Minutes

Board of Commissioners
May 7, 2008
3:30 P.M.

The Board of Commissioners of Fayette County, Georgia, met in a Workshop Meeting on Wednesday, May 7, 2008, at 3:30 p.m. in the Public Meeting Room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

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

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Call to Order by Chairman.

Chairman Smith called the Wednesday Workshop Meeting to order at 3:31 p.m.

Acceptance of Agenda.

Commissioner Frady motioned to accept the agenda as published and was seconded by Commissioner Horgan. No discussion followed. The motion passed unanimously.

CONSENT AGENDA:

1. **Approval of Vehicle Replacement Committee's recommendation to retire a 2003 Ford Crown Victoria, VIN 113146, and replace it with a 2008 Dodge Charger, including necessary additional equipment. The vehicle is operated by the Sheriff's Department, Traffic Enforcement Division. A copy of the request, identified as "Attachment 1", follows these minutes and is made an official part hereof.**

2. **Approval to allow items to be auctioned at the County auction to be held on May 17. These items of equipment and vehicles have been determined to be of no further use to the County government and are considered surplus property at this time. A copy of the request, identified as "Attachment 2", follows these minutes and is made an official part hereof.**

3. Approval of staff's recommendation that Haddonstone Subdivision be approved as a Street Light District, as requested by the developer. A copy of the request, identified as "Attachment 3", follows these minutes and is made an official part hereof.

4. Approval of staff's recommendation that a contract for road milling and patching be awarded to C.W. Matthews in the amount of $1,103,020 for roads to be resurfaced using Special Local Option Sales Tax funds. A copy of the request, identified as "Attachment 4", follows these minutes and is made an official part hereof.

5. Approval of the Road Department's recommendation to award annual contract for CRS-2h tack material, Bid #664, to Blacklidge Emulsions, Inc. A copy of the request, identified as "Attachment 5", follows these minutes and is made an official part hereof.

6. Award of staff's recommendation that a contract be awarded to the Miller Group, Inc. in the amount of $672,567.50 for full depth reclamation work on six county roads, to be funded with Special Local Option Sales Tax funds. A copy of the request, identified as "Attachment 6", follows these minutes and is made an official part hereof.

7. Approval of Water Committee's recommendation that the Water System participate in the Environmental Protection Agency's WaterSense Program and authorization for the Chairman to execute the Partnership Agreement for the same. A copy of the request and the Partnership Agreement, identified as "Attachment 7", follow these minutes and are made an official part hereof.

8. Approval of Water System Director's request to be allowed to expend approximately $110,000 to relocate waterlines on Highway 74 South, as a result of the widening project currently underway by the Georgia Department of Transportation. A copy of the request, identified as "Attachment 8", follows these minutes and is made an official part hereof.

9. Approval of the Water Committee's recommendation to begin survey work for a potential water tank site located in the northwest portion of the County. A copy of the request, identified as "Attachment 9", follows these minutes and is made an official part hereof.

10. Approval of Water Committee's request to order an additional 250 Water Saver Kits to be provided free to Fayette County Water System customers in homes built prior to 1994. A copy of the request, identified as "Attachment 10", follows these minutes and is made an official part hereof.

11. Approval of request from the Water System Director for the County to enter into a Preliminary Engineering Agreement with Georgia Department of Transportation which will allow GDOT to reimburse the County for costs incurred for engineering work necessary for relocating waterlines along a portion of SR 74 South, in the amount of $3,535. A copy of the request and Preliminary Engineering Agreement, identified as "Attachment 11", follow these minutes and are made an official part hereof.

Commissioner Horgan motioned to approve Consent Agenda Items 1-11 and was seconded by Commissioner Pfeifer. No discussion followed. The motion passed unanimously.

OLD BUSINESS:

A. Approval of the New Fee Schedule and Microchipping Service as proposed by Animal Control.

Fayette County Animal Services Director Miguel Abi-Hassan made a PowerPoint presentation to the Board about the newly proposed fee schedule and microchipping service, and answered questions from the Board. Commissioner Pfeifer motioned to approve the new fee schedule and microchipping service as proposed by Animal Control, and was seconded by Commissioner Horgan. No discussion followed. The motion passed unanimously. A copy of the request and PowerPoint presentation, identified as "Attachment 12", follow these minutes and are made an official part hereof.

B. Discussion of proposed amendments to the Fayette County Zoning Ordinance regarding Article V. General Provisions, Section 5-9. Single family dwelling, B. Port Cochere and Article III. Definitions, Carports, attached; Carport, detached; and Port Cochere as presented by the Planning and Zoning Department.

Zoning Administrator Dennis Dutton made a presentation to the Commissioners about the proposed amendments to the Fayette County Zoning Ordinance, and answered questions from the Commissioners. The Board's consensus was to give the Planning and Zoning Department permission to forward the proposed amendments for public hearing before the Planning Commission and the Board of Commissioners. A copy of the request, identified as "Attachment 13", follows these minutes and is made an official part hereof.

ADMINISTRATOR'S REPORT

Old Friendship Center: Interim County Administrator Jack Krakeel informed the Commissioners about the recent analysis of the Old Friendship Center and its ability to be renovated. He said the analysis showed that to bring the building up to code, given the multitude of problems with the facility, would be cost prohibitive. He stated there were two options available in lieu of repairing the facility: to solicit bids from parties that may be interested in purchasing the facility to relocate and possibly restore, or to demolish the building and remove it from the property. He said the building could be left as it is, but that would not negate the fact that it is not suitable for occupancy in its current state and would require a significant expenditure to bring it up to code. He mentioned $15,000 had been budgeted to do some repair work to the building's interior, but that amount would not be sufficient to make the building suitable for occupancy. The Board's direction was to make every effort to save the building by asking the City of Fayetteville if they have any interest in the property. The Board further directed if the City of Fayetteville did not express interest in the property, to advertise the property publically for disposition. The Board also stated, should the property be publically advertised, that the Fayette Historical Society be given the opportunity to look through the Old Friendship Center to determine what, if anything, is of historical significance there. A copy of the analysis of the Old Friendship Center, identified as "Attachment 14", follows these minutes and is made an official part hereof.

Intergovernmental Agreement with the Town of Tyrone: Mr. Krakeel said several meetings ago he informed the Board about an initiative between Fayette County and the Town of Tyrone with respect to patching and milling work, and said the County has received the intergovernmental agreement to initiate that effort. He said the intergovernmental agreement had language in it that would protect the County in respect to its milling and patching schedule so that participation in the process would not adversely affect the County's schedule with its contractor. He asked for authorization for the Chairman to sign the intergovernmental agreement. Commissioner Pfeifer motioned to authorize the Chairman to sign the intergovernmental agreement between Fayette County and the Town of

Tyrone for patching and milling work, and was seconded by Commissioner Horgan. Chairman Smith clarified there is no cost to the County, but the intergovernmental agreement has the potential to save money for the Town of Tyrone. Some discussion followed. The motion passed unanimously. A copy of the intergovernmental agreement, identified as "Attachment 15", follows these minutes and is made an official part hereof.

Performance Appraisals: Mr. Krakeel reminded the Board that in the previous year the County had suspended its process of conducting employee performance appraisals due to problems associated with the formal performance appraisal system that was then in use. He said there had been meetings with officials from the University of Georgia's Carl Vinson Institute of Government and they provided two options for developing a performance appraisal system. The first option would cost $6,800 and the second option would cost $8,100. He said the first option would have the County develop its own in-house instrument with Carl Vinson Institute providing some technical assistance and training one hundred plus County supervisors and managers on the utilization of the performance appraisal system. He said the second option would be a process where committees comprised of various department heads would be established and the Carl Vinson Institute would facilitate the process by creating a performance appraisal system based on feedback from the County and its staff. He said the second option would also have the training element included with it as well. Mr. Krakeel said he wanted to get this project started soon since he anticipated it would take approximately four to five months to complete. After being asked, he stated it was his recommendation, and the recommendation of Human Resources, to implement Option 2 at a cost of $8,100 in order to utilize a committee process comprised of three or four committee meetings, and to give him the ability to select the department heads who would serve on the committee. Mr. Krakeel added money was already budgeted for this use. Commissioner Maxwell said, in the past, the Board has spent anywhere from $350,000 to $400,000 for a pay for performance program that was not fair and balanced, and said what is trying to be accomplished is a pay for performance program that is fair and balanced. He said it would not make any sense to him not to spend $8,100 and therefore not get the best advise possible. Commissioner Maxwell then motioned to approve Option 2 at $8,100 for a Performance Appraisal by the Carl Vinson Institute and was seconded by Commissioner Frady. Commissioner Frady asked if the performance appraisal program would be some sort of a merit increase. Mr. Krakeel said it would be the process that would determine if an employee is provided pay for performance. Commissioner Frady said he was all for rewarding people for doing good or outstanding work, but, historically, there had been 5% across the board merit increases, regardless of the work performed, and he wanted to be certain this new performance appraisal system was not a repeat of what was used in the past. Commissioner Pfeifer commented a new performance appraisal system was needed for a long time, and the past processes had been unsatisfactory. A copy of the Training Proposal for Fayette County: Performance Appraisal, identified as "Attachment 16", follows these minutes and is made an official part hereof.

Level 4 Drought Classification: Mr. Krakeel informed the Commissioners that the Environmental Protection Division of the State of Georgia issued a press release the previous afternoon regarding certain modifications to the Level 4 Drought Advisory affecting various counties in the State. He said the press release reclassified a number of counties throughout the state, but did not change the Level 4 Drought classification for Fayette County. As an example, he said Spalding County had been reclassified from Level 4 to Level 2. He told the Commissioners the press release stated the Environmental Protection Division is allowing for communities and counties to petition them for modification of the current drought response classification. He said Fayette County may have the potential, once the rules are published and disseminated around May 16, to petition the Georgia Department of Natural Resources and the Environmental Protection Division for consideration to reclassify Fayette County from its current drought level to some other designation which could result in an ease in water restrictions for Fayette County water customers. He said he has asked Mr. Tony Parrott to conduct an analysis to determine the feasibility of this issue, that the analysis should be completed prior to May 16, and that the analysis with staff's recommendation will be formally presented to the Board at the meeting to be held on May 22. He added that the County's reservoirs are all at full pool with the exception of Lake Horton which is about one foot low, and thought the County was in an excellent condition with respect to its water supply. He also informed the Board the County had made all the repairs to the Flint River pump station to allow the County to maximize its withdrawal capability from Flint River when the

flows are sufficient, and that has assisted the County in bringing the Lake Horton level to where it is today. He reiterated that staff's recommendation will be provided at the meeting held on May 22, and a recommendation would also come from the Water Committee. A copy of the press release, identified as "Attachment 17", follows these minutes and is made an official part hereof.

Increased Employee Healthcare Cost: Mr. Krakeel said he had been in touch with Association of County Commissioners of Georgia (ACCG) concerning increases that have been quoted to the County from its employee medical insurance provider- Blue Cross/Blue Shield. He said the County is having an independent analysis conducted of the requested increase as well as its claims history to determine if the increase that has been quoted is warranted. He added that the analysis is being conducted at no cost to the County by ACCG's healthcare consultant. He told the Board there would be a meeting with staff in the middle of May to discuss the findings, and more information would be forthcoming once the meeting takes place and the analysis is available.

Inmate Healthcare Costs: Mr. Krakeel informed the Commissioners that he has asked the Finance Department to conduct a comprehensive review of the last three years regarding inmate healthcare costs specifically as they relate to hospitalization or healthcare services that are provided outside of the current contract for the Jail. He said the ACCG, working in partnership with Blue Cross/Blue Shield, is making a new insurance program for healthcare coverage for inmates available. He said this insurance program is different from traditional insurance programs since there is no premium associated with the program, but said there is an administrative fee that is charged for each case based on the amount of money paid by Blue Cross/Blue Shield to the medical facility. He informed the Board that he has spoken to the medical director who has the County's contract for providing inmate healthcare, and that the director told him that currently, if an inmate is transported to a hospital or needs to be hospitalized or needs to be seen in the emergency room, those services are beyond the scope of the current contract. He said the director then would attempt to negotiate the rates for those services directly with the hospital in order to reduce the rates as low as possible. The advantage to the new insurance program offered by ACCG, he said, is our recapturing the Blue Cross/Blue Shield HMO rates that hospitals have a contract with Blue Cross/Blue Shield to provide. He anticipated the new insurance program would lead to substantial savings in terms of healthcare costs associated with the program, but before he was willing to make a recommendation to the Board he wanted to understand what the fiscal exposure has been over the past three years in regards to the costs associated with the inmate population, particularly with inmate hospitalization and hospital visits in order to see what the potential savings is. He mentioned he had not spoken with staff from the Sheriff's Department, but that he was intending to do so in the following week. He concluded by saying the discussions would be ongoing in order to achieve substantial cost savings for the County. Chairman Smith said that was great news since inmate health cost is out of control, and he hoped the new insurance program would work to bring those costs under control.

Donated Vehicle: Mr. Krakeel stated that a number of departments, including the Sheriff's Department, Fire and Emergency Services, Environmental Health and others, conduct various programs countywide, and one such program is called the Ghost Out Program. He explained the Ghost Out program is an event where departments go to schools around Fayette County and reenact a crash scene with a vehicle in order to give students who are preparing to drive a visual representation of what can occur when a vehicle is wrecked. He said the program has been very effective and has been in operation for a number of years. He added there are two problems with the program. First, the vehicle is obtained from a junkyard and has the constant potential of having belonged to someone's family in Fayette County, and the second problem is that the vehicles usually have broken glass and protruding metal associated with them. He informed the Board that a donation is being made to the Sheriff's Department by AllState Insurance Company for a late model vehicle that, while it has been crashed, has intact interior that does not pose any damage or injury potential to the participants in the program. He said the donation would have to be approved by the Board. He added that a ceremony will take place at the Atlanta Motor Speedway

on May 17 where the transfer of title will take place, and that he had received a request from the Sheriff to have Fayette County accept the vehicle for the purposes as described and to extend an invitation to the Commissioners to attend the ceremony. Commissioner Horgan motioned for the County to accept a vehicle which is donated by AllState Insurance Company, in regard to the Ghost Out Program, that will be presented at the Atlanta Motor Speedway on May 17. Commissioner Pfeifer seconded the motion. Commissioner Maxwell asked if AllState was to use the donation to market themselves, and Mr. Krakeel said they would not use the donation for that purpose. Captain Bryan Woodie of the Sheriff's Department's Traffic Division gave additional clarity regarding the donation. The motion passed unanimously.

Bond Refinancing: Mr. Krakeel reminded the Commissioners that during the last workshop meeting they met with representatives of Merchant Capital who provided them with an overview of a potential program for refinancing Water System Bonds. He said staff has met with Merchant Capital in order to get additional information and in order to look at additional opportunities. He informed the Board that staff, after looking at the issues, essentially would not recommend a variable rate or synthetic fixed rate approach to refinancing. He said the County currently has about six different loans that would be appropriate for refinancing, and one of those loans is the Series 1998 Water Bonds with a principal amount outstanding of $15,215,000. He said the other five loans were Georgia Environmental Facilities Authority (GEFA) Loans with an aggregate principal outstanding amount of $6,831,722. He told the Commissioners the net effect of refinancing these loans at this time under two alternative scenarios are, accordingly, a traditional placement through a publicly offered fixed rate instrument that would yield a savings of approximately $920,126 present value, and a direct placement, which would be a placement that would be made directly by the bond firm with a financial institution such as a bank versus a publicly offered process, that would yield a present value savings of approximately $1,061,000. He said Merchant Capital would like to conduct business with the County and is prepared to move forward by preparing all the necessary documentation and paperwork as needed. He mentioned that staff has worked aggressively during the past 30 days to develop a Request for Proposals should the Board wish to issue an RFP for potential bond refinancing, and asked for the Board's direction on how staff should proceed. Some discussion followed. Commissioner Horgan motioned to establish a Bond Committee in order to report to the Board of Commissioners with a recommendation of what bond firm to use. Commissioner Pfeifer seconded the motion. After brief discussion, Commissioner Horgan then amended his motion to establish a Bond Committee for the purpose of recommending what bond firm to use, to negotiate for bond council, and to return with a recommendation to the Board of Commissioners. Commissioner Pfeifer seconded the motion. No discussion followed. The motion passed unanimously.

Commissioner Pfeifer exited the meeting at this time.

The Commissioners then discussed who should belong to the newly commissioned Bond Committee. Commissioner Horgan motioned for Chairman Jack Smith, Commissioner Eric Maxwell, Interim County Administrator Jack Krakeel, Finance Director Mary Holland, Water System Director Tony Parrott, and County Attorney Scott Bennett to serve on the newly formed Bond Committee. Commissioner Frady seconded the motion. The motion passed 4-0 with Commissioner Pfeifer not present for the vote.

ATTORNEY'S REPORT

Commissioner Pfeifer returned to the meeting.

City of Fayetteville Contract for Right-of-Way on Lee Street: County Attorney Scott Bennett informed the Commissioners that the City of Fayetteville has approached the County about the need to purchase right-of-way on Lee Street near Melears Way for the purpose of installing sidewalks. He said the City has State and Federal funds for this project, and has offered the County $5,406 as their appraised value for 2,422.6 feet of right-of-way and 6,193.5 feet of easement. He said the County has two options, to either accept the payment or to donate the right-of-way. He asked if the Board wanted to donate the land or accept money from both the State and Federal Governments, and asked for authority for the Chairman to sign the contract. Some discussion followed. Commissioner Frady motioned for the County to accept the money and to authorize the Chairman to sign the right-of-way contract as discussed. Commissioner Horgan seconded the motion. No discussion followed. The motion passed unanimously. A copy of the right-of-way contract, identified as "Attachment 18", follows these minutes and is made an official part hereof.

Kenwood Park Landscaping: Mr. Scott Bennett presented a contract for landscaping at Kenwood Park for $65,288, said the bid had already been awarded, and asked for authorization for the Chairman to sign the contract. Commissioner Frady motioned to approve the contract with Trammell-Horton for Phase One Landscaping at Kenwood Park, and to authorize the Chairman to sign the contract. Commissioner Horgan seconded the motion. No discussion followed. The motion passed unanimously. A copy of the Trammell-Horton contract, identified as "Attachment 19", follows these minutes and is made an official part hereof.

Jimmie Mayfield Widening Project: Mr. Scott Bennett said the contract for the Jimmie Mayfield Widening Project was awarded to Southeastern Site Development for $2,327,517.90, and that the contract was available. He said he had reviewed the contract to make sure everything was in order, and his review also included the performance bonds and insurance requirements. Commissioner Horgan motioned to approve the contract with Southeastern Site Development for widening Jimmie Mayfield Boulevard, and to authorize the Chairman to sign the contract. Commissioner Frady seconded the motion. No discussion followed. The motion passed unanimously. A copy of the Southeastern Site Development Contract, identified as "Attachment 20", follows these minutes and is made an official part hereof.

STAFF REPORTS

Public Awareness for Disaster Preparedness: Mr. Rick Fehr of Environmental Health stated that the State District Health Office invited emergency responders for the twelve counties in the Health District to participate in a program to make the public aware of the need to be prepared for disasters and emergencies where citizens may need to remain in their homes for a number of days or weeks. He said the Environmental Health Department would be working with other County departments to make the public aware of the program. He then presented the Chairman with a clock and gave each Commissioner a CD that has information on how to be prepared for emergencies.

BOARD REPORTS

Defined Benefits Plan: Commissioner Frady said he wanted to clarify a report that has circulated regarding the County's proposed Defined Benefits plan, and explained there was a letter to the editor in a local paper stating only one Commissioner voted against the Defined Benefits plan. He wanted it to be known he was the one who voted in opposition to the Defined Benefits plan. He then asked the Deputy Clerk to read the April 2 Workshop Minutes as it related to the Defined Benefits plan. He concluded, stating the only reason he brought this subject up was to clarify what was being reported by the media.

Employee Holiday: Commissioner Horgan stated in the past the Board has granted an additional holiday to the County employees due to the way the days fall on the calendar. Commissioner Horgan then made a motion to grant the County employees an additional holiday on December 26, 2008, and was seconded by Commissioner Frady. It was noted that the motion was not intended to perpetually regard December 26 as a County holiday, but only December 26, 2008. The motion passed unanimously.

EXECUTIVE SESSION

None.

ADJOURNMENT

Commissioner Frady motioned to adjourn the Workshop Meeting and was seconded by Commissioner Horgan. No discussion followed. The motion passed unanimously.

Chairman Smith adjourned the meeting at 5:08 p.m.

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Floyd L. Jones, Deputy Clerk Jack Smith, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 4th day of June 2008.

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Floyd L. Jones, Deputy Clerk*