

The Board of Commissioners of Fayette County, Georgia met in Official Session on Wednesday, April 2, 2003, at 3:30 p.m. in the public meeting room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

COMMISSIONERS PRESENT: Greg Dunn, Chairman
Linda Wells, Vice Chair
Herb Frady
A.G. VanLandingham

COMMISSIONER ABSENT: Peter Pfeifer

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

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

PROCLAMATION FOR “NATIONAL PUBLIC SAFETY TELECOMMUNICATORS’ WEEK”:

Commissioner VanLandingham read and the Board presented a Proclamation to Chief Jack Krakeel, Director of Communications Cheryl Rogers, Assistant Peggy Glaze and the 911 Operators for “National Public Safety Telecommunicators’ Week” on April 13-19, 2003.

PROCLAMATION FOR “CONFEDERATE HISTORY AND HERITAGE MONTH”:

Chairman Dunn read and the Board presented a Proclamation to Scott Gilbert for “Confederate History and Heritage Month” in April, 2003.

CONSIDERATION OF A REQUEST BY ATLANTA GAS LIGHT FOR A TAX REFUND:

Chairman Dunn asked if anyone was present from Atlanta Gas Light to discuss this item.

There was no one present from Atlanta Gas Light to discuss this item.

CONSENT AGENDA: On motion made by Commissioner VanLandingham, seconded by Commissioner Frady to approve the consent agenda as presented. The motion carried 4-0. Commissioner Pfeifer was absent.

ANDY'S NURSERY & LANDSCAPING - AWARDED BID FOR BLUE MUDD FOOTBALL FIELD: Consideration of request from Purchasing Director Tim Jones to award bid to Andy's Nursery & Landscaping for work to be performed on the Blue Mudd Football Field at the McDonough Road complex in the amount of \$21,765.00. A copy of the memorandum, identified as "Attachment No. 1", follows these minutes and is made an official part hereof.

SOUTHSIDE MOTHERS OF TWINS - SIGN REQUEST: Approval of request from the Southside Mothers of Twins Club to place a sign on the old courthouse lawn from September 29th until October 11th to advertise their Fall Fund-raising Sale on October 11th. A copy of the request, identified as "Attachment No. 2", follows these minutes and is made an official part hereof.

SHERIFF'S DEPARTMENT - TRANSFER OF FUNDS: Approval of request from the Sheriff's Department to transfer insurance reimbursement in the amount of \$377.80 from the General Fund to Sheriff's Department-Criminal Investigation Division budget account code 10030321-522233. A copy of the request, identified as "Attachment No. 3", follows these minutes and is made an official part hereof.

BROOKE LEIGH ESTATES PHASE II, WILKINS FOREST ESTATES AND ASHLEY FOREST PHASE IV - STREET LIGHT DISTRICTS ACCEPTED: Consideration of request from the Engineering Department to accept Brooke Leigh Estates Phase II, Wilkins Forest Estates and Ashley Forest Phase IV as street light districts in Fayette County. A copy of the request, identified as "Attachment No. 4", follows these minutes and is made an official part hereof.

ARWOOD AUCTION COMPANY - AWARDED BID FOR COUNTY AUCTION: Ratification of Bid Award to Arwood Auction Company to provide auctioning services for the County auction to be held on April 19, 2003. A copy of the memorandum, identified as "Attachment No. 5", follows these minutes and is made an official part hereof.

PROPERTY TAX CREDIT - NORMER ADAMS: Consideration of recommendation to approve a request for a property tax credit for Normer Adams in the amount of \$770.83 for years 2000, 2001 and 2002. A copy of the request, identified as "Attachment No. 6", follows these minutes and is made an official part hereof.

PROPERTY TAX CREDIT - ALVIN AND DORIS TURNER: Consideration of recommendation to approve a request for a property tax credit for Alvin and Doris Turner in the amount of \$65.17 for years 2000, 2001 and 2002. A copy of the request,

identified as "Attachment No. 7", follows these minutes and is made an official part hereof.

PUBLIC COMMENT:

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

HARRIET HAZELTON: Harriet Hazelton, 4016 Timberlane Trail, Fayetteville appealed to the Board to save the old library building located near the new Judicial Complex on Jeff Davis Avenue. She said she understood that it was the county's intention to tear down this building down and place a berm there. She said she also understood that several agencies in the county had expressed an interest in this space because of overcrowding in their present agency. She said she too had a vested interest in this space. She said she would like the building to be used for the Physical and Environmental Health Department. She stated that she had retired last year from this agency where she had worked as a public health nurse for almost 23 years. She said it was near and dear to her heart. She remarked that her mother was the first public health nurse in Fayette County. She said more than 20,000 people were served in the Physical Health Department last year. She said the present space that was available was far inadequate for their needs. She pointed out that the Environmental Health space was even more crucial. She said in five minutes time she could not adequately convey to the Board all of the reasons that this agency needed more space. She said she realized that this old library building had been a drain financially to maintain. She said if the Health Department were to get it, they would hope to use the value of the land and the building to obtain a grant to remodel. She felt the land there was far more valuable to use for space than it would be for a berm. She said she also understood that the Board had been concerned about the cost of moving the mound of dirt located behind the new jail. She asked for the Board's consideration in using this building space for more than just a berm.

Ms. Hazelton further remarked that she realized that each Commissioner had promised the citizens a berm there to hide the new jail complex but in becoming elected officials, the Board had also promised the citizens to be fiscally responsible to the best use of county resources. She said she did not feel that the Board's decision to tear this building down and put a berm in would be the best use of the space. She asked that the Board reconsider its decision.

STAFF REPORTS:

RESOLUTION NO. 2003-05 APPROVED - COMMITTEE FORMED REGARDING H.I.P.A.A REGULATIONS: Attorney McNally asked for the Board's consideration in recognizing the Committee that had been formed that would be examining the policies

regarding H.I.P.A.A. He also asked for the Board's consideration in authorizing the Chairman to execute a Resolution approving the policies and procedures that had taken place in regard to the Health Insurance Portability and Accountability Act. He remarked that the membership of the compliance committee would include the County Administrator or his designee, all Division Directors or designee of each, the Finance Director, Deputy Chief of Fire and Emergency Services, the Human Resources Director, Representative of the Detention Facility, Representative of the County Attorney's Office and all Constitutional Officers or a designee of each. He noted that the compliance officers would be Deputy Chief Allen McCullough of Fire and Emergency Services and Human Resources Director Connie Boehnke.

On motion made by Commissioner Wells, seconded by Commissioner VanLandingham to recognize the committee formed that would examine policies regarding H.I.P.A.A. and authorize the Chairman to execute the Resolution approving the policies and procedures in place in regard to the Health Insurance Portability and Accountability Act. The motion carried 4-0. Commissioner Pfeifer was absent. A copy of Resolution No. 2003-05, identified as "Attachment No. 8", follows these minutes and is made an official part hereof.

ROBERT & COMPANY CONTRACT - RECREATION NEEDS ASSESSMENT: Attorney McNally asked for the Board's consideration in authorizing the Chairman to execute the Robert & Company Contract regarding the recreation needs assessment. He noted that the contract was in the amount of \$21,450.

On motion made by Commissioner Wells, seconded by Commissioner Frady to authorize the Chairman to execute the Robert & Company contract in the amount of \$21,450. The motion carried 4-0. Commissioner Pfeifer was absent. A copy of the contract, identified as "Attachment No. 9", follows these minutes and is made an official part hereof.

STATE GRANT FOR FIRE SERVICES: Attorney McNally asked for the Board's consideration in authorizing the Chairman to execute the State grant for fire services for a mobile educational trailer used for firefighting training in the amount of \$69,500. He said the county's match would be in the amount of \$6,950.

On motion made by Commissioner Wells, seconded by Commissioner VanLandingham to authorize the Chairman to execute the State Grant for fire services for a mobile educational trailer. The motion carried 4-0. Commissioner Pfeifer was absent. A copy of the Grant, identified as "Attachment No. 10", follows these minutes and is made an official part hereof.

EXECUTIVE SESSION: Attorney McNally requested an executive session to discuss four legal items.

Commissioner VanLandingham requested an executive session to discuss one legal item.

COMMISSIONER VANLANDINGHAM: Commissioner VanLandingham remarked that the budget hearings were fast approaching. He said in talking to staff, he had come to the conclusion that there needed to be some form of communication such as a letter for the directors. He said he would like to make a motion to have a letter drafted to Department Heads stating that no new positions or programs would be considered by the Board during the budget process. He said the letter would contain the Board's expectations of not expanding any programs, hiring any new people or increasing the budget outside of C.O.L.A. and merit raises. He expressed concern over the loss of employment in the community and the economic down turn. He felt it very presumptuous of the Board to ask the citizens to face another tax increase. He said in this way, staff would know that this was the wish of the Board from the very beginning of discussions.

Commissioner Wells asked Mr. Cofty if this would be helpful or had the word already gotten out on this issue.

Mr. Cofty replied that the biggest issue would be the issue of adding employees. He said there was some flexibility in terms of the budget to consider some other items. He remarked that from some of the requests that he was starting to receive, it would be fiscally tough for the county to meet those demands this year.

Commissioner Wells asked if a letter from the Board stating that there would be no increase in employees would be helpful.

Mr. Cofty replied yes that it would be helpful. He said it would save having to discuss this two and three times through the budget process.

Commissioner Wells interjected that a lot of people felt that their situation was unique and they would proceed in asking for it anyway because they felt the rules applied to everyone but them.

Commissioner VanLandingham said this letter would not eliminate people from informing staff of needs so that these needs would be known. He said it was just that the Board could not fund them this year and they would not go into the preliminary budget. He said the request could be made because the Board would want to know. He also said the Board would want them to know that it was a monetary response that the Board would be giving and something that must be done.

Commissioner Wells asked if the Chairman would draft the letter or would Mr. Cofty draft the letter for the Chairman's signature.

April 2, 2003

Page 6

Commissioner VanLandingham said either would be fine with him.

Chairman Dunn remarked that Mr. Cofty had already sent out approximately two months ago a budget guidance to Directors. He said the budgets had already been submitted. He said Mr. Cofty's guidance had referred to the issue of new personnel. He said staff had already been informed that it was going to be highly unlikely that they would get any new authorizations.

Mr. Cofty replied yes.

Chairman Dunn said one of the problems that he had with the motion, although he agreed that these were hard economic times for everyone, was an absolute policy that the Board could not do anything in the personnel arena or hire anybody regardless of the reason. He said this was something that he would shy away from because there might be something that could be accomplished without raising taxes. He said if the Board hired one person, it would not have to raise taxes. He said he agreed with the thrust of this 100%, he did not like wording that there would be absolutely no way to get a new person regardless of the justification.

Commissioner Wells asked if every department had already submitted a budget.

Mr. Cofty replied that all of the budgets were submitted with the exception of Development Authority and about six or seven others that were external agencies.

Chairman Dunn said he understood that many departments had already requested new personnel.

Commissioner Frady asked if some departments were already trying to submit supplemental budgets after they had submitted their original budgets.

Mr. Cofty said he could not respond to that. He said he had not had an opportunity to look at the budgets yet. He said he was supposed to get his first look at them this afternoon. He said basically what he was doing was looking at appropriations from last year versus requests from this year. He said he was interested in the percentage increase or decrease.

Chairman Dunn said he wanted to make it perfectly clear that he agreed with the thrust of what Mr. Cofty had said. He said when the Board goes through the budget, this would certainly be the mind set that the Board was going to have. He said the Board was not going to buy anything that it absolutely did not have to.

Commissioner Wells felt since the budgets were already submitted that this was a mute point.

April 2, 2003
Page 7

Commissioner VanLandingham felt it was not too late for his motion. He felt it would accomplish what he stated. He said the Board wanted to know the needs but when it came to the point of discussion, the Board would not belabor the fact that staff might want new personnel when the Board would not be able to hire anyone. He said staff might also want to increase programs and the Board would not be able to do this either.

Chairman Dunn asked if Mr. Cofty had communicated this to the staff as well as the external agencies.

Mr. Cofty replied yes and stated that he had copied the Board on the memorandum as well approximately two months ago.

Commissioner Frady felt some departments were submitting budgets with requests. He said it had already been spelled out to them that they should not do this because they were not going to be hiring anyone. He said this was his understanding. He said the Board had no intention of hiring anyone. He said with the state of the economy right now, it did not appear that the county would have enough money to go out and hire additional personnel. He said the funds were dwindling somewhat just as they had done last year.

Commissioner VanLandingham said he had less of a problem saying that no one would be hired on this budget cycle this year than he did last year when the Board put a hiring freeze in effect.

Chairman Dunn interjected that this was not a hiring freeze but a freeze on any new authorizations. He said the guidance was to hire for the empty positions. He said no new people were added last year.

Commissioner Frady remarked that last year the Board put a freeze on new positions.

Mr. Cofty remarked that staff's primary goal this year was to increase services by being more efficient especially in times of economic downturn and insuring that the county's current employees have a job and were insured that they would have a C.O.L.A. and a merit increase. He said staff had to look at creating efficiencies where it could and maybe bringing on any new positions would certainly help achieve that goal. He pointed out that some of the major companies throughout the Atlanta area were seeing significant cutbacks in employees. He remarked that just yesterday DeKalb County announced that it would be laying off 323 government workers. He said staff was trying to protect the current employees and provide better services for the citizens. He said these were first and foremost in the budget forecast.

Chairman Dunn asked if there was a second to Commissioner VanLandingham's motion. Hearing none, he remarked that the motion had died for lack of a second.

April 2, 2003
Page 8

Commissioner Frady said he did not mind sending this message but he was not really looking forward to hiring anyone under the current conditions.

Chairman Dunn said it was up to the Board to discipline the process.

EXECUTIVE SESSION: On motion made by Commissioner Wells, seconded by Commissioner VanLandingham to adjourn to executive session to discuss five legal items. The motion carried 4-0. Commissioner Pfeifer was absent.

LEGAL: Chief Jack Krakeel discussed a legal item with the Board.

The Board took no action on this matter.

LEGAL: Attorney McNally advised the Board on a legal matter.

The Board took no action on this matter.

LEGAL: Attorney McNally reported to the Board on a legal matter.

The Board took no action on this matter.

LEGAL: Attorney McNally advised the Board of a legal matter.

The Board took no action on this matter.

LEGAL: Commissioner VanLandingham reported to the Board on a legal matter.

The Board took no action on this matter.

EXECUTIVE SESSION AFFIDAVIT: On motion made by Commissioner Wells, seconded by Commissioner Frady to authorize the Chairman to execute the Executive Session Affidavit affirming that five legal items were discussed in executive session. The motion carried 4-0. Commissioner Pfeifer was absent. A copy of the Affidavit, identified as "Attachment No. 11", 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 5:15 p.m.

Karen Morley, Chief Deputy Clerk

Gregory M. Dunn, Chairman

April 2, 2003

Page 9

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 10th day of April, 2003.

Karen Morley, Chief Deputy Clerk