

The Board of Commissioners of Fayette County, Georgia met in Official Session on Thursday, June 28, 2007, at 7:00 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
Peter Pfeifer

COMMISSIONER ABSENT: Eric Maxwell

STAFF MEMBERS PRESENT: Jack Krakeel, Interim County Administrator
William R. McNally, County Attorney
Carol Chandler, Executive Assistant
Karen Morley, Chief Deputy Clerk

Chairman Smith called the meeting to order.
Commissioner Pfeifer led the Invocation.
Chairman Smith led the Pledge of Allegiance.

Chairman Smith remarked that Commissioner Maxwell was absent tonight and was attending a mandatory Judges Conference out of town.

RESOLUTION NO. 2007-08 - ANNUAL BUDGET FOR FISCAL YEAR JULY 1, 2007 THROUGH JUNE 30, 2008 ADOPTED:

Finance Director Mary Holland remarked that she was present tonight to request consideration of adoption of Resolution No. 2007-08 for the annual budget for fiscal year July 1, 2007 through June 30, 2008. She remarked that there had been one amendment since the last meeting and that involved the District Attorney's Office. She said there was actually an increase of \$25,000 for that office going from \$300,000 to \$325,000. She said this increased the budget by \$25,000. She read the Resolution to the Board of Commissioners and asked for their consideration for approval.

Chairman Smith asked if anyone wished to make any comments or ask any questions regarding the budget.

Judith Moore remarked that she was a resident of the North Fayette County area on Kite Lake Road. She said she had received a telephone call from a neighbor expressing concern over the money that they were told was not available to build a building to include some type of law enforcement office or precinct facility. She said

Minutes
June 28, 2007
Page 2

they understood that this building was no longer planned and not in the budget but funds had been found to build another facility at great expense to the County taxpayers. She said she understood this to be related to emergency preparedness requirements. She asked for clarification on that issue. She said as a resident of North Fayette County she was very concerned that there be a police presence especially since the County already owned this land. She felt that would be logical place for this facility and possibly combining the needs of the park with that facility. She asked for clarification on the Board's decision making on how major capital expenditures were determined.

Chairman Smith asked if anyone else wished to make any further comments or questions regarding the budget. Hearing none, he declared the public hearing closed.

Chairman Smith asked for the Board's consideration in approving the amended budget which included the additional \$25,000 for the District Attorney's Office.

On motion made by Commissioner Pfeifer, seconded by Commissioner Horgan to adopt Resolution No. 2007-08 approving the annual budget for Fiscal Year beginning July 1, 2007 and ending June 30, 2008 including an amendment for the District Attorney's Office, discussion followed.

Commissioner Frady remarked that the County's property and casualty insurance was due to roll over on Sunday. He said the County had received a quote recently on health insurance from A.C.C.G. and it turned out that the County had saved approximately \$369,000 on medical insurance for this year. He said there was also another quote on April 20th regarding property and casualty insurance and liability from St. Paul Travelers Insurance who had the County's insurance last year in the amount of \$796,253.00. He said this was an 11% increase over the past year. He said the A.C.C.G. had also been asked to come in and give the County a quote on this same insurance. He said their quote came in on May 24th at \$517,187. He said their quote was better from the standpoint of the limits of liability than was the Travelers quote. He said that quote was \$279,000 less than the first quote.

Commissioner Frady said he wanted to amend the motion, due to the fact that the Board must take action by Sunday, to have the quote from A.C.C.G. to do the County's property and casualty and liability insurance.

Commissioner Horgan said he would like to second the amended motion.

Minutes
June 28, 2007
Page 3

Chairman Smith remarked that there was a motion on the floor to amend the budget for insurance coverage purposes. He suggested that this item would be more fully discussed under new business which was item "I" on tonight's agenda and where the property and casualty insurance was to be covered. He said he was not sure if this motion might not be in order since it did not pertain to the budget.

Commissioner Frady felt the money that was designated for this insurance was in the budget and now that would be changed.

Attorney McNally remarked that the Board could discuss this issue under either topic. He said if the original amount designated was now going to be reduced then that would certainly be an item for discussion.

Chairman Smith remarked that the change that Commissioner Frady was talking about would require a budget amendment to increase the line item expenditures for insurance by \$60,000.

Commissioner Frady said the issue was if the County had not received this bid then it would have paid \$796,000. He said the company had notified the County that this amount was their final offer for insurance. He said they lost coverage for Walton County for the same reasons. He said this company had now come back to Fayette County and asked to be allowed to quote again. He said now they had reduced their fee by 42% for a \$339,000 total from the \$796,000 making them \$60,000 less than A.C.C.G. He said he did not want to award this bid to these individuals and would not vote for it.

Chairman Smith asked the Finance Director Mary Holland to address this issue.

Ms. Holland remarked that the County's Property and Casualty Insurance runs from July 1st to June 30th and it was time for a renewal. She said as of April 20th the County's current carrier who was actually Travelers Insurance provided a renewal amount and it was \$796,000 which was 11% increase over the last year. She said it was her understanding that when the Board of Commissioners was meeting with A.C.C.G. on the medical insurance, they also inquired in regard to Property and Casualty Insurance. She said all of the information that staff had was provided to A.C.C.G. so they could do their quote as well. She said on May 24th they had come back with a quote of \$550,780 which was actually a 23% decrease from the current year's premium. She said subsequent to that the representative from Public Risk Underwriters who was providing

Minutes
June 28, 2007
Page 4

the insurance through Travelers actually attended the Commission's Wednesday Workshop meeting on June 5th and submitted a letter addressed to the Chairman in regard to changing the quote from the original quote submitted back in April. She said that quote came in at \$457,152 which was a 46% decrease over the County's current year policy. She said the County ended up with three different numbers and it would be up to the Board as to what type of these proposals that they would like to consider in the renewal of this policy. She said it was her understanding that Public Risk Underwriters did this because they knew they were in competition with A.C.C.G. and other counties and had gotten that information and then basically came back to Fayette County trying to obtain the County's business.

Chairman Smith asked if there was any fundamental difference in the coverage.

Ms. Holland responded that there were some differences but in reviewing those differences, it did not seem to be any major thing that would stand out. She said in some instances A.C.C.G. would have the better benefit and in other instances Travelers had the better benefit. She said basically this got down to the bottom line of cost analysis. She said there was basically a \$93,000 difference in the last quote from Public Risk as opposed to A.C.C.G. She said this was a big factor in the numbers that staff was looking at. She said Travelers had given the County a quote of \$457,000 and A.C.C.G.'s quote was \$550,000 with a difference of \$93,000. She said there would need to be an R.F.P. issued so all of the companies have an ample chance of being able to submit bids and that sort of thing.

Commissioner Frady remarked on some of the differences in the quotes. He said they involved employment practices which Travelers had a \$2 million limit for each occasion. He stated that A.C.C.G. had \$2 million for each incident and \$4 million aggregate which was \$2 million more.

Ms. Holland remarked that it was her understanding in regard to these limits that under A.C.C.G. they have public officials liability compiled with each occurrence being \$2 million and the aggregate \$4 million but that amount also covers these other areas including related risk, employees benefit liability, and employees practices. She said in the Public Risk Underwriters those limits that were listed separately were in addition to their \$2 million limit. She felt this could go either way and it just depended on what the situation might be.

Chairman Smith asked Ms. Holland what the expiration of the policy was.

Minutes
June 28, 2007
Page 5

Ms. Holland replied the expiration date was June 30th.

Chairman Smith asked if there was a grace period.

Ms. Holland responded no there was not.

Chairman Smith clarified that it was imperative that the Board make a decision.

Commissioner Pfeifer felt this issue did not really belong in the budget discussion. He remarked that there would be budget adjustments throughout the year with some adjustments being more and some less. He said at this point in time he would much rather save the money for this year and if adjustments needed to be made for next year, then the Board could do that.

Ms. Holland remarked that the adjustment for the insurance was not made in this budget. She said staff wanted to make sure of the Board's wishes. She said there were estimates included in the budget and throughout the year there would be adjustments to the budget.

Chairman Smith said he understood Ms. Holland to say that the error that was made was not putting this item out for bid.

Ms. Holland felt this was a good practice to follow.

Chairman Smith said if the Board had put this out to bid then there would be a drop dead date that there would be fixed prices on. He said because there was no date, the County would be free to go all the way through July 9th when the Board could vote on it. He asked if it would be possible for the County to purchase a ninety day package and bid this item.

Ms. Holland said she would ask both carriers who were present tonight. She suggested in lieu of a thirty day process the Board might want to consider a sixty day process. She remarked that the R.F.P. process and the bid process in regard to the advertising times and that sort of thing might be a concern. She said both carriers indicated that they would be willing to work with the County on this process. She introduced Bob Seville to the Board.

Minutes
June 28, 2007
Page 6

Bob Seville representing Travelers said he would have to verify this with the carrier but he thought it had been done in the past and it should be no problem. He suggested the Board choosing sixty days for this process.

Commissioner Frady asked Ben Pittarelli, the representative from A.C.C.G., if he had a problem with this and he replied no.

Mr. Seville remarked that the County had been with Travelers Insurance Company for the last twelve years and he saw no reason why they would not agree to this.

Chairman Smith said he had a question for the representative from A.C.C.G. He asked Ben Pittarelli if it would be conceivable that his bid on a rebid would be lower since A.C.C.G. was a pooled risk venture.

Mr. Pittarelli replied no it would not unless the County changed the specifications as far as what kind of limits and/or deductibles the County was looking for.

Commissioner Frady asked Mr. Pittarelli if A.C.C.G. was a non profit organization and he replied yes.

Commissioner Frady asked Mr. Pittarelli if they had any left over money where would it go.

Mr. Pittarelli replied that any left over funds would go into the surplus which was owned by all of the members in the program. He remarked that currently there were 103 of 159 Georgia Counties in this program.

Commissioner Frady asked Mr. Pittarelli if dividends were given out occasionally.

Mr. Pittarelli replied yes and said that they had done so for the last several years. He said they had given back \$6.5 million in this program alone.

Chairman Smith asked if Fayette County would receive a dividend next year.

Mr. Pittarelli replied no. He remarked that the dividends were paid out when claims were closed out. He said the actuaries decide the amount of reserve that was credible and it was usually at this point between a seven and an eight year lag before the County would receive a dividend.

Minutes
June 28, 2007
Page 7

Chairman Smith asked Mr. Pittarelli that since this was a pooled risk venture what would the County's exposure be for additional liability should the premiums not be enough to cover an instance. He asked if this had ever occurred in the past and if so, how frequently and how much money was involved.

Mr. Pittarelli replied that the County's exposure was limited to the claim itself. He said the pool had reserves which were listed on the balance sheet but above and beyond that the A.C.C.G. purchases reinsurance so the pool as a whole for any one occurrence was only limited on property for \$100,000 currently and \$350,000 on the liability. Chairman Smith asked if there had been assessments in the past.

Mr. Pittarelli replied no, not since the A.C.C.G. started this program in 1987 there had been no assessments and the program continued to grow and was very financially sound.

Commissioner Frady asked how many counties the A.C.C.G. covered.

Mr. Pittarelli responded that they covered 103 counties.

Chairman Smith asked if there were any further questions. Hearing none, he clarified that the motion was to amend the budget and add \$93,000.

Ms. Holland interjected that this would not require any action from the Board and it would not be necessary. She said this was already included in the budget.

Commissioner Frady said the reason he had made the motion was to make sure that the Board took action on this before Sunday, June 30th. He asked if the Board would be extending this for another thirty days or sixty days.

Chairman Smith said he wanted to clarify Commissioner Frady's motion.

Commissioner Frady said his motion was that the County would grant this insurance to A.C.C.G. He said he could not understand how a carrier could reduce their original bid of \$796,000 by \$339,000. He said this was beyond his comprehension.

Chairman Smith clarified that the motion was to award the County's Property and Casualty Insurance to A.C.C.G.

Minutes
June 28, 2007
Page 8

Commissioner Frady said this was a moot point if the County was going to extend this process for at least thirty days. He questioned if this was what the Board was going to do.

Chairman Smith said there was a motion on the floor and there was a second to that motion and he was now going to call the question on that motion. He said the Board would now take a vote on Commissioner Frady's motion.

Chairman Smith asked if the Board would support Commissioner Frady's motion to award the County's Property and Casualty Insurance to A.C.C.G.

The motion failed 2-2 with Commissioner Frady and Commissioner Horgan voting in favor of the motion and Chairman Smith and Commissioner Pfeifer voted in opposition.

Chairman Smith remarked that this was a tie vote and therefore the motion had failed.

Chairman Smith said there was a motion on the floor to adopt the County Budget. He asked if there was any further discussion on the budget. Hearing none, he asked if the Board would support the budget as outlined in Budget Resolution No. 2007-08.

The motion carried 3-1 with Commissioner Frady voting in opposition. Commissioner Maxwell was absent for the vote. A copy of Resolution No. 2007-08, identified as "Attachment No. 1", follows these minutes and is made an official part hereof.

PACKAGED BEER AND WINE SALES PERMIT FOR PAW PAW'S BP APPROVED:

Zoning Director Dennis Dutton remarked that this item for the Board's consideration was for a Packaged Beer and Wine Sales Permit for Paw Paw's BP, 1493 Hwy. 92 North, Fayetteville, Georgia, Lula Teresa Amin, Owner/Applicant. He said this property was located in Land Lot 256 of the 13th District, fronted on Hwy. 92 North, and was zoned C-H. He said this request was for a Change of Ownership only.

Chairman Smith asked if anyone wished to speak in favor of this petition. Hearing none, he asked if anyone wished to speak in opposition. Hearing none, he declared the public hearing closed. He asked for the Board's pleasure in this matter.

On motion made by Commissioner Pfeifer, seconded by Commissioner Horgan to approve the packaged beer and wine sales permit application for Paw Paw's BP. The motion carried 4-0. Commissioner Maxwell was absent for the vote.

Minutes
June 28, 2007
Page 9

ORDINANCE NO. 2007-05 - AMENDMENTS TO THE PROPOSED AMENDMENTS TO THE FAYETTE COUNTY ZONING ORDINANCE REGARDING ARTICLE VI. DISTRICT USE REQUIREMENTS, SECTION 6-19. C-H HIGHWAY COMMERCIAL DISTRICT, C. CONDITIONAL USES, SELF-STORAGE FACILITY AND ARTICLE VII. CONDITIONAL USES, EXCEPTIONS, AND MODIFICATIONS, SECTION 7-1. CONDITIONAL USE APPROVAL, B. CONDITIONAL USES ALLOWED, 34. SELF-STORAGE FACILITY ADOPTED:

Zoning Director Dennis Dutton remarked that these the amendments for the Board's consideration were regarding Article VI for District Use Requirements, Section 6-19. C-H Highway Commercial District, C. Conditional Uses, Self-Storage facility and Article VII. Conditional Uses, Exceptions, and Modifications, Section 7-1. Conditional Use Approval, B. Conditional Uses Allowed, 34. Self-Storage Facility. He noted that the Planning Commission recommended approval 4-0.

Mr. Dutton said staff had been called upon to examine self-storage facilities. He said there had been a situation where, in the M-1 zoning, situations with non-conforming uses existed. He said at one time in the C-H zoning self-storage facilities were permitted. He said staff had presented this to the Planning Commission at their workshop and from that had recommended that the self-storage facilities be a conditional use within the C-H Highway Commercial District. He said this was the major change and the remainder would have the same aesthetics and requirements as currently were in the M-1 zoning.

Chairman Smith asked if anyone wished to speak in favor of this proposed amendment. Hearing none, he asked if anyone wished to speak in opposition. Hearing none, he declared the public hearing closed.

Chairman Smith asked for the Board's pleasure in this matter.

On motion made by Commissioner Frady, seconded by Commissioner Pfeifer to adopt Ordinance No. 2007-05 approving the Amendments to the Fayette County Zoning Ordinance regarding Article VI. District Use Requirements, Section 6-19. C-H Highway Commercial District, C. Conditional Uses, Self-Storage Facility and Article VII. Conditional Uses, Exceptions, and Modifications, Section 7-1. Conditional Use Approval, B. Conditional Uses Allowed, 34. Self-Storage Facility. The motion carried 4-0. Commissioner Maxwell was absent for the vote. A copy of Ordinance No. 2007-05,

Minutes
June 28, 2007
Page 10

identified as "Attachment No. 2", follows these minutes and is made an official part hereof.

ORDINANCE NO. 2007-06 - AMENDMENTS TO THE FAYETTE COUNTY ZONING ORDINANCE REGARDING ARTICLE III. DEFINITIONS; ARTICLE VII. CONDITIONAL USES, EXCEPTIONS AND MODIFICATIONS, SECTION 7-1. CONDITIONAL USE APPROVAL, B. CONDITIONAL USES ALLOWED, 1. ADULT DAY CARE FACILITY AND SECTION 7-1. CONDITIONAL USE APPROVAL, B. CONDITIONAL USES ALLOWED, 8. CHURCH, TEMPLE, OR PLACE OF WORSHIP; AND ARTICLE VI. DISTRICT USE REQUIREMENTS, SECTION 6-17. O-I OFFICE-INSTITUTIONAL DISTRICT, D. CONDITIONAL USES, ADULT DAY CARE FACILITY; SECTION 6-18. C-C COMMUNITY COMMERCIAL DISTRICT, C. CONDITIONAL USES, ADULT DAY CARE FACILITY; AND SECTION 6-19. C-H HIGHWAY COMMERCIAL DISTRICT, C. CONDITIONAL USES, ADULT DAY CARE FACILITY AS PRESENTED BY THE PLANNING & ZONING DEPARTMENT. THE PLANNING COMMISSION RECOMMENDED APPROVAL 3-0-1.

Zoning Director Dennis Dutton remarked that this amendment was regarding Article III. Conditional Uses, Exceptions and Modifications, Section 7-1. Conditional Use Approval dealing with adult day care facilities. He said the Planning Commission had recommended approval 3-0-1. He said this item was a result of housekeeping to this ordinance. He said currently there was day care for children provided and so forth but there was nothing in the ordinance to address adult day care. He said in relation to churches which were also a conditional use, staff did specify that they could be permitted in churches the same way the County currently deals with day care issues.

Chairman Smith asked if anyone wished to speak in favor of this amendment. Hearing none, he asked if anyone wished to speak in opposition to this.

Larry Mapp said he had a question for the Zoning Director. He asked if there was a petitioner who had precipitated this amendment change.

Chairman Smith interjected that this was not a time for public dialogue but was a public hearing. He said Mr. Mapp could address the Board.

Mr. Mapp questioned the Board if there was a petitioner who had precipitated this amendment to the Zoning Ordinance and if there might have been a specific instance to cause this zoning change to occur.

Minutes
June 28, 2007
Page 11

Chairman Smith said this was not a question and answer period. He said the Board would like Mr. Mapp's input in the process and if he had a specific objection, then the Board would be glad to hear it.

Mr. Mapp responded that his objection was that this zoning ordinance was precipitated by a petitioner and not caused by some concern for churches or adult day care. He said this was his concern. He said it was his further concern that if there was a specific instance wherein an adult day care facility had petitioned the County Zoning Board for a facility to be located then he felt that site should be made known. He said that was his concern.

Chairman Smith clarified that there was a process that any time a petitioner would like to have a zoning changed it typically was instituted by that petitioner through the Board. He said the Board would then give authorization to staff to investigate. He said the staff would then investigate the petitioner's request and report back to the Board on whether or not there was a warranted change in the ordinance needed for a particular purpose. He said the Board would then address the staff to either cease or to go forward and determine whether or not the specific language could be developed to accomplish the purpose. He said that was the process that zoning changes must go through. He said typically all of the zoning requests come before the Planning and Zoning Commission and were heard at a public hearing there. He said if there was a petitioner then that petitioner would have been at the Planning and Zoning Hearing submitting a proposal.

Chairman Smith asked if anyone else wished to speak in opposition. Hearing none, he declared the public hearing closed at this time.

Chairman Smith asked for the Board's pleasure in this matter.

On motion made by Commissioner Horgan, seconded by Commissioner Pfeifer to adopt Ordinance No. 2007-06 approving the Amendments to the Fayette County Zoning Ordinance regarding Article III. Definitions; Article VII. Conditional Uses, Exceptions and Modifications, Section 7-1. Conditional Use Approval, B. Conditional Uses Allowed, 1. Adult Day Care Facility and Section 7-1. Conditional Use Approval, B. Conditional Uses Allowed, 8. Church, Temple, or Place of Worship; and Article VI. District Use Requirements, Section 6-17. O-I Office-Institutional District, D. Conditional Uses, Adult Day Care Facility; Section 6-18. C-C Community Commercial District, C. Conditional Uses, Adult Day Care Facility; and Section 6-19. C-H Highway Commercial District, C. Conditional Uses, Adult Day Care Facility. The motion carried 4-0. Commissioner

Minutes
June 28, 2007
Page 12

Maxwell was absent for the vote. A copy of Ordinance No. No. 2007-06, identified as "Attachment No. 3", 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 any issues of concern.

Linda Crowden: Linda Crowden presented a written statement to the Board. A copy of her statement, identified as "Attachment No. 4", follows these minutes and is made an official part hereof. She said her statement also included photographs of what she would be speaking about as well as various ordinance amendments. She said Fayette

County was a beautiful County and the citizens enjoy a great quality of life here. She discussed issues involving parked vehicles on residential lawns and maintaining property values in Fayette County. She said approximately ten years ago when she moved to Fayette County there was an ordinance on the books that did not allow vehicles to be parked on the grass and the Marshal's Office had the authority to ask citizens to remove these vehicles from their lawns. She said for whatever reason on May 26, 2005 the County Commissioners amended the ordinance that was adopted in 1998 deleting Section 8-223. She said at that time Commissioner Dunn remarked that there were other provisions in other sections of the Code to prevent junk yards and car lots on someone's lawn. She said at that time the Board adopted Ordinance No. 2005-10 which would allow vehicles to park on the grass, however in her discussions with the Marshal's Office they stated that there were no provisions to prevent someone from parking on their lawn. She said since the Board amended this ordinance she has noticed a tremendous increase in residential car lots and junk yards. She asked for the Board's consideration to review this ordinance as currently written and to protect property values in Fayette County and preserve the quality of life here.

Jeff Jalletts: Jeff Jalletts said he was representing the neighborhoods of Black Rock Court and Ansley Forest Subdivision which were basically on White Oak Way which was located between S.R. 314 and New Hope Road. He expressed concern with traffic patterns through Ansley Forest Subdivision and Black Rock Court and the increased traffic coming through on White Oak Way and the increased rate of speeding vehicles. He said the County had been very generous and helpful in getting a traffic study done for this area. He said he wanted to make the Board aware of the situation so that as this process moved forward the residents would be getting a petition together to get some speed control devices and come back to the County later asking for further

Minutes
June 28, 2007
Page 13

support with some speed control measures for this neighborhood to help make the community a little safer. He thanked the Board for allowing him to speak.

Alice Jones: Alice Jones, the Vice President of the North Fayette Community Association, requested a copy of the 2007/2008 budget to allow homeowners in her community to review it. She also requested a copy of the 2007-2010 Comprehensive Plan for Fayette County which would also include the transportation plan for the County. She remarked that the residents of North Fayette wanted to know the impact on their area regarding traffic and so forth. She said she was also concerned about the item under old business on tonight's agenda regarding the Resolution encouraging Congressional Legislators to vote against the proposed Voter Confidence and Increased Accessibility Act of 2007.

Judith Moore: Judith Moore also expressed concern with the proposed resolution listed under old business regarding voter confidence legislation. She felt if the Board of Commissioners took action on this resolution to change the voting process, that it would further erode voters' confidence in the electoral process.

Angela Hinton Fonda: Angela Hinton Fonda said she was a resident of the Westbridge Subdivision. She expressed concern with the proposed voter confidence resolution on tonight's agenda and the cost of changing voting equipment, train workers and deploy the machines virtually immediately. She noted that the \$105 million cost would not be assessed exclusively to Fayette County but was the State wide cost to be assessed to 159 counties. She said there were some logistical problems associated with the resolution as currently drafted. She said there was a looming concern that should cause this Board to consider a request for Federal funding to implement the act and amendments to modify amongst other things the proposed manual count provisions. She said in looking forward to the November 2008 election it should be noted that daylight savings time was the first Saturday in November and only three days before the general election. She said two weeks prior to that election, the voting machines must be certified as accurate and operational and kept secure until election day. She said without the appropriate controls in place citizens, including members of this Board who would be up for re-election, have no reasonable basis to believe that all of the votes cast would be counted, recorded and reflected accurately. She said there was no way to know if there would be a problem in advance voting or voting that occurs on election day. She said as of today, it was not known if the Secretary of State was aware of this issue and what, if any, plan the State had to provide assurances to the public that the votes that they cast were properly recorded and counted. She said when

Minutes
June 28, 2007
Page 14

the time changed this past Spring, she suffered through more than a few embarrassing weeks of missed meetings. She said reliving the nightmare that was the 2000 election for failure to foresee and prevent what was imminently foreseeable would be worse than suffering a little embarrassment. She urged the Board to ask the Federal Representatives to seek Federal funding and the appropriate amendments and indeed instill confidence in that the most basic element of Democracy being the election process.

Chairman Smith asked if anyone else wished to speak under public comment. Hearing none, he declared the public comment section closed.

CONSENT AGENDA: Chairman Smith requested that item no. 11 be removed for discussion. On motion made by Commissioner Pfeifer, seconded by Commissioner Frady to approve Consent Agenda item nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17. The motion carried 4-0. Commissioner Maxwell was absent for the vote.

TAX REFUND AND ABATEMENTS APPROVED: Approval of list of tax refund and abatement requests as recommended. A copy of the list of tax refund and abatement requests, identified as "Attachment No. 5", follows these minutes and is made an official part hereof.

CITY OF FAYETTEVILLE ELECTION: Authorization for the Chairman to execute the Agreement with the City of Fayetteville for the Elections Department to conduct the City's November 6, 2007 municipal election. A copy of the Agreement, identified as "Attachment No. 6", follows these minutes and is made an official part hereof.

CITY OF PEACHTREE CITY ELECTION: Authorization for the Chairman to execute the Agreement with the City of Peachtree City for the Elections Department to conduct the City's November 6, 2007 municipal election. A copy of the Agreement, identified as "Attachment No. 7", follows these minutes and is made an official part hereof.

TOWN OF BROOKS ELECTION: Authorization for the Chairman to execute the Agreement with the Town of Brooks for the Elections Department to conduct the City's November 6, 2007 municipal election. A copy of the Agreement, identified as "Attachment No. 8", follows these minutes and is made an official part hereof.

Minutes
June 28, 2007
Page 15

TOWN OF TYRONE ELECTION: Authorization for the Chairman to execute the Agreement with the Town of Tyrone for the Elections Department to conduct the City's November 6, 2007 municipal election. A copy of the Agreement, identified as "Attachment No. 9", follows these minutes and is made an official part hereof.

TOWN OF WOOLSEY ELECTION: Authorization for the Chairman to execute the Agreement with the Town of Woolsey for the Elections Department to conduct the City's November 6, 2007 municipal election. A copy of the Agreement, identified as "Attachment No. 10", follows these minutes and is made an official part hereof.

PARKS AND RECREATION BUDGET ADJUSTMENT: Approval of staff's recommendation for a budget adjustment to the Parks and Recreation Department's Donation Revenue Account and the Buildings and Structures Account by \$1,000 as a result of a donation received from the Wal-mart Foundation. A copy of the request, identified as "Attachment No. 11", follows these minutes and is made an official part hereof.

KIWANIS PARK MOWING - OUTDOOR CONCEPTS AWARDED CONTRACT: Approval of staff's recommendation to extend the contract of Outdoor Concepts for Kiwanis Park mowing for the next eight months in the amount of \$39,200. A copy of the request, identified as "Attachment No. 12", follows these minutes and is made an official part hereof.

JUSTICE CENTER MOWING - EZ CARE LAWN SERVICES: Approval of staff's recommendation to extend the contract of E Z Care Lawn Services for the Justice Center mowing for a twelve month period in the amount of \$26,500 which includes \$2,500 for 625 bales of pine straw. A copy of the request, identified as "Attachment No. 13", follows these minutes and is made an official part hereof.

RESOLUTION NO. 2007-09 - ADOPTION OF THE 2007-2017 SOLID WASTE MANAGEMENT PLAN: Approval of Resolution No. 2007-09 to adopt the 2007-2017 Solid Waste Management Plan for Fayette County and the Towns of Brooks, Tyrone and Woolsey, and the Cities of Fayetteville and Peachtree City. A copy of Resolution No. 2007-09, identified as "Attachment No. 14", follows these minutes and is made an official part hereof.

Minutes
June 28, 2007
Page 16

RESOLUTION NO. 2007-10 - ADOPTION OF PARTIAL UPDATE TO THE FAYETTE COUNTY COMPREHENSIVE PLAN: Approval of Resolution No. 2007-10 to adopt the 2007 Partial Update to the Fayette County Comprehensive Plan.

Assistant Director of Planning and Zoning Tom Williams remarked that this item be removed for discussion because of some revisions that were required. He said in March the Board had approved transmittal of the 2007 Partial Update to the Fayette County Comprehensive Plan and it was sent to the Atlanta Regional Commission and the State Department of Community Affairs for review and approval. He said the approval was received on June 7th and the Resolution was scheduled for this Commission meeting under the consent agenda. He remarked that the Partial Update included two unincorporated land use items with one being in Tyrone and one in Fayetteville. He noted that the item for Fayetteville was the one with an issue. He said on June 21st the Planning and Zoning Department had received notification from the City of Fayetteville that they had initiated an annexation process for this parcel that was located at the Southwest corner of White Road and S.R. 314. He said they were annexing an unincorporated island. He said the revision that staff was requesting the Board to approve was to remove references to that site in the Comprehensive Plan pages 1, 25 and figure 4.2. He said there was also a revised Resolution for the Board to approve that excluded all references to the Land Use Plan designation for the parcel at S.R. 314 and White Road including deletion of figure 4.2.

Chairman Smith said it was his understanding that the initiation by the City of Fayetteville on the island that was surrounded by City property was not contestable by the County.

Mr. Williams responded that was also his understanding.

Commissioner Frady asked if this issue had been finalized or was it still being reviewed.

Attorney McNally responded that this had not been completed at this point.

Commissioner Frady asked about the deadline for adoption of this Resolution.

Mr. Williams replied that the State's deadline for adoption was June 30th.

Commissioner Frady remarked that the change would be effective at a later date. He said he had been told that since this was in progress then it would have to be reported.

Minutes
June 28, 2007
Page 17

Attorney McNally replied that the date for the Comprehensive Plan was before the date that it would become official. He asked Mr. Williams if it would be possible to put a footnote on this that it was expected to occur. He said he did not believe that anyone could interfere with that annexation whether it be the County or anyone else. He said he had received a phone call from the attorney for the developer of that property who indicated that they were not sure but they might attempt to block that annexation. He said he did not believe that would occur but they could make that attempt.

Chairman Smith said as he understood the Comprehensive Plan Update there was a reference to change the zoning to be compatible with the surrounding zoning.

Attorney McNally responded that was correct.

Chairman Smith said the City had notified the County that they intended to annex this which meant that if they complete their annexation, the zoning would be under their zoning rules. He felt what was being ask of the Board was to remove this from consideration of a change in the zoning subject to the City having notified the County that they were going to annex this piece of property, therefore it would be improper for the County to do anything in zoning on this piece of property.

Mr. Williams remarked that the application was for a future land designation. He said until late last year staff was not aware that an unincorporated island existed. He said the County had been notified by the officials from the City of Fayetteville. He said through an analysis that the City had done, they discovered that the process of incorporation that this two and one half acre parcel had never been incorporated. He said at the time the City of Fayetteville thought that the parcel was incorporated. He said the City's approved Land Use Plan designated that the parcel was mixed use. He said the County's Land Use Plan did not designate anything at that particular location.

Commissioner Frady asked what exactly would be said in the County's Update regarding this parcel of land.

Mr. Williams responded that the County would just be eliminating reference to this parcel.

Commissioner Frady said the County's Plan had already been submitted and approved and now it was going to be changed. He asked what the change was exactly and how

Minutes
June 28, 2007
Page 18

would this be worded. He said this was a discussion of something that had not occurred yet.

Mr. Williams replied that essentially there was text on page 1 that reads it was for two parcels at this time with one being in Tyrone and the other in Fayetteville. He said the proposed text read that additionally two Land Use Plan amendments are presented for a small incorporated island within the municipal boundary of Tyrone and Fayetteville (see Section 4.0). He said staff had changed that to read that additionally one Land Use Plan amendment was presented for a small incorporated island within the municipal boundary of Tyrone (see Section 4.0).

Commissioner Frady questioned if there was some way to do this without amending the report since it had not occurred yet.

Mr. Williams remarked in the letter that staff received from the Atlanta Regional Commission they ask the County to return to them the adoption Resolution and any revisions. He said he had discussed this with the appropriate staff member at the A.R.C. and was told that revision would be the appropriate way to proceed in this case and that was to remove reference to this piece of property. Commissioner Frady said this had all come up after the County was told everything was alright and the Plan had been adopted to send back to the A.R.C. on June 30th. He said the next update was not until 2014 and questioned what would occur if this annexation did not take place.

Chairman Smith said the County could always submit an amendment and Mr. Williams agreed.

Chairman Smith said procedurally the A.R.C. was telling staff that the appropriate thing to do was what they were requesting of the County.

Chairman Smith asked if there were any further questions. Hearing none, he said the Board had before it a request to revise the Plan and delete reference to the parcel at S.R. 314 and White Road on page 1 and 25 and also including figure 4.2. He asked for the Board's pleasure in this matter.

On motion made by Commissioner Pfeifer, seconded by Commissioner Horgan to approve Resolution No. 2007-10 to adopt the 2007 partial update to the Fayette County Comprehensive Plan with the revision for deletion of the land use designation for a parcel at S.R. 314 and White Road, including deletion of figure 4.2 on page 1 and page

25 . The motion carried 4-0. Commissioner Maxwell was absent for the vote. A copy of Resolution No. 2007-10, identified as "Attachment No. 15", follows these minutes and is made an official part hereof.

RESOLUTION NO. 2007-11 APPROVED FOR OLD BLACK ROCK

COURTHOUSE AS EXCESS: Approval of Resolution No. 2007-11 declaring the quarter-acre site of the old Black Rock Courthouse as excess. A copy of Resolution No. 2007-11, identified as "Attachment No. 16", follows these minutes and is made an official part hereof.

AGREEMENT FOR PROPERTY LEASE WITH PEACHTREE CITY FOR ANIMAL SERVICES:

Approval of authorization for the Chairman to execute an Agreement effective August 1, 2007 between Fayette County and the City of Peachtree City for the County to lease property from Peachtree City for the use and purpose of providing animal shelter services within Fayette County. A copy of the Agreement, identified as "Attachment No. 17", follows these minutes and is made an official part hereof.

AGREEMENT WITH CHERRY, BEKAERT & HOLLAND FOR AUDITING SERVICES:

Authorization for the Chairman to execute the Agreement with Cherry, Bekaert & Holland for auditing services for Fayette County for the fiscal year June 30, 2007. A copy of the Agreement, identified as "Attachment No. 18", follows these minutes and is made an official part hereof.

JOHN FINDLEY AND MEET PRODUCTIONS, LLC TO FILM AT STARR'S

MILL: Approval of request from John Findley and Meet Productions, LLC for approval from the Board of Commissioners to use Starr's Mill to film a marriage proposal scene for the movie "Meet the Brown's". A copy of the request, identified as "Attachment No. 19", follows these minutes and is made an official part hereof.

APPROPRIATION CERTIFICATE FOR EQUIPMENT LEASE POOL:

Approval of the Chairman to execute the Fiscal Year 2008 Appropriation Certificate for the 1998 Georgia Local Government Equipment Lease Pool. A copy of the Appropriation Certificate, identified as "Attachment No. 20", follows these minutes and is made an official part hereof.

Minutes
June 28, 2007
Page 20

PEACHTREE CITY'S REFUND FOR TDK EXTENSION PROJECT: Approval of Peachtree City's request for a refund of \$200,000 paid previously to the County toward the construction of the proposed TDK Extension Project. A copy of the request, identified as "Attachment No. 21", follows these minutes and is made an official part hereof.

CONSIDERATION FOR AUTHORIZATION BY THE BOARD OF COMMISSIONERS TO EXECUTE A RESOLUTION CONCERNING THE PROPOSED VOTER CONFIDENCE AND INCREASED ACCESSIBILITY ACT OF 2007 AND ENCOURAGING CONGRESSIONAL LEGISLATORS TO VOTE AGAINST APPROVAL OF H.R. 811:

Chairman Smith asked for the Board's pleasure in this matter.

On motion made by Commissioner Pfeifer, seconded by Commissioner Horgan to authorize the Chairman to execute a Resolution to encourage Congressional Legislators to vote against approval of H.R. 811, discussion followed.

Commissioner Pfeifer commented that the election officials on the State level as well as the local level had given the Board a rather extensive package regarding this proposed Bill. He felt at this stage this was the way to address this issue and he agreed with the Resolution.

Chairman Smith said he did not think any of the Board members had any intention of being anti-voting in any sense of the word. He said he also did not believe that the provisions of the Bill which were considered the best parts such as paper ballot and so forth, were not necessarily disagreed with. He said this was yet another unfunded Federal mandate that required this Board to do something post haste for which there was no funding available to do. He said it was this Board's fundamental objection that there was no process involved from the Federal level to go from one point to another under this Bill. He said the Board's objection to the Bill was in its form.

Chairman Smith asked if there were any further comments. Hearing none, he called for the vote on this motion to authorize the Chairman to execute the Resolution.

The motion carried 4-0. Commissioner Maxwell was absent for the vote. A copy of the Resolution, identified as "Attachment No. 22", follows these minutes and is made an official part hereof.

CONSIDERATION FOR AUTHORIZATION BY THE BOARD OF COMMISSIONERS FOR THE CHAIRMAN TO EXECUTE THE HB 489 SERVICE DELIVERY CONTRACT:

Chairman Smith said the Service Delivery Contract was due by June 30th. He asked for the Board's pleasure in this matter.

On motion made by Commissioner Pfeifer, seconded by Commissioner Frady to authorize the Chairman to execute the HB 489 Service Delivery Contract. The motion carried 4-0. Commissioner Maxwell was absent for the vote. A copy of HB 489 Service Delivery Contract, identified as "Attachment No. 23", follows these minutes and is made an official part hereof.

RESOLUTION NO. 2007-12 CREATING A SPECIAL EMS TAX DISTRICT ADOPTED:

Chairman Smith asked for the Board's pleasure in this matter.

On motion made by Commissioner Frady, seconded by Commissioner Horgan to authorize the Chairman to execute Resolution No. 2007-12 to create a special EMS Tax District, discussion followed.

Commissioner Pfeifer commented that his opposition to this issue was well known. He said he felt it was a mistake on the part of Peachtree City on behalf of their taxpayers and citizens but at this point in time he would accede to their wishes.

Chairman Smith remarked that as a resident of Peachtree City he would agree with Commissioner Pfeifer wholeheartedly that he would prefer that service delivery be combined with the County for lower tax rate overall for the provision of services; however, he felt this Board recognized the fact that Peachtree City being an entity of its own had the power to provide its own services regardless of the cost as long as they were recognized as bearing those costs and willing to pay for them.

Commissioner Frady said he had been a resident of Peachtree City for 29 years up until three years ago and he felt these services should be consolidated to allow for a savings to taxpayers.

Chairman Smith called for the vote on this motion authorizing the creation of a special EMS tax district which was for all of Fayette County excluding Peachtree City.

The motion carried 4-0. Commissioner Maxwell was absent for the vote. A copy of Resolution No. 2007-12, identified as "Attachment No. 24", follows these minutes and is made an official part hereof.

UPDATE BY THE DIRECTOR OF HUMAN RESOURCES CONNIE BOEHNKE
REGARDING THE WORKERS COMPENSATION RENEWAL:

Director of Human Resources Connie Boehnke remarked that she was present to discuss the County's renewal of its Workers Compensation Plan. She said the County had received two quotes with one being from A.C.C.G. and the other from Underwriters. She said the original quote from Underwriters was for \$1 million. She said she had contacted A.C.C.G. and Underwriters Insurance Company. She said A.C.C.G. only writes a policy for \$2 million, therefore she had requested a quote from Underwriters to match that so there would be an equal comparison. She remarked on the self-insured retention for the Underwriters was separated between the general employees and public safety. She said there was \$300,000 for general employees and \$350,000 for public safety employees. She said with A.C.C.G. there was an option. She said all

employees could be covered for \$300,000 or all employees for \$350,000. She said the interesting part of this was in the fees. She remarked that under Claims Administration, the A.C.C.G. did not have an individual quote for their administrative fees. She said it was entirely combined with their re-insurance premium. She said the minimum that Underwriters would charge was \$7,000 and that was for a certain number of claims, a certain number of lost claims and that sort of thing. She said they did cap this at \$12,000 in the event that there was a catastrophic year. She said the reinsurance rate was based on .1746 per \$100 of payroll. She said A.C.C.G. had not given her the per rate figure per \$100 of payroll. She said one interesting issue was that the reinsurer, who was Midwest, would give the County a two year rate guarantee on the re-insure and this would be a huge benefit. She said she had broken out the re-insurance premium between the \$300,000 and the \$350,000 with A.C.C.G. She said for \$350,000 it was \$105,575 and for the \$300,000 it was \$112,417. She said the A.C.C.G. did not participate in the Insolvency Fund, therefore they did not have to charge the County for that. She said the County had historically been charged for this, but this year there was a law passed that they have to separate that from the actual re-insurance premium and this was the reason it was identified as a single line item.

Ms. Boehnke further remarked that the State Board of Workers Compensation assessment was also included in the A.C.C.G.'s re-insurance amount that was listed. She said with Underwriters it was estimated to be between \$5,100 and \$5,700 during the last three or four years and she chose a figure in the middle of \$5,500. She said the benefit on the A.C.C.G. side was that they would give the County a 7.5% discount for participating in their safety programs. She said the dividend eligibility or refund would come at a later time possibly in five years. She stated when the totals were added up, the County would have a cost saving of approximately \$33,000 today if the County

Minutes
June 28, 2007
Page 23

chose Underwriters. She said the County had a potential savings which was undetermined at this time if the County selected A.C.C.G. She said both of these companies were fully capable of processing the County's claims. She commented on re-insurance and said one company used a pool and the other company used an insurance company. She said staff had elected to support the Underwriters Insurance because it was an immediate savings but there was really no problem with A.C.C.G. either. She said either company could handle either process.

Chairman Smith asked Ms. Boehnke if she had a recommendation.

Ms. Boehnke responded that because of the immediate savings that the County would realize, staff was recommending Underwriters Insurance Company.

Commissioner Frady asked if Underwriters handled the County's insurance last year.

Ms. Boehnke replied yes they did.

Commissioner Frady asked how these figures compared to last year's figures and if there was any increase or decrease.

Ms. Boehnke responded that there was a slight decrease and stated it was 18¢ per \$100 of payroll last year and this year it was .1746.

Chairman Smith said the Board had before it a recommendation from staff for the County to keep its Workers Compensation Insurance coverage with Underwriters Insurance Company. He asked for the Board's pleasure in this matter.

On motion made by Commissioner Pfeifer, seconded by Commissioner Frady to renew the County's Workers Compensation Insurance with Underwriters Insurance Company. The motion carried 4-0. Commissioner Maxwell was absent for the vote. A copy of the agreement, identified as "Attachment No. 25", follows these minutes and is made an official part hereof.

DISCUSSION BY FINANCE DIRECTOR MARY HOLLAND REGARDING THE RENEWAL OF THE COUNTY'S PROPERTY AND CASUALTY INSURANCE COVERAGE FOR JULY 1, 2007 THROUGH JUNE 30, 2008:

Chairman Smith remarked that the Board had discussed this item earlier on the agenda

Minutes
June 28, 2007
Page 24

and asked for the Board's pleasure in this matter. He said this was for the period from July 1, 2007 through June 30, 2008.

Commissioner Frady asked if the extension would be for thirty days or sixty days and Ms. Boehnke replied sixty days.

On motion made by Commissioner Frady, seconded by Commissioner Horgan to extend the County's current Property and Casualty Insurance coverage for a period of sixty days to allow for further discussion and to send out an R.F.P. for Property and Casualty insurance, discussion followed.

Chairman Smith remarked that the Board had heard from A.C.C.G. and there were technically two people on the insurance. He said A.C.C.G. had told the Board that the likelihood of them lowering their premium was not there. He remarked that by putting

this out for bid would invite other companies to come in and bid on the coverage that the County's one low bidder had already divulged their premium structure. He said this was his only concern.

Commissioner Frady said in view of the fact that one member of the Board was absent tonight, he would like to proceed with this action so everyone could be present because of the importance of this issue.

Chairman Smith clarified that this would be a sixty day extension and the motion was for that time period.

Interim County Administrator Jack Krakeel asked if the current insurance carrier was confident that he could provide the County with a definite answer tomorrow regarding the sixty day extension.

Bob Seville representing Underwriters Insurance Company said he had done this in the past. He said he did not have the authority to answer that tonight but he could give the Board an answer tomorrow.

Chairman Smith said the dilemma before the Board was that the policy would expire but the carrier most likely would approve an extension of coverage to allow for a bid process. He suggested an amendment to the motion in case an extension was not allowed.

Minutes
June 28, 2007
Page 25

Commissioner Pfeifer said he could offer an amendment to the motion that in case the extension was not granted, then the County would award the contract to the current provider.

Chairman Smith replied no, and said this would allow the current provider not to seek to obtain an extension. He said it was his concern that if an extension was not granted, then the Board would have to have a special called meeting to make a decision on the insurance.

Commissioner Frady said that would not be a problem.

Chairman Smith asked if there was another alternative.

Attorney McNally replied no and stated that the Board would have to have a special called meeting if an extension was not granted.

Chairman Smith called for the Board's vote on the motion.

The motion carried 4-0. Commissioner Maxwell was absent for the vote.

DISCUSSION BY WATER SYSTEM DIRECTOR TONY PARROTT REGARDING THE WATER COMMITTEE'S RECOMMENDATION TO ADD ADDITIONAL PARKING AT LAKE HORTON AND AUTHORIZATION FOR MALLET CONSULTING TO DESIGN AND BID THE PROJECT:

Assistant Director of the Water System Russell Ray said he would be glad to answer any questions that the Board might have regarding the Water Committee's recommendation to add additional parking at Lake Horton and also approve Mallett Consulting to design and bid the project.

Chairman Smith said he would like to know the estimated cost as well as the funding source.

Mr. Ray replied that the estimated cost that was discussed by David Jaeger at one of the Water Committee meetings was anywhere between \$25,000 and \$40,000.

Commissioner Horgan asked how many additional parking spaces would be done.

Mr. Ray responded that this would provide 26 additional parking spaces at the South point of the park.

Minutes
June 28, 2007
Page 26

Commissioner Frady asked if there was any kind of inventory as to how many people from outside of Fayette County were using this.

Mr. Ray replied that they did not have a number as to how many people were using it but during the last fiscal year \$21,430 was collected for out of County parking fees. He said the funding source would be Water System revenue and that would pay for this project.

Commissioner Pfeifer said this had been the topic of discussion at numerous Water Committee meetings and had taken several turns. He said he was glad to see that a reasonable recommendation had been decided on.

Commissioner Frady asked if this money was being kept separate so it would be known how much was being collected from parking for out of County vehicles.

Mr. Ray responded that they did keep an account of this.

Chairman Smith asked what the fee was per vehicle.

Mr. Ray replied the fee was \$10.00.

Commissioner Frady asked how long a period of time the \$21,000 had been collected.

Mr. Ray responded that the \$21,000 was for last fiscal year. He said \$9,000 had been collected from July of 2006 through January of 2007.

Chairman Smith asked for the Board's pleasure in this matter.

Chairman Smith noted that the cost of the additional parking at Lake Horton would be funded through the Water System Capital Project Funds.

Mr. Ray interjected that they had adequate reserves to do this.

On motion made by Commissioner Pfeifer, seconded by Commissioner Horgan to approve the Water Committee's recommendation to add additional parking at Lake Horton and to authorize Mallett Consulting to design and bid the project. The motion carried 4-0. Commissioner Maxwell was absent for the vote.

STAFF REPORTS:

JACK KRAKEEL: Interim County Administrator Jack Krakeel updated the Board on a request that was generated by the Board at the last Commission meeting regarding the possibility of obtaining a proposal for utility consulting services. He said he had received a proposal from a consultant who could perform this work as it related to utility expenses and opportunities for reductions in the County's utility expenses. He said this was the same individual that the County previously utilized during the construction of the Lake Horton Reservoir and saved the County approximately \$3 million in capital costs during that construction project as well as \$1 million in operational costs from utility savings. He said the fee for the scope of work that was outlined in his proposal was \$26,000. He said it was his recommendation that the Board consider engaging this consultant in light of the additional construction work that was currently ongoing on Justice Center Drive with the Senior Services Center. He asked for the Board's consideration in engaging this consultant in light of the additional construction work that was currently ongoing at 1 Justice Center Drive with the Senior Services Center and looking at additional electrical and utility cost savings that could be achieved at that complex as well as in other current areas of the County's current utility billing expense program.

Commissioner Frady said the County had done this before and the County had realized approximately \$40,000 in savings when the project was first started.

Mr. Krakeel said in his discussions with the consultant during his previous work he identified additional potential cost savings associated with the new jail construction as well as the Justice Center construction that approximated almost \$40,000. He said the consultant felt that amount was still available in terms of utility expense savings immediately as well as other opportunities for potential cost savings with electrical utility expense charges.

On motion made by Commissioner Frady, seconded by Commissioner Pfeifer to accept Interim County Administrator Jack Krakeel's recommendation to hire a consultant at a cost of \$26,000 to perform an analysis of the County's electrical needs, discussion followed.

Chairman Smith asked if the \$40,000 savings that the consultant had projected was a one time savings or an annual savings.

Mr. Krakeel replied that this would be an annual savings.

Minutes
June 28, 2007
Page 28

Commissioner Pfeifer stated that he would like to thank Attorney McNally for making staff aware of this person.

The motion carried 4-0. Commissioner Maxwell was absent for the vote.

EXECUTIVE SESSION: There was none.

On motion made by Commissioner Frady, seconded by Commissioner Horgan to adjourn the meeting at 8:30 p.m.

Karen Morley, 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 26th day of July, 2007.

Karen Morley, Chief Deputy Clerk