Minutes

Board of Commissioners
November 5, 2008
3:30 P.M.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on Wednesday, November 5, 2008, at 3:30 p.m. in the Board of Commissioners' Conference Room, Suite 100, of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

Commissioners Present:	Jack Smith, Chairman Herb Frady, Vice-Chairman Robert Horgan Eric Maxwell Peter Pfeifer
Staff 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 accept the agenda as presented. Commissioner Frady seconded the motion. The motion carried 5-0.

PRESENTATION/RECOGNITION:

A. PROCLAMATION RECOGNIZING NOVEMBER 12, 2008 AS HONOR FLIGHT FAYETTE DAY III IN FAYETTE COUNTY:

Chairman Smith read and the Board presented a Proclamation recognizing November 12, 2008 as Honor Flight Fayette Day III in Fayette County to Gail Sparrow, President of Honor Flight Fayette. A copy of the Proclamation, identified as "Attachment No. 1", follows these minutes and is made an official part hereof.

CONSENT AGENDA: Commissioner Horgan made a motion to approve the consent agenda as presented. Commissioner Pfeifer seconded the motion, discussion followed.

Commissioner Maxwell remarked that he would like a report on alternative fuels for County vehicles.

The motion carried 5-0.

SHERIFF'S DEPARTMENT - REPLACEMENT OF FIVE VEHICLES:

1. Approval of the Vehicle Replacement Committee's recommendation to replace five vehicles for the Sheriff's Department, for which funding is included in the Fiscal Year 2009 budget.

OLD BUSINESS:

B. CONTINUED DISCUSSION OF THE REQUEST BY THE MCINTOSH TRAIL HISTORIC PRESERVATION SOCIETY FOR A RESOLUTION SUPPORTING THE EFFORT TO OBTAIN "GEORGIA SCENIC BYWAY" DESIGNATION FROM THE GEORGIA DEPARTMENT OF TRANSPORTATION:

Executive Assistant Carol Chandler remarked that sixty days ago she had come to the Board with a request from the McIntosh Trail Historic Preservation Society and the Board had questioned whether or not a designation of this kind would have any effect on future improvements to Highway 85 South. She said she had spoken to individuals in this program and commented that this was a Department of Transportation program. She remarked that construction and improvement projects take precedence over this and there would be no permanent impairment. She noted that there would not be very much involvement on the County's part and the D.O.T. would be responsible for erecting the signs. She asked for the Board's consideration in authorizing the Chairman to execute a Resolution showing support for this effort.

Commissioner Frady made a motion to adopt a Resolution supporting the effort to obtain "Georgia Scenic Byway" designation from the Georgia Department of Transportation. Commissioner Horgan seconded the motion. The motion carried 5-0. A copy of the Resolution, identified as "Attachment No. 2", follows these minutes and is made an official part hereof.

C. DISCUSSION OF PLANNING COMMISSION'S RECOMMENDATIONS REGARDING A REQUEST FROM RICHARD NORMAN OF ARTISAN PROPERTIES, INC., OWNER OF STORAGE XXTRA ON SR 85 N., TO EITHER CREATE A NEW ZONING DISTRICT TO ALLOW A BROADER VARIETY OF USES OR TO AUGMENT THE USES CURRENTLY ALLOWED IN THE M-1 ZONING CLASSIFICATION:

Zoning Administrator Dennis Dutton remarked on September 18, 2008 the planning staff and Mr. Richard Norman presented to the Board a request to add additional uses to the Storage Xxtra facility which was a mixture of offices within the M-1 zoning district. He said staff was directed to proceed and discuss this with the Planning Commission those terms that Mr. Norman was looking to accomplish. He noted that the Planning Commission had recommended that no changes be made to the M-1 zoning district or Storage Xxtra facility. He remarked that the Planning Commission's first point was that the M-1 zoning district had been extensively reviewed back in 2007 and several changes had already been made and they did not want to add any office type uses into the M-1 zoning district. He said the Planning Commission's second point was that they did not want to create another zoning district based on current economic conditions. He pointed out that these were the recommendations made by the Planning Commission.

Commissioner Maxwell recalled that the Board recognized that there were some problem areas that needed addressing and the charge of this Board was for staff to research alternatives whether it be a split zoning, new zoning or to expand the permitted uses. He said he was somewhat disappointed that the Planning Commission had come back with a 5-0 vote with no change at all.

Chairman Smith said it was his understanding that the Board recognized that there was a request for action and the Board was simply asking the Planning Commission to look at specifically two things (1) should there be any changes or additions to the current zoning classification and (2) should there be a new zoning classification. He said he did not feel that there was any intent to have any changes at all. He said he was just looking for the Planning Commission to determine if the request was reasonable and if something should be done.

Commissioner Frady expressed concern with putting anything in with O-I zoning in an area with M-1 zoning.

Commissioner Horgan said he recalled the issue of safety concerns had come up with different types of zoning within one kind of zoning.

Commissioner Maxwell remarked that representatives of Artisan Properties had come from Columbus if anyone had any questions of them.

Chairman Smith asked if anyone had anything additional or new that they would like to add to the discussion.

A representative of Artisan remarked that they would have no problem in eliminating uses involving children, and commented that they did not see any cause for concern.

Commissioner Frady felt part of the request was to rezone part of the property to C-H and he said this was out of the question. He said he felt M-1 was a good zoning district and he wanted to make a motion to accept the Planning Commission's recommendation.

Commissioner Frady made a motion to accept the Planning Commission's recommendation not to amend the zoning district to allow for a broader variety of uses and not to augment the uses currently allowed in the M-1 zoning classification. Commissioner Horgan seconded the motion. The motion carried 4-1 with Commissioner Maxwell voting in opposition.

NEW BUSINESS:

D. DISCUSSION OF AMENDMENTS TO THE FAYETTE COUNTY CODE CHAPTER 2, ARTICLE V., DIVISION 4., SECTION 2-162, REGARDING DISPOSAL OF UNSERVICEABLE PROPERTY, AND SECTION 2-163., REGARDING THE NOTICE OF TRANSFER OF DISPOSAL OF PROPERTY, AS PRESENTED BY THE FINANCE DEPARTMENT:

Chief Financial Officer Mary Holland asked for the Board's consideration to amend the County Code regarding disposal of unserviceable property that was no longer of use to the County having a value of $50 or less. She said this would allow department heads to work with the Building and Grounds Maintenance Department to determine if there were certain items that would really be classified more as junk than property that might be of use or value to put in the auction. She said this would not change the accountability of the departments regarding their assets. She said this would still have to report to the Finance Department and noted that there are procedures in place.

Commissioner Frady said he would like to have the County Administrator or his designee sign off on any request.

Ms. Holland interjected that there were controls in place whereby a department head could not dispose of any property on his own but would have to go through the Finance Department.

Chairman Smith said he would like a followup report listing any items of unserviceable property that was disposed of and no longer of use to the County.

It was the consensus of the Board for County Attorney Scott Bennett to draft an ordinance and bring it back to the Board for final approval.

E. DISCUSSION OF PROPOSED ATHLETIC ASSOCIATION POLICIES AND PROCEDURES MANUAL, AS PREPARED BY THE RECREATION COMMISSION AND PRESENTED BY THE PARKS AND RECREATION STAFF:

Director of Facilities Management Tony Parrott remarked that the Parks and Recreation Department did not have a standard policy and procedures manual for each of the athletic associations. He said the Recreation Commission held approximately six different meetings including public input as well as meetings with all of the individual association presidents and their representatives to review the entire document page by page. He commented on some of the changes which include a $5.00 per athlete impact fee that would go to the County per season; rules for posting notices for election board of directors; and rules for submitting financials to the Parks and Recreation Department for review.

Interim County Administrator Jack Krakeel commented on these changes in the manual and recommended a base document on red lined paper that the Board could review further.

Commissioner Horgan asked if there were any associations who might have hardships and not be able to meet their financial goals or needs and Mr. Krakeel replied that the Town of Brooks little league association might be impacted because of their defined service area.

Commissioner Horgan said he would like to see financial reports stating the amount coming to the County from all of the associations and Mr. Krakeel replied that staff could certainly provide that information to the Board. Mr. Krakeel said this information was part of the revenue report in terms of what was generated through the Recreation Department.

Commissioner Frady said he would like to know the cost per child for participation in the recreational associations as well as the number of out-of-county participants in these programs.

Chairman Smith suggested before adoption that the associations come before the Board to comment and Mr. Krakeel remarked that this document had been provided to all of the recreational associations for review. Chairman Smith felt the Board needed to be very careful not to inadvertently do something that would damage the County's relationship with these associations to the point that it would keep them from being financially viable.

Mr. Krakeel suggested that after the Board has an opportunity to review the document that it be resubmitted to the presidents of these associations so they will have the opportunity to see any changes that were made to the document before it was adopted.

Chairman Smith recommended that Mr. Krakeel act as the mediator in this process and provide the Board with a red lined document that the Board could review and comment on before the manual was adopted by this Board.

ADMINISTRATOR'S REPORT:

RETREAT DATES FOR THE BOARD OF COMMISSIONERS: Interim County Administrator Jack Krakeel asked for the Board's input regarding a possible Board retreat after the first of the year for the purpose of establishing the Board's strategic vision plan and goals for the near future. He said he was anticipating a mid year budget review during the first week in January, 2009 so that staff can provide the Board with a complete financial picture of the County. He recommended that each Board member provide Executive Assistant Carol Chandler with dates of availability during the second or third week in January at a location within Fayette County. He said it was his recommendation that the first day be dedicated to the Board's overview and the second day for department heads to come before the Board and discuss critical issues and concerns.

Chairman Smith suggested investigating multiple locations and costs for the retreat.

Mr. Krakeel said he would provide to the Board within the next thirty days a synopsis of the prior issues that the Board had identified at their first retreat that were broken down into short term, intermediate term and long terms issues.

THE ISSUE OF CREDIT CARD TRANSACTIONS BY CITIZENS FOR COUNTY SERVICES: Interim County Administrator Jack Krakeel remarked that this would be an item he would be bringing to the Board for discussion at the retreat. He said he would like to determine if the Board had any interest in looking at credit card payments for costs borne by citizens who are transacting business with the County. He said with the conversions recently made in Munis, there were systems available that would fit right in with the County's system that would be of no cost to the County. He noted that the service fee would be borne by the person who was actually utilizing that service. He said he would prepare a report and bring this information to the Board at the retreat.

ATTORNEY'S REPORT:
None.

STAFF REPORTS:
SAFE ROUTES TO SCHOOLS (SRTS) INFRASTRUCTURE GRANT: Environmental Engineer Vanessa Birrell discussed an opportunity for the County to apply for a Safe Routes to Schools (SRTS) Infrastructure Grant which was a Federally funded grant. A copy of her supporting information, identified as "Attachment No. 3", follows these minutes and is made an official part hereof. She noted the deadline for the Grant was December 12, 2008. She said this grant was unique in that some of the County's multi-use paths could be connected to the schools specifically the one located at the Rising Star complex. She said staff would like to construct a bridge and an additional pathway across Camp Creek. She noted that there was no funding match required by the County. She asked for the Board's consideration to give her permission to apply for this grant and she noted that she would be the primary project manager for the grant.

Chairman Smith asked her if there were any requirements or impacts on the County that were non-financially related such as restrictions on right-of-way, stormwater, flood zones and so forth.

Ms. Birrell replied that with the path crossing Camp Creek staff would have to look into a national permit with the Army Corps of Engineers with possible restrictions there. She noted that since it would be multi-jurisdictional, staff would have to contact Peachtree City about connecting into that system. She said this would involve four subdivisions that would connect New Haven, Timberlake, High Grove and Whitewater Creek into the Peachtree City system so pedestrian and bicycle use could be provided over to the Starrs Mill complex. She said this grant was designed to reach out to a two mile radius to students primarily in elementary and middle schools. She remarked that staff would also have to work with the Board of Education in doing some safe commuting habits and things of that nature.

Mr. Frisina remarked that he had spoken with Planning Director David Rast in Peachtree City who said Peachtree City also had some plans to look at extending the path and felt this would fit into what they were looking at. He said the hardest part would be getting across Camp Creek.

It was the consensus of the Board that staff proceed with getting further information on the grant and to provide further information to the Board at the next Board of Commissioners' meeting on November 13th.

EARTH DAY IN FAYETTE COUNTY: Environmental Engineer Vanessa Birrell remarked that last Spring the County had helped the Girl Scouts sponsor Earth Day in conjunction with Keep Fayette Beautiful. She said several organizations including the Town of Tyrone and Peachtree City had contacted her about helping with Earth Day 2009. She asked for the Board's permission to help coordinate Earth Day in Fayette County which occurs in the Spring of 2009.

The Board concurred with this request.

BOARD REPORTS

COMMISSIONER MAXWELL: Commissioner Maxwell said he would like to commend the Elections Department staff as well as any other departments who helped make the election process go smoothly.

It was the consensus of the Board that a letter be drafted and signed by the Chairman commending staff for their efforts during the election process.

CHAIRMAN SMITH: Chairman Smith announced that Governor Sonny Perdue has nominated Chris Clark as the new Department of Natural Resources Commissioner beginning April, 2009.

EXECUTIVE SESSION: County Attorney Scott Bennett requested an Executive Session to discuss employment and litigation matters.

Commissioner Horgan made a motion to adjourn to Executive Session to discuss employment and litigation matters. Commissioner Frady seconded the motion. The motion carried 5-0.

The Board adjourned the Executive Session and reconvened to the open session.

Commissioner Frady made a motion to authorize the Chairman to execute the Executive Session Affidavit affirming that employment and litigation matters were discussed in Executive Session. Commissioner Horgan 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.

Chairman Smith remarked that employment and litigation matters were discussed in Executive Session and the Board wanted to take action on the employment matter only.

Chairman Smith made a motion to enter into an employment agreement with Jack Krakeel to serve as County Administrator on the terms and conditions as set forth in the employment agreement. Commissioner Horgan seconded the motion. The motion carried 4-0-1- with Commissioner Pfeifer abstaining from the vote. A copy of the Agreement, identified as "Attachment No. 5", follows these minutes and is made an official part hereof.

ADJOURNMENT: Commissioner Frady made a motion to adjourn the meeting at 6:30 p.m. Commissioner Horgan 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 11th day of December, 2008.

Karen Morley, Chief Deputy Clerk