

The Board of Commissioners of Fayette County, Georgia met in Official Session on Wednesday, February 7, 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 Chair
 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

Chairman Smith called the meeting to order.

Chairman Smith explained that the Wednesday afternoon meeting was taking on a new format. He said this meeting would be a workshop meeting. He said they hoped to carry this tradition for each month of this year. He said it was designed to be a discourse and not a lecture. He said the commissioners hoped to learn as much from staff and they would learn from them. He said this was an opportunity to have a new day in government, a little more open with a little more conversational tone.

PUBLIC COMMENT

Chairman Smith said the first thing on the agenda was Public Comment. He asked if there was anyone in the audience, the public not staff, who wished to address the Board. He said hearing none they would move to the next item on the agenda, Old Business.

OLD BUSINESS

Consideration of the proposed amendments to the Fayette County Zoning Ordinance regarding Article VII. Conditional Uses, Exceptions, and Modifications, Section 7-6. Transportation Corridor Overlay Zone, A. S.R. 54 West Overlay Zone, B. S.R. 85 North Overlay Zone, and C. General State Route Overlay Zone as presented by the Planning & Zoning Department. The Planning Commission recommended approval (5-0). This item was tabled at the January 25, 2007 Board of Commissioners meeting.

Dennis Dutton, Zoning Administrator, said the Transportation Corridor Overlay was presented to the Planning Commission on February 1, 2007 for their recommendation for approval. He said the Transportation Overlay consisted of three distinctive overlays. He said the State Route 54 West Overlay Zone basic function was a non-urban separation of Fayetteville and Peachtree City, as well as protection of the future of residential areas. He said State Route 85 North Overlay Zone was established to maintain the scenic gateway into Fayette County and consisted of the major components of commercial and industrial in the corridor.

Commissioner Maxwell interrupted Mr. Dutton to say he understood this item was tabled from the January 25, 2007 Commissioners Meeting. He asked at that time was there a public hearing that was scheduled with that?

Carol Chandler, Executive Assistant, said it was advertised as a public hearing.

Commissioner Maxwell asked if this meeting today was advertised as a public hearing.

Ms. Chandler responded that it was not.

Commissioner Maxwell asked if this discussion was being held just for information purposes. Chairman Smith said it was.

Commissioner Maxwell asked if this information would also have to be presented at the next public hearing. He said if they were going to hear the same thing twice he was asking if that was what they were really trying to do.

Chairman Smith said he thought what happened was that it got scheduled as a public hearing before the Board became aware that it had been done. He said they asked that the Board be informed before anyone went out and started anything. He said this was the informational aspect to give the Board an idea of what was being done and why it was being done. He said they were basically asking permission to take it to a public hearing to be acted upon.

Commissioner Maxwell confirmed at the end of this meeting they would not be taking a formal vote on this matter.

Chairman Smith said that was correct. He said the Zoning staff was looking for direction as to whether or not to take it to a public hearing.

Mr. Dutton continued the explanation of amendments. He stated the General State Route Overlay Zone was to maintain the scenic gateway into Fayette County as well as protection of the existing and future residential areas.

Mr. Dutton said the reason they had requested the changes through the Planning Commission for their recommendation was to clean up the language. He said there were inconsistencies and terminologies that needed to be cleared up. He said they also wanted to eliminate the redundancies.

Mr. Dutton said one section in particular they were dealing with in the overlay district was the delineation of those areas. He said with State Route 85 North, from a visibility aspect, they were looking to increase from 500 linear feet from the right-of-way of the property to 1000 feet. He said there were a lot of large lot developments that were zoned industrial M-1. He said in reading the ordinance there had been confusion on whether they were looking at architectural standards for 500 feet of the property or the property as a whole. He said they were interpreting it as 500 feet from the road frontage or the parcel as a whole would be required to meet all the standards of the S.R. 85 N Overlay Zone. He said they were dealing with large lots that were possibly 1200 to 2000 linear feet to the back from S.R. 85 where another piece of property that was fronting on S.R. 85 may be 600 feet back. He said design standards were being cut off by the property size.

Commissioner Horgan asked about the pervious and impervious areas within the 1000 feet. Mr. Dutton said on the impervious surfaces they kept it as per the zoning district. He said that did not change.

Mr. Dutton said the only thing that changed was State Route 54 where they required more impervious surfaces than what the regular zoning districts had. He said they were trying to keep that more of an open area.

Commissioner Horgan asked if it was the same on S.R. 54 as S.R. 85. Mr. Dutton said S.R. 85 would be different. He said they realized that would be the commercial and industrial area and they did not want to touch that.

Chairman Smith asked for the other major changes. Mr. Dutton replied they had looked at the architectural standards and cleaned up the language. He said in regards to building materials, instead of calling for Hardi-Plank, since there were other brand names out there, cement fiber siding was the actual term. He said the only other thing changed was in the S.R. 85 corridor, which allowed for a split-face concrete, which was a sculptured faced cinder block design.

Mr. Dutton said there were three additional items they were looking at. He said they went back to define the development and access. He said that language was confusing. He said they were looking at adding where road frontage was mentioned, inserting the statement "and/or" access. He said they were looking at property and/or development which had road frontage and access, which was confusing. He said they wanted to make sure the property was accessing on S.R. 54 West.

Chairman Smith said he heard him say this would apply to developments and what he was reading was that only those that had frontage and access. He said if he had a corner lot and his access was not on S.R. 54, would this not apply. Mr. Dutton said it could be construed that way. He said they wanted frontage on S.R. 54 and also if there was access from S.R. 54 to a property in the back, they wanted it to be included. He said they were talking about a subdivided lot. He said they also wanted to add another portion that defined the development. He said the problem was in interpreting this language they ran into property that was subdivided, and once divided how far should they go back to delineate the overlay corridor. He said for the access they were looking at a drive or public road that would extend to the back of the development.

Chairman Smith said his understanding was if there was a piece of property that did not front on S.R. 54, but had a driveway access to S.R. 54, they wanted this to apply to it. Mr. Dutton said that was correct. Chairman Smith said the way he read this was that the property or the development must have road frontage and access in order to apply to it. He said this meant if he had a corner lot and his access was not to S.R. 54 this did not apply to him. He said his question was "Was that the intent?" Mr. Dutton replied it was not. He said that was why they needed to create another revision.

Commissioner Maxwell said the overall purpose of this seemed to be that what was wanted was a beautiful area on S.R. 85. He asked was there any reason they had to talk about the minute details right now. He asked could there be a committee appointed to look into this.

County Attorney McNally said what they had here was a presentation of what staff had come up with combined with the Planning Commission who also had public hearings with the opportunity for public input. He said today's discussion would give the Board an opportunity to express any questions they had on this wording or what it entailed.

Commissioner Maxwell asked Attorney McNally if he had seen this information. Attorney McNally said he had.

Commissioner Maxwell said he did not know how long they wanted to talk about the details today. He said it looked like there would be a public hearing on this.

Chairman Smith said they wanted this cleaned up before it went to a public hearing.

Commissioner Maxwell said the problem he had was that he was handed the information five minutes before he came into this meeting. He said he could not read this document and be prepared to talk about it in detail. He said he would love to do that. He said it was literally handed to him as he was sitting at this table.

Chairman Smith asked Pete Frisina, Director of Planning & Zoning, if what they wanted today was permission to go forward with a public hearing. Mr. Frisina said since it been presented to the Planning Commission and at the Board of Commissioners as a public hearing and the Board had tabled it until today, they wanted to re-advertise this for the last meeting in March.

It was the consensus of the Board to advertise this item as a Public Hearing for the March 22, 2007 Board of Commissioners' meeting.

DISCUSSION BY TONY PARROTT, FACILITIES DIRECTOR, OF THE WATER COMMITTEE RECOMMENDATION TO OWN AND OPERATE COMMUNITY SEPTIC SYSTEMS AND COMMUNITY DRIP IRRIGATION SYSTEMS IN FAYETTE COUNTY.

Tony Parrott, Facilities Director, said the Water Committee had reviewed the options the Board had concerning drip and septic irrigation systems for waste water disposal. He said their choices were not to do anything, to regulate the systems, or to take as part of the county system and manage it. He said the Water Committee recommended that the Board own and operate these systems. He said information was provided to the Board as to how the Water System would operate and manage these systems with additions to the standards that the Environmental Protection Division required.

Chairman Smith said he knew nothing about septic systems. He said he would like to know the pros and cons. He said he understood that the county had no voice in approval of these systems.

Mr. Parrott said the EPD approved one for a subdivision and did not contact the county, nor did any county office, issue a permit. He said they had the right to put in a system without the county doing any type of review on it. He said, for example, on their land application system on a drip system they did not require a 100% backup. He said the County Health Department required a 100% backup for a septic system. He said one thing they were proposing was if they had a system there needed to be backup for it. He said they did not need to have 40 houses on a system and something go wrong and there not be another place to have a drip system. He said the only time to plan this was when the subdivision was developed.

Mr. Parrott said if the system was installed and something went wrong with it, if it was a homeowner association that was responsible for taking care of it, he would suspect the homeowners would come before the Board and ask for the county's help. He said they had had that type of situation with a ground water system. He said the wells went out and the homeowners came before the Board and wanted the county to bail them out.

Mr. Parrott said they recommended installing the drip systems at a higher standard, watch over them, and if something went wrong the Water System would immediately know about it, not after it had been leaking for several months.

Chairman Smith asked how many systems were there now in the county. Mr. Parrott said he did not have an exact figure on that because they were currently not listed as the same type of permit. He said of those that were permitted he thought there were 14 of them in the county. He said the smaller systems were not receiving the same type of permit and he would have to research to give the Board an idea of how many there were in the county.

Chairman Smith asked if they agreed to do this would it cover those or just new systems. Mr. Parrott answered it would be for new systems only. He said if they wanted to accept an older system it would be the Board's choice. He said they could do a study to see how it was installed and operated and make a recommendation. He said the Board had accepted a few of the well water systems into the county over the years.

Commissioner Horgan asked if there were protection mechanisms that if a system failed a neighborhood could come to the county for repair or even sue the county. Mr. Parrott said this would be the same type system as the water system. He said they would be fully responsible for what they did in the community.

Commissioner Horgan asked how they would track the five year re-pumping schedule as was done with the septic systems. Mr. Parrott said all these systems would be receiving county water, therefore, would be county water customers making it no problem to track the five year time frame for pumping the system. He said if they did not pump it the Water System would add that charge to their water bill. He said they would subcontract the pumping out.

Commissioner Frady asked if the county had anyone who could run these community systems. Mr. Parrott responded that he had a license to do this.

Commissioner Frady said the last time they talked about this he had asked if there was any information regarding the cost of operating these systems. Mr. Parrott said there was no track record. He said with a community septic system if you watched what went in, which they were by having the dual tanks, they would maintain the spray drip application field by cutting the grass and maintaining it. He said this was not much cost. He said they were talking about different size pumps for different size systems and maybe a lift station for some of the systems. He said the maintenance cost was minimal.

Commissioner Frady said the manufacturer should have some kind of track record. Mr. Parrott said what was being proposed was not a single system. He said they were proposing that they meet certain standards concerning the quality of the effluent that would be put out onto these fields. He said anyone's system that beat this standard would be available to be used by the developer. He said they would have to meet the discharge standard that the county set.

Commissioner Frady said he had talked with someone recently who was a manufacturer of these machines out of Chicago. He said this person was willing to come down and go over the systems they had and how they operated. He said it would be good for him so he could understand the system better as he had never seen one.

Chairman Smith asked what had transpired to this point.

Mr. Parrott said they had talked about the fact that these systems were set up differently with different rates and different drip systems for the fields. He said there were so many different systems out there with like drip heads but different kinds of pumps. He said that was why they were recommending a standard that would be based on how good the system was in treating the effluent. He said that would have the strength of the waste water going either into the septic system or into the land application system. He said that was what they were basing the standard on. He said they were not setting the standard based on what size pumps, buildings, or tanks someone had.

Chairman Smith said as he understood it this was like a utility and a fee would be charged for it. Mr. Parrott said that was correct. He said he based the revenue on the rate the Water Committee used and an estimate of a number of customers with an average water bill on what it would generate.

Chairman Smith asked how he proposed to cover the cost. Mr. Parrott said the revenue from the customers would cover the basic costs during the first years. He said the maintenance on the system the first year would almost be nothing because once it was installed it would take a builder three or four months to build a house and by the time there were twelve houses on the system it would be 12 to 18 months down the road. He said it would not be a big expense to maintain and operate these systems to start with.

Chairman Smith asked Mr. Parrott if, in his opinion, was the quality of the discharge equal or greater than a normal septic tank. Mr. Parrott responded that it was greater. He said it would be like having two tanks, two different places for the solid settling. He said that made it twice as good as a conventional system. He said some of the drip application fields had an additional filtering process.

Commissioner Frady asked if there was someone that could be interviewed that had one of these. Mr. Parrott said there were several around.

Chairman Smith said if they did not do anything then they would be at the mercy of the state. He said if they put this in they would be tightening the regulations to the point that there was a mandatory 100% replacement in case of failure. He said what they were doing was taking on the potential responsibility of fixing them in exchange for getting the regulations to control the quality of the output from the system.

Chairman Smith asked the Board for their pleasure.

Commissioner Maxwell said he would like to table this until he had more information. He said he would like to know how many systems they were dealing with. He said he did not know how they would transfer ownership of existing systems.

Chairman Smith said this proposal was only for future systems. He said if one of the older systems approached the Board they would have to deal with that separately.

Attorney McNally said the Water Committee was asking for the Board's direction. He said this was the groundwork given and they wanted to know if the county was interested in going with this. He said this was a major step. He said they were requiring regulations over and above what was done at the state level.

Commissioner Frady said he was reluctant to get involved with this. He said they did not know what they were doing.

Chairman Smith said Mr. Parrott had a license and he knew what he was doing.

Commissioner Frady said he thought they needed to know more about what the EPD would do.

Chairman Smith said the EPD was going to do this whether they were a part of it or not. He said the issue that was upon the Board was if they were going to be proactive and try to make these things give a better effluent than a normal septic system or not do anything and let come what may.

Commissioner Horgan said he felt they should be proactive.

County Attorney McNally said if the county was not involved what had traditionally been done was the state would issue a permit to put in the system and looked for someone in the position of assuming responsibility of the development and care. He said they accepted the homeowners association. He said the concern of the Water Committee was there was no guarantee that the homeowners association would take care of it properly and there would not be a back up system when things went bad and the Commissioners would be faced with irate homeowners. He said the Water Committee proposed they take over the system, monitor it, and service it in exchange for setting and accepting higher standards for these systems.

Chairman Smith said he was not sure that more information was needed. He said the Water Committee had told the Board they were setting standards on the systems selected. He said it was not a particular system that was the issue, it was the standards that had to be met by a system no matter what brand, model or make.

Motion was made by Commissioner Horgan, seconded by Commissioner Pfeifer, instructing the Water System to move forward with the Water Committee recommendation for setting up and developing policies and procedures for county owned new drip irrigation systems. Motion carried 5-0. A copy of the Water Committee's recommendation, identified as "Attachment No. 1", follows these minutes and is made an official part hereof.

NEW BUSINESS

DISCUSSION BY COMMISSIONER FRADY REGARDING THE COUNTY'S CURRENT TRAVEL POLICY.

Commissioner Frady said he wanted the Board to look at this Travel Policy and if they wanted to make changes to let that be known.

Commissioner Frady said in reference to hotels and mileage the IRS set the rate standards for cities they traveled to in and out of state. He said he did not think the IRS was going to give anyone anything. He said employees that traveled on behalf of Fayette County were not sales people. He said the employees were traveling at the request of the county. He said these employees attended seminars, conventions and meetings to discuss county business. He said in most cases they were attending continuing education classes to expand their knowledge and skills for their work. He said they were becoming better prepared to be better and more efficient employees. He said in doing so they saved the county money in the long run. He said he did not think they should have to bare any of the cost when they were asked by the county to travel.

Chairman Smith said he agreed to a point. He said there was a fine line between being good stewards of tax payers' money and trying to devise a policy that was fair. He said in reviewing the travel regulations he had identified seven items that he felt needed attention and only those items needed to be changed.

Chairman Smith said the major issue was the rate at which employees were reimbursed for driving their own vehicle. He said the county had a motor pool policy. He said there were cars available for employees to check out and drive to events. He said it was cheaper for the county to have an employee drive a county car than to drive their personal vehicle. He said there were incidents in which an employee decided to drive their own vehicle. He said the county did not need to create a situation in which the employee was rewarded for choosing not to drive the lower cost county vehicle instead of using their own vehicle. He said he disagreed the county should pay for the employee driving their own car except in the case where it was for the convenience of the county. He said if it was for the convenience of the employee they should take a car from the motor pool or accept slightly lesser reimbursement. He said currently the reimbursement rate available when driving a personal car was a little less than he would consider reasonable under any circumstances. He said the current rate was the IRS charitable mileage rate. He said he would suggest instead of raising the rate to the IRS standard rate they should use some intermediate rate which was significantly higher than the charitable rate but lower than the total reimbursement rate. He said he would propose the 60%, 70% or even 80% range. He said that would adequately cover the cost of an employee driving their own vehicle if they so chose, but not high enough to entice an employee to drive their own vehicle rather than driving a motor pool vehicle. He said in cases where it was for the convenience of the county, the entire mileage rate should be reimbursed at the IRS allowable rate.

Chairman Smith said the second item was out-of-state lodging. He said in reviewing the per diem charges allowed for charging county or lodging expense, there was a provision in the travel allowance that stated there was a set rate to be used for in-state and a set rate for out-of-state. He said in reviewing the IRS averages, the in-state rate appeared to be correct; out-of-state rate seemed to be below average. He said he proposed to raise the out-of-state rate. He said there was also a provision in the existing travel policy that allowed department heads or supervisory personnel to override the amount in the policy if an employee was in an area that required a higher cost of travel. He said that was in the policy now and he suggested it remain in the policy.

Chairman Smith said the third item was the meals per day charge. He said the existing policy had a per diem for meals that set a limit for breakfast, lunch and dinner. He said it penalized people who did not eat breakfast and would prefer to eat a larger lunch or dinner. He said he suggested removing the breakfast, lunch and dinner amounts and go to a straight per diem amount.

Chairman Smith said the next item was the restriction of the reimbursement of meals where meals were provided with the scheduled conference or activity. He said if the employee signed up for a conference and the meal was included in that he did not believe it was to the benefit of the county to reimburse on per diem for meals already provided.

Chairman Smith said the next item was already covered which was the particular meal reimbursement.

Chairman Smith said the next item was allowing the spouse or dependent of an employee to be a passenger in a county car. He said there was a provision in the travel regulations that allowed no passenger in the county vehicle unless they were a county employee. He said the proposed change was to allow a spouse or a dependent, with prior approval of supervisory staff, to ride in the county car.

Chairman Smith said the last added provision stated the maximum reimbursement for using a private car for the convenience of the employee could be no more than round-trip airfare plus the total cost plus the anticipated rental car fees. He said it was incumbent upon the Board to put this in there as an assurance that there were venues when an employee could fly but chose to take their private vehicle.

Chairman Smith said he thought the spirit of the changes Commissioner Frady had made were far more sweeping than what he had hoped to do in keeping the county committed as good stewards of the taxpayers' money. He said he would urge looking at his alternatives to the travel policy which only surgically changed specific areas.

Commissioner Frady said he felt he had been a steward of the taxpayers' money. He said he thought they should take into consideration that employees were traveling for business, they were not going on vacation, and they were trying to improve themselves as well as the county government. He said he thought it was only fair they used their means by their choice to get there, and some would rather drive their personal car.

Chairman Smith said it was no doubt that if you put the reimbursement rate at 100 cents on the dollar that was encouraging the employee not to use a county vehicle because there was no difference. He said he did not want to penalize them to the point that if the employee drove their own car they could not afford to buy the gas; which was pretty much the way it was currently. He said if it was not as lucrative to drive their own car that would give them the incentive to drive a vehicle in the county fleet which would be a lower cost operation.

Commissioner Frady said he personally liked to drive his own car, he knew what it did and how to handle it. He said when talking about the cost and reimbursement a car depreciated over a certain period of time and these people driving their own cars were really not making anything. He said he did not make any money off of the reimbursement; he just liked driving his own car.

Chairman Smith said that was fine. He said he should be able to do that but not at a rate the IRS charged because the incentive was lost for anyone to drive a county vehicle, which saved the county money.

Commissioner Maxwell said this all started because the reimbursement rate was .14 a mile when they took office. He said he thought that was the main thing the Board was going to address. He said there were two versions of the travel policy and it seemed the big difference was whether it was 100% on Commissioner Frady's method or 80% on Chairman Smith's method. He said there were some other small changes but not significant changes except for the reimbursement rate.

Chairman Smith said he tried to make a few changes as possible to the existing travel policy but to address the specific areas that staff told him were the problems.

Commissioner Frady said the outstanding item he saw was IRS reimbursement at .48 ½ per mile for use of a personal vehicle.

Commissioner Pfeifer said in Chairman Smith's version of the travel policy that included the wording in regards to the reimbursement for using a private car for convenience could be no more than the price of round-trip airfare plus the total cost plus the anticipated rental car fees was critical because there were incidents in the past where people decided they were going to take their private car thousands of miles and the county paid for it. He said he did not think Commissioner Frady's version included that same information.

Commissioner Frady said it was in there. He said you would take Map Quest and give the mileage from here to destination and back.

Chairman Smith said they needed to pick one version of the travel policy and go through it. He asked the Board what was their pleasure. There was no response from the Board.

Chairman Smith tabled this item.

DISCUSSION BY COMMISSIONER FRADY REGARDING THE OCCUPANCY OF THE THIRD FLOOR OF THE JUSTICE CENTER.

Commissioner Frady said this was a request for staff to turn in their space needs for the next three to five years.

Chairman Smith said the Board had in their books information from staff who responded to the request for space needs for the next three and five years. He said it appeared there were one or two areas that had space needs that were not critical but were more near term than others. He said most indicated that departments needed very little or no space for the next three years. He said the two that indicated they needed space were Physical Health and Fire and Emergency Services. He said both of these departments had needs that needed to address soon.

Chairman Smith when looking at the space needs there were options. He said, for example, if they took the option to build the Fire and Emergency Services Building, which had been recommended and was in the long term plan but not yet funded, that would free up space in the administrative building to allow expansion. He said if they took another option such as finishing the third floor of the Justice Center then that would open up space for something else. He said he would suggest that since there was not a critical space need at this point and time they were probably looking at a time frame of twelve months before they needed to make a concrete decision. He said it would take approximately twelve months to do something. He said he suggested giving this information to staff for them to summarize data and develop a time line on the options and determine what options were available. He said they would deal with it when the information was compiled. He suggested staff have this information available no longer than two months from today.

Commissioner Horgan asked if they were referring to the needs in the administrative building being accommodated in the Justice Center or the needs of the Justice Center, with their increased loads, to finish the third floor for their use.

Chairman Smith said they had asked for a combination of a space analysis of the third floor of the Justice Center and space analysis for the rest of the county offices. He said he was suggesting since there was not a critical need in the court house for space at this point and time, there was an identifiable squeeze on space in the Physical Health Department and the Fire and Emergency Services offices. He said it was not to the point where something needed to be done in the next 60 days.

Commissioner Maxwell said he felt the whole point of Commissioner Frady's discussion was to receive information. He said there were several people here today that he would like to hear their feelings on this topic. He said he had spoken with Judge Sams and Judge English and they had identified their needs.

David Jaeger, Mallott Consulting, said he brought with him a drawing of the Justice Center as it stood today. He said there was 50,000 plus gross square feet on the third floor of the Justice Center. He said some of that area was framed in for staircases, elevators and mechanical rooms. He said that left approximately 46,000 available square feet that could be finished out. He said that building could be set up in any way usable to the county. He said from a design stand point, the critical point would be the projection of the court rooms currently on the second floor onto the third floor space. He said that may not be the final usage but the movement of the inmates in this building was the most critical design function; preventing inmates from circulation with staff or public. He said there were areas, identified as holding areas, between courtrooms and serviced by designated elevators. He said these elevators currently went to the third floor. He said they were interior built and the only thing they were used for was to transport inmates. He said regardless of how the third floor was ultimately developed, the use of these elevators should be reserved for potential use on the third floor. He said the construction of the inmate holding areas and the preservation of the dedicated elevators were the most critical issues. He said the courtrooms on the second floor could be built on the third floor. He said even the plumbing had been stubbed out on the third floor.

Chairman Smith asked how many square feet were the courtrooms compared to the total area. Mr. Jaeger responded 20-30%.

Mr. Jaeger said he had talked to the contractor who built the building and he said for budget numbers he would use \$140 a square foot. He said he talked to an architect and a second contractor and their numbers were a little lower. He said without knowing more than they did at this point, to be safe he would use the \$140 a square foot. He said that was just for the construction cost. He said this was the basic construction quality as built on the first and second floors. He said in addition to the construction cost there would be furniture, telephones, computers, etc. He said another feature to consider would be vault space. He said vaults were built at a higher security and construction level.

Mr. Jaeger said he did some quick calculations estimating the other factors which included the things talked about today, plus the design fees, inspection, and construction management and the price was close to nine million dollars. He said that included furniture, telephones, cabling, etc.

Commissioner Maxwell asked when they got to the point of saying "do it" how long would it take? Mr. Jaeger said he would estimate six months design time and at least one year of construction. He said they built it originally in two years and that included the jail expansion. He said this would be trickier because they would have to work around the existing facilities. He said the building was designed to have access through a back panel in the building so as not to interrupt the ongoing use of the building downstairs.

Mr. Jaeger said the Justice Center was built with a lot of participation from the people who occupied it. He said that paid off. He said if they wanted to complete the third floor, getting input would help plan it the best way and it would go a lot smoother through the design and construction.

Joe Saia, Public Defender's Office, said they were not a courthouse occupant. He said in twelve to eighteen months they would need more space. He said it would be more efficient for his office to be located in the court house to represent their clients and to do right by the county. He said right now they had five lawyers, two administrative assistants and one investigator. He said in the next 12 to 18 months he expected to have two additional lawyers and one investigator. He said in their current offices they would out grow it with one additional lawyer.

Chairman Smith asked how much space would be comparable. Mr. Saia responded that he could not break it down into square footage. He said what he was talking about was seven individual offices and reception, secretarial space.

Commissioner Frady asked if he had offices in the other counties. Mr. Saia responded they had offices, but not in the court houses. He said they had an office in Upson County, Spalding County and Pike County. He said Fayette County was their headquarters.

Commissioner Frady asked if his case load was more here. Mr. Saia responded the case load was about equal between Fayette and Spalding counties because they also had state court here.

Chairman Smith asked how many offices they occupied now. Mr. Saia said they occupied seven offices. He said they were located across the street from the jail on Johnson Avenue, in the same building as the fire house, the old District Attorney's office.

Commissioner Maxwell asked Mr. Saia if there was a formula for the number of attorneys he had similar to that of the District Attorney's office. Mr. Saia said they had four attorneys per judge, but were limited in theory to 300 cases per year per attorney. He said they were probably almost double that. He said they expected to get a full time juvenile attorney sometime in the next 12 months. He said that juvenile attorney would be in Fayette County because they handled both delinquencies and depravations here.

Commissioner Maxwell asked if they were looking at an equivalent between the District Attorney's office and number of personnel. Mr. Saia said probably a little less because they handled all the cases and the Public Defender's office handled a percentage. Commissioner Maxwell said he had the Solicitor General's office as well. Mr. Saia said he had not thought about that and that would be at least one other attorney which would make it as much as the District's Attorney's office.

District Attorney Scott Ballard said they were beautifully set over in the Justice Center. He said it was a beautiful building with a lot of foresight to have a third floor available for growth. He said the only observation he wanted to make was a lesson learned from other counties and that was to resist the temptation to put non court related people in the court house so that they could expand as needed. He said his observation was that while the District Attorney's office had plenty of space right now; the urgent needs would be for the juvenile and state courts. He said they were going to need some space pretty quickly.

Sheila Studdard, Clerk of Courts, said she wanted echo what had already been said. She said she wanted to comment on the vault. She said when the third floor was considered the vault would be a consideration for the clerk's office. She said right now they were fine but with the growth of any court the clerk's office would grow. She said they were working towards a paperless system, however, in real estate they still had customers who wanted the paper. She said at present there was still a demand for the paper. She said there was a need at times in Superior Court for a larger court room and in State Court more often than Superior Court. She said she was asking the Board to consider that. She said one thing that had not been addressed was the movement of the jury. She said if larger court rooms were put on the third floor to please consider movement of the jury. She said they had adequate space now for the jury assembly room, but for the efficiency of any court in session the jury was to be empanelled that were on the third floor they would need a place to congregate prior to being introduced into a court room. She said with the witnesses and defendants placed in the hallway, sometimes the jury was jeopardized by having contact with the witnesses and defendants. Ms. Studdard said she wanted to echo that juvenile and state courts were very busy courts. She said the juvenile court's needs were probably greater than the needs of the state court.

Chairman Smith asked Ms. Studdard in regards to the vault situation would she prefer an expansion of the current vault or putting another vault on the third floor. Ms. Studdard said once the vault walls were poured and constructed there was no expansion without jeopardizing the existing structure. Mr. Jaeger said it was possible to expand the vault but this would have to be looked at. Chairman Smith asked that assuming it was possible to expand the vault would she rather extend the vault on the first floor or add a vault to the third floor. He asked what was easiest. She responded that keeping all the records together was the easiest. She said staying on the first floor was probably best for her because of her first priority to serve the public.

Judge Schell, Juvenile Court, said they were on the first floor and their traffic was increasing. He said their concern was the parents and children they served. He said they had a lot of children and were having problems with waiting room space. He said the cases were short in duration but large in number. He said they were increasing the number of court days. He said they were looking at a growing need for partial use, on an occasional basis, of another court room. He said this was because many of the times associated with juvenile cases were jurisdictional. He said if they did not have a hearing within a certain number of days the case could be dismissed. He said this was by law. He said these time constraints involved a large number of people.

Judge Schell said he had two associates which called for a need for another chambers. He said there was a juvenile law library within the area of their complex which they proposed to convert to the presiding chambers and then they would have the other two chambers by the one court room they currently had. He said the main law library in the court house was adequate plus so much was on computers now.

Judge Schell said their vault space was adequate. He said unlike Superior Court, after a certain amount of time they could purge their files. He said they were in a little pinch for clerk space. He said they had maxed out on the number of desk spaces for their clerical staff.

Judge Schell said like everyone else their cases were growing. He said they had over 2,000 cases last year. He said there were delinquencies, depravation cases, child abuse cases, neglect and abandonment, and drug cases. He said he saw an increasing need for the future for at least limited access to a court room so they can seat two judges to meet these time constraints that the law required. He said when children were the victim they had rooms that were isolated where the children could be held with the case worker. He said they did not want to co-mingle.

Commissioner Maxwell said Judge Stephens had sent him an email stating they may need to reconfigure their space but did not need larger space. She said she felt they were fine with their space for the next two years.

Commissioner Maxwell said Jamie Inagawa, the State Court Solicitor, sent an email stating that as the State Court grew so did he. He said it was a formula they used. Mr. Inagawa said on certain days in State and Superior Court people were lined up along the wall and out to the hallway. He said his suggestion was to design a larger court room on the third floor, not assigned to any particular judge; it could be used on the specific days when there was a huge calendar load. He said sometimes they had over two hundred cases on the trial calendar which entailed a lot of people and they brought their families. He said he knew there would be a need in two to five years for an additional State Court judge.

Commissioner Maxwell said clearly what was going to happen in the next few years was the current occupants of the court house were going to need more space. He said fortunately because of the foresight of the former county commissioners they built a building that would enable us to provide that. He said they needed to start now in doing their investigation. He said he had talked with Judge Sams and according to his numbers in a few years an additional State Court judge would be justified. He said there was a formula used to come up with this need. He said at this point there would be a judge without a court room. He said there were two Superior Court judges that

currently shared a court room. He said there were times when they ran out of court room space. He said this Board needed to act now to deal with the growth of this county.

Commissioner Maxwell said it was his understanding that they had bond money available designated for the completion of the third floor. He said they had an obligation to move forward. He said his one concern was, as Scott Ballard mentioned, that the Board consider not allowing non court related functions be moved into the court house. He said the court house functions would have priority of that space. He said Mr. Ballard may have heard the rumor that he had said regarding moving some of the functions located at Stonewall temporarily into the court house while trying to come up with space. He said it was his understanding that the Stonewall complex was full. He said the Health Department had approached all the board members stating they needed space. He said he also new Fire & Emergency Services needed more space. He said he was looking for a short term fix for the long term plan to move the entire county complex over to the area with the Justice Center and Senior Services building.

Commissioner Maxwell said if they had one more court room on the third floor that would give an extra court room that was not assigned to a specific judge. He said there were times when a larger court room was needed due to the number of people.

Chairman Smith said they needed to move beyond fragmented information they had and plan to accomplish something. He suggested directing staff to take this information and compile it into a method that when they began getting information on the specifics they could move forward. He said he did not want it rushed to the point that it changed the long term aspects. He said he would like for them to be diligent in planning what they did as the original group was in planning the court house from the beginning. He said the dilemma they faced was that they had definite alternatives. He said if they built a Fire & EMS building they may free space that was not necessary. He said if there were functions within the court house that needed to be expanded they would be dependent on which way they went. He said if at some point in the future they split the circuit they would not necessarily need a lot more court rooms. He said they had to have some type of a road map, a decision tree, that said the decisions that had to be made and if the decision was made to go this way and if that decision was made to go that way. He said he was trying to get them to the point where they had that information compiled and they had the decision tree in front of them to begin to select what task they needed to discuss and make decisions on and move to the next fork in the road.

Chairman Smith suggested they pull the records of the process done to design and plan the Justice Center because it did work well.

Motion was made by Commissioner Maxwell, seconded by Commissioner Pfeifer, to form a committee to review the process used to plan and design the layout of the Justice Center. Commissioner Maxwell will chair the committee. Motion carried 5-0. A copy of space needs assessments identified as "Attachment No. 2", follows these minutes and is made an official part hereof.

DISCUSSION OF INSTALLATION OF FENCING AT KENWOOD PARK

Anita Godbee, Director of Parks and Recreation, said the construction of Kenwood Park was in process. She said they were at the point where they needed a decision as to whether or not to fence the entire property. She said in the budgeted figures they had received preliminary cost estimates from Mallett Consulting. She said fencing should cost approximately \$216,000. She said the prices came back from the bid significantly higher than what they had anticipated. She said they needed a decision from the Board as to fencing the entire property line and having Public Works cut the timber on the property and dispose of vegetation, or to fence and gate the front entrance only, or fence and gate the front entrance and some of the areas adjacent to the neighbors, or not install a fence at all. Ms. Godbee said she had asked David Jaeger to discuss the pros and cons of these fencing options.

Mr. Jaeger said they prepared a bid package in August 2006 to fence the entire Kenwood Park property. He said the prices came in two to three times higher than what the county had paid in the past for similar fencing projects. He said they recommended the county not accept the bid and that they look for alternatives to try and get the cost down. He said they had staff meetings and Public Works volunteered their services and manpower during winter months to accomplish the clearing for this fence. He said in doing so they would potentially get a better price from the fencing contractor and attract contractors who were not interested in doing the clearing part of the work. He said they were asking the Board to let them know their desire in regards to fence the property or look for other options such as not fencing or partial fencing.

Mr. Jaeger said this particular site did not have high visibility from any perimeter area. He said the road frontage did not provide visibility into the site, the areas in the back of the site were heavily wooded. He said the option of not providing any fencing at all would allow for easy access to the park and no visibility from the perimeter as far as seeing what was going on inside of the park. He said if just the front was fenced, at the entrance, there would be control by vehicles only. He said there would still be the opportunity to access the park from any of the perimeter areas. He said if the entire site was fenced, the best access control would be provided.

Mr. Jaeger said the price they received at bid time was \$30 a linear foot for the fence. He said it was a six foot high chain link fence. He said in the past the county projects had run approximately \$10 a linear foot. He said they had a similar, but smaller, project at Horton Creek Park near the reservoir where they fenced about 3800 linear feet. He said the same contractor bid \$20.50 a linear foot for that fence. He said it had minimal clearing involved. He said he was confident if they accomplished the clearing with Public Works they could get a better fencing price. He said if they could attract a true large scale fencing contractor to bid on it then they could potentially get a better price than the \$20.50 a linear foot. He said they were before the Board to ask direction on the desire to fence the project.

Mr. Jaeger said the frontage of the park would have an ornamental fence and the bulk of the property would have the six foot high chain link fence.

Commissioner Horgan asked Mr. Jaeger if they did partial fencing what was his recommendation. Mr. Jaeger said in his opinion partial fencing was the least desirable option. He said it was difficult to define an area that could be fenced that would accomplish anything substantial and save a lot of money. He said if you fenced the first phase there would still be a substantial amount of money spent on fence. He said if they fenced another phase there would be the moving of the previous built fence. He said he felt their choices were to fence the entire site or a vehicle access fence at the front of the park.

Commissioner Maxwell asked what the purpose of the fence was. Mr. Jaeger answered to define the property and control access to the property.

Commissioner Maxwell asked if that would prevent someone from hopping the fence. Mr. Jaeger answered that it would not. Commissioner Maxwell asked if it would prevent someone from cutting through the fence. Mr. Jaeger responded that it would not. He said it discouraged use of the park during nonuse periods and helped define the property for neighbors. He said it was not a security fence; it did not have barbed wire. He said it restricted movement for pedestrians. He said it also protected the neighbors and defined when the park lines were.

Commissioner Maxwell asked if the park was designed for night time use. Mr. Jaeger said there would be lights but the initial use of the park was planned to be used during daylight hours.

Chairman Smith asked if they had separated the cost of the clearing in the fencing. Mr. Jaeger said he had not. He said the cost was included in the price of the linear foot fencing and that was the way they had done it in the past.

He said after the fact he had asked the contractor, who was the low bidder, how much he had in for clearing and his reply was about \$70,000. He said he was taking the contractor's word for it because it was not a line item bid.

Commissioner Maxwell asked that as of today how much was the park over budget. Chief Financial Officer Mary Holland said she would get those figures.

Chairman Smith said he wanted to know from Lee Hearn of Public Works if they had time to do the clearing, what kind of manpower would it take and how long it would take. Mr. Jaeger said it was the goal, if Public Works could do the work, to rebid the fencing.

Mr. Hearn said initially when they talked about doing the work in-house in terms of clearing it was going to be a winter project where they were not doing a lot of grading work and could do clearing. He said he talked to his staff today in regards to 14,800 linear feet of fence where 80% had to be cleared and some of it was tricky. He said they would cross creeks, tight spaces between the walking trail and the property line. He said his best estimate was it would take 10 – 12 weeks to do the work. He said that was not putting but three or four people on the site. He said he would like to have started this project earlier because he only had a month to maybe two months of bad weather. He said the cost estimate would be \$30-\$35,000 spent on labor, fuel and equipment depreciation. He said he thought they could do it for half of what he contractor had quoted.

Commissioner Maxwell said he did not see the need to have a fence out there.

Mr. Jaeger said just for clarification he did not believe the Master Plan identified specifically to have a fence. He said during the staff discussions it was his understanding to be consistent with the direction that the county was moving in regards to fencing their properties that this park should have a fence. He said they prepared a bid package to include that.

Ms. Holland explained to the Board that she was handing out to them a recap for Phase I for Kenwood Park. She said the total amount budgeted was \$4,495,000 for Phase I. She said over \$2 million had been spent to date. She said to date they had available \$2.5 million left in that budget. She said this budget had not included fencing. She said that was something that was brought up after the fact.

Chairman Smith asked where they were now in terms of construction. Mr. Jaeger said the current project underway was the site work for Phase I. He said they had another bid package due to go out shortly that would include the buildings and the courts. He said that had not yet been bid and he did not have the hard number on that. He said he could come back to the Board in a 30 day period and give them good numbers on the total cost for Phase I. He said he felt they were at least half way.

Chairman Smith said if they were half way then they were more than half way with the budget.

Commissioner Maxwell said he thought they should maintain what they had. He said he was in favor of finishing Phase I without fencing. He said he did not mind getting an estimate of the cost of the fencing. He said they did not have to do the fencing today.

Mr. Jaeger said the fencing could be done at any time. He said it could be done at a future phase. He said there was not a necessity time line.

May Holland gave the Board financial information on the funding of Kenwood Park. She said the first year of the funding was 2001. She said in the year 2007 the Board put \$1 million into the fund. She said the total was \$4.5 million dollars.

Mr. Jaeger said the construction of Phase I would be completed in the fall of 2007.

Chairman Smith said the direction the Board wanted to go was for staff not to proceed with the fencing at Kenwood Park at this time.

DISCUSSION OF THE UPGRADE OF THE ADMINISTRATIVE COMPLEX'S TELECOMMUNICATIONS SYSTEM.

Nina Madrid, Program Analyst, stated she handled the phone systems for Fayette County. She said there had been issues at the Stonewall Complex. She said she went before the Board at budget time and they approved the replacement of the equipment at McDonough Road. She said McDonough and Stonewall had the same kind of equipment. She said it was installed in 1995. She said at the time it was installed it was ten years old. She said right now the age of the equipment was approaching 20 years. She said there had been recent problems at Stonewall and she was concerned the system would not hold up for another year.

Ms. Madrid said recabling needed to be done at the Stonewall Complex. She said the Information Systems department assessed the offices of the Stonewall Complex and reported that 447 drops were needed for voice and phone cabling. She said she received an estimate from one vendor for the drops and was quoted \$125 per drop which totaled approximately \$56,000 just for the cabling. She said the cabling had to go out for bid and then there was 30 to 60 days to get everything in place, and after that time new phone equipment installed.

Ms. Madrid said she was currently working on a Request for Proposal (RFP) for McDonough Road to get a vendor in to define the standard for phone systems. She said they wanted to institute four digit dialing within the county and to unite all facilities including the remote sites. She said she wanted to include the Stonewall Complex in the RFP so that the successful vendor would be doing both sites, using the same kind of equipment, and have something to build from in the future for connecting other facilities.

Commissioner Horgan asked Ms. Madrid what road blocks she had encountered. Ms. Madrid said they had always gone with BellSouth for service. She said when she began talking to other businesses she found there were local providers that provided the same type of circuits as BellSouth at a much cheaper rate. She said that was put out for bid and BellSouth did not win that bid. She said she thought on the RFP that was done for the Justice Center and Jail that a standard had been defined for the county. She said they found the RFP was not definitive enough.

Commissioner Frady asked how much was left in the Contingency fund. Ms. Holland responded there was \$50,000 left in that fund.

Motion was made by Commissioner Frady, seconded by Commissioner Maxwell, to amend the proposed telecommunications RFP for the McDonough road facilities to include telephones for the Stonewall Complex as an alternative bid, and to authorize bids for the cabling for the Stonewall Complex. Motion carried 5-0. A copy of the recommendation, identified as "Attachment No. 3", follows these minutes and is made an official part hereof.

DISCUSSION BY THE PLANNING & ZONING DEPARTMENT OF TENTS, CANOPIES, TEMPORARY AND PORTABLE STRUCTURES.

Dennis Dutton, Zoning Administrator, said they had received a complaint regarding a tent structure in a back yard.

Commissioner Frady asked how many complaints had he had on something similar to this complaint. Mr. Dutton said since he had been at the county he had never received another complaint like this one.

Mr. Dutton showed the Board several pictures of the tent that he had received the complaint on. The Marshal's Office had taken the pictures.

Mr. Dutton said the Planning and Zoning Department was requesting direction from the Board concerning this. He said when he was approached with this item he had no other grounds, with his interpretation of the zoning ordinance dealing with storage buildings or anything like that. He said the way he had interpreted the ordinance was that they did not define a tent or canopy and since they had not defined it he did not see how they could regulate that. He said there was a problem in the past dealing with carports but since the ordinance was revised on 2/24/2005 attached carports were required to be a metal structure or consistent with the house and be on a permanent foundation.

Mr. Dutton said the problem was they did not get into temporary structures, tents, gazebos and the forms of recreational use. He said they needed to be all inclusive.

Chairman Smith said he understood in this particular incidence with the plaintiff the marshal went out and there was an ordinance on the books that had to do with a particular size. He asked which part of the ordinance was that.

Mr. Dutton said in the accessory structures under Administration, any structure of 200 sq. ft. or greater was required to have a building permit and a permanent foundation.

Chairman Smith asked if this was a wide spread problem in Fayette County. Mr. Dutton said since working for Fayette County he has not had any complaints. He said he had only been here five months.

Mr. Dutton said he was asked by the Planning Commission to talk to Cobb County in regards to this situation. He said Cobb County interpreted their ordinance in they did not treat it as an accessory use. He said they put it under outdoor storage. He said under outdoor storage they allowed only two things which were lawn furnishings and firewood. He said items such as canopies over swimming pools were interpreted as lawn furnishings. He said the biggest problem he could think of was taking a tarp and sticking it up on poles. He said he needed direction on how to deal with those.

Commissioner Maxwell asked what type of track of land was this tent on. Mr. Dutton said the subdivision was AR. He said most of the lots were a minimum of five acres plus.

Chairman Smith said Planning and Zoning was asking for direction on how to pursue an ordinance on temporary categories.

Commissioner Maxwell said there could be some valid points for having regulations on one and two acre tracks, but for five acre lots he did not want to pass an ordinance. He said he did not think they should spend any more time on this issue.

The Board directed staff not to spend any more time on this issue. A picture of the vinyl structure and information, identified as "Attachment No. 4", follows these minutes and is made an official part hereof.

PROPOSED AMENDMENTS TO THE FAYETTE COUNTY ZONING ORDINANCE REGARDING: SEC. 5-10, ACCESSORY USES AND STRUCTURES; SEC. 5-14 LANDLOCKED PROPERTY; AND, SEC. 6-21 M-1 LIGHT INDUSTRIAL DISTRICT.

Dennis Dutton, Planning and Zoning, said Section 5-10, Accessory Uses and Structures proposed amendment was recommended for approval by the Planning Commission on February 1, 2007, and was advertised as a Public Hearing to be heard by the Board of Commissioners on February 22, 2007. He said this was a housekeeping item.

Mr. Dutton said administration dealt with permitting accessory structures of 200 sq. ft. or greater. He said the Board of Commissioners adopted the International Building Codes which was presented by the Fayette County Permits and Inspections Department and became effective January 1, 2007. He said the International Building Codes now required structures of 120 square feet to have a building permit and meet all building codes. He said in trying to keep in line with the building codes of the county, they suggested a change in the Zoning Ordinance to match the building codes so as not to cause any conflict or confusion.

Chairman Smith asked what an accessory use was. He said he understood accessory structure. Mr. Dutton said accessory use was any use that was not a necessary structure that went with the zoning designation. He said an example was for farming an accessory use would be a garden.

Commissioner Maxwell asked if there were any exceptions at this point. He said if they did an exception on this one, it would be the first one, and then they would have to do a second one, and so on, if they did not go to the 120. He said they could create their own set of codes, but to be consistent with each contractor they would know what to do in each situation. He said they could have Fayette County different than the International Code; it just depended on what they wanted to do.

Mr. Dutton said he talked with Derek Sorenson of Permits and Inspections, and even temporary structures were how they looked at tents and permits. He said they did not get into the square footage; however, it was up to the property owner to check the county for all codes.

Mr. Dutton said Section 5-14 Landlocked Property proposed amendment was recommended by the Planning Commissioner on February 1, 2007 and advertised for public hearing by the Board of Commissioners on February 22, 2007. He said this was another housekeeping item. He said as the current ordinance read the original owner may be issued one building permit provided a 20 foot easement had been acquired. He said they were asking to eliminate the letter C based on the wording.

County Attorney McNally said what they were doing here was extending the subsequent owner the same right and privilege as the original owner for one building permit on a landlocked piece of property.

Mr. Dutton said the next item was Section 621, M-1, Light Industrial District. He said this was recommended for approval by the Planning Commissioner on February 1, 2007 and had been advertised for public hearing by the Board of Commissioners on February 22, 2007. He said in M-1 they wanted to provide more precise uses and add other uses that could support businesses. He said there was a lot of older terminology. He said some of the permitted uses they wanted to include in the light manufacturing were architectural design firms which would fit in nicely with the builders and contractors. He said they had added graphic services with blueprinting because there was not a lot of blueprinting operations now. He said cabinet sales were not listed. He said delivery and courier services were added.

The Board gave Mr. Dutton direction to proceed with the changes of the amendments.

This has been advertised to be heard by the Commissioners at the February 22, 2007 Board of Commissioners meeting. A copy of the amendments, identified as "Attachment No. 5", follows these minutes and is made an official part hereof.

DEPARTMENT REPORTS

Jane Fanslow, Director of the Fayette Counseling Center, said she wanted to alert the Board to the fact that the community mental health substance abuse center, The Fayette Counseling Center, would be closing as of June 30,

2007 unless they were able to locate rent-free space. She said before when she had spoken to the Board it had been a possibility, and she had received word in January that it would happen unless they were able to find the rent-free space. She said the state would be making changes that would reduce funding further and the Community Service Board, like many others, was struggling.

Ms. Fanslow said instead of a physical location, there would be mobile services. She said she could not address exactly what they would mean. She said nothing had been ruled out. She said it could be having the physician in the back of a van. She said it would be devastating to the families and people who struggled with the issues of mental illness and substance abuse.

Ms. Fanslow said she was asking the Board to look at space considerations as they looked at the needs of the county.

Chairman Smith asked how many people they served. Ms. Fanslow responded at any given point and time they had about 230 clients. She said that did not include people they served through phone calls and informal walk-ins.

Commissioner Horgan asked how many square feet was the center. Ms. Fanslow stated it had 3600 square feet. She said they could reduce that size as they currently had four restrooms and a large lobby. She said if they were able to share space they could reduce their space greatly. She said in the letter she had sent to the commissioners she had given an estimate that 2000 square feet of space was needed. She said they paid \$32,000 in rent which she said was a remarkably low figure for 3600 square feet.

Commissioner Maxwell asked why Fayette County was going to be closed down and not Griffin or McDonough. She said McDonough was funded in the realm of about \$300,000 a year. She said they were part of a block grant. She said they had a lot of support there. She said Griffin was the geographic center for the seven county service area and they were serving Pike and Lamar County citizens.

Ms. Fanslow said the state would no longer give a monthly amount. There would be something called "a fee for service". She said they would provide the service, bill the state and pull down from the funding. She said the problem was that community service boards did not have enough liquid assets to bridge the gap when billing problems arose. She said PeachCare has been a rough and extremely difficult process. She said the anticipation was they would not be able to meet payroll.

Commissioner Maxwell asked why this was coming up now and they had to make a decision today instead of during the budget process.

Chairman Smith said he did not think she was asking for a decision, she was just making the Board aware that a problem they thought might arise had come to fruition.

Commissioner Maxwell said he and others had met with Ronnie Chance and Dan Lakly earlier and he specifically discussed this. He said he talked with Ronnie Chance today in regards to PeachCare and he indicated that it was probably going to be an extended Legislative session. He said they would be addressing PeachCare.

Commissioner Maxwell asked if it was just \$32,000 that they were looking for. He asked if they were going to get kicked out of the building. Ms. Fanslow responded not right now. She said she was just letting the Board know in four months if they did not have an answer there would not be a community mental health center in Fayette County.

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BOARD REPORTS/COMMENTS

Commissioner Maxwell stated he had an item he wanted to add to the agenda. The item was the Federal Equitable Sharing Agreement for the sheriff's office that needed the signature of the chairman.

Motion was made by Commissioner Maxwell, seconded by Commissioner Horgan, to add an item to the agenda. The item to be added: "The Federal Equitable Sharing Agreement for the Fayette County Sheriff's Office." Motion carried 5-0.

Motion was made by Commissioner Maxwell, seconded by Commissioner Horgan, to authorize the Chairman to execute the Department of Justice Federal Equitable Sharing Agreement for the Fayette County Sheriff's office.

Chairman Smith said he had talked with the Sheriff about this matter. He said he was comfortable with signing this document.

Motion carried 5-0. A copy of the agreement, identified as "Attachment No. 9", follows these minutes and is made an official part hereof.

CONSENT AGENDA

Chairman Smith said the Board had the Consent Agenda before them which consisted of items one through nine. He said item number nine was the approval of the minutes for January 3 and January 25 Commissioners meetings. He said he was asking that the January 25th minutes be removed from the Consent Agenda. He said the Consent Agenda now had eight items and the minutes of the January 3rd meeting for approval.

Commissioner Maxwell requested item number two be removed for discussion.

Motion was made by Commissioner Frady, seconded by Commissioner Horgan, to approve items 1, 3, 4, 5, 6, 7, 8, and the meeting minutes of January 3, 2007. Motion carried 5-0.

REPLACEMENT OF FOUR VEHICLES OF THE SHERIFF'S DEPARTMENT TRAFFIC DIVISION

1. Approval of staff's recommendation to replace four vehicles for the Sheriff's Department Traffic Division as Approved in the FY07 vehicle replacement budget. The total amount of this request is \$114,316. A copy of the recommendation, identified as "Attachment No. 8," follows these minutes and is made an official part hereof.

INSTALLATION OF EMERGENCY WEATHER SIREN AT THE TWIN TANK SITE

2. Approval of Water Committee recommendation to install an emergency weather siren at the Twin Tank site in 2 Peachtree City Commissioner Maxwell said he needed some information on this. He said he did not understand why this request was coming from the Water Committee and not Fire & Emergency Services.

Commissioner Frady said the Water Committee was giving their approval to place it there.

Chairman Smith explained that the siren was purchased with Federal grant money. He said it was not our dollars being spent. Commissioner Maxwell asked if Fire & Emergency Services had looked at this site and confirmed this was a good location to install this siren and there was not a better site anywhere. Chairman Smith confirmed that they had approved this site for the siren. He said Chief Krakeel talked with the Water System to make sure there was not a problem with placing this siren on their property at that location. He has also talked with the Peachtree City Fire and EMS and they concurred that this was a good location for the siren.

Commissioner Maxwell said that answered his questions.

Motion was made by Commissioner Frady, seconded by Commissioner Horgan, to approve the installation of an emergency weather siren at the Twin Tank site in Peachtree City. Motion carried 5-0. A copy of the recommendation, identified as "Attachment No. 9," follows these minutes and is made an official part hereof.

INCREASE IN DONATION REVENUES RECEIVED BY THE LIBRARY

3. Approval to increase the donations revenue account for a donation received from the Board of Education for \$2,000 and to increase the Library's Books & Materials Expenditures account by \$2,000. A copy of the request, identified as "Attachment No. 10," follows these minutes and is made an official part hereof.

MOTOROLA RECONFIGURATION PLANNING AGREEMENT

4. Approval of staff's recommendation to approve the Motorola Reconfiguration Planning Agreement and authorization for the Chairman to sign said agreement. A copy of the agreement, identified as "Attachment No. 11," follows these minutes and is made an official part hereof.

WATERLACE PODS APPROVED AS STREET LIGHT DISTRICT

5. Approval of request from the Engineering Department to approve the following street Light district in Fayette County: Waterlace – Pods A2, A4 & B. A copy of the request, identified as "Attachment No. 12," follows these minutes and is made an official part hereof.

FUNDING OF TWO MECHANICS

6. Approval of staff recommendation to fund \$27,500 from contingency for two additional mechanics effective February 1, 2007. A copy of the recommendation, identified as "Attachment No. 13," follows these minutes and is made an official part hereof.

TRANSFER OF VAN TO PIKE COUNTY SHERIFF'S OFFICE

7. Approval of Sheriff's Office Criminal Investigation Division request to transfer a 1992 Ford Van bearing VIN#1FTJE4HXNHA40148 to the Pike County Sheriff's Office. This vehicle was purchased with Federal Seizure Funds and must be used for law enforcement purposes. A copy of the request, identified as "Attachment No. 14," follows these minutes and is made an official part hereof.

DISPOSAL OF CRIMINAL INVESTIGATION DIVISION VEHICLES

8. Approval of Sheriff's Office Criminal Investigation Division request to dispose of a 2002 Chevrolet Tahoe, a 2001 Pontiac Bonneville, a 1999 GMC 1500 (Sierra) pick up truck, and a 1997 Chevrolet Blazer. A copy of the request, identified as "Attachment No. 15," follows these minutes and is made an official part hereof.

APPROVAL OF BOARD MINUTES

9. Approval of minutes for Board of Commissioners' meetings held on January 3 and January 25, 2007.

Chairman Smith said there was one correction to be made on the January 25 minutes. He said one correction needed to be made on page 10 regarding the discussion of the completion of the third floor of the Justice Center and space requirements. He said the next to last paragraph said he would like to offer an amendment to the motion to do a needs assessment for space for all County offices. He said there needed to be another sentence in there that stated Commissioner Maxwell agreed with the amendment to the motion and would continue his second to the motion.

Commissioner Maxwell said he felt that was accurate.

Chairman Smith said he would move that they include that sentence to the minutes and approve them otherwise as submitted.

Motion was made by Chairman Smith, seconded by Commissioner Maxwell, to approve the January 25, 2007 minutes with the addition of a sentence to be added at the end of the topic: discussion by Commissioner Herb Frady regarding the completion of the third floor of the Fayette County Justice Center. The sentence to read: "Commissioner Maxwell remarked that he also agreed with Chairman Smith's amendment to the motion and would continue his second to the motion." Motion carried 5-0.

STAFF REPORTS

Carol Chandler, Executive Assistant, updated the Board on staff's research of the cost of software and equipment to enable the county to use the "paperless agenda" program for the commissioners and public to access. She said the cost was estimated at \$20,000.

Commissioner Maxwell asked if she was setting up a program just for the commissioners, or one the public could access like the Peachtree City one. Ms. Chandler replied she was setting up both programs. She said on the county website there would be an intranet function where internal staff could log in and there would be the ability for the public to view it as well. She said some things could be done on the intranet that the public would not be interested in.

The Board directed Ms. Chandler to proceed with this project.

Chris Venice, County Administrator, introduced Joel Benton to the commissioners. Mr. Benton was recently appointed by the Board of Assessors as the Chief Appraiser for Fayette County. Ms. Venice noted she had also appointed him as the Director of the office of the Tax Assessors. She said he had been with the County for 13 years and had achieved his Appraiser I, II, III and IV certifications as well as his Associates Art degree in Computer Technology.

Commissioner Maxwell said he had one legal item for the Executive Session.

County Attorney Bill McNally said he had two legal items for Executive Session.

EXECUTIVE SESSION

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

Legal: Commissioner Maxwell discussed a legal item with the Board.

The Board took no action on this item.

Legal: County Attorney Bill McNally discussed a legal item with the Board.

The Board took no action on this item.

Legal: County Attorney Bill McNally discussed a legal item with the Board.

The Board took no action on this item.

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EXECUTIVE SESSION AFFIDAVIT

Motion was made by Commissioner Frady, seconded by Commissioner Horgan, authorizing the chairman to executive the Executive Session Affidavit affirming that three legal items were discussed in Executive Session.

Motion carried 5-0. A copy of the Affidavit, identified as "Attachment No.16", follows these minutes and is made an official part hereof.

The Board returned to the public meeting room to reconvene the public meeting.

Chairman Smith stated the Board discussed three legal matters in executive session. 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 Horgan, to adjourn the meeting. Motion carried 5-0.

There being no further business to come before the Board, Chairman Smith adjourned the meeting at 7:30 p.m.

Peggy Butler, Chief Deputy Clerk

Jack Smith, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 4th day of April 2007.

Peggy Butler, Chief Deputy Clerk