



## *Minutes*

Budget Workshop  
Thursday, May 23, 2013  
5:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met on May 23, 2013 at 5:00 p.m. at the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

**Commissioners Present:**

Steve Brown, Chairman  
Charles Oddo, Vice Chairman  
David Barlow  
Jesse McCarty  
Randy Ognio

**Staff Present:**

Steve Rapson, County Administrator  
Tameca P. White, Executive Assistant

---

### **1. Call To Order**

On Thursday, May 23, 2013, at approximately 5:06 p.m., the 2014 Budget Workshop meeting was called to order by Steve Brown, Chairman.

### **2. County Administrator Steve Rapson provided update regarding the 2014 budget.**

Mr. Rapson stated that this is a snap shot. He stated that this first workshop to talk about any questions. He stated that the Honorable Mr. Ballard, District Attorney, wanting to talk about his budget.

Mr. Rapson stated that the Board of Commissioners gave specific guidance and direction when starting the budget this year. Mr. Rapson reviewed those points in the PowerPoint presentation. During the presentation Mr. Rapson stated that the only change that he would like to propose is a change for property and casualty insurance. He stated that there were currently bids for property and casualty and it will be on the June agenda.

Mr. Rapson asked if there were any questions.

There were no questions.

Mr. Rapson stated that there is information on the dais regarding the district attorney's budget. The meeting was turned over to the district attorney.

A copy of the presentation, identified as "Attachment 1", follows these minutes and is made an official part hereof.

Mr. Scott Ballard, District Attorney thanked the board for hearing him out and support for the district attorney's office which recently was demonstrated by the board's attendance at the Law Enforcement banquet.

Mr. Ballard stated that funding is received not just from the counties, which are suffering but also from the state that is suffering, which the district attorney's office suffers doubly. He stated that he wanted to share the situation and ask for a little more money.

He stated that since 2008 his employees have not had a raise. He stated that the district attorney's office was receiving more from the counties prior to 2008 and since then, have been making do. He stated that they are broke and out of reserve. He stated that it caused him to think on how things can get better. He stated that it intensified when the health insurance needs went up by \$50,000. He stated that there are employees who receive state benefits that the counties pitch in and help pay. He stated that the state benefits went up \$50,000 and none of the counties were able to help pay it so the district attorney's office had to pay. He stated that this year he was hit with more health benefits and then the retirement cost went up substantially. He stated that the result of that leaves his office asking the County for about \$130,000 more than what has been recommended by staff to approve.

Mr. Ballard stated that the district attorney's office has started to think of ways they can become more self-sufficient. He stated that there is alternative that has not been utilized and that is what he wants to discuss. He stated that not only does the Federal government have a money laundering statute, but the state of Georgia does. He stated that it is tremendously underused.

Mr. Ballard explained money laundering and the money laundering statute. He stated that the district attorney's office has taught themselves how to use this and have been able to help Peachtree City with regards to gambling operations and seize some money. He stated that he doesn't know how much it will come to, but the district attorney's office will be able to keep around \$100,000-\$150,000 from that. He stated that he can envision a time where they might be able to finance most of their needs, to the extent where they can take the burden off tax payers and take the money instead from criminals. He stated that they want to be able to do more of this, but he needs to be able to have people who can become experts and learn the system to recognize these cases quickly.

Mr. Ballard stated that under the statute the default provision for what to do with the money is half of it plus cost goes to the law enforcement agency that was involved in the operations or if they are operating together they split the money and the other half goes to the state treasury. He stated that however the statute has a provision that says or however the judge shall order in

his disposition order. He stated that what he would like one day is for the County to fully fund the regular needs and in addition to that fund the unit that would be doing these forfeitures is allow each county that does that, a share in every forfeiture no matter which county it takes place in.

He referenced a handout and stated that the first figure is for basic needs of \$455,746. He stated that this is the figure that is already \$130,000 more than was given last year. He stated that what was recommended by staff is the same thing that they got last year. He stated that he realize that it is a significant raise, but he has described what burdens they are under that causes him to ask for that amount.

A copy of the handout, identified as "Attachment 2", follows these minutes and is made an official part hereof.

Mr. Ballard stated that the second figure is Fayette County's contribution to the staff needed to start up the full time unit, which is a prosecutor and investigator to work on these cases circuit wide.

Mr. Ballard stated that the third figure is a second idea that he has. He stated that the district attorney's office is working the best they can with the jail to make sure the jail cost is low as they can be. He stated that when someone has exceptional medical needs the district attorney's office tries to be in communication with the jail. He stated that he was thinking that if he had a prosecutor to do that circuit wide and devote full attention to anything to be done to decrease jail cost. He stated that what this means if funded the full amount, the \$455,000 and in addition to that the \$27,000 for the County's part in the jail reduction program, then the district attorney's office would use that jail reduction program in Fayette County.

Mr. Ballard stated that this is not the first time to have a program where they tried to give back money to the County. He stated that they also have the pre-trial diversion program which he has a check for \$13,000 which is this year's money from the pre-trial diversion program.

Mr. Steve Rapson stated that he would be in favor of funded the \$45,360 for the fund forfeiture staff, but if the district attorney chose to initiate that program Mr. Rapson would put the \$45,000 in revenue and \$45,00 expense and treat it as a grant so it would be a pass through. He stated that he thinks it is something viable that the County may want to look and it is up to Mr. Ballard whether he wants to initiate that unit without being fully funded. He stated that staff position is that the 324,480 would still be funded in the current budget.

Chairman Brown asked if the other counties are bringing in people; are the counties hiring them as employees; what is the arrangement.

Mr. Ballard replied that there are one or two private lawyers that specialize in recco actions and the counties are hiring the individuals, originally on a contingent fee basis and the Supreme Court and the legislative outlawed that practice for obvious reasons.

Mr. Ognio asked what other districts are doing this and what monies are they bringing in.

Mr. Ballard stated yes. He stated that he does not know the figures, but there were two or three forfeitures that were seven figures.

Mr. Ognio asked if there were any that were losing money at this.

Mr. Ballard stated that he did not know. He stated that this is a lot of trouble for the district attorneys and a lot of the districts were regretting ever getting involved in it. He stated that he thinks if the statue stays we have the ability to take this money from criminals we need to try.

Mr. Ognio stated that he does not disagree with that. He stated that he would like to see a list of districts that are doing this and see what the pros and cons financially have been.

Mr. Ballard stated that he could give a list in the next couple of days and provide it to Mr. Rapson.

Mr. Rapson asked if the other counties have agreed to the funding for their portion associated with the forfeiture unit.

Mr. Ballard stated not yet, but none of them have told him no yet.

Chairman Brown stated that there is time between budget hearings to look at it.

Mr. Ballard stated that he will see what he can find from other counties and see if they will share their funds and see if they are available if the board would like to ask questions.

Mr. Rapson referred back to the PowerPoint (slide 8) and continued the presentation. He concluded the presentation by thanking staff and the justice system for a tremendous job.

No action was taken.

### **3. Questions & Answers**

Chairman Brown asked if there were any questions or comments from the audience.

There were no questions or comments.

Chairman Brown asked if there were any questions from the board.

There were no questions.

### **4. Closing Comments**

Commissioner Oddo stated the budget was quite an accomplishment.

Commissioner Barlow offered "kudos" to the staff.

Chairman Brown stated that he and Commissioner McCarty have gone through this for two years and said that this could be done and we have shown that it can be done and bringing in

Mr. Rapson was the right recipe for making this happen. He continued by thanking the

department heads, the constitutional officers and all the board members have worked very, very hard in a matter of three or four months to start reforming things with the budget. He stated that it has worked exceedingly well. He stated that the board was set on stopping deficit

spending because from that point forward you are working from positive footing.

The Budget Workshop meeting was adjourned at approximately 5:38 p.m.

#### **5. Adjournment**

On motion from Commissioner Oddo, seconded by Commissioner McCarty and carried, the board unanimously approved to adjourn the May 23, 2013 Budget Workshop meeting.

---

Tameca P. White, Executive Assistant