Minutes

Board of Commissioners
March 11, 2010
7:00 P.M.

Notice: A complete audio recording of this meeting can be heard by accessing Fayette County's Website at www.fayettecountyga.gov. Click on "Board of Commissioners", then "County Commission Meetings", and follow the instructions. The entire meeting or a single topic can be heard.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on Thursday, March 11, 2010, 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 Karen Morley, Chief Deputy Clerk

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Chairman Smith called the meeting to order.
Commissioner Hearn offered the Invocation.
Pledge of Allegiance.

ACCEPTANCE OF AGENDA: Commissioner Horgan made a motion to accept the agenda as presented. Commissioner Hearn seconded the motion. The motion carried 5-0.

Chairman Smith recognized the members of Scout Troop #74 and remarked that these scouts were working on their community badge.

PRESENTATION/RECOGNITION:

A. PRESENTATION OF A PROCLAMATION TO "KEEP FAYETTE FIRST!" BY PARTNERING WITH THE U.S. CENSUS BUREAU TO HELP ENSURE A FULL AND ACCURATE COUNT IN 2010:

Chairman Smith read the Proclamation to "Keep Fayette First" and presented this to members of the Complete Count Committee Phyllis Blake of the Fayette County Chapter of the NAACP, Ruby Edwards of the Caribbean Society and Director of Community Development Pete Frisina and Assistant Director Tom Williams. A copy of the request and Proclamation, identified as "Attachment No. 1", follow these minutes and are made an official part hereof.

B. PRESENTATION OF A RESOLUTION RECOGNIZING MARCH 15 AS THE BIRTHDAY OF THE AMERICAN LEGION:

Chairman Smith read the Resolution recognizing March 15 as the birthday of the American Legion and presented this to the members of Post 105 and post 50. A copy of the request and Resolution, identified as "Attachment No. 2", follow these minutes and are made an official part hereof.

PUBLIC COMMENT:
There were none.

CONSENT AGENDA: Commissioner Horgan requested that item #4 be removed for further discussion. Commissioner Horgan made a motion to approve consent agenda items #1-8 with the exception of item #4 as presented. Commissioner Hearn seconded the motion. The motion carried 5-0.

ROAD DEPT - BID #729 AWARDED TO E.R. SNELL CONTRACTING, INC. AND C.W. MATTHEWS FOR ASPHALT:

1. Approval of staff's recommendation to award annual Bid #729 as a split award to E. R. Snell Contracting, Inc. and C.W. Matthews, Inc. as primary vendors and C. W. Matthews, Inc. and E. R. Snell Contracting, Inc. as secondary vendors for asphalt to be used in paving and resurfacing projects. A copy of the request and backup, identified as "Attachment No. 3", follow these minutes and are made an official part hereof.

ROAD DEPT - BID #734 AWARDED TO CURB SPECIALIST, INC. AND TRAMMELL-HORTON CONTRACTING LLC FOR MISCELLANEOUS CONCRETE WORK:

2. Approval of staff's recommendation to award Bid #734 to Curb Specialist, Inc. as the primary vendor and to Trammell-Horton Contracting LLC as the secondary vendor for an annual contract for miscellaneous concrete work to be used in various construction and road maintenance projects. A copy of the request and backup, identified as "Attachment No. 4", follow these minutes and are made an official part hereof.

ROAD DEPT - BID #735 AWARDED TO PEEK PAVEMENT MARKINGS LLC FOR ROADWAY STRIPING AND PAVEMENT MARKING:

3. Approval of staff's recommendation to award Bid #735 to Peek Pavement Markings LLC for an annual contract for roadway striping and pavement marking services to be used in various construction and road maintenance projects. A copy of the request and backup, identified as "Attachment No. 5", follow these minutes and are made an official part hereof.

SOLID WASTE - BID #736 FOR GRINDING VEGETATIVE DEBRIS TABLED:

4. Approval of staff's recommendation to award Bid #736 to Martin Edwards & Associates for grinding vegetative debris at the Fayette County Transfer Station, in the amount of $39,500 and a price per cubic yard of $1.20. A copy of the request and backup, identified as "Attachment No. 6", follow these minutes and are made an official part hereof.

Commissioner Horgan remarked that he had spoken with some of the companies who had been in this process of bidding for this debris and they had indicated that the County could do some things differently with this grinding contract. He said one company had indicated to him that they would do a one time grind and do a three year contract and not charge the County to grind anymore for three years and also pay the County $1.00 to $2.00 per ton that this company removes as well as provide the mulch for County citizens. He said another problem that he had been made aware of was that there are commercial companies coming into the landfill and having County employees load their trucks and

then taking that mulch and selling it to people for landscaping. He asked for the Board's consideration to table this item in order to look at other avenues for this process.

County Administrator Jack Krakeel remarked that the only comment that he had received from any other competitor with respect to this issue was that they could not compete at this pricing level. He said he explained to that competitor that by law the County was obligated to take the lowest bid and make that a recommendation to the Board of Commissioners. He stated if the Board wanted staff to pursue a different track in terms of looking at the potential sale of mulch, this could certainly be done. He said in prior years there had been discussions regarding the sale of mulch that met without much success in terms of a vendor willing to pay for excess mulch or acquire mulch from the County. He commented in regard to County employees loading mulch for commercial activity. He said the mulch was available for the citizens of Fayette County and this could certainly be monitored to make sure that did not occur. He said if the Board would like staff to look at alternatives and pursue other options, this could certainly be done.

Chairman Smith asked if the County had looked into purchasing a grinder and Mr. Krakeel replied yes and noted that the cost was substantial and the additional maintenance of the equipment would be significant.

Commissioner Maxwell asked if there was a time deadline on awarding this bid and if there would be any problem if the Board did not award it tonight and County Attorney Scott Bennett replied that he was not sure how long staff had made the bid available.

Commissioner Hearn said he would certainly be in favor of looking at other options if there was a vendor who could talk to the Board at the next workshop to give the Board some ideas on other ways that the County might be able to save money in handling this.

Commissioner Horgan said the one vendor that he had spoken with indicated to him that they could come in and grind the mulch, provide mulch for the citizens as well as pay the County for what they would haul off themselves. He said the vendor also indicated that this could be done at no cost to the County after the initial grind. He felt this was something that needed to be looked into, and Mr. Krakeel replied that staff would be glad to make those contacts and followup on this.

Chairman Smith said he had no objection to look into other methods, but he did not feel this was the time to do that. He said the County had gone through the bid process and had a low bid in hand and he felt by not awarding this bid it would be akin to throwing out the process and starting over which he felt was a dangerous precedent to set. He said he would prefer proceeding through the low bid award and then review alternate methods so the next time this comes up there would be other avenues to pursue.

Commissioner Frady remarked that there was a bid on the table and it was in good faith and he felt this Board needed to honor the bid.

Commissioner Frady made a motion to approve staff's recommendation to award Bid #736 to Martin Edwards & Associates for grinding vegetative debris at the Fayette County Transfer Station in the amount of $39,500. Chairman Smith seconded the motion. The motion failed 2-3 with Commissioners Maxwell, Horgan and Hearn voting in opposition.

Chairman Smith asked how the Board wanted to proceed in this matter.

Commissioner Horgan made a motion to table Bid #736 for grinding of vegetative debris at the Fayette County Transfer Station. Commissioner Hearn seconded the motion. The motion carried 3-2 with Chairman Smith and Commissioner Frady voting in opposition.

ROAD DEPT - INTERGOVERNMENTAL AGREEMENT WITH FAYETTEVILLE FOR RESURFACING OF BRANDON LANE AND HIGHVIEW TRACE:

5. Approval of staff's recommendation to enter into an intergovernmental agreement with Fayetteville for the resurfacing of Brandon Lane and Highview Trace. A copy of the request and backup, identified as "Attachment No. 7, follow these minutes and are made an official part hereof.

FINANCE DEPT - FY 2011 BUDGET CALENDAR AND BUDGET PARAMETERS APPROVED:

6. Approval of staff's recommendation for the FY 2011budget calendar and budget parameters. A copy of the request and backup, identified as "Attachment No. 8", follow these minutes and are made an official part hereof.

GIS COMMITTEE - CONTRACT APPROVED WITH KUCERA INTERNATIONAL, INCORPORATED FOR AERIAL ORTHOPHOTOGRAPHY:

7. Approval of staff's recommendation that the County enter into a contract with Kucera International, Incorporated for aerial orthophotography in the amount of $24,822. A copy of the request and backup, identified as "Attachment No. 9", follow these minutes and are made an official part hereof.

MINUTES:

8. Approval of minutes for Board of Commissioners' meeting held on February 25, 2010.

OLD BUSINESS:

C. CONSIDERATION OF STAFF'S RECOMMENDATION THAT THE COUNTY'S EMPLOYEE HEALTH BENEFIT BE CHANGED FROM A "FULLY INSURED" PLAN TO A "SELF-INSURED" PLAN:

Director of Human Resources Connie Boehnke remarked that Mr. Scott Burrell had presented the Board with an alternative to the current funding method at the March 3rd Workshop meeting as well as alternatives to the employee health plan and ancillary benefits. She asked if the Board had any questions regarding staff's recommendation.

Commissioner Hearn asked for assurances from the Human Resources staff that every employee would be treated openly and fairly and be guided through this process. Ms. Boehnke replied that she could assure him of that and remarked that the Human Resources Department had ample lead time to make this a great opportunity for employees to meet with any representative that they would like to.

Ms. Boehnke said staff's recommendation also included the County continuing to utilize the services of Scott Burrell of Pacific General Financial, changing ancillary services to Assurant and changing to a self-insured plan with Meritain Health.

Chairman Smith commended Ms. Boehnke and her staff and the outside consultants as well for the effort put forth in this recommendation to bring the Board to a point where there is comparable insurance coverage without having to suffer through a 23% insurance increase this year as well as the volatility that has been seen in the insurance market over the last several years. He said the increases of 17% to 20% per year was not something that the County could manage in a time when revenues were declining. He asked for the Board's consideration in this matter.

Commissioner Maxwell made a motion to convert the County's employee health insurance from a "fully insured" plan to a self-insured plan; to engage the services of Meritain Health as third party administrator for health, dental, vision and flexible spending accounts; to have employee life insurance, and short and long term disability benefits provided by Assurant; that Pacific General Financial and Scott Burrell continue to serve as the County's group benefits advisor; and that the Chairman be authorized to execute any and all documents necessary to effect these changes, including non-renewal notices to the current providers of these services, BC/BS and greater life. Commissioner Frady seconded the motion. The motion carried 5-0. A copy of the request and backup, identified as "Attachment No. 10", follow these minutes and are made an official part hereof.

County Administrator Jack Krakeel interjected that in addition to negating the 23% increase that was quoted to the County with respect to the fully insured plan, the projections were that the self-insured plan would at a minimum save the County approximately $383,000 over current expenditures, and the potential for saving the County up to $1.4 million.

NEW BUSINESS:

D. CONSIDERATION OF STAFF'S RECOMMENDATION TO ESTABLISH A PENSION COMMITTEE FOR THE QUARTERLY REVIEW OF FUND PERFORMANCE FOR THE COUNTY'S DEFINED CONTRIBUTION PLAN, 401A AND 457B RETIREMENT PLANS:

County Administrator Jack Krakeel remarked that consistent with the plan provider that the County has for its 401A and 457B Retirement Plans was the establishment of a pension committee that could monitor fund performance that make up these individual plans. He said the function of this committee would be to meet on a quarterly basis to review that fund performance. He said the objectives that guide the fund performance are actually developed by the plan provider. He said to his knowledge there had never been such a committee in Fayette County and he was asking for the Board's consideration to formally appoint a pension committee that could meet to review how these funds perform and then make recommendations should a fund be closed or a new fund brought in for the employees to consider investing in. He said the Board had already developed a sound and consistent policy and there was a formal policy on investment here in the County. He said the Board had already decided on a suitable investment provider as well as selecting the diversified investment options with varying objectives and risk return objectives. He remarked that the pension committee's purpose would primarily be one of monitoring and evaluating performance results of the individual funds that make up the portfolio of funds that are made available to employees in the 401A and 457B Plans. He said it was his recommendation to appoint the members as identified in the agenda request and specifically to appoint a member of the Board of Commissioners to the pension committee as well.

Chairman Smith asked Commissioner Frady if he would serve on this committee as representative of the Board of Commissioners. Commissioner Frady replied that he would be glad to serve on this committee. Commissioner Maxwell felt Vice Chairman Frady was going to do a good job being the Board's representative on this committee, but suggested a review of the Commissioner position annually or bi-annually or something of that nature might be a good idea.

Chairman Smith made a motion to approve the formation of a Pension Committee consisting of Board of Commissioners Vice Chairman Herb Frady, the County Administrator, Director of Human Resources, Director of the Water System, Public Safety Director and the Sheriff for a quarterly review of fund performance for the County's Defined Contribution Plan, 401A and 457B retirement plans. Commissioner Hearn seconded the motion. The motion carried 5-0. A copy of the request and backup, identified as "Attachment No. 11", follow these minutes and are made an official part hereof.

ADMINISTRATOR'S REPORT:
None.

ATTORNEY'S REPORT:
None.

STAFF REPORTS:
None.

BOARD REPORTS:
None.

EXECUTIVE SESSION:
None.

ADJOURNMENT: Hearing no further business to come before the Board, Chairman Smith adjourned the meeting at 7:40 p.m.

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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 25th day of March, 2010.

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Karen Morley, Chief Deputy Clerk