

The Board of Commissioners of Fayette County, Georgia met in Official Session on January 3, 2001, at 3:30 p.m. in the public meeting room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

COMMISSIONERS PRESENT: Harold Bost
Greg Dunn
Herb Frady
A.G. VanLandingham
Linda Wells

STAFF MEMBERS PRESENT: Chris W. Cofty, County Administrator
Carol Chandler, Executive Assistant
William R. McNally, County Attorney
Karen Morley, Chief Deputy Clerk

Chairman Bost called the meeting to order, offered the Invocation and led the pledge to the Flag.

COMMISSIONER GREG DUNN ELECTED CHAIRMAN FOR 2001:

Chairman Bost thanked all of the members of the Board for the confidence that they had shown in him by electing him Chairman in 1999 and 2000. He said it had been a pleasure working with the Board in that capacity. He felt the Board had a good two years. He remarked finally the jail and new courthouse was moving forward and should be going out for bid some time this month and hopefully breaking ground by the Spring. He said the paperwork for the fire impact fees had gone to the State and hopefully would be approved shortly. He said this had taken the Board approximately a year and a half but this had been reached. He said he would like to report that in the unincorporated area in the year 1999 the building permits were down 10%. He remarked he had received the figures this morning and for the year 2000 as compared with 1999 the county was down 23.1%. He said he was very pleased with those figures. He said he wanted to thank the Board members again for the confidence shown in him as Chairman for the last two years. He said it was time for the county to move on to new ground by electing someone else as the Board Chairman. He said the floor was now open for nominations for someone other than himself.

On motion made by Commissioner Wells, seconded by Chairman Bost to nominate Commissioner Greg Dunn to serve as Chairman of the Fayette County Board of Commissioners for 2001, discussion followed.

Commissioner VanLandingham said he would like to nominate Commissioner Linda Wells to be Chairman for 2001.

Commissioner Wells said she would like to decline that nomination.
The motion carried 4-0-1 with Commissioner Frady abstaining from the vote.

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Commissioner Frady said he was abstaining not necessarily because of the individual but for the process. He said he felt the citizens should elect the Chairman.

COMMISSIONER LINDA WELLS ELECTED VICE CHAIR FOR 2001:

Commissioner Bost asked for nominations for Vice Chairman for 2001.

On motion made by Chairman Dunn, seconded by Commissioner Bost to nominate Commissioner Linda Wells to serve as Vice Chair of the Fayette County Board of Commissioners for 2001. The motion carried 5-0.

Chairman Dunn thanked the members of the Board who had voted for him and for their confidence in him. He said he understood Commissioner Frady's comments about voting for the Chairman. He stated he would commit to the Board that he would do everything that he could to continue to earn the confidence that the Board had shown him today. He said he also wanted to take the time to thank Harold Bost for what he had accomplished during the last two years. He said he used to sit out in the audience regularly as did Commissioner VanLandingham a few years back. He said they had observed things that they just did not like and they decided rather than sitting around complaining about them they ran for office themselves and are now sitting on the Board. He stated that Linda Wells, who had been a Commissioner before, had done the same thing and she decided that she needed to be on the Board too. He said Harold Bost and Herb Frady were on the Board and the Board changed on its outlook. He said Harold had led the Board the last two years with total honesty and had made this government open and honest to everyone who approached it. He said Harold had operated personally with 100% integrity. He said Harold had no hidden agendas and he did not allow the other members to have hidden agendas. He said in the two years that he himself had been on the Board he had never seen anyone get anything from this Board because of special interests. He felt the entire county owed Harold Bost a great deal of gratitude for being the one who set things in motion along those lines. He said he sincerely appreciated that and he also sincerely appreciated Harold's friendship.

Chairman Dunn said he was very happy that Linda Wells was the Vice Chair. He said that Linda was one of the most studied of people he knew. He said Linda picks up things very rapidly and very deeply and she also believes deeply in this county and what we stand for. He said he could also assure everyone that if Linda felt the Chairman was going in the wrong direction, he could guarantee that she would let him know immediately. He said no one could ask for anymore than that from a Vice Chair.

Chairman Dunn welcomed A.G. VanLandingham to the Board. He said he has know A.G. for a couple of years and it was good to have him on the Board. He felt A.G. was going to be an outstanding addition to this Board because he stood for the same things that the rest of the Board members did and also what they lived by. He said he appreciated A.G.'s presence here today.

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Chairman Dunn remarked that Herb Frady had just gotten sworn in for the third time. He said he appreciated the fact that Herb was on the Board too. He said Herb had been in office going on twelve years and he had never had a political opponent. He said Herb brings to the Board a tremendous background of knowledge and also he had served as Mayor of Peachtree City in the past. He said Herb brings the understanding of city government to the Board that the rest of the members had not taken part in. He said Herb Frady was a very valuable member of this organization. He said the Board appreciated him running and winning again.

Chairman Dunn further remarked that it had occurred to him that the Board was not without some controversies in the county today. He said as this Board assumed its new job, it was in a conflict with some of the other governments regarding some very serious issues. He said among these issues were tax equity, impact fees, treatment of municipal court prisoners, zoning at each border, development at each border, annexation and growth in general. He said these were all issues that the Board had constant dealings with the cities on and some of these had turned into very serious and heated debates. He said the Board had to get through all of these issues and at the same time all of the governments had to work on the external factors that affect Fayette County such as G.R.T.A., A.R.C., D.C.A. and the E.P.A. He said the governments were having a little bit of a rough time right now getting through some of the issues. He said the county would have to work with all of the other governments in order to get through this. He said this Board understands what needs to be done. He said the Board members also understand their responsibility to the citizens of Fayette County whether they live in the cities or the county. He said this Board had responsibilities, duties and authorities that the Board must fulfill. He said this was unlike the cities who must focus on their boundaries. He said this Board must focus on what was inside their boundaries and what was outside their boundaries. He said because the county and the cities disagree at times he said he did not want any of the citizens to think that the Board was turning its back or forgetting that the Board has responsibilities toward them. He said sometimes the Board was in conflict with good people who have opposing points of view. He said the Board needed to work through those and it would work through them. He said the cities and counties have different responsibilities and capabilities and different goals and objectives. He said when good and talented people are involved in those sets that are slightly different, there would occasionally be times when the solutions were viewed differently. He said he felt that the Board needed to really concentrate on doing certain things to get through it and one of the things that he would ask would be to work very hard on totally eliminating sarcasm from the debate, totally eliminating hyperbole from the debate, totally eliminating ad hominem attacks from the debate and totally eliminating the purely political pandering that sometimes associates with these kinds of things. He said it might be that their governments and the county would not come up with agreements that everyone could live with. He said it might be that a mediator or some other type of intervention would be necessary. He said that would be alright as long as it was done professionally and without a lot of hostility. He said the system was based on people resolving differences. He said when everything was all over everyone should still be friendly,

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respectful colleagues with differences of opinion. He said there should be no threats because those are for enemies and the Board did not have any. He asked everyone to understand this. He said he was not here to demean anybody else but he also was not here to say that the Board would in any way back off from some of the positions that we have been in. He said he would also like to say that if the Board did not get through it right the problem was that everyone who had been charged with the responsibilities and accountability for the citizens of this county. He said he would commit to the Board members and the citizens of Fayette County that he did not want to put the goodness of Fayette County at risk and he would work very hard not to do anything by his actions or his words that would do that.

VERIZON WIRELESS APPROVED FOR FAYETTE COUNTY'S PAGING SERVICES:

Director of Information Systems Jay Wright remarked that an R.F.P. had been sent out in November, 2000 for paging services for the entire county. He said at that time it was not known if the constitutional officers and elected officials would participate or not. He said the Sheriff's Department who had the largest number of pagers had agreed to participate with the county on this contract. He said he believed the others would participate as well. He asked for the Board's consideration in awarding the contract for the county's paging services to Verizon Wireless. He said he would also like a directive from the Board that all of the county Departments, constitutional officers or elected officials who require paging services should obtain those services from this contract through the Information Systems Department.

Mr. Wright remarked that the primary reasons for choosing Verizon Wireless was firstly the price. He said they offered an unlimited number of pages which the other company did not do. He said everyone would be able to keep their current pager numbers. He said this could be consolidated in one deal. He said Verizon would provide spare pagers at cost and also would provide free batteries. He said software would also be provided that would allow the county to maintain and manage activations and exchanges of pagers. He said the billing issues were being worked on that he had expressed to the Board earlier. He said Verizon was willing to go ahead and activate on February 1st the pricings and after a ninety day period he would go back to Verizon and if the billing issues were not resolved the county would not sign a contract with Verizon. He said he would like to have the Board's permission to sign the contract at the end of the ninety day period if everyone was happy with the issues. He felt Verizon would clear those issues up. He said he would be glad to answer any questions the Board might have.

On motion made by Commissioner Wells, seconded by Commissioner Bost to approve Verizon Wireless as the provider of Fayette County's paging services and that a policy be put in place that all paging services be obtained from this contract, discussion followed.

Commissioner Wells said the reason she had made the motion was the fact that Verizon had recently replaced their representative to help resolve the service problems and related issues.

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She said if Verizon had not done that, she would not have been inclined to have given Verizon this contract. She said she felt the ninety day period was a good idea .

Mr. Wright said he had met with the representatives of Verizon yesterday afternoon and he felt comfortable about the contract. He said Verizon would start charging the new rates effective February 1st. He said a lot of people have the alphanumeric pagers who do not need them all of the time or any of the time. He said by simply switching to numeric pagers for those particular individuals would cut the monthly cost in half.

Commissioner VanLandingham asked if the ninety day period would start on February 1st and Mr. Wright replied yes.

Chairman Dunn remarked that he supported this 100%. He said it would save the county money and it also made a lot of sense. He congratulated Mr. Wright and Chris Cofty for looking into things like this in conjunction with the cell phone initiative was going to save the county thousands and thousands of dollars a year. He said he certainly appreciated them taking these kinds of initiatives.

The motion carried 5-0.

PART-TIME POSITION APPROVED FOR FAYETTE COUNTY SOLICITOR-GENERAL'S OFFICE:

Solicitor-General Steve Harris remarked he was present with a request that a position be created in his office for a control total operator. He said as his office continues to do the job that it has been doing a part time position would be necessary. He remarked in the past up until August 6, 2000 every time there was a moving traffic offense that came into court or any criminal offense that came into court he would have the Sheriff's Department run for him a criminal history and/or driving history depending upon the nature of the offense. He said every time someone had a criminal disposition of a case sent into the State of Georgia a record of that criminal disposition was maintained by the Georgia Criminal Information Center and there was a record of that criminal disposition. He said the Department of Public Safety maintains individual driving histories. He remarked that the State Court utilized a process whereby any time someone was convicted of an offense the punishment was decided on what was just for that individual. He said the worse the criminal history or the driving history the greater the punishment. He said this would determine what individuals deserved or did not deserve to be put in jail, how much the fine should be, and what the probation should be.

Mr. Harris remarked that on August 6, 2000 the Sheriff Department went through one of the audits as did the State Court later on and G.C.I.C. recommended as a result of the audit that the Sheriff's Department no longer run any histories for the Solicitor's Office. He said they do not view this as one county running the histories. He said they look at this as separate department, separate machines and separate responsibilities. He remarked that the use of

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these machines, which are connected to the G.C.I.C. and the Department of Public Safety, are completely controlled by them. He said as a result of that audit on August 6th, the Sheriff's Department quit running the histories. He said this was a necessity. He said since that point in time he had some funds available for contract professional assistance and he had been using that and employing an individual who had previously worked for the Sheriff's Department as a control terminal operator. He said that person had been coming in on a regular basis and run the histories. He said he had generally been limiting her use to pulling histories for the traffic court which was held twice a month. He said his office averaged somewhere in excess of 5,000 traffic cases per year. He said the control terminal operator runs those histories, pulls them together and organizes those for the traffic court calendar which was held twice per month. He said whenever there was an individual to where the disposition was required in court to bring that history in the paper did not speak for itself. He said legally he would have to have a representative to be able to take the stand and swear under oath. He said this came from a properly connected terminal and this was pulled by someone who was authorized to do so. He said he had to utilize that person in court on a regular basis. He said there were certain guidelines and security requirements for the G.C.I.C. records. He said if appropriate security failed to be provided and there was insensitive handling of these records it would result in anything from a misdemeanor to felony sentences for it. He said these sentences would not only apply to the person who was responsible for improper disclosure but would go all the way up to the department head which would be him. He remarked that by having this individual as a contract individual, the county would profit for not having to be responsible for certain things that would apply to employees. He said the nature of an independent contractor he could not control the method and manner and procedure that this person would use to perform their work and only request outcomes. He stated this was inappropriate and he would be the one who would end up suffering possible criminal penalties for an improper use. He said he preferred having an individual as an employee and working for him. He said this position was absolutely necessary. He said the space for the employee did not exist. He said his office had been divided into three sections. He said there was a conference room, his desk, and the G.C.I.C. terminal to the left of his desk and that was where this individual would sit and run the histories.

On motion made by Commissioner Wells, seconded by Commissioner Bost to approve the request from the Fayette County Solicitor-General Steve Harris for a part-time position, discussion followed.

Commissioner VanLandingham asked Mr. Harris when the G.C.I.C. had done the audit if they found that they should not be doing this or was it overloading the system.

Mr. Harris replied that it was not overloading the system. He said there was a terminal in his office where he was capable of doing it by having the equipment. He said this was not overloading the system or the personnel that the Sheriff's Department has. He said they require as far as the control of the material which was printed out criminal histories and driving

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histories. He said since the Sheriff's Department did not have control over his office or State Court, once the histories were run and produced to his office, there was no control after that. He said the G.C.I.C. office had determined that this was an inappropriate way to have that. He said at this time when the histories are run he keeps those in his files and use them in court and then eventually after the files are three years old, he would destroy those histories. He said these histories were maintained in his files and he had absolute control until the histories were destroyed. He said this was the audit problem that they had with the Sheriff's Department running the histories, getting a print out and then divorcing themselves of the ability to control what would happen to the histories.

The motion carried 5-0.

INCLEMENT WEATHER POLICY APPROVED:

Executive Assistant Carol Chandler remarked on the revised inclement weather policy that was before the Board. She said the county had a weather inclement policy for years and it was cumbersome and somewhat difficult to understand some portions. She said the revised policy streamlined and simplified the process and spells out to employees what they should do in the event of bad weather. She said it would also give more specific direction and defined essential employees and was a more clear and precise policy.

On motion made by Commissioner Bost, seconded by Commissioner Wells to approve the county's inclement weather policy, discussion followed.

Commissioner Wells said she liked the way this was done and felt it made the delineation of responsibility clearer and also directs employees and department heads where to go to get the information that they need.

The motion carried 5-0. A copy of the policy, identified as "Attachment No. 1", follows these minutes and is made an official part hereof.

CONSENT AGENDA: Commissioner Bost requested item no. 8 be removed for discussion.

On motion made by Commissioner Bost, seconded by Commissioner Wells to approve consent agenda item nos. 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, and 16 as presented. The motion carried 5-0.

CHECK SIGNING AUTHORIZATION: Approve authorization to sign checks combining any of the following two signatures for transactions exceeding \$5,000: Chairman, Vice Chairman, County Administrator.

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CHECK SIGNING AUTHORIZATION: Approve authorization to sign checks for transactions of \$4,999 or less; the County Administrator.

EXECUTION OF DOCUMENTS APPROVED: Approval of the Chairman and Vice Chairman to execute contracts, resolutions, agreements and other documents on behalf of the Board of Commissioners.

MEETING SCHEDULE FOR 2001: Approval of the proposed meeting schedule for 2001. A copy of the schedule, identified as "Attachment No. 2", follows these minutes and is made an official part hereof.

RESOLUTION NO. 2001-01: Approve Resolution No. 2001-01 to appropriate the funds necessary for the lease payment on the Stonewall Administrative Complex. A copy of Resolution No. 2001-01, identified as "Attachment No. 3", follows these minutes and is made an official part hereof.

RESOLUTION NO. 2001-02: Approve Resolution No. 2001-02 to appropriate funds necessary for the lease payment on the jail expansion and courthouse. A copy of Resolution No. 2001-02, identified as "Attachment No. 4", follows these minutes and is made an official part hereof.

RESOLUTION NO. 2001-03: Approve Resolution No. 2001-03, renewing Resolution 90-07 which imposes a \$1.50 monthly "911" charge upon each exchange access facility subscribed to by telephone subscribers. A copy of Resolution No. 2001-03, identified as "Attachment No. 5", follows these minutes and is made an official part hereof.

FLEET MAINTENANCE BID AWARD TO WADE FORD: Approval of recommendations from Fleet Maintenance to award bid to Wade Ford in the amount of \$20,532.60 for a Ford Crown Victoria; Wade Ford in the amount of \$29,129.55 for a Ford Expedition; Beaudry Ford in the amount of \$126,342.00 for 6 Ford F-150 Bi-Fuel vehicles; Brannen Ford in the amount of \$37,566.00 for 2 Ford F-250 XL vehicles; and Brannen Ford in the amount of \$43,674.00 for 2 Ford F-250 XL Crew Cabs.

Commissioner Bost said he had removed this item for discussion because he questioned why the Bi-Fuel vehicles were so expensive.

Commissioner VanLandingham interjected the \$126,342.00 figure was for six Bi-Fuel vehicles.

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On motion made by Commissioner Bost, seconded by Commissioner VanLandingham to approve consent agenda item no. 8 as presented. The motion carried 5-0.

FINANCE DEPARTMENT - BUDGET ADJUSTMENTS: Approval of request from the Finance Department recommending adjustments to the FY 2001 budget. A copy of the memorandum, identified as "Attachment No. 6", follows these minutes and is made an official part hereof.

SHERIFF'S OFFICE: Approval of request from the Sheriff's Office to transfer \$750.00 from the general budget fund to the Sheriff's Department category 130-5433 (Vehicle Repair Services).

WATER COMMITTEE RECOMMENDATIONS: Approval of Water Committee recommendations (a) to award the Highway 314 portion of the job to Steele & Associates for an increased amount of \$4,800 and then bid the Highway 138 portion of the job separately at a later date; (b) to offer all of the concrete pipe to the Peachtree City Police Department to use for their obstacle course; and (c) to donate an old broken fire hydrant to the Peachtree City Fire Department for training purposes.

REQUEST FOR PROPOSAL - ABOVE GROUND FUEL STORAGE TANK: Approval of request from the Chief Jack Krakeel to send out a request for proposal for installation of above ground fuel storage tank.

MALLET & ASSOCIATES - FIRE STATION CONSTRUCTION MANAGEMENT: Approval of request to enter into a contract with Mallet & Associates, Inc. for fire station construction management in the amount of \$63,440.00.

RECREATION DEPARTMENT - C & C FENCE COMPANY, INC. AWARDED BID: Approval of recommendation from the Recreation Department Director Mary Alice Lawrence to award bid to lowest bidder C&C Fence Company, Inc. in the amount of \$30,985.

MALLET & ASSOCIATES - ENVIRONMENTAL PROTECTION DEPARTMENT SURVEYS: Approval of Mallet & Associates for \$5,350 to provide the Environmental Protection Department with surveys of Northside and Southside landfills.

MINUTES APPROVED: Approval of minutes for Board of Commissioners' meeting held on December 6, 2000 and Special Called Meeting held on December 20, 2000.

PUBLIC COMMENT:

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Members of the public are allowed up to three minutes each to address the Board on issues of concern other than those items which are on this evening's agenda.

There was no public comment.

STAFF REPORTS:

EXECUTIVE SESSION: Attorney McNally requested an executive session to discuss one potential legal matter.

Commissioner Bost requested an executive session to discuss a personnel matter.

CAROL CHANDLER: Executive Assistant Carol Chandler remarked that Consulting Engineer Jim Mallett was ready to do a final presentation to the Board on the jail construction project. She asked for the Board consideration in determining a date for the presentation.

Consulting Engineer Jim Mallett remarked that the presentation would be ready after January 15th and he would be available any time after that date.

It was the consensus of the Board that the date for this presentation would be decided at a later date.

COMMISSIONER WELLS: Commissioner Wells and the Board briefly discussed a letter the Board had received from the City of Peachtree City that had been signed by the Mayor of Peachtree City, Mayor of Fayetteville and the Mayor Protem of Tyrone regarding the jail, municipal courts, fees charged as well as the operation. She said Commissioner Bost and Chairman Dunn had made draft responses to this letter. She said Commissioner Frady had also made some notations. She felt the Board had been attacked a lot lately and she wanted to discuss with the Board how it should respond to those types of letters. She said the letters seem to be coming much more frequently, many are very combative and some were just down right nasty. She said she really did not want the Board to get into a war of responding via the Chairman on behalf of the Board of Commissioners. She said she did not know if it would be appropriate for these letters to be presented as a work session item with the Board discussing its feelings about the letter and points to be included. She said she did not have a solution and she really was not comfortable with the way that these things were taking on a life of their own.

Commissioner Wells further remarked that some of these letters did not even deserve a response. She said the Board had said what it intended to say and she was not sure if this eternal exchange of letters between the Chairman and the Mayors were truly one indicative of what the entire Board of Commissioners feels and indicative of what all of their counsel members feel or if it was worthwhile.

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Commissioner Frady remarked on the tax equity issue. He said he felt this had nothing to do with House Bill 489 and it was not even mentioned in there the way the law was written. He felt they were trying to read something in there that did not exist. He said he did not feel that the Board needed to discuss anything about House Bill 489 and tax equity.

Commissioner Wells said she did not know if the Board needed to respond to every letter. She said if the Board was going to respond to every letter would this be something that would need to go on an agenda and address.

Commissioner Frady said he felt the Board should invite the counsel members to a Commission meeting to discuss this. He said he had called one of the counsel members regarding the last letter the Board had received and was informed that the letter had not been composed at a counsel meeting but the counsel member had read the letter.

Chairman Dunn remarked that the letter was public knowledge at this time. He said the media was in possession of the letter.

Commissioner Wells remarked that if Chairman Dunn or Commissioner Bost would respond on the Board's behalf then that becomes part of the public media process. She said that was fine but it really was not discussed at a Board meeting.

Commissioner Frady felt the letter the Board was discussing did not require any response. He said this was an ongoing process. He said he did not know where the individual who was breeding all of this information was coming from.

Chairman Dunn remarked that on the House Bill 489 issue the Board had already answered the cities and told them that the Board was not going to discuss the tax equity issue anymore in the context of House Bill 489. He said they had subsequently threatened litigation and the Board was not going to deal with that in any way. He stated there were new issues that were not related to House Bill 489. He commented on the most recent letter that was signed by two Mayors and a Mayor Protem. He said he had no problem with succinctly answering that letter as long as it was the position of the entire Board.

Commissioner Wells remarked there had been extensive dialogue at the Future's Committee meeting. She said she was not sure why a response was necessary because the Board had already stated its position. She said she would like the Board to develop some type of means of dealing with this onslaught of letters that seem to be coming about a number of issues of late. She asked what the Board's policy would be. She asked if it would be appropriate to place these items on the agenda for discussion or should the Board direct the Chairman to deal with this. She said Chairman Dunn was good about dealing with these things but she wanted to make sure that her input was included. She said she wanted the public to know that her input was included.

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Chairman Dunn said in the past the Board had all five members sign letters.

Commissioner Wells said there had also been letters in the past that she had refused to sign. She said she wanted an opportunity for the public to know why or why not she was signing or not signing something.

Commissioner Frady agreed. He commented that as long as the county was collecting the surcharge on the court fines that he had no problem with the farming out of prisoners. He said when that money was gone then arrangements would have to be made and everyone would have to pay.

Commissioner VanLandingham said he had read three or four letters during the last four weeks and the last one that had come from Peachtree City was the type that if it was answered then the Board would get another answer. He felt this would just keep going and the further it went the worse it would get. He felt it would be difficult for one person on the Board to write his feelings or Commissioner Bost's feelings and put them in the public as everyone endorsing them. He said for the Board to take an official position it would have to be careful and to write letters back and forth. He said partial letters would end up in the newspaper and that was going to be the thing that was not desirable. He felt it would not be the newspaper's fault but the people who wanted to get it in there might withhold some information. He felt the best thing to do would be to write back and let them know that the Board had received the letter and the Commissioners were aware of it and let it go at that. He felt for the Board to comment on what was said in the letter would just fuel the fire and he felt the Board would carry this battle for a long time. He said the Board members all agree as to the root of this problem and the root of the letters. He said the letters were not going away and he did not feel the Board should participate.

Commissioner Wells stated that the Board could bring up an individual letter on the agenda if it was something that the Board felt needed a response.

Chairman Dunn expressed concern with the strained communications and he did not feel the Board should make a decision to cut off communications. He said he agreed that one of the letters was so far out that the Board should not deal with it. He said the other letter did however address a specific issue, was signed by three Mayors and he felt they deserved the courtesy of a reply.

Commissioner Wells felt the Board had made its position fairly clear at the recent Future's meeting. She said it would be up to the Board but she did not know how far the Board should go.

Commissioner Frady said he always wanted to respond to the issues that the cities bring up or anyone else for that matter. He felt the Board had an obligation to do that. He said he did

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not have an obligation to do it every week or every month when the same question was asked over and over again. He felt when the Board fulfilled its responsibility it should be over and if not there were other avenues for everyone to take. He said the Board could not keep answering the same questions back and forth just because there was a new wrinkle in it.

Chairman Dunn agreed. He said in some of the letters that he had written back to the cities lately he had given them the final answer. He said the cities deserved to know where the Board was on an issue.

Commissioner Bost said the recent letter was nothing more than a recap of the Future's meeting. He said the Board's position had not changed. He said the Board had made it very plain and very clear at the Future's meeting as to what the Board's position was. He said as far as he was concerned there was no need to even answer this letter because all of the issues had already been answered at the Future's Committee meeting.

Commissioner Wells felt they just did not like the answer.

Commissioner Frady asked who was responsible for making up the agenda for the Future's Committee meeting. He felt the agenda for that meeting should be approved by everyone.

Commissioner Bost remarked that all of the municipalities in the county contribute to that agenda.

Commissioner Frady felt the issues involving House Bill 489 should not be on the Future's Committee meeting.

Chairman Dunn said he certainly did not want anyone leaving this meeting thinking that the Board was going to ignore input from the cities and would not listen to what they put down in writing.

Commissioner Wells said the Board did not have to keep responding to the same questions.

Commissioner Frady said if the letter was addressed to the Board then he would give them the benefit of the doubt this time and answer the letter very succinctly and let it go.

Commissioner VanLandingham felt if this issue came out of the Future's Committee meeting then it should go back there and answered at the next Future's Committee meeting.

Chairman Dunn remarked that in the Future's Committee meeting this issue had been debated and no agreement was reached. He said now something has been put in writing. He felt this would be the record of that discussion since there were no minutes taken at that

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meeting. He said their version was the only version that had survived that meeting. He felt the Board should in no uncertain terms tell them what the Board's position was and why.

Commissioner Frady expressed concern that there were no official minutes taken and said he would not sit in on an official meeting with minutes being taken.

Commissioner Wells said that was a valid concern. She said she would prefer that it be very succinct. She felt it would only be necessary from her point of view for the Board to say that it was in receipt of their letter, this was the Board's position on this and send it off to them.

Commissioner VanLandingham asked if there was already a letter in existence stating the Board's position.

Commissioner Wells replied no.

Commissioner VanLandingham said he would agree to state the Board's position in a letter so that everyone could read it and know.

Chairman Dunn said the problem was that there were groups of people who were sincerely dedicated to their positions and they all have different goals and objectives and they see the problems differently.

Commissioner Frady felt the Board needed to work with the cities as best it can. He felt the Board needed to give them direct answers.

Commissioner Wells said she would like to make a motion.

On motion made by Commissioner Wells, seconded by Commissioner Frady to direct Chairman Dunn to draft a letter to respond to the City of Peachtree City, Town of Tyrone and the City of Fayetteville's letter of December 14th stating the Board's position on this particular issue. The motion carried 5-0.

EXECUTIVE SESSION: On motion made by Commissioner Wells, seconded by Commissioner Frady to adjourn to executive session to discuss on potential legal matter and one personnel matter . The motion carried 5-0.

POTENTIAL LEGAL: Attorney McNally briefed the Board on a potential legal matter.

On motion made by Commissioner Frady, seconded by Commissioner VanLandingham to authorize staff to proceed as directed. The motion carried 5-0.

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On motion made by Chairman Dunn, seconded by Commissioner Wells to authorize Attorney McNally to answer any questions regarding this mater. The motion carried 5-0.

PERSONNEL: Staff was not present for this discussion. Commissioner Bost briefed the Board on a personnel matter.

The Board took no action on this matter.

EXECUTIVE SESSION AFFIDAVIT: On motion made by Commissioner Wells, seconded by Commissioner Bost to authorize the Chairman to executive the Executive Session Affidavit affirming that one potential legal item and one personnel matter were discussed in Executive Session. The motion carried 5-0. A copy of the Affidavit, identified as "Attachment No. 7", follows these minutes and is made an official part hereof.

There being no further business to come before the Board, Chairman Dunn adjourned the meeting at 5:05 p.m.

Karen Morley, Chief Deputy Clerk

Greg Dunn, 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 January, 2001.

Karen Morley, Chief Deputy Clerk