Minutes

Board of Commissioners
March 12, 2009
7:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on March 12, 2009, 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 Lee Hearn Robert Horgan Eric Maxwell
Staff Present:	Jack Krakeel, County Administrator Scott Bennett, County Attorney Carol Chandler, Executive Assistant Floyd Jones, Deputy Clerk

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Call to Order, Invocation, and Pledge of Allegiance

Chairman Smith called the March 12, 2009 Board of Commissioners meeting to order at 7:04 p.m.

Commissioner Hearn gave the Invocation.

Chairman Smith led the audience in the Pledge of Allegiance before he acknowledged that Boy Scout Troop 74 was in the audience and thanked them for their attendance.

Acceptance of Agenda

Commissioner Horgan moved to accept the agenda as published, and Commissioner Frady seconded the motion.

Chairman Smith asked that Consent Agenda Item 1 be removed from the Consent Agenda and placed under Old Business as Item B-2.

Commissioner Horgan amended his motion to accept the agenda as published and to move Consent Agenda Item 1 to Old Business as Item B-2. Commissioner Frady seconded the amended motion. The motion passed unanimously.

PRESENTATION/RECOGNITION:

A. Craig Gross, Cooperative Extension Coordinator for Fayette County Extension Services, will present information about their Master Gardeners Program and the various volunteer projects completed over the past year.

Fayette County Extension Service Coordinator Craig Gross and Master Gardener Liaison Sandy Edwards described the work involved to become a Certified Master Gardener and spoke about the projects, contributions and citizens' participation benefitting Fayette County before they introduced Fayette Master Gardener Association President Anne Foley to the Board.

President Foley introduced other Fayette County Master Gardeners and members of the Association's leadership team before presenting a reproduction of a "check" in the amount of $195,425.71 to the Board representing the value of benefit provided to Fayette County by the Master Gardeners in the last year.

Chairman Smith thanked the Fayette County Master Gardeners for all of their efforts on behalf of Fayette County, said their contribution was very significant, but added the most significant contribution was the sense of community that "comes from associating with each other and the beautification that happens in the County as a whole". He commented that every time they "dug in the soil" they would leave a lasting mark for generations to come to enable them to enjoy the fruits of their labors. He continued saying it was admirable that they took time to become Master Gardeners and even more admirable that they give back to the community on an ongoing basis. On behalf of the citizens of Fayette County, he thanked all of Fayette County's Master Gardeners for all their past contributions and future efforts. A copy of the request, identified as "Attachment 1", follows these minutes and is made an official part hereof.

PRESS RELEASE

Property Tax Assessment and Appeal: Chairman Smith announced that during this time of year and with the economy in the state it is in, Fayette County is receiving many questions about the assessment of property or market value of property as it apples to property tax bills or the calculation of property taxes. He stated that the Assessors Department, which is responsible for assessing and establishing the fair market value of real and personal property in Fayette County, has written a one-page summary of the process that is used to assess property, and how a citizen can appeal if there is a disagreement with the amount at which the property is assessed. He added that the summary would be posted to the County's website on Friday, March 13, 2009 and would also be distributed to newspapers in Fayette County as a public service announcement in order to provide information to Fayette County citizens. A copy of the press release, identified as "Attachment 2", follows these minutes and is made an official part hereof.

PUBLIC COMMENT

Alex Chandler: Mr. Alex Chandler, a resident of Fayette County, inquired whether or not the current meeting was the same as the public hearings advertised on road signs throughout Fayette County for the Comprehensive Transportation Plan Workshop. Public Works Director Phil Mallon informed Mr. Chandler that the Workshop had concluded at 6:00 p.m., just prior to the current Board of Commissioners meeting, but he added he would be happy to speak to Mr. Chandler about the Comprehensive Transportation Plan after the meeting.

Angela Hinton Fonda: Ms. Angela Hinton Fonda, a resident of Fayette County, thanked Fire Marshal David Scarbrough for all his work pertaining to a pending zip code change in portions of North Fayette County. She spoke about the problems associated with having out-of-county zip codes in Fayette County, and she asked the Board that "if any more zip codes could be brought into the fold" to let the people know how they could help in that effort.

CONSENT AGENDA:

Chairman Smith reminded the Board that Consent Agenda Item 1 was removed from the Consent Agenda and moved to Old Business. Commissioner Horgan moved to approve Consent Agenda Items 2-8. Commissioner Frady seconded the motion. The motion passed unanimously.

1. **Approval of staff's recommendation for the renaming of specified streets in North Fayette County as a result of a request from the US Postal Service. This item was last discussed at the March 4, 2009 Board of Commissioners Workshop.**

2. **Approval of staff's recommendation to renew the County's contract with Ceridian, the third party administrator for its Flexible Spending Plan employee benefit. A copy of the request, identified as "Attachment 3", follows these minutes and is made an official part hereof.**

3. **Approval of a request from the Sheriff's Department to amend the Overtime Budget Account for the Criminal Investigations Division by $8,003.39 for reimbursement of employees assigned to work with various Federal agencies. A copy of the request, identified as "Attachment 4", follows these minutes and is made an official part hereof.**

4. **Approval of staff's request for authorization to accept a Neighborhood Stabilization Program (NSP) Grant from the Georgia Department of Community Affairs. A copy of the request and Resolution 2009-06, identified as "Attachment 5", follow these minutes and are made an official part hereof.**

5. **Approval of staff's request that the radio tower located on county-owned property at 1464 Highway 92 North be declared surplus property and that staff be authorized to sell the tower, which would be dismantled and removed from the site. A copy of the request, identified as "Attachment 6", follows these minutes and is made an official part hereof.**

6. **Approval of staff's recommendation to award a bid to Mill Creek Environmental Services for preparation of a Corrective Action Plan for the Public Works fueling facility at a cost of $5,700. A copy of the request, identified as "Attachment 7", follows these minutes and is made an official part hereof.**

7. **Approval of staff's recommendation to accept the proposal from Eco-South, Inc. for Biological and Habitat Monitoring for the Lake McIntosh Reservoir Project for 2009, in an amount not to exceed $28,098. A copy of the request, identified as "Attachment 8", follows these minutes and is made an official part hereof.**

8. **Approval of February 26, 2009 Board of Commissioners minutes.**

OLD BUSINESS:

B-1. Consideration of a recommendation from the Retirement Study Committee to award the bid for managing the County's employee deferred compensation plan and defined contribution retirement plan to Mass Mutual/ Am. Ret. This item was last discussed during the March 4, 2009 Board of Commissioners Workshop meeting.

Public Safety Director Allen McCullough introduced the members of the Retirement Study Committee to the Board and informed the Board that the Committee had worked for approximately 22 months in order to comprehensively study Fayette County's retirement program. He said the Committee was charged to study both a defined benefit program as well as the existing defined contribution program, and the study included surveys and speaking to vendors. He said the Committee conducted its work as objectively as possible, and the quality of investments, knowledge, experience, depth of the proposing firms, fees and expenses, customer service and vender stability were studied. He affirmed that the unanimous recommendation of the Committee was to award management of the County's deferred compensation and defined contribution benefits to Mass Mutual/ Am. Ret.

Chairman Smith thanked the Committee for their diligence and acknowledged that its work had been a long and arduous process. He thanked each of the Committee members for all of the time and effort each of them spent on the process and said he respected the Committee's conclusions. He concluded that the Committee had "uncovered everything under every rock that could be possibly upturned".

Commissioner Maxwell moved to approve the recommendation from the Retirement Study Committee to award the bid for managing the County's employee deferred compensation plan and the defined contribution retirement plan to Mass Mutual/ Am. Ret. to become effective on July 1, 2009. Commissioner Horgan seconded the motion. The motion passed unanimously. A copy of the request, identified as "Attachment 9", follows these minutes and is made an official part hereof.

B-2. Approval of staff's recommendation for the renaming of specified streets in North Fayette County as a result of a request from the US Postal Service. This item was last discussed at the March 4, 2009 Board of Commissioners Workshop.

Fire Marshal Commander David Scarbrough informed the Board that after the staff's official recommendation had been published with the agenda one recommended street name was "cleared for use" resulting in a change to the published information. Commander Scarbrough then read a list of current street names and their recommended name changes to the Board. He asked for the Board to approve the proposed street names and make the effective date for the changes to take place on May 22, 2009 in order to coincide with the forthcoming zip code changes.

In response to the Board's questions, Commander Scarbrough explained that the changes were recommended since there are duplicate street names with identical or similar spelling or pronunciation in the County that could cause potential problems for law enforcement or fire and medical services. He said that during the week of May 22, Public Works personnel will replace the former street signs with new street signs, and that official notification of the changes will be sent to the property owners and 911 Communications.

Commissioner Maxwell asked if there are similar situations occurring in Fayette County. Commander Scarbrough replied that similar situations were occurring in Fayette County with Jonesboro and Senoia addresses. Commissioner Maxwell suggested that this issue be discussed at the next workshop meeting.

Commissioner Horgan moved to change the existing street names to the proposed street names as recommended, and for the changes to become effective on May 22, 2009. Commissioner Hearn seconded the motion.

Chairman Smith commented that this particular change had been driven by the homeowners in the area, and mentioned that over the course of many years the residents of the county in various areas, particularly North Fayette County, had approached prior Boards to change the zip codes in their area. He stated that even though past Boards had inquired of the Postal Service to make the changes nothing was done by the Postal Service so it took the efforts of the community in North Fayette County to communicate directly with the Postal Service before they would initiate the zip code changes. He commended the residents of North Fayette County for taking the time and effort to "get behind" something they wanted to do, and said it shows that there really is power in numbers of people. He thanked the residents for accomplishing something that the County has been historically unable to do.

The motion to change the existing street names to the proposed street names as recommended, and for the changes to become effective on May 22, 2009 passed unanimously. A copy of the request, identified as "Attachment 10", follows these minutes and is made an official part hereof.

NEW BUSINESS:

C. Consideration of the Water Committee's recommendation to award the bid for fencing at three mitigation sites to the low bidder Trammell-Horton Contracting, Inc., at a combined cost of $176,343.90.

Water System Director Tony Parrott said the County is continuing with its Lake McIntosh Project which includes the need for six wetland mitigation sites, and the bid under consideration is for a contract to fence in three of those sites. He explained that one of the remaining three sites would not need fencing and the other two sites were still being considered for fencing. He added that Trammell-Horton was the lowest bidder and the County had used Trammell-Horton previously with "good results". Mr. Parrott concluded by describing the type of fence that would be constructed at the three mitigation sites as well as the purpose for constructing the fences.

Commissioner Horgan moved to approve the Water Committee's recommendation to award the bid for fencing at three mitigation sites to the low bidder Trammell-Horton Contracting, Inc., at a combined cost of $176,343.90. Commissioner Maxwell seconded the motion. The motion passed unanimously. A copy of the request, identified as "Attachment 11", follows these minutes and is made an official part hereof.

ADMINISTRATOR'S REPORT

There was no Administrator's Report.

ATTORNEY'S REPORT

Whitworth Construction Company, Inc., Contract: County Attorney Scott Bennett reminded the Board that at its February 12, 2009 meeting it approved a bid to Whitworth Construction Company for construction of the 911 Center Expansion for $611,037. He said he had the contract and reviewed it, that all the bonds and insurance were present, and it was ready for the Chairman's signature.

Commissioner Maxwell moved to authorize the Chairman to sign a contract with Whitworth Construction Company, Inc., in the amount of $611,037, for the renovation and modification of the 911 Center. Commissioner Horgan seconded the motion.

Commissioner Maxwell noted that the money used for the 911 Center Expansion was expended from a particular fund that is designated and restricted for that particular purpose. Chairman Smith agreed and explained that the 911 Center Expansion is a joint effort between Fayette County and its municipalities. He continued saying that funding for the 911 Center's Expansion are derived from the 911 fees that are included on land-line and cell phone bills and from contributions from the municipal governments. He added that since the funding is designated for 911 use it is restricted only to be used for 911 purposes, meaning, even if the County chose not to have a 911 Center Expansion, property taxes would remain unaffected.

The motion to authorize the Chairman to sign a contract with Whitworth Construction Company, Inc., in the amount of $611,037, for the renovation and modification of the 911 Center passed unanimously. A copy of the Whitworth Construction Company contract, identified as "Attachment 12", follows these minutes and is made an official part hereof.

STAFF REPORTS

Resolution 2009-07: Water System Director Tony Parrott asked for the Board's approval for the Chairman to sign a resolution giving the County authority to apply for reimbursement of some funds that were expended on testing at First Manassas Mile Landfill, and added that Fayette County could expect to be reimbursed approximately $8,500. Mr. Parrott concluded that the County had already expended funds on the testing so any reimbursement Fayette County received would only benefit the County.

Commissioner Frady moved to authorize the Chairman to sign Resolution 2009-07, giving the County approval to apply for reimbursement of funds expended for testing at First Manassas Mile Landfill, as recommended. Commissioner Horgan seconded the motion. The motion passed unanimously. A copy of Resolution 2009-07, identified as "Attachment 13", follows these minutes and is made an official part hereof.

Request to Pave Sims Road: Public Works Director Phil Mallon stated that Public Works has received a request to pave Sims Road, that the request has been processed, and that the citizens who submitted the request represent more than 80% of the road's length. He explained that in accordance with adopted policy, the Engineering Department will conduct a preliminary layout and cost estimate to bring to the Board for consideration in order to determine whether or not to proceed with the request.

Comprehensive Transportation Plan Workshop: Public Works Director Phil Mallon announced that the County has completed the four-day Comprehensive Transportation Plan Workshop. He stated that the workshop "went very well", that the citizens gave good input on the subject, and that he appreciated the time given by the Board members, elected municipal leaders from Peachtree City, Fayetteville and Tyrone, and key staff. He said a memo would be drafted detailing some of the key components or issues facing the Comprehensive Transportation Plan for the Board's consideration. He informed the Board that the Consultant Team would be requested to come to the April 1, 2009 Board of Commissioners Workshop to provide further updates and discussion on the issue. He concluded that another public meeting would be held on Tuesday, March 17, 2009 in Peachtree City before he asked citizens to visit the Comprehensive Transportation link on the County's website in order to take an on-line survey.

Cancellation of the March 26, 2009 Board of Commissioners Meeting: Executive Assistant Carol Chandler announced that the next scheduled Board of Commissioners meeting was scheduled for March 26, 2009, but no agenda items had been submitted at the close of the deadline for submitting items to the agenda. She suggested that the Board may wish to cancel the March 26, 2009 Board of Commissioners meeting.

Commissioner Hearn moved to cancel the March 26, 2009 Board of Commissioners meeting for lack of agenda items. Commissioner Frady seconded the motion. The motion passed unanimously.

BOARD REPORT

There was no Board Report.

EXECUTIVE SESSION

There was no Executive Session

ADJOURNMENT

Commissioner Hearn moved to adjourn the March 12, 2009 Board of Commissioners meeting. Commissioner Horgan seconded the motion. The motion passed unanimously.

The March 12, 2009 Board of Commissioners meeting adjourned at 7:47 p.m.

Floyd L. Jones, 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 9th day of April 2009.

Floyd L. Jones, Deputy Clerk