Minutes

Board of Commissioners
October 1, 2008
3:30 P.M.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on Wednesday, October 1, 2008, at 3:30 p.m. in the Commissioners' Conference Room in Suite 100, at the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

Commissioners Present:	Jack Smith, Chairman Herb Frady, Vice-Chairman Robert Horgan Eric Maxwell Peter Pfeifer
Staff Present:	Jack Krakeel, Interim County Administrator Scott Bennett, County Attorney Carol Chandler, Executive Assistant Karen Morley, Chief Deputy Clerk

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Chairman Smith called the meeting to order.

ACCEPTANCE OF AGENDA: Commissioner Horgan made a motion to approve the agenda as presented. Commissioner Frady seconded the motion. The motion carried 5-0.

OLD BUSINESS:

A. FURTHER DISCUSSION REGARDING THE POSTAL ZIP CODE CHANGES FOR SEVERAL NORTH FAYETTE AREAS

County Fire Marshal David Scarbrough remarked that this was a community based request from several homeowners associations. He said if the Board was supportive of this effort, a commitment letter to the U.S. Postal Service would be necessary from the County indicating the County's support and commitment, including moving forward with the renaming of the ten streets where a duplication would otherwise exist. He remarked that a simple majority of 51% of the responding residents to the U.S. Postal Service survey was required along with the final determination by the U.S.P.S. for the change to be implemented. A copy of his summary of the proposed postal zip code changes together with a map of the area, identified as "Attachment No. 1", follows these minutes and are made an official part hereof.

Chairman Smith asked if the County had a process for the renaming of streets.

Interim County Administrator Jack Krakeel replied that the County currently had a process of reviewing all proposed street names that go through the Planning and Zoning Department and the 911 Communications Center so that duplicate street names did not occur. He said historically the renaming of a street has been predicated by citizens of a roadway and it was usually associated with a historical value of a street and/or a family name attached to a street. He said there was not a formal process in place for the County to actually change the name of a street.

Commissioner Frady asked if there would be any change to street numbers and Captain Scarbrough replied no, there would not be any physical address number changes.

Chairman Smith asked if there would be any negatives as a result of any street name change.

Captain Scarbrough replied that it would take a little time to acclimate citizens to the street name change but felt they would certainly see that the benefits would outweigh any negatives. He said it was his understanding that the U.S.P.S. would help notify creditors and/or companies who were part of the published listings for zip codes.

Chairman Smith asked if there was an effective date of the zip code changes and Captain Scarbrough replied if the Board agreed to submit this letter of commitment, the U.S.P.S. would go forward within the next thirty to sixty days with a survey and most likely we would know the results by the end of the year.

Interim County Administrator Jack Krakeel replied that if the Board agreed to proceed in this direction, ample notification to the residents was critical especially with the reordering of stationery, checks and so forth. He recommended providing some type of time frame for this change.

Interim Public Safety Director Allen McCullough remarked if this change went forward, he would need direction from the Board as to whether EMS would continue to be the lead on this issue. He said it was his thought that staff could put a timetable together for a project action plan that he could bring back to the Board for review. He said staff would also have to meet with 911 regarding the CAD system and any changes that might need to be made.

Commissioner Frady made a motion to authorize the Chairman to execute a commitment letter to the United States Postal Service regarding street name changes as a result of zip code changes. Commissioner Horgan seconded the motion. The motion carried 5-0. A copy of the commitment letter, identified as “Attachment No. 2", follows these minutes and is made an official part hereof.

NEW BUSINESS:

B. CONSIDERATION OF A REQUEST FROM PLANNING AND ZONING STAFF FOR DIRECTION REGARDING THE POSSIBLE DEVELOPMENT OF STANDARDS REGULATING PERSONAL CARE HOMES IN SINGLE-FAMILY DWELLINGS:

Zoning Administrator Dennis Dutton remarked that staff was requesting the Board’s permission to research personal care homes within single-family residential. He remarked that staff had been utilizing a policy under

the definition of family in which personal care homes have been operating with three or less people within the homes based on the definition of four unrelated people. He said staff needed direction on whether the Board wanted staff to continue this or look at tightening up the restrictions. He noted most recently staff had received complaints in a particular neighborhood where they were locating a small personal care home that would not be violating anything in the current ordinance. He said in the meantime just prior to this, staff was receiving approximately five requests per week concerning personal care homes. He said the State had basically put forth some regulations that dictate the County's responsibility for these homes. He said consideration had to be given to the fair housing laws that were currently on the books and this was something that had to be reviewed in concert with this issue of group homes. He said currently when someone comes in for a personal care home, staff would not grant them home occupation because it would not fit the requirement for a home occupation. He remarked there was also an issue of sprinkler systems based on the Life Safety Code and accessibility to get in and out of the house. He said the County was responsible for the monitoring of meals to the people and the required number of balanced meals per day and it was vague as to whether this was the Health Department or County staff. He said this was becoming a bigger issue and more people were trying to find ways to make income at home. He said he understood the State was giving some type of grant money for these homes and this was actually contributing to the increased requests.

Chairman Smith asked Mr. Dutton how the Marshals Office had gotten involved in the monitoring of these homes, and Mr. Dutton replied this was the way the law was written in that it was the responsibility of the County to oversee them.

Mr. Dutton remarked if this started to become a permitting issue, it would be looked at by the Health Department from the standpoint of an additional commercial kitchen that would have to be a separate kitchen located within the residence.

Interim County Administrator Jack Krakeel said the critical issue was the number of occupants residing in the home. He noted that once it was four or more people, then this would fall under provisions of the Life Safety Code which governs personal care homes with an occupancy rate of four or more residents residing unrelated by blood or marriage. He said those provisions in the Life Safety Code regulate these type of structures including things like sprinkler systems, accessibility issues and those types of things. He said when the number falls below four people, there really were no regulations other than a loosely structured State permitting process with an application fee of $10. He felt this was the area that staff was trying to address as well as the totality of addressing personal care homes and the possibility of a special zoning category.

Commissioner Pfeifer asked Mr. Dutton if a personal care home was the same thing as a group home and Mr. Dutton replied that a group home defines many other types of homes like hospice, mental retardation or something of that nature. He said a personal care home could be a group home but a group home was not a personal care home.

Mr. Krakeel remarked that staff was asking for the Board's consideration to get more research on this issue and bring this information back to the Board at a later date.

County Attorney Scott Bennett remarked that the homes would have to be ADA compliant. He said staff would begin looking at the building code requirements and some physical requirements of the residents in addition to what we already have. He said staff could certainly begin to look at spacing requirements and zoning requirements in addition to the building code requirements. He said staff could also create a list of goals and regulations and then the Board could review these to determine the direction it would like to take on this issue.

The Board directed staff to study this issue further and report back to the Board at a later date.

ADMINISTRATOR'S REPORT:

JIMMY MAYFIELD WIDENING PROJECT: Interim County Administrator Jack Krakeel reported to the Board that the City of Fayetteville had requested consideration for funding a change order associated with the Jimmy Mayfield Widening Project specifically funding the differential between the cost of installing Mast Poles for signalization versus the as bid tension wire approach for traffic signals. He said the cost difference between the as bid price versus the Mast Pole design was $113,696.50. He pointed out that this project was funded from the 70% SPLOST funds to be used for Countywide projects. He noted this project was awarded to Southeastern Site Development, Inc. on April10, 2008 in the amount of $2,327,517.90. He noted that the project had come in under original cost estimates. He said the City's request was for consideration to fund the additional $113,696.50 from the 70% SPLOST funding to accomplish this objective.

Commissioner Horgan made a motion to approve the City of Fayetteville's request for amendment of the contract with Southeastern Site Development, Inc. to upgrade the traffic signal devices to the Mast Pole design. Commissioner Frady seconded the motion. The motion carried 5-0. A copy of the amended contract, identified as "Attachment No. 3", follows these minutes and is made an official part hereof.

ATTORNEY'S REPORT:

None.

STAFF REPORTS:

WATER SYSTEM DIRECTOR TONY PARROTT: Water System Director Tony Parrott asked for the Board's consideration to purchase Orion Meters and Transponders from Badger Meter in an effort to replace older Trace Meters and Transponders also purchased from Badger currently in use throughout Fayette County. He noted this change out would occur over the next three years and no additional funding was being requested. He pointed out that Badger will no longer be providing Trace, but instead will be providing their new AMR called Orion. He said this meter will attach to the existing Badger meter base and the transponder will attach to the meter lid through the existing 2-inch hole in the lids. He said the receiving unit for the Orion is a laptop computer while the receiving unit for the Trace is a Mobile Meter Interrogator, which is the size of a small two drawer file cabinet. He said the cost of the laptop with the Orion software would be $20,990 and a handheld interrogator is $4,500. He said since the Trace unit was no longer available, Badger will honor the warranty with the Orion units and in addition will give a $5.00 credit for each Trace unit exchanged that was no longer under warranty. He stated that the plan would be to convert approximately 200 Trace AMR's each month for the last seven months of this fiscal year. He noted the cost of this would be $25,490 for the laptop with the Orion software, handheld interrogator and $168,000 for the 1,400 transponders. He noted the cost for FY'09 would be $193,490 with the funding coming from the meter installations budgeted in the Repairs to Meters and

Lines account and from the Renewal and Extension Fund. He said the conversion over to Orion AMR would be done over the next three years and be budgeted annually.

Commissioner Horgan made a motion to authorize the Water System Director Tony Parrott to allow the Water System to change over to the Orion Meter system from the Trace Meter system that is currently being used. Commissioner Frady seconded the motion. The motion carried 5-0.

BOARD REPORTS:
None.

EXECUTIVE SESSION: Interim County Administrator Jack Krakeel requested an Executive Session to discuss real estate and personnel items.

Commissioner Horgan made a motion to adjourn to Executive Session to discuss real estate and personnel items. Commissioner Pfeifer seconded the motion. The motion carried 5-0.

Commissioner Frady made a motion to adjourn the Executive Session and return to open session. Commissioner Horgan seconded the motion. The motion carried 5-0.

Chairman Smith called the meeting back to order and announced that the Board had discussed real estate and personnel items and no official action was taken by the Board.

Commissioner Horgan made a motion to authorize the Chairman to execute the Executive Session Affidavit affirming that real estate and personnel items were discussed in executive session. Commissioner Frady seconded the motion. The motion carried 5-0. A copy of the Affidavit, identified as "Attachment No. 4", follows these minutes and is made an official part hereof.

ADJOURNMENT:
Commissioner Horgan made a motion to adjourn the meeting at 5:25 p.m. Commissioner Frady seconded the motion. The motion carried 5-0.

Karen Morley, Chief Deputy Clerk

Jack R. Smith, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 23rd day of October, 2008.

Karen Morley, Chief Deputy Clerk