

The Board of Commissioners of Fayette County, Georgia met in Official Session on January 3, 2007, at 3:30 p.m. in the Public Meeting Room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

COMMISSIONERS PRESENT: Jack Smith, Chairman
 Herb Frady, Vice Chairman
 Robert Horgan
 Eric Maxwell
 Peter Pfeifer

STAFF MEMBERS PRESENT: Chris Venice, County Administrator
 William R. McNally, County Attorney
 Carol Chandler, Executive Assistant
 Peggy Butler, Chief Deputy Clerk

County Attorney Bill McNally opened the meeting and stated that this was a new Board of Commissioners and they were to begin the process of electing the 2007 officers. Attorney McNally said the senior commissioner, Herb Frady, would chair this meeting.

Commissioner Frady called the meeting to order and asked Dr. Steve Bingham from the First Baptist Church Peachtree City to offer the invocation.

Commissioner Horgan led the pledge to the flag.

ORGANIZATIONAL SESSION:

Election of Board Chairman for the year 2007.

Commissioner Maxwell said he wanted to make a motion that his good friend Herb Frady be elected by the Board of Commissioners as chairman. He said Commissioner Frady had the longest tenure on this Board of 14 years and the longest elected official in the county. He said Commissioner Frady had served on the City Council of Peachtree City and as Mayor of Peachtree City.

Motion was made by Commissioner Maxwell to elect Commissioner Frady as Chairman of the Board for the year 2007. Motion died due to lack of a second to the motion.

Motion was made by Commissioner Pfeifer, seconded by Commissioner Horgan, to elect Commissioner Smith as Chairman of the Board for the year 2007. Motion carried 5-0.

Election of Board Vice Chairman for the year 2007.

Motion was made by Commissioner Horgan, seconded by Commissioner Pfeifer, to elect Commissioner Frady as Vice Chair of the Board for the year 2007. Motion carried 5-0.

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

AUTHORIZATION TO SIGN CHECKS FOR TRANSACTIONS EXCEEDING \$5,000

Approval of authorization to sign checks combining any of the following two signatures for transactions exceeding \$5,000: Chairman, Vice Chairman, County Administrator.

AUTHORIZATION TO SIGN CHECKS FOR TRANSACTIONS EXCEEDING \$4,999

Approval of authorization to sign checks for transactions \$4,999 or less: Chairman, Vice Chairman, County Administrator.

APPROVAL OF CHAIRMAN AND VICE CHAIRMAN TO EXECUTE DOCUMENTS

Approval of the Chairman and Vice Chairman to execute contracts, resolutions, agreements and other documents approved by the Board of Commissioners.

2007 MEETING SCHEDULE

Approval of proposed meeting schedule for 2007. A copy of the meeting schedule, identified as "Attachment No. 1", follows these minutes and is made an official part hereof.

RESOLUTION NO. 2007-01

Approval of Resolution No. 2007-01 appropriating funds necessary for the annual lease payment on the jail expansion and courthouse. A copy of the resolution, identified as "Attachment No. 2", follows these minutes and is made an official part hereof.

RESOLUTION NO. 2007-02

Approval of Resolution No. 2007-02 renewing Resolution No. 90-07 which imposes a \$1.50 monthly "911" charge upon each exchange access facility subscribed to by telephone subscribers. A copy of the resolution, identified as "Attachment No. 3", follows these minutes and is made an official part hereof.

RESOLUTION NO. 2007-03

Approval of Resolution No. 2007-03 renewing Resolution No. 99-03A which imposes a \$1.00 monthly "911" wireless enhanced charge upon each exchange access facility subscribed to by telephone subscribers. A copy of the resolution, identified as "Attachment No. 4", follows these minutes and is made an official part hereof.

BID AWARD #692-GRINDING SERVICES

Approval of staff recommendation to award Bid #592(Grinding Services) to overall low bidder, D&S Environmental, in the amount of \$30,050. A copy of the agreement, identified as "Attachment No. 5", follows these minutes and is made an official part hereof.

EXTENSION OF WATER LINE FROM ETOWAH TRACE TO HIGHWAY 279

Approval of Water Committee recommendation to extend the waterline from Etowah Trace to Highway 279 as part of the annual waterline extension contract. A copy of the request, identified as "Attachment No. 6", follows these minutes and is made an official part hereof.

STREET LIGHT DISTRICTS -AUTUMN LAKE ESTATES, ACKERT STATION & WOOLSEY WOODS

Approval of Engineering Department recommendation to approve the following subdivisions as new street light districts in Fayette County: Autumn Lake Estates, Ackert Station and Woolsey Woods. A copy of the request, identified as "Attachment No. 7", follows these minutes and is made an official part hereof.

LIBRARY BUDGET ADJUSTMENT

Approval of budget adjustment to increase the Library's Donation Revenue account and the ICLE Revenue account by \$1,110 and to increase the Library's Other Supplies Expenditure account by \$1,110. A copy of the request, identified as "Attachment No. 8", follows these minutes and is made an official part hereof.

LIBRARY BUDGET ADJUSTMENT

Approval of budget adjustment to increase the Library's Donation Revenue account and the ICLE Revenue account by \$135 and to increase the Library's Public Relations Expenditure account by \$135. A copy of the request, identified as "Attachment No. 9", follows these minutes and is made an official part hereof.

LIBRARY BUDGET ADJUSTMENT

Approval of budget adjustment to increase the Library's Donation Revenue account and to increase the Library's Books and Magazines account by \$700. A copy of the request, identified as "Attachment No. 10", follows these minutes and is made an official part hereof.

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.

ASSURTO BANKS, 455 Revenna Trail, Fairburn, stated he lived in a subdivision in Fayette County that was in violation of several ordinances. He said he had photos from the subdivision in which he lived. He said he had issues he wished to address in which Fayette County had allowed itself to be in violation of either directly or indirectly. He said he had a copy of the Erosion and Sedimentation Control Ordinance. He said in regards to the pictures he had handed the commissioners, items number one and two were a clear violation of the ordinance. He said in looking at number three, this site had been in violation numerous times. He said it clearly stated in the ordinance that any builder, developer that had more than two violations within a certain amount of time could be subject to a denial of a permit. He said this person constantly graded lots without a building permit and had been out of compliance for several months. He said this case should be in court. He said their next step was to submit an open records request.

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Mr. Banks said Fayette County inspectors were just riding through. He said he did not know if they were overlooking the situation or if they were not trained. He said he had been before the Board before in regards to this problem. He

said they needed something done because it was the state law. He said the County had an ordinance and they were not following their own rules.

Mr. Banks said he was asking this Board to please look at this situation. He said someone had to be held accountable.

Chairman Smith asked if staff was aware of this situation. County Administrator Chris Venice responded that they would look into it.

STAFF REPORTS:

County Attorney Bill McNally asked for an Executive Session to discuss two legal items.

Commissioner Herb Frady asked for an Executive Session to discuss two legal items.

Commissioner Peter Pfeifer commented that he had written a letter to the newspaper and one of the recently elected members of this body believed that he had called him a child molester. Commissioner Pfeifer said if that was his belief he wanted to apologize for that and he had not meant to say that about him. He said he was trying to make a comparison between a court decision and the one he used was current at the time. Commissioner Pfeifer said he would never say that individual was a child molester or supported child molesters. He said if that was what was perceived he wanted to apologize to him and to everyone.

Commissioner Maxwell thanked Commissioner Pfeifer for clearing this matter up. He said it had been a great source of irritation that his name was associated with child molesters. He said he had never defended a child molester and certainly he was not a child molester. He said the fact that the letter was written was purely and simply politically motivated and ill-timed. Commissioner Maxwell said he felt he could go forward with this and asked that Commissioner Pfeifer do the same. He said there were certain things that happened in a race that were above the board but that clearly was not. He said he accepted his apology.

Motion was made by Commissioner Horgan, seconded by Commissioner Maxwell, to adjourn to Executive Session to discuss four legal items. Motion carried 5-0.

Chairman Smith commented to those in attendance that the Board would return after Executive Session, and if there was anything from Executive Session that required a vote, it would be done in public. He said he had no idea how long the Executive Session would take but if they were willing to wait he assured the public that the vote would be taken in public.

EXECUTIVE SESSION:

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

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It was the consensus of the Board for the attorney to proceed with this matter.

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The Board returned to the public meeting room.

Chairman Smith stated the Board discussed four legal matters in Executive Session. He said they had an extensive briefing from the County Attorney on the status of legal affairs for the benefit of the new commissioners. He said there was no action to be taken as a result of the Executive Session.

Motion was made by Commissioner Frady, seconded by Commissioner Pfeifer, to adjourn the meeting. Motion carried 5-0.

There being no further business to come before the Board, Chairman Smith adjourned the meeting at 5:35 p.m.

Peggy Butler, Chief Deputy Clerk

Jack R. Smith, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 7th day of February 2007.

Peggy Butler, Chief Deputy Clerk
