

The Board of Commissioners of Fayette County, Georgia met in Official Session on Thursday, January 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
Linda Wells
Herb Frady
A.G. VanLandingham

COMMISSIONER ABSENT: Peter Pfeifer

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

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

COMMISSIONER GREG DUNN RE-ELECTED BOARD CHAIRMAN FOR THE YEAR 2003:

On motion made by Commissioner VanLandingham, seconded by Commissioner Frady to nominate Commissioner Linda Wells as Chairman for the year 2003, discussion followed.

Commissioner Wells said she appreciated the nomination but at this point in time she would have to decline. She said she would like to nominate Commissioner Dunn to continue as Chairman.

On motion made by Commissioner Wells, seconded by Commissioner Dunn to nominate Commissioner Dunn to serve as Commission Chairman for the year 2003. The motion carried 3-1 with Commissioner Frady voting in opposition. Commissioner Pfeifer was absent.

COMMISSIONER LINDA WELLS RE-ELECTED AS BOARD VICE CHAIRMAN FOR THE YEAR 2003:

On motion made by Chairman Dunn, seconded by Commissioner VanLandingham to nominate Commissioner Linda Wells to serve as Commission Vice Chairman for the year 2003. The motion carried 4-0. Commissioner Pfeifer was absent.

CONSENT AGENDA: Commissioner Frady requested item no. 3 be removed for discussion. On motion made by Commissioner VanLandingham, seconded by Commissioner Wells to approve the consent agenda as presented with the exception of item no. 3. The motion carried 4-0. Commissioner Pfeifer was absent.

AUTHORIZATION TO SIGN CHECKS: Approve authorization to sign checks combining any of the following two signatures for transactions exceeding \$5,000: Chairman, Vice Chairman, County Administrator. A copy of the authorization, identified as "Attachment No. 1", follows these minutes and is made an official part hereof.

AUTHORIZATION TO SIGN CHECKS: Approve authorization to sign checks for transactions \$4,999 or less: Chairman, Vice Chairman, County Administrator. A copy of the authorization, identified as "Attachment No. 2", follows these minutes and is made an official part hereof.

AUTHORIZATION TO EXECUTE DOCUMENTS: Approval of the Chairman and Vice Chairman to execute contracts, resolutions, agreements and other documents on behalf of the Board of Commissioners. A copy of the authorization, identified as "Attachment No. 3", follows these minutes and is made an official part hereof.

Commissioner Frady questioned the wording "on behalf of". He felt it should read "as authorized by the Board of Commissioners".

Attorney McNally interjected that the term "on behalf of" was used to represent the Board. Commissioner Frady said he would like to make a motion using the term "as authorized by the Board of Commissioners".

On motion made by Commissioner Frady, seconded by Commissioner VanLandingham to use the wording "as authorized by the Board of Commissioners" instead of "on behalf of the Board of Commissioners". The motion carried 4-0. Commissioner Pfeifer was absent.

MEETING SCHEDULE FOR 2003: Approval of proposed meeting schedule for 2003. A copy of the meeting schedule for 2003, identified as "Attachment No. 4", follows these minutes and is made an official part hereof.

RESOLUTION NO. 2003-01: Approve Resolution No. 2003-01 to appropriate funds necessary for the lease payment on the jail expansion and courthouse. A copy of Resolution No. 2003-01, identified as "Attachment No. 5", follows these minutes and is made an official part hereof.

RESOLUTION NO. 2003-02: Approve Resolution No. 2003-02 renewing Resolution No. 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. 2003-02, identified as "Attachment No. 6", follows these minutes and is made an official part hereof.

RESOLUTION NO. 2003-03: Approve Resolution No. 2003-03 renewing Resolution adopted on March 25, 1999 which imposes a \$1.00 monthly "911" wireless enhanced charge upon each exchange access facility subscribed to by telephone subscribers. A copy of Resolution No. 2003-03, identified as "Attachment No. 7", follows these minutes and is made an official part hereof.

HOME SCHOOLER'S CONSIGNMENT - SIGN REQUEST: Approval of request from Home Schooler's Consignment to place a sign on the northwest corner of the Old Courthouse lawn from March 28, 2003 through April 5, 2003. A copy of the request, identified as "Attachment No. 8", follows these minutes and is made an official part hereof.

HERITAGE COMMITTEE - HISTORICAL MARKER FOR STARR'S MILL: Approval of request from the Heritage Committee to submit an application for a historical marker for Starr's Mill. A copy of the request, identified as "Attachment No. 9", follows these minutes and is made an official part hereof.

MALLET & ASSOCIATES - BID PROJECT FOR CONTROL VALVES AND EQUIPMENT FOR WATER PLANTS: Approval of request from the Water Committee to authorize Mallett & Associates to design and bid the project for control valves and additional equipment for the Water Plants. A copy of the request, identified as "Attachment No. 10", follows these minutes and is made an official part hereof.

RONNY JONES - BID AWARD FOR NEW HOPE ROAD WATERLINE EXTENSION: Approval of request from the Water Committee to accept the low bidder Ronny Jones in the amount of \$1,675,228.50 for the New Hope Road Waterline Extension. A copy of the request, identified as "Attachment No. 11", follows these minutes and is made an official part hereof.

JOANNE HOUSE - PROPERTY TAX REFUND APPROVED: Approval of recommendation to issue property tax refund to Ms. Joanne House in the amount of \$738.14. A copy of the recommendation, identified as "Attachment No. 12", follows these minutes and is made an official part hereof.

VERLEY TATE - PROPERTY TAX REFUND DENIED: Approval of recommendation to deny a request for a property tax refund by Verley Tate. A copy of the request, identified as "Attachment No. 13", follows these minutes and is made an official part hereof.

RICHARD SIMMS HOMES, INC. - PROPERTY TAX REFUND DENIED: Approval of recommendation to deny a request for a property tax refund by Richard Simms Homes, Inc. A copy of the request, identified as "Attachment No. 14", follows these minutes and is made an official part hereof.

SEALED AIR CORPORATION - PROPERTY TAX REFUND DENIED: Approval of recommendation to deny a request for a property tax refund by Sealed Air Corporation. A copy of the request, identified as "Attachment No. 15", follows these minutes and is made an official part hereof.

PROVIDENCE METHODIST CHURCH - SIGN REQUEST: Approval of request from the Providence United Methodist Church to place a sign on the old courthouse lawn from December 7, 2003 through December 14, 2003 to advertise a Christmas musical presentation. A copy of the request, identified as "Attachment No. 16", follows these minutes and is made an official part hereof.

MINUTES: Approval of minutes for Board of Commissioners meeting held on December 12, 2002.

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.

There was no public comment.

STAFF REPORTS:

CITY OF SENOIA: Commissioner Frady questioned the official Code of the State of Georgia to the City of Senoia authorizing the Housing Authority of Newnan to exercise its powers pursuant to Section 8 Housing Assistance Program within the territorial boundaries of the City of Senoia and ten miles outside.

Attorney McNally said he assumed that it was approving the extraterritorial ability of the Senoia Housing Authority to go outside of the boundaries of the City.

Commissioner VanLandingham said there was no mention of the ten mile direction. He asked if this would be valid if they were to come into Fayette County.

Attorney McNally responded not if the Board of Commissioners did not permit them to come into the county.

Commissioner Frady said he did not understand why it mentioned the ten mile radius. He asked Attorney McNally if he could review this.

Attorney McNally said he would check this out further.

BIDDING FOR LAKE PEACHTREE DREDGING PROJECT APPROVED: Water System Director Tony Parrott asked for the Board's consideration in approving the bidding for the Lake Peachtree dredging project.

On motion made by Commissioner Wells, seconded by Commissioner VanLandingham to approve the bidding for the Lake Peachtree dredging project. The motion carried 4-0. Commissioner Pfeifer was absent.

AGREEMENT WITH PEACHTREE CITY: Attorney McNally remarked that this issue was in conjunction with the previous item that Mr. Parrott had received approval on. He asked for the Board's consideration in authorizing the Chairman to execute the Agreement with the City of Peachtree City and the Peachtree City Development Authority for the use of Drake Field to be used as the staging area for the silt removal from Lake Peachtree. He said this was the area that would be used to stage the removal and trucking off of the material. He said the City of Peachtree would permit the county to use it with the understanding that the county would restore the property to its present condition or better.

Commissioner Frady asked how the material would be taken out. He mentioned there had been some discussion about a curb cut going in.

Attorney McNally replied yes, the county would be putting in a curb cut and this would be part of the bid. He said where the contractor could store the material to dry it and take it off would have to be included in the bid package. He said the City had agreed to allow the county to use that staging area provided that the county put it back in the condition that it was at this time and also to have the temporary curb cut out on S.R. 54.

Chairman Dunn asked if the county would have to replace the curb after this was completed.

Attorney McNally replied yes. He said this was the area that the engineer felt was the most expedient. He said the county had worked with the City of Peachtree City to come to terms which would be reasonable for the county as well as for the City.

Commissioner Frady asked if there was a median cut there.

Mr. Parrott replied yes.

Commissioner Frady asked if there was a location to store the material.

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Attorney McNally replied it would be dried on the Drake Field area and then it would be trucked off. He said the location where the materials would be taken would be part of the contract. He said this would not be the county's responsibility.

Chairman Dunn remarked that there had been some discussion early about letting Peachtree City have some of the silt. He asked if that was going to happen.

Attorney McNally responded that was not part of this Agreement. He said if the City wanted to work something out with the contractor then that would be up to the City. He said it was his understanding that the City was no longer interested in it.

Commissioner Frady asked what kind of property could this material be put on. He asked if there were restrictions by the E.P.D.

Attorney McNally responded he did not believe there were any restrictions but this would be up to the contractor to find a suitable place to take it.

On motion made by Commissioner Wells, seconded by Commissioner Frady to authorize the Chairman to execute the Agreement with the City of Peachtree City and the Peachtree City Development Authority for the use of Drake Field to be used as the staging area for the silt removal from Lake Peachtree. The motion carried 4-0. Commissioner Pfeifer was absent. A copy of the Agreement, identified as "Attachment No. 17", follows these minutes and is made an official part hereof.

SPRINTCOM, INC. LEASE: Attorney McNally asked for the Board's approval to authorize the Chairman to execute Sprintcom, Inc. lease for the tower site to be on Westbridge Road for the new E-911 system. He said the Lease Agreement was for a twenty year period with no cost to Fayette County.

On motion made by Commissioner Wells, seconded by Commissioner VanLandingham to authorize the Chairman to execute the Sprintcom, Inc. lease. The motion carried 4-0. Commissioner Pfeifer was absent. A copy of the Lease Agreement, identified as "Attachment No. 18", follows these minutes and is made an official part hereof.

AMENDMENT TO THE AGREEMENT WITH THE SOUTH FULTON MUNICIPAL JAIL AUTHORITY: Attorney McNally remarked that this Amendment was a continuation to the current Agreement which actually expired on November 19th, 2002. He said this would continue it until February 15th, 2003. He said the county would be paying the same rate of \$47.50 per day per inmate. He said as of February 3rd the detainees would begin being phased at the South Fulton Jail.

Commissioner Frady asked if the county would have to have the entire 75 beds.

Attorney McNally replied that according to Major Glaze, the county would need those 75 beds through February 2nd. He said as of February 3rd the county would begin phasing out the detainees and the South Fulton Municipal Authority understood that. He said they realized that the county would be taking the detainees out in a reasonable number per day. He said South Fulton would be charging the county for the number of detainees that were actually there per day.

On motion made by Commissioner Wells, seconded by Commissioner Frady to authorize the Chairman to execute the Amendment to the Agreement with the South Fulton Municipal Jail Authority. The motion carried 4-0. Commissioner Pfeifer was absent. A copy of the Amendment to the Agreement, identified as "Attachment No. 19", follows these minutes and is made an official part hereof.

BID AWARDED TO HOGAN CONSTRUCTION GROUP, LLC FOR THE RENOVATION OF THE FAYETTE COUNTY ANNEX: Attorney McNally asked for the Board's approval in awarding the bid for the renovation of the Fayette County Annex Building to the low bidder Hogan Construction Group, LLC in Norcross, Georgia in the amount of \$3,645,000 for the total job. He said this was the recommendation of both the contractor and the county's consultant on this project.

On motion made by Commissioner Wells, seconded by Commissioner Frady to award bid to Hogan Construction Group, LLC in the amount of \$3,645,000 for the renovation of the Fayette County Annex building. The motion carried 4-0. Commissioner Pfeifer was absent. A copy of the Bid Tally Sheet, identified as "Attachment No. 20", 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 3:50 p.m.

Karen Morley, Chief Deputy Clerk

Gregory M. Dunn, 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 January, 2003.

Karen Morley, Chief Deputy Clerk