Planning and Zoning Department. This item was last addressed by the Board of Commissioners that the Workshop Meeting held on October 3, 2007. **The Consensus of the Board was for Attorney Don Comer to review the proposals and clarify them as necessary, for staff to write the proposals in ordinance form, and to advertise the proposals for public hearing.**

NEW BUSINESS:

- D. Consideration of a request from the Department of Fire and Emergency Services to apply for grant funding from Coweta-Fayette Trust for the purchase of two EZ-Go EMT golf carts. **Commissioner Frady motioned to approve the request and was seconded by Commissioner Horgan. The motion passed unanimously.**
- E. Approval for the County's Parks and Recreation Department to apply for a grant from the Georgia Department of Natural Resources' Recreation Trails Program for improvements to the Phase II

Kenwood Park Walking Path Project, and authorization for the Chairman to sign Resolution 2007-24 authorizing the submission of a grant application to DNR. **Commissioner Maxwell motioned to approve the total grant application for existing trail expenditures and Option #2 expenditures for Phase II trail being \$121,000, and was seconded by Commissioner Frady. The motion passed unanimously.**

ADMINISTRATOR'S REPORT

West 54 Overlay Zone: Mr. Krakeel reminded the Commissioners that amendments to the West 54 Overlay Zoning Ordinance proposal were voted down on September 27, 2007, but there was uncertainty if Board was expecting staff to do additional work for the issue to be readdressed at a later time. **The Commissioners said they wanted to go forward with revisiting the proposed amendments, but wanted clarification, in particular in relation to the sunset provision.** Mr. Krakeel said the proposed language would be clarified and the item would be on the November 29th agenda.

Phase One of West By-Pass: Mr. Krakeel informed the Commissioners Mr. David Yeager has the right-of-way drawings completed for Phase One of the West By-Pass with the exception of Waterlace Subdivision. He asked for authorization, based on that information, to pursue the engagement, to get information on having a right-of-way specialist the county could engage to start the acquisition process for the right-of-way, and to provide the Board with a recommendation on engaging a right-of-way specialist. He hoped to accomplish the work within one to two weeks. **The consensus of the Board was to give Mr. Krakeel the authority he requested.**

Right-of-Way Easement for Highway 74: Mr. Krakeel requested for the Chairman to be authorized to execute of a document for the DOT for payment of \$2,500 for the right-of-way easement requirements associated with the widening of Highway 74 as it applies to the Animal Shelter. He mentioned it was a straightforward document and it is the right-of-way easement required for the widening Highway 74. **Commissioner Frady motioned to give authorization to the Chairman to execute the document and was seconded by Commissioner Horgan. The motion passed unanimously.**

Storage Records Facility: Mr. Krakeel told the Commissioners old Fire Station Six located in Brooks had some repairs made to it since the October 3rd workshop meeting. He informed the Board of Mr. Greg Owenby's research of two types of records storage buildings, one building had 40x100 square feet with a 14' ceiling and a cost of \$57,700. The other building was 60x100 square feet with a 14' ceiling and it would cost \$77,300. He told the Commissioners the best location for a records storage building was at the Public Works Department. He told the Board he was only giving them information and was not looking for a decision, but said his recommendation was to build the 60x100 square feet building at the Public Works Department. **Commissioner Frady made a motion to build the 60X100 square feet steel frame metal building at the Public Works Department for storing records, and to pay the \$77,300 cost with contingency funds. Commissioner Maxwell seconded the motion. The motion passed unanimously.**

ATTORNEY'S REPORT

Quit Claim Deed for Handly Road: Mr. Comer reminded the Commissioners they had voted on September 5, 2007, to abandon any interest they had on a small parcel of land where an old voting facility was located on

Handly Road, and asked for approval to quit claim the property. **Commissioner Frady motioned to allow Mr. Comer to process the quit claim deed and was seconded by Commissioner Horgan. The motion passed unanimously.**

DEPARTMENT REPORT

None.

BOARD REPORTS

Commissioner Maxwell said since New Year's day is on Tuesday, it would be nice to allow the employees to have New Year's Eve as a holiday. He said New Year's Day falls on a Tuesday only once every seven years, so this would not be an ongoing holiday, but specific to this New Year. He said those employees who would have to work on New Year's Eve should be allowed to make up their holiday time when possible to ensure all county employees can be off. **Commissioner Maxwell motioned to have December 31, 2007 be declared as a county holiday for all county employees, and was seconded by Commissioner Frady. The motion passed unanimously.**

Commissioner Pfeifer said he wanted Tim Thoms to present to the Water Committee the lessons he had gleaned from his involvement with the Farm Bureau. Mr. Krakeel suggested the presentation should be made to the Water Drought Advisory Committee. Commission Pfeifer agreed, and indicated he would have Mr. Thoms make the presentation to the Water Drought Advisory Committee.

Commissioner Pfeifer mentioned he had been in communication with Mr. Scott Bennett who was recently hired as the new County Attorney, and had learned about four instances involving Mr. Bennett at his employment for the City of McDonough. **He said, based on the information he learned, he was greatly concerned, and motioned to rescind the offer of an employment contract to Mr. Bennett. The motion failed for lack of a second.**

Chairman Smith wanted the Board to be aware the ARC was in discussion about providing credits for pre-1992 toilet replacements in the counties, and the counties would pay \$100 credits to the homeowners for doing those replacements.

EXECUTIVE SESSION

None.

ADJOURNMENT

Commissioner Frady motioned to adjourn the Workshop Meeting and was seconded by Commissioner Horgan. The motion carried unanimously.

The Workshop Meeting adjourned at 7:12 p.m.

Floyd L. Jones, Deputy Clerk