



## *Action Agenda*

Board of Commissioners  
January 23, 2014  
7:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on January 23, 2014 at 7:00 p.m. in the Public Meeting Room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

**Commissioners Present:**

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

**Staff Present:**

Steve Rapson, County Manager  
Floyd L. Jones, County Clerk  
Tameca P. White, Deputy County Clerk  
Dennis Davenport, County Attorney

---

### **Call to Order, Invocation, and Pledge of Allegiance**

Chairman Brown called the January 23, 2014 Board of Commissioners meeting to order at 7:05 p.m.

Commissioner Barlow gave a brief PowerPoint presentation on Article VI and VII of the 28 Principles that the Founding Fathers used to craft the United States Constitution.

Commissioner Barlow asked Pastor Frank Mercer, the volunteer chaplain for the Fayette County Public Safety Division, to offer the Invocation. Pastor Mercer then offered the Invocation.

Chairman Brown led the audience in the Pledge of Allegiance.

### **Acceptance of Agenda**

Chairman Brown moved to accept the Agenda as written with the removal of Presentation / Recognition Item #7. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously.

### **PRESENTATION / RECOGNITION:**

**1. Recognition of Ms. Jennifer Deng as the District-wide Runner-up in the 2013 Water Essay Contest.**

Commissioner Oddo led the Board in recognizing Ms. Jennifer Deng as the District-wide Runner-up in the 2013 Water Essay Contest. Ms. Deng then read her award-winning essay to the Board and audience.

**2. Recognition of the All-County Football Teams.**

Chairman Brown and Mr. Christopher Dunn, Sports Editor of the *Fayette Daily News*, recognized the members of Fayette County's All-County Football Teams, the Coach of the Year, and the Offensive and Defensive Players of the year.

**3. Recognition of Eagle Scout Avery Paugh.**

Chairman Brown and Parks and Recreation Director Anita Godbee recognized Eagle Scout Avery Paugh. Mr. Paugh spoke about his Eagle Scout project and was thanked and congratulated by the Board for his contribution to the County.

**4. Recognition of Eagle Scout Tyler Brown.**

Chairman Brown and Parks and Recreation Director Anita Godbee recognized Eagle Scout Tyler Brown. Mr. Brown spoke about his Eagle Scout project and was thanked and congratulated by the Board for his contribution to the County.

**5. Recognition of the Fayette County Faith Based Disaster Network Team Leaders.**

Fire Chief David Scarbrough and Division Chief and Emergency Management Director Pete Nelms introduced Fayette County's Faith Based Disaster Network Team Leaders to the Board and spoke about their work for and contribution to Fayette County. The Board thanked the team leaders for their work on behalf of Fayette County.

**6. Recognition of Mallet Consulting.**

Chairman Brown and the Board recognized Mr. David Jaeger of Mallet Consulting and thanked Mallet Consulting for all of its work throughout Fayette County. Mr. Jaeger spoke about his history with Mallet Consulting and of Mallet Consulting's work with Fayette County throughout the years. Mr. Jaeger then thanked the Board for honoring Mallet Consulting.

**7. Proclamations recognizing Fayette County couples celebrating their milestone Wedding Anniversaries.**

This item was removed during the acceptance of the Agenda.

**PUBLIC HEARING:**

Community Development Director Pete Frisina read the *Introduction to Public Hearings* into the record.

**8. Consideration of Petition No. 1232-13, Jerry M. Gable and Lowell T. Mullins, Owners, and Christine Flanigan, Agent, request to rezone 3.35 acres from A-R Agriculture-Residential to R-40 Single-Family Residential to develop two (2) residential lots, with said property being located in Land Lot 88 of the 5<sup>th</sup> District and fronting on South Jeff Davis Drive and Callaway Road, with three recommended conditions.**

Mrs. Carol Mullins, the property's owner, spoke in favor of Petition 1232-13. Chairman Brown read three recommended conditions, as recommended by the Planning Commission, into the record and asked the applicants if they agreed to the conditions. Mrs. Mullins replied that she agreed to the conditions as read into the record. Mr. Jerry Gable and Mr. James Whitlock also spoke in favor of Petition 1232-13.

Mr. Phillip Anderson spoke in opposition to Petition 1232-13. He agreed that the property should be rezoned, but he suggested that the property should be rezoned to R-45 instead of R-40. No one else spoke in opposition to this petition.

Chairman Brown moved to approve Petition 1232-13 with the three conditions from the Planning Commission as read into the record. Commissioners Barlow and Ognio seconded the motion. No discussion followed. The motion passed unanimously.

**9. Consideration of Petition No. 1233-13, Tony Harris, Owner, request to rezone 4.05 acres from A-R Agriculture-Residential to R-40 Single-Family Residential to develop two (2) residential lots, with said property being located in Land Lots 227 and 254 of the 5<sup>th</sup> District and fronting on Kenwood Road and South Kite Lake Road, with two recommended conditions.**

Mr. Tony Harris spoke in favor of Petition No. 1233-13. Chairman Brown read two recommended conditions, as recommended by the Planning Commission, into the record and he asked the applicant if he agreed to the conditions. Mr. Harris replied that he agreed to the conditions as read into the record.

No one else spoke in favor of or in opposition to Petition 1233-13.

Community Development Director made a correction to the recommended conditions. Chairman Brown restated the condition per Mr. Frisina's correction, and the applicant agreed to the corrected recommendation.

Commissioner Oddo moved to approve Petition 1233-13 with the two conditions. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

**CONSENT AGENDA:**

Chairman Brown asked to removed Consent Agenda Item 12 for discussion. Commissioner Ognio asked to remove Consent Agenda Item 11 for discussion.

Commissioner Barlow moved to approve Consent Agenda Items 10, 13, 14, 15 and 16. Commissioner Ognio seconded the motion. No discussion followed. The motion passed unanimously.

**10. Approval of Resolution 2014-02 establishing qualifying fees for the 2014 State Court Judge's election.**

**11. Approval of staff's request to add Ballard's Terrace as a district to Fayette County's Street Light Program.**

Commissioner Ognio said he would like to see the County get away from the program since he did not see the need for the County to be involved with street lights, and since homeowners associations should deal directly with the power companies.

Commissioner Ognio moved to approve staff's request to add Ballard's Terrace as a district to Fayette County's Street Light Program. Commissioner Oddo seconded the motion. No discussion followed. The motion passed unanimously.

**12. Approval of Resolution 2014-04 authorizing reimbursement of fees and expenses ("Reimbursement Resolution") in connection with the implementation of Category I and Category II: Tier I Stormwater Utility Projects for Fayette County.**

County Administrator Steve Rapson gave a PowerPoint presentation concerning Fayette County's Category I Dam Projects; specifically the Kozisek Dam, the Lake Emerald Dam, and the Longview Dam. Mr. Rapson then spoke about the reimbursement resolution that was before the Board could be applied towards these needs.

Commissioner Barlow moved to approve Resolution 2014-04 authorizing reimbursement of fees and expenses in connection with the implementation of Category I and Category II: Tier I Stormwater Utility Projects for Fayette County. Commissioner Ognio seconded the motion.

Mr. Dennis Chase expressed his concerns on this matter. Discussion followed.

The motion to approve Resolution 2014-04 authorizing reimbursement of fees and expenses in connection with the implementation of Category I and Category II: Tier I Stormwater Utility Projects for Fayette County passed unanimously.

**13. Consideration of the Water Committee's recommendation to adopt Ordinance 2014-02 amending the Fayette County Code of Ordinances, Chapter 19 by adding White Lining.**

**14. Approval of the 2014 Water Committee's meeting schedule.**

**15. Approval of the Water Committee's recommendation to allow The Frederick Brown, Jr. Amphitheater in Peachtree City to insert a flyer in customer's water bills during the month of April 2014.**

**16. Approval of January 9, 2014 Board of Commissioners Meeting Minutes and the January 15, 2014 Board of Commissioners Special Called Meeting Minutes.**

**OLD BUSINESS:**

**17. Consideration of staff's recommendation to adopt Ordinance 2013-17 amending Chapter 14 Recreation and Parks of the Code of Ordinances for Fayette County, Georgia. This item was tabled by Commissioner Ognio at the November 14, 2013 Board of Commissioners meeting.**

Parks and Recreation Director Anita Godbee spoke about Ordinance 2013-17 and answered questions from the Board.

County Attorney Dennis Davenport pointed out four recommended changes to the proposed ordinance. Discussion followed.

Commissioner Ognio moved to adopt Ordinance 2013-17 amending Chapter 14 Recreation and Parks of the Code of Ordinances for Fayette County, Georgia and to accept the changes from the County Attorney. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

**NEW BUSINESS:**

- 18. Consideration of the Selection Committee's recommendation of Mr. Neely Moody to serve as an alternate member on the Fayette County Ethics Board for a three-year term beginning immediately and expiring January 22, 2017.**

Chairman Brown spoke about the number of qualified candidates who applied to be an alternate member of the Fayette County Ethics Board.

Commissioner Oddo moved to accept the Selection Committee's recommendation of Mr. Neely Moody to serve as an alternate member on the Fayette County Ethics Board for a three-year term beginning immediately and expiring January 22, 2017. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously.

- 19. Consideration of the Selection Committee's recommendation of Dr. John T. Hopkins to serve as an alternate member on the Fayette County Ethics Board for a two-year term beginning immediately and expiring on January 22, 2016.**

Commissioner Barlow moved to approve the Selection Committee's recommendation of Dr. John T. Hopkins to serve as an alternate member on the Fayette County Ethics Board for a two-year term beginning immediately and expiring on January 22, 2016. Commissioners Ognio and McCarty seconded the motion. No discussion followed. The motion passed unanimously.

- 20. Consideration of the Information System's recommendation to fund for a Network Administrator position at an entry-level rate, effective March 1, 2014, in order to facilitate execution of the Strategic Technology Plan and to implement emerging technologies.**

County Administrator Steve Rapson and Information Systems Director Phil Frieder provided the Board with an overview of this request and answered questions from the Board.

Chairman Brown moved to approve the Information System's recommendation to fund a Network Administrator position, using the salary range as described by the County Administrator, effective March 1, 2014, and to include a budget amendment up to \$35,000.00. Commissioner Ognio seconded the motion. No discussion followed. The motion passed unanimously.

- 21. Consideration of staff's request to adopt Resolution 2014-03 requesting the Georgia General Assembly to pass a local act amending the enabling legislation of the Public Facilities Authority in order to permit the Authority to issue revenue bonds for Stormwater Management projects.**

County Administrator Steve Rapson and County Attorney Dennis Davenport briefed the Board on this request and answered questions from the Board.

Commissioner Barlow moved to approve staff's request to adopt Resolution 2014-03 requesting the Georgia General Assembly to pass a local act amending the enabling legislation of the Public Facilities Authority in order to permit the Authority to issue revenue bonds for Stormwater Management projects. Commissioner Oddo seconded the motion. No discussion followed. The motion passed unanimously.

#### **PUBLIC COMMENT:**

**Mr. Neely Moody:** Mr. Moody commended the Board on the process on applying for the Ethics Board. He also thanked the Board for his appointment to the Board.

#### **ADMINISTRATOR'S REPORTS:**

**Appointment of the Selection Committee for the Board of Elections:** County Administrator Steve Rapson informed the Board that Mr. Addison Lester's appointment to the Elections Board is set to expire on January 31, 2014. He stated that staff has advertised for the position, and he asked the Board to appoint a Selection Committee to review applicants to the Board of Elections. Chairman Brown and Commissioner Ognio were appointed as the Selection Committee to review applicants to the Board of Elections.

**Free CPR Classes:** County Administrator Steve Rapson reported that free CPR classes would be made available in conjunction with the American Heart Month.

**Commissioners' Retreat on Friday, April 4, 2013:** County Administrator Steve Rapson reported that he had flagged Friday, April 4, 2013 as the date for the Commissioners' Retreat. He asked the Commissioners to provide him with any items to be discussed at the retreat. He stated that he would add streetlights and dams to the retreat topics to be discussed. It was noted that the location of the retreat had not yet been determined, but would be announced later.

#### **ATTORNEY'S REPORTS:**

**Two Items for Executive Session:** County Attorney Dennis Davenport reported that the January 9, 2014 Executive Session Minutes and one item of Threatened Litigation needed to be discussed in Executive Session.

#### **COMMISSIONERS' REPORTS:**

**Commissioner McCarty:** Commissioner McCarty thought Chairman Brown and Commissioner Barlow had worked things out since he found a book in his library entitled *Approaching God* that was authored by Steve Brown. He acknowledged that it was a different Steve Brown, he that he could not help the humor.

**Commissioner Barlow:** Commissioner Barlow pointed out that this had been a productive meeting and that it was wonderful to have young people come in to be acknowledged for their accomplishments. He reminded everyone that the appointments of Mr. Moody and Dr. Hopkins were good since, in the past, the public was not allowed to apply for positions and that appointments were based on "someone knowing someone." He said the County has had wonderful involvement from the community, and that the County had learned that if a need is published then a number of people will step up to meet the need. He thanked Mr. Moody and Dr. Hopkins for coming to the meeting. He also thanked the citizens who remained through the meeting, and he thanked the press for coming to the meeting.

**Commissioner Ognio:** Commissioner Ognio said his 29<sup>th</sup> anniversary would be on Sunday.

**Commissioner Oddo:** Commissioner Oddo stated he and his wife were sharing a cold, but that she was watching on LiveStream. He said the Board had the ability to participate in the Martin Luther King, Jr. parade. He said the turnout was fantastic. Commissioner Oddo added that he had the opportunity to tour the Pinewood Studios facilities, that they were fantastic, and he was amazed at what was coming to Fayette County.

**Chairman Brown:** Chairman Brown thought the NAACP did a wonderful job of putting the Martin Luther King, Jr. Day parade together. He pointed out that last year's parade was the first Martin Luther King, Jr. Day parade where all five Commissioners attended the parade. Secondly, he said he had spent about eleven hours in Atlanta during the past two days with the Atlanta Regional Commission and the Association of County Commissioners Georgia, that there were a lot of things going on with the Georgia Legislature, and that he would keep the Board posted on things that it needs to be aware of.

**Public Art Committee:** Chairman Brown said he had been approached by citizens that want to look at public art and seeing if something could be done about soliciting public art in the community. He asked if the Board would have an objection to putting a Public Art Committee to look at the issue. Discussion followed. The Board did not express an objection to Chairman Brown's request to form a Public Art Committee.

**Justice Center Park Committee:** Chairman Brown pointed out that there is a large parcel of land across the street from the Justice Center, and he said there were some people who were interested in possibly turning the land into a picnic park and trails at no cost to the County. Discussion followed. The Board did not express an objection to Chairman Brown's request to form a Justice Center Park Committee.

**Commissioner McCarty:** Commissioner McCarty reported that in previous years during his video and television life, his friend and he had the opportunity to film one of the anniversary's of the Selma to Montgomery, Alabama march. He said he had a chance to Mrs. King, and he said he would make the video available as soon as possible.

#### **EXECUTIVE SESSION:**

**Two Items for Executive Session:** Chairman Brown moved to recess into Executive Session to discuss one item of threatened litigation and the Executive Session Minutes from January 9, 2014. Commissioner Oddo seconded the motion. No discussion followed. The motion passed unanimously.

The Board recessed into Executive Session at 9:05 p.m. and returned to Official Session at 9:19 p.m.

**Return to Official Session and Authorization to Sign the Executive Session Affidavit:** Commissioner Ognio moved to return to Official Session and to authorize the Chairman to sign the Executive Session Affidavit. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

**Approval of the January 9, 2014 Executive Session Minutes:** Chairman Brown moved to approve the January 9, 2014 Executive Session Minutes. Commissioner Ognio seconded the motion. No discussion followed. The motion passed unanimously.

**ADJOURNMENT:**

Commissioner Oddo moved to adjourn the January 23, 2014 Board of Commissioners meeting. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously.

The January 23, 2014 Board of Commissioners meeting was adjourned at 9:19 p.m.

---

Floyd L. Jones, County Clerk