



Action Agenda

Board of Commissioners
January 7, 2009
5:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on January 7, 2009, at 5:00 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, County Administrator
Scott Bennett, County Attorney
Carol Chandler, Executive Assistant
Karen Morley, Chief Deputy Clerk
Floyd Jones, Deputy Clerk

Call to Order, Invocation, and Pledge to the Flag

Chairman Smith called the Wednesday, January 7, 2009 Workshop Meeting to order at 5:00 p.m. Commissioner Lee Hearn gave the Invocation. Chairman Smith led the audience in the Pledge to the Flag.

Acceptance of Agenda.

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

ORGANIZATIONAL SESSION:

A. Election of Board Chairman for the year 2009.

Commissioner Maxwell moved that the Chairman Jack Smith continue to serve as Chairman of the Board of Commissioners for 2009. Commissioner Frady seconded the motion. Some discussion followed. The motion passed unanimously.

B. Election of Board Vice-Chairman for the year 2009.

Commissioner Maxwell moved to elect Commissioner Herb Frady to continue to serve as Vice-Chairman of the Board of Commissioners for 2009. Commissioner Horgan seconded the motion. No discussion followed. The motion passed unanimously.

CONSENT AGENDA:

Commissioner Horgan moved to approve Consent Agenda Items 1-13, and Commissioner Hearn seconded the motion. Commissioner Maxwell asked for Consent Agenda Items 10, 11 and 12 be removed from the Consent Agenda for discussion, and Commissioner Hearn requested Consent Agenda Item 13 be removed as well. Commissioner Horgan amended his motion to approve Consent Agenda Items 1-9, and was seconded by Commissioner Hearn. No further discussion followed. The motion passed unanimously.

1. **Approval of authorization to sign checks combining any of the following two signatures for transactions exceeding \$5,000: Chairman, Vice-Chairman, County Administrator.**
2. **Approval of authorization to sign checks for transactions \$4,999 or less: Chairman, Vice-Chairman, County Administrator.**
3. **Approval of the Chairman and Vice-Chairman to execute contracts, resolutions, agreements and other documents approved by the Board of Commissioners.**
4. **Approval of proposed meeting schedule for 2009.**
5. **Approval of Resolution Number 2009-01 appropriating funds necessary for the annual lease payment on the Jail expansion and Justice Center.**
6. **Approval of Resolution Number 2009-02 renewing Resolution Number 90-07 which imposes a \$1.50 monthly "911" charge upon each exchange access facility subscribed to by telephone subscribers.**
7. **Approval of Resolution 2009-03 renewing Resolution Number 90-03A which imposes a \$1.00 monthly "911" wireless enhanced charge upon each exchange access facility subscribed to by telephone subscribers.**
8. **Approval of staff's recommendation that the travel reimbursement rate for 2009 be reduced from \$0.4794 to \$0.4510 per mile when privately-owned vehicles are used in lieu of county-owned vehicles for official county business.**
9. **Approval of staff's recommendation from Department of Fire and Emergency Services to award Bid #695 for Fire and EMS Protective Clothing to various vendors.**
10. **Approval of staff's request to increase the Library's Donations Revenue Account by \$1,000 and to increase the Office Supplies Expenditures Account by \$1,000, in order to account for the Fayetteville Rotary Club's \$1,000 donation to the Fayette County Public Library.**

11. **Approval of staff's recommendation to increase the Library's Donations Revenue Account by \$5,000 and to increase the Other Supplies Expenditures Account by \$1,000 and the Computer Software Expenditure Account by \$4,000, in order to account for Mr. Royal Yates' \$5,000 donation to the Fayette County Public Library.**
12. **Approval of staff's recommendation to increase the Library's Donation Revenue Account by \$60 and to increase the Office Supplies Expenditures Account by \$60, in order to account for Ms. Shannon Campbell's \$60 donation to the Fayette County Public Library.**
13. **Approval of minutes for Board of Commissioners' meetings held on December 3, 2008, December 11, 2008, and December 16, 2008.**

Consent Agenda Items 10,11 and 12: Commissioner Maxwell stated he had asked for Consent Agenda Items 10, 11 and 12 to be removed from the Consent Agenda because he wanted a letter to be sent from the Board of Commissioners thanking those who donated to the Library. Commissioner Maxwell moved to approve Consent Agenda Items 10,11 and 12 and to send a letter on behalf of the Board of Commissioners thanking those who donated to the Library. Commissioner Frady seconded the motion. No discussion followed. The motion passed unanimously.

Consent Agenda Item 13: Chairman Smith stated that Commissioner Hearn was not on the Board of Commissioners during the dates the minutes were recorded, and that was the reason Consent Agenda Item 13 was removed. Chairman Smith then moved to approve Consent Agenda Item 13. Commissioner Frady seconded the motion. No discussion followed. The motion passed 4-0-1 with Commissioner Hearn abstaining from the vote.

OLD BUSINESS:

There were no Agenda Items for Old Business.

NEW BUSINESS:

- C. **Staff will present a demonstration to the Board on how an audio feature can be added to the County's website.**

Executive Assistant Carol Chandler, Information Systems Director Russell Prince and Chief Deputy Clerk Karen Morley gave a presentation and demonstration to the Board regarding new searchable audio features to be made available on the Fayette County website. Ms. Chandler informed the Board that staff would like to begin the initiative with the current meeting, and that the searchable audio features would be made available to the public within the same time frame as the Action Agenda. It was noted that by developing the software "in-house" by utilizing programs already available to the County, and by not purchasing a new software program, Fayette County saved approximately \$25,000 for the first year alone. The Board of Commissioners consented to allow this initiative to be placed into immediate effect, and thanked staff for saving the County money with this project.

D. Discussion of the Federal Neighborhood Stabilization Program designed to assist communities in lessening the impact of the nationwide foreclosure crisis.

Fayette County Administrator Jack Krakeel reported that Fayette County was informed by the Georgia Department of Community Affairs (DCA) shortly before the holidays about a federal grant program that is going to be administered through the Georgia Department of Community Affairs designed to assist local communities with respect to the foreclosure crisis that has been impacting communities across the County, and he gave further information about the federal grant program. Mr. Krakeel emphasized this was the first opportunity he has had available to present the information to the Board, but there is a very limited time to take, since applications for the grant are due to the DCA no later than January 15, 2009. He added that the Fayette County Board of Commissioners would be required to hold a public hearing that would need to be advertised five days in advance. Some discussion followed. The consensus of the Board was to authorize staff to begin the process of applying for the grant by advertising a public hearing on Wednesday, January 14, 2009.

ADMINISTRATOR'S REPORT

There was no Administrator's Report.

ATTORNEY'S REPORT

Sports Lighting Contract: Fayette County Attorney Scott Bennett reminded the Board that it previously awarded a bid to Ozburn Electric to install or repair lights at Kiwanis Park Field 7 and at McCurry Park Softball Field 3 at a total cost of \$179,856. He said the County had all the bonds, the insurance requirements had been satisfied, and the contract was ready for the Chairman's signature. Commissioner Horgan moved to authorize the Chairman to sign the contract with Ozburn Electric for \$179,856. Commissioner Hearn seconded the motion. No discussion followed. The motion passed unanimously.

Modification of the McIntosh Trail Community Service Board's Ground Lease Agreement: Fayette County Attorney Scott Bennett reminded the Board that it has previously approved a Ground Lease Agreement with McIntosh Trail Community Service Board that is doing business as Fayette Community Health. He said the attorney for the McIntosh Trail Community Service Board had not reviewed the agreement prior to the Board's approval, and he has asked for the Ground Lease Agreement to be modified with respect to insurance. He explained that the McIntosh Trail Community Service Board is a creation of the State and therefore they rely on State insurance for all of their property. He said the Board asked the McIntosh Trail Community Service Board to list the County as insured under their insurance policy, but their attorney has replied that the request cannot be granted under State policy and asked if the Board would allow for the grounds to be insured as leasehold interest and the County would maintain the ground as owner. Mr. Bennett said he thought there was limited liability to the County since all construction, maintenance and responsibility were being turned over to the McIntosh Trail Community Service Board. He recommended approving the modification to Ground Lease Agreement since he did not believe there was much exposure to the County. Some discussion followed. Commissioner Frady moved to amend the Ground Lease Agreement as presented by the County Attorney, and Commissioner Horgan seconded the motion. No further discussion followed. The motion passed unanimously.

Personal Care Homes: Fayette County Attorney Scott Bennett reminded the Board that discussion took place during the December 3, 2008 Workshop Meeting regarding Personal Care Homes that were prompted by citizen complaints. He stated that research was conducted to determine what regulations can be imposed on Personal Care Homes to ensure that they are operating legitimately by providing needed service while preserving the residential character of the neighborhoods in which they are located. He described the research findings and how the County can utilize those findings to regulate Personal Care Homes. Some discussion occurred. Mr. Bennett said the next step he wanted to draft two ordinances, one for occupational tax and one for business license, before sending them to the Commissioners for their review and suggestions. He added that the County would be required to hold public hearings pertaining to the zoning aspects of the ordinance, and suggested that the Planning Commission may have ideas on this issue. The consensus of the Board was to draft the proposed ordinance changes in a legal format and distribute it to the Board for its review. Chairman Smith added that he wanted to hold off on public hearings in order to give the Board an opportunity to review the proposed regulations.

DEPARTMENT REPORTS

GDOT Recommendations for the FY 2010-2013 TIP: Director of Public Works Phil Mallon presented a document entitled *GDOT Recommendations for the FY 2010-2013 TIP* to the Board before explaining that the Georgia Department of Transportation (GDOT) recently completed a study that took over one year to complete in order to prioritize and evaluate projects throughout the entire state that are either sponsored by the GDOT or are receiving state funding. He said the GDOT sent comments to the Atlanta Regional Commission (ARC) approximately December 1, 2008 about what projects should remain high-priority, should be delayed, or should have funding cuts. He reported that the ARC compiled the information for all the counties in its jurisdiction and sent out a database memo on December 19, 2008 to its counties. He said the document that was presenting was a summarized version of the information provided by the ARC, and then briefly discussed the items on the document. He said a meeting would be held on January 12, 2009 with representatives from the ARC, the GDOT and other transportation agencies for the purpose of allowing Fayette County to express concern or to comment upon projects being delayed or on the project cuts. Commissioner Frady left the Workshop Meeting at approximately 6:05 p.m. during this report.

Request from GDOT and ARC: Director of Public Works Phil Mallon reported to the Board that due to the potential economic stimulus package being spoken of at the national level, Fayette County has been asked by both the Georgia Department of Transportation (GDOT) and the Atlanta Regional Commission (ARC) to identify transportation projects that it felt are "ready to go". Mr. Mallon stated that based on the memos received and based on phone call conversations it was his opinion that the GDOT has much more stringent criteria. He said that after reviewing the County's active projects he did not believe any of the five criteria the GDOT requires have been met, but he sent a letter to the GDOT stating that approximately 15 projects could meet the GDOT's criteria very quickly. He said the same information was sent to the ARC, but added that the ARC's request for projects was more open-ended than the GDOT's request. Some discussion followed.

GEMA Grant: Public Safety Director Allen McCullough reported that Public Safety received notification this week from the Georgia Emergency Management Agency (GEMA) that Fayette County Emergency Management Agency was awarded \$25,000 in a grant that the County applied for earlier to be used toward the purchase of additional severe weather warning sirens.

BOARD REPORTS

Welcome to Commissioner Lee Hearn: Commissioner Maxwell welcomed Commissioner Lee Hearn to the Board of Commissioners and stated he looked forward to working with Commissioner Hearn. Commissioner Hearn thanked Commissioner Maxwell for his comments.

Response to the Fayette County Board of Education: Commissioner Maxwell addressed the December 18, 2008 request received from the Board of Education concerning the Georgia Taxpayers Property Tax Relief Act. He said the Board of Education was requesting the issuance of additional tax bills to Fayette County taxpayers due to actions taken by the State of Georgia. He said this is not the Fayette County Board of Commissioners' problem, and that the problem would be handled in the State Legislature. He added that he spoke to Senator Ronnie Chance and Representative Matt Ramsey about this issue, and said they have assured him that the money would return to Fayette County since the Governor has put a temporary hold on the money. He further stated that he concurred with the quote attributed to Fayette County Administrator Jack Krakeel in a local paper reporting that the Board of Commissioners was not in a position to address the issue at this time and suggested a formal response be given to the Fayette County Board of Education. He suggested further that a letter be sent to the entire Fayette County delegation, Governor Sonny Perdue, Lt. Governor Casey Cagle and Speaker of the House Glenn Richardson stating Fayette County is opposed to the State keeping Fayette County's money. He explained that the Board of Commissioners, as well as the municipalities and the Board of Education are experiencing the same burdens imposed throughout the State. He added that someone "rang an alarm bell" and placed the burden on the Board of Commissioners to make a decision, but stressed that the Board was not in a position to make any decision at this time. The Board consented to Commissioner Maxwell's request. Chairman Smith gave a further explanation of the issue at hand.

STAFF REPORTS

There were no Staff Reports.

EXECUTIVE SESSION

There was no Executive Session.

ADJOURNMENT

Commissioner Hearn moved to adjourn the January 7, 2009 Wednesday Workshop Meeting and was seconded by Commissioner Horgan. Chairman Smith welcomed Commissioner Hearn to the Board of Commissioners. The motion passed 4-0 with Commissioner Frady not present for the vote.

The Wednesday, January 7, 2009 Board of Commissioners Workshop Meeting adjourned at 6:23 p.m.

Floyd L. Jones, Deputy Clerk