

The Board of Commissioners of Fayette County, Georgia met in Official Session on December 3, 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  
Herb Frady  
Peter Pfeifer  
A.G. VanLandingham  
Linda Wells

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

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Vice Chair Wells called the meeting to order, gave the invocation and led the pledge to the flag.

**NEW BUSINESS:**

Chief Jack Krakeel, Director of Fire and Emergency Services for Fayette County, requested on behalf of the Fire and Emergency Services the Board's consideration to initiate a new policy with respect to an employment contract for new hires. He said several years ago their department found themselves under significant competitive pressures from adjacent neighboring agencies and had a number of new employees choose to relocate to another department. He said some of those individuals were relatively new employees who had undergone training and certification, paid for by Fayette County and its citizens, and subsequently left to pursue other career opportunities. He said they would like to development an employment contract that would at least ensure a time period that was in place once the new hire fulfilled their certification requirements. Chief Krakeel said if the new employee left employment prior to completion of the set time frame, there would be a reimbursement to Fayette County for the training they had received to achieve their certification as a firefighter and/or an EMT.

Commissioner Frady asked what would happen if there was an employee that needed to be terminated. Chief Krakeel said that in an event a termination took place he did not believe the employee could be held contractually obligated to the employment contract.

Commissioner Frady asked what if an employee quit a week before the contract was up. Chief Krakeel said there would be a proration that would take place, and not a full reimbursement required. The time frame is 18 months.

Commissioner Frady asked what if an employee walked off the job two weeks before certification. Commissioner Wells recommended legal council be consulted in this matter. Chief Krakeel agreed.

Motion was made by Commissioner Wells to institute an employment contract for new hires subject to fine tuning with legal council regarding someone leaving prior to completion of certification. Motion was seconded by Commissioner Frady.

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Discussion followed. Chairman Dunn asked if Chief Krakeel anticipated reimbursement from someone who tried and failed to certify. Chief Krakeel said he did not. Chief Krakeel said they have a provision that employees are required to be certified to maintain employment with the County. He said if they fail their certification examination that was causation for dismissal.

Chairman Dunn asked if the figure was a cap of \$4,000 or were you going to seek reimbursement for what was actually spent on an individual. Chief Krakeel said that \$4,000 was a cap. He said that was the value they had associated with the training instead of trying to figure out every hour spent.

Chairman Dunn asked what if an individual came in with a firefighter and EMT certification and wanted to be trained as a paramedic. Chief Krakeel said that was a cost incurred by an individual. He said the County did not provide that level of training or reimbursement of that training.

Commissioner Pfeifer completed the department for dealing with this matter in this manner.

Commissioner VanLandingham said he felt this contract would help stop those people who were coming in that were not serious about employment with the County.

Chairman Dunn called the question. Motion carried 5-0. A copy of the agreement, identified as "Attachment No. 1", follows these minutes and is made an official part hereof.

**Consent Agenda:** Motion was made by Commissioner Wells to adopt the consent agenda as presented. Seconded by Commissioner Frady. Motion carried 5-0.

**Transfer of insurance reimbursement:** Approval of request for transfer of insurance reimbursement from the General Fund to the Sheriff's Department-Criminal Investigations Division Budget. A copy of the explanation, identified as "Attachment No. 2", follows these minutes and is made an official part hereof.

**Disposal of E911 Department's old, worn uniforms:** Approval of request for the Emergency 911 Department to dispose of old, worn, faded and torn uniforms that have accumulated. A copy of the request, identified as "Attachment No. 3", follows these minutes and is made an official part hereof.

**Award to low bidder, APAC-Southeast for LARP patchwork:** Approval of recommendation from Public Works Director Lee Hearn to accept the low bidder, APAC-Southeast, Inc., for the LARP patching work, in the amount of \$64.13 per ton. A copy of the recommendation, identified as "Attachment No. 4", follows these minutes and is made an official part hereof.

**Award of Mallett Consulting for supervision of the LARP patch work:** Approval of Public Works Director Lee Hearn to allow Mallett Consulting to provide construction supervision for the

annual LARP patching work at an estimated cost of \$19,500. A copy of the agreement, identified as "Attachment No. 5", follows these minutes and is made an official part hereof.

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**Award engineering design work to Mallett Consulting:** Approval of recommendation by Public Works Director Lee Hearn to award the engineering design work for culvert replacement on Goza Road at Woolsey Creek to Mallett Consulting, Inc. The design work will include the design associated with the water line relocation. A copy of the recommendation, identified as "Attachment No. 6", follows these minutes and is made an official part hereof.

**Adoption of the Short Term Work Program:** Adoption by resolution of the Short Term Work Program (STWP) of the Fayette County Comprehensive Solid Waste Management Plan. A copy of the Resolution, identified as "Attachment No. 7", follows these minutes and is made an official part hereof.

**Tax Refund to Linda O'Shea:** Approval of recommendation to approve a request for a tax refund to Linda O'Shea for the year 2000 in the amount of \$208.92, the year 2001 in the amount of \$261.02 and the year 2002 in the amount of \$306.14.

**Tax Refund to Bruce Phillips:** Approval of recommendation to approve a request for a tax refund to Bruce Phillips for the year 2003 in the amount of \$431.44.

**Trade of 4 tables for 20" conference table:** Approval of request from Tim Jones, Director of Purchasing, to trade four (4) used walnut laminated conference tables that are no longer being used for a 20' conference table. A copy of the request, identified as "Attachment No. 8", follows these minutes and is made an official part hereof.

**Budget amendment to replace gate at the Jail:** Approval of request to approve a budget amendment for replacement of gate at the Jail with insurance proceeds. A copy of the request, identified as "Attachment No. 9", follows these minutes and is made an official part hereof.

**Repair communication tower and upgrade grounding technology:** Approval of request to repair communication tower and to upgrade grounding technology to new R-56 Standards. These funds will come from E-911 appropriated Fund Balance. A copy of the request, identified as "Attachment No. 10", follows these minutes and is made an official part hereof.

**Board Minutes approved:** Approval of minutes for the Board of Commissioners' meeting held on November 13, 2003.

**Addendum addition to Robert and Company:** Approval of request from Tim Jones, Director of Purchasing, to add an addendum to the existing contract of Robert and Company in the amount of \$12,250 to prepare a master plan for the proposed Kelly Drive Park. A copy of the request, identified as "Attachment No. 11", follows these minutes and is made an official part hereof.

**County offices closed on December 26:** Approval of request to close the County offices on December 26, 2003.

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**Private donation for Thanksgiving Dinner for EMS:** Approval of request by Chief Jack Krakeel to increase revenues and EMS's budget to include a private donation of \$100 used toward the cost of Thanksgiving dinner.

**Award to low bidder, Moore Medical Corp.:** Approval of request to approve low bidder, Moore Medical Corp., bid #450 in the amount of \$21,956.19 for supplies with funds coming from the Domestic Preparedness Grant.

**Duke's Farm accepted as a street light district:** Approval of request from Ron Salmons, Engineering, to accept a newly developed subdivision, Duke's Farm, as a street lighting district.

**EMS to purchase 6 laptops:** Approval of request to increase EMS's budget \$32,720.80 to purchase 6 laptops to improve the EMS billing process. A copy of the request, identified as "Attachment No. 12", follows these minutes and is made an official part hereof.

**Fiscal year end 2003 budget adjustments:** Approval of request to approve fiscal year end 2003 budget adjustments required for compliance with Budgetary Laws and to satisfy the Department of Audits and Accounts. A copy of the budget adjustments, identified as "Attachment No. 13", 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.

**NONE**

**STAFF REPORTS :**

**EXECUTIVE SESSION:** Attorney McNally requested an Executive Session to discuss three legal items and two real estate items.

**EXECUTIVE SESSION:** Motion was made by Commissioner Wells, seconded by Commissioner Pfeifer, to adjourn to executive session to discuss three legal items and two real estate items.

**REAL ESTATE:** Attorney McNally discussed a real estate item with the Board.

The Board took no action on this matter.

**REAL ESTATE:** Attorney McNally discussed a real estate item with the Board.

The Board took no action on this matter.

**LEGAL:** Attorney McNally discussed a legal item with the Board.

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Motion was made by Commissioner Wells, seconded by Commissioner VanLandingham, authorizing Attorney McNally to proceed in this matter. Motion carried 5-0.

**LEGAL:** Attorney McNally discussed a legal item with the Board.

Motion was made by Commissioner Wells, seconded by Commissioner Frady, authorizing Attorney McNally to proceed in this matter. Motion carried 5-0.

**LEGAL:** Attorney McNally discussed a legal item with the Board.

Motion was made by Commissioner Frady, seconded by Commissioner Dunn, authorizing Attorney McNally to proceed in this matter. Motion carried 4-1, with Commissioner Wells voting in opposition.

**EXECUTIVE SESSION AFFIDAVIT:** Motion was made by Commissioner Frady, seconded by Commissioner Pfeifer, to authorize the chairman to sign the Executive Session Affidavit affirming that two real estate and three legal items were discussed. Motion carried 5-0. A copy of the Affidavit, identified as "Attachment No. 14", follows these minutes and is made an official part hereof.

There being no further business to come before the Board, Chairman Dunn adjourned to meeting at 4:30 p.m.

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Peggy Butler, Chief Deputy Clerk

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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 8<sup>th</sup> day of January, 2004.

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Peggy Butler, Chief Deputy Clerk