Minutes

Board of Commissioners
March 13, 2008
7:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on Thursday, March 13, 2008 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 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.
Commissioner Pfeifer offered the Invocation.
Pledge of Allegiance.

ACCEPTANCE OF AGENDA:
Commissioner Horgan made a motion and Commissioner Frady seconded the motion to approve the agenda as published with the following amendment. Chairman Smith remarked on Consent Agenda item no. 5 and stated that there was a secondary part of that request that should be included and that item should read "and authorize the use of said proceeds to acquire one replacement vehicle." The motion carried 5-0.

PRESENTATION/RECOGNITION:

A. Presentation by Gail Sparrow who will speak about the Honor Flight Project.

Mark Buckner, representing Honor Flight Fayette, said the organization would be sending 70 World War II veterans to visit the memorial in Washington, D.C. Commissioner Maxwell presented a $400 personal check to Mr. Buckner that would help send one veteran on the trip and he challenged all Fayette County elected officials to match his donation.

B. Presentation of Proclamation for Confederate History and Heritage Month.

James Roberts, Scott Gilbert, Jim Rector, John Lynch, and Tony Parrott accepted the Proclamation for Confederate History and Heritage Month. A copy of the Proclamation, identified as "Attachment No. 1", follows these minutes and is made an official part hereof.

PUBLIC COMMENT:
None.

CONSENT AGENDA: Commissioner Frady made a motion and Commissioner Horgan seconded the motion to approve the consent agenda including the amendment to item no. 5. The motion carried 5-0.

TAX ASSESSOR'S OFFICE - 2008 FORD RANGER PICKUP TRUCK:

1. Authorization to execute title and license tag documents for an additional new 2008 Ford Ranger pickup truck purchased for the Tax Assessor's Office. A copy of the request, identified as "Attachment No. 2", follows these minutes and is made an official part hereof.

MUTUAL AID AGREEMENT BETWEEN PEACHTREE CITY POLICE DEPARTMENT AND FAYETTE COUNTY MARSHAL'S OFFICE:

2. Approval to enter into a Mutual Aid Agreement between the Peachtree City Police Department and the Fayette County Marshal's Office. A copy of the request and Agreement, identified as "Attachment No. 3", follow these minutes and are made an official part hereof.

PARKS AND RECREATION DEPARTMENT - WAL-MART DONATION:

3. Approval to accept a donation from Wal-Mart to the Parks and Recreation Department in the amount of $500 and to appropriate said donation to the Buildings and Structures Account. A copy of the request, identified as "Attachment No. 4", follows these minutes and is made an official part hereof.

PARKS AND RECREATION DEPARTMENT - WHITEWATER HIGH SCHOOL LaCROSSE TEAM DONATION:

4. Approval to accept a donation from the Whitewater High School LaCrosse Team and the Fayette County Football Association to the Parks and Recreation Department in the amount of $900 and to appropriate said donation to the Landscaping Account. A copy of the request, identified as "Attachment No. 5", follows these minutes and is made an official part hereof.

SHERIFF'S DEPARTMENT:

5. Authorization to dispose of two Sheriff's vehicles purchased with Federal Seizure Funds. A copy of the request, identified as "Attachment No. 6", follows these minutes and is made an official part hereof.

The following verbiage was added to this request "and authorize the use of said proceeds to acquire one replacement vehicle."

TAX REFUND REQUESTS APPROVED:

6. Approval of the disposition of tax refund requests as presented. A copy of the request and list of tax refund requests, identified as "Attachment No. 7", follow these minutes and are made an official part hereof.

BID AWARD #646 FOR WATER DISTRIBUTION PARTS:

7. Approval of staff's recommendation to award Bid #646 for Water Distribution Parts to the five lowest bidders. A copy of the request, identified as "Attachment No. 8", follows these minutes and is made an official part hereof.

BID AWARD #647 FOR KIWANIS PARK RESTROOM FACILITY:

8. Approval to award Bid #647 for Kiwanis Park Restroom Facility to Lichty Commercial Construction, Inc. in the amount of $71,500. A copy of the request, identified as "Attachment No. 9", follows these minutes and is made an official part hereof.

BID AWARD #649 FOR PRINTING OF WATER BILL FORMS AND ENVELOPES:

9. Approval of staff's recommendation to award Bid #649 for the printing of water bill forms and envelopes to the two lowest bidders, H.B. Solutions, and IF IT'S PRINTED, in the total amount of $20,599.78. A copy of the request, identified as "Attachment No. 10", follows these minutes and is made an official part hereof.

BID AWARD #650 FOR THE REBUILDING OF THE LAKE KEDRON BOAT DOCK:

10. Approval of staff's recommendation to award Bid #650 for the rebuilding of the Lake Kedron boat dock to the low bidder, Massana Construction, in the amount of $49,787. A copy of the request, identified as "Attachment No. 11", follows these minutes and is made an official part hereof.

BID AWARDED FOR ADDITIONAL PARKING AT HORTON CREEK PARK:

11. Approval of staff's recommendation to award bid for additional parking at Horton Creek Park to the low bidder, Jimco Construction, in the amount of $31,047.50. A copy of the request, identified as "Attachment No. 12", follows these minutes and is made an official part hereof.

WATER SYSTEM - AGREEMENT WITH D.O.T. FOR WATERLINE RELOCATION:

12. Approval of staff's recommendation that the County enter into an agreement with the Georgia Department of Transportation for the relocation of the County's waterlines located within a portion of the Highway 74 South project area at a cost to the Fayette County Water System of $383,085. A copy of the request and Agreement, identified as "Attachment No. 13", follow these minutes and are made an official part hereof.

LIBRARY - WAL-MART DONATION:

13. Approval to accept a donation from Wal-Mart to the Library in the amount of $1,000 and to appropriate said donation to the Books and Magazines Account. A copy of the request, identified as "Attachment No. 14", follows these minutes and is made an official part hereof.

COMMUNICATIONS - NICE CRS SOLUTION MAINTENANCE AGREEMENT:

14. Consideration of the NICE CRS Solution Maintenance Agreement in the amount of $23,319.48 for the term March 1, 2008 through February 28, 2009 for E-911 Communications and authorization for the Chairman to execute said Agreement. A copy of the request and Agreement, identified as "Attachment No. 15", follow these minutes and are made an official part hereof.

SHERIFF'S DEPARTMENT:

15. Approval of staff's recommendation for authorization to sign documents and complete acquisition of a vehicle for the Sheriff's Department. A copy of the request, identified as "Attachment No. 16", follows these minutes and is made an official part hereof.

MINUTES:

16. Approval of minutes for Board of Commissioners' meetings held on February 14, 2008 and February 28, 2008.

OLD BUSINESS:

C. Consideration of the Water Committee's recommendation to comply with the modified Department of Natural Resources Environmental Protection Division Order and to allow water restrictions as recommended under the State's permit, effective April 1, 2008.

Water System Director Tony Parrott remarked that Dr. Carol Couch, the Director of the Environmental Protection Division Department of Natural Resources, has modified the drinking water permits so that the amount of available water could be increased to water customers starting April 1st using an average for April through September, 2007. He said Fayette County would still have to be 10% below this amount but there would be more water available. He said by modifying the permit it means that swimming pools can be filled and each household could water for twenty-five minutes using a hose with a nozzle that stops when released. He further remarked that newly installed landscaping that was in place for less than thirty days may be watered up to three days per week on the odd/even system between midnight and 10:00 a.m. provided that the person watering takes the on line outdoor water use registration program that would be available through the Urban Agriculture Council at www.urbanagcouncil.com . He said with Fayette County's current water usage, the County would have more than 300 days available using the 10.5 million gallons per day. He said Fayette County had sufficient water supplies to go with the restrictions. He said it was the Water Committee's recommendation to change the outside watering restrictions to match what the State of Georgia had approved.

Chairman Smith felt the Board would continue to want a confirmation from Mr. Parrott and the Water Committee that there would continue to be an effort to monitor the County's position so that the increased demand would not reduce the County's supply and render it in a poor position. He said the Board would want some assurance from Mr. Parrott that he would continue to modify the County's water levels and keep the Board posted at least as frequently as the Water Committee meets and more often if there was a turn toward the negative.

Mr. Parrott said he would keep the Board updated through the Water Committee reports.

Commissioner Maxwell made a motion and Commissioner Frady seconded the motion that the County follow the recommendation of the Water Committee for watering restrictions effective April 1 through the end of September and that the Board receive continual updates from the Water Committee regarding this situation, discussion followed.

Chairman Smith asked if anyone in the audience wished to comment on this issue.

Tim Thoms, 625 McBride Road, Fayetteville said he appreciated the Water System making the recommendation to go along with the Governor's guidelines. He encouraged the Board to look at incentives from other areas instead of saying that outdoor watering was banned in order to save the 10% water usage. He said there was an economic impact as a result of the drought and watering restrictions and the green industry was suffering terribly. He said this would also have an overlap effect on other businesses in the County. He asked that the Board consider the totality of the effort that needed to be done and encouraged the Board to look at studying a way to take this further. He said there was a large usage of water by the schools as well as commercial businesses and there were going to be additional enforcement actions if they did not meet the goals.

Eleanor Sanderson, 225 Compton Drive, Fayetteville remarked that she came from a long line of gardeners and gardening was a very important part of her life. She said it did something to her soul to have to sit and watch her garden die because of no outside watering. She said she did accept the water committee recommendations for outside watering and would abide by those.

Mikey Harp, 1692 Highway 92 South, Fayetteville said Harp Farms had approximately 25 acres of production and out of that acreage there was only two acres that he did not recapture the water on. He remarked that he recaptures 90% of the water that was used on his nursery. He said his business obtains water from wells and also from rainwater and he had been doing this since 1988.

Chairman smith called for the vote. The motion carried 5-0. A copy of the request and the Department of Natural Resources Environmental Protection Division's Order, identified as "Attachment No. 17", follow these minutes and are made an official part hereof.

ADMINISTRATOR'S REPORT:

LANDSCAPING AT THE OLD COURTHOUSE: Interim County Administrator Jack Krakeel updated the Board on landscaping at the Old Courthouse. He said a committee had been formed consisting of members of the green industry, Chamber of Commerce, Cooperative Extension Service, Water System and other individuals to develop a plan that would be geared toward conservation measures and educational opportunities that could be showcased at the courthouse pertaining to citizens achieving water conservation as well as retaining the aesthetic value of their properties. He said the committee would be bringing forth a plan in the near future.

ATTORNEY'S REPORT:

CONTRACT FOR BID AWARD NO. 642A FOR CONSTRUCTION OF A STEEL STORAGE BUILDING: County Attorney Scott Bennett remarked that the County had made an award for Bid No. 642A for the construction of a prefabricated steel storage building at 115 McDonough Road in February. Attorney Bennett asked for the Board's consideration to authorize the Chairman to execute a contract for the construction of a steel storage building to Trammell-Horton Contracting, LLC in the amount of $53,000.

Commissioner Frady made a motion and Commissioner Horgan seconded the motion to authorize the Chairman to execute a contract with Trammell-Horton Contracting, LLC for the construction of a steel storage building at 115 McDonough Road. The motion carried 5-0. A copy of the contract, identified as "Attachment No.18", follows these minutes and is made an official part hereof.

CONTRACT WITH DIVERSIFIED ADJUSTMENT SERVICE, INC. FOR EMS DEBT COLLECTION: County Attorney Scott Bennett asked for the Board's consideration to authorize the Chairman to execute a contract with Diversified Adjustment Service, Inc. for EMS debt collection.

Commissioner Horgan made a motion and Commissioner Pfeifer seconded the motion to authorize the Chairman to execute the contract with Diversified Adjustment Service, Inc. for EMS debt collection. The motion carried 5-0. A copy of the contract, identified as "Attachment No. 19", follows these minutes and is made an official part hereof.

STAFF REPORTS:

FLEXIBLE SPENDING ACCOUNT FOR EMPLOYEES: Human Resources Director Connie Boehnke commented on the issue of flexible spending account which would allow employees to pre-tax specific medical and drug prescription items that the Board had discussed at its March 5th meeting. She said the results of the survey were 116 responses with 64 in favor of the program and 52 opposed to the program. She noted that there would have to be 26 participants in this program in order for the County to break even. She said it was the Human Resources Department's recommendation that employees be provided with a flexible spending account administered through Colonial Insurance with no cost to the County. She said Colonial Insurance was being recommended because they met the County's needs and the County has a long standing relationship with Colonial in regard to other products. She said in addition, Colonial

Insurance waived some set up fees because of that relationship. She said staff had done some comparison shopping that included three other vendors and Colonial Insurance was staff's recommendation.

Commissioner Horgan made a motion and Commissioner Pfeifer seconded the motion to accept the Human Resources Director's recommendation to allow for a flexible spending account for Fayette County employees. The motion carried 5-0.

BOARD REPORTS:
None.

EXECUTIVE SESSION: Interim County Administrator Jack Krakeel requested an executive session to discuss one litigation matter.

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

Chairman smith called the meeting back to open session. He stated that the Board had discussed one litigation matter in Executive Session.

Commissioner Frady made a motion and Commissioner Horgan seconded the motion to authorize the Chairman to execute the Executive Session Affidavit affirming that one litigation matter was discussed in executive session. The motion carried 5-0. A copy of the Affidavit, identified as "Attachment No. 20", follows these minutes and is made an official part hereof.

ADJOURNMENT:
Commissioner Frady made a motion and Commissioner Horgan seconded the motion to adjourn the meeting at 9:30 p.m. The motion carried 5-0.

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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 27th day of March, 2008.

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Karen Morley, Chief Deputy Clerk