



## Action Agenda

Board of Commissioners

August 14, 2014

7:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met in an Official Meeting on August 14, 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 Administrator  
Floyd L. Jones, County Clerk  
Tameca P. White, Deputy Clerk  
Dennis Davenport, County Attorney

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**Call to Order**

Chairman Brown called the August 14, 2014 Board of Commissioners meeting to order at 7:04 p.m.

**Invocation by Vice Chairman Charles Oddo**

Vice Chairman Oddo introduced Deacon Tony Cuomo of the Holy Trinity Catholic Church, and he asked Deacon Cuomo to offer the Invocation.

**Pledge of Allegiance**

Vice Chairman Oddo introduced Boy Scout Tollam Stephens and asked him to lead all in the Pledge of Allegiance. Mr. Stephens then led the Commissioners and audience in the Pledge of Allegiance.

**Acceptance of Agenda**

Chairman Brown moved to accept the Agenda as published. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

**PRESENTATION /RECOGNITION:**

- 1. Proclamation recognizing the Cancer Wellness Walk Committee and to Proclaim the Month of September as Cancer Wellness Month.**

Commissioner Barlow recognized the Cancer Wellness Walk Committee and proclaimed the month of September as Cancer Wellness Month.

- 2. Recognition of the Association of Village Pride, Inc. (AVPRIDE), Career Exploration / Internship Program.**

Commissioner Barlow recognized the Association of Village Pride, Inc. (AVPRIDE), Career Exploration / Internship Program.

- 3. Recognition of Ms. Jordan Fason and Ms. Cameron King for being selected to represent Fayette County in the Model Atlanta Regional Commission (MARC) program.**

Chairman Brown, Tyrone Mayor Eric Dial, and Fayette County's Citizen Representative to the Atlanta Regional Commission Mr. Bob Reeves recognized Ms. Jordan Fason and Ms. Cameron King for being selected to represent Fayette County in the Model Atlanta Regional Commission (MARC) program.

- 4. Recognition of the Sandy Creek High School Future Business Leaders of America (FBLA) club for placing in the top ten at the FBLA National Leadership Conference.**

Commissioner Oddo recognized the Sandy Creek High School Future Business Leaders of America (FBLA) club for placing in the top ten at the FBLA National Leadership Conference.

- 5. Proclamation honoring Frank and Melba Gardner who are celebrating their 58th Wedding Anniversary.**

Commissioner McCarty read the proclamation honoring Mr. Frank Gardner and Mrs. Melba Gardner who are celebrating their 58<sup>th</sup> Wedding Anniversary.

**PUBLIC HEARING:**

There were no items on the Agenda for Public Hearing.

**CONSENT AGENDA:**

Commissioner Ognio moved to approve Consent Agenda Items six through nine. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously.

- 6. Approval of staff's request for a FY 2015 budget adjustment of \$50,000.00 to be added to Personal Property Tax revenue and the Tax Assessor's technical services in order to contract with an outside firm that will assist with audits of Personal Property accounts.**

7. Approval of the Sheriff's request to authorize the Chairman to sign the annual Equitable Sharing Agreement and Certification document, as required by the United States Department of Justice and the United States Department of the Treasury.
8. Approval of the Water System's request to award Bid #900- Water Distribution Parts to eight companies that were low bidders on items used for distribution and repair in an aggregate amount not to exceed \$256,709.30.
9. Approval of the July 24, 2014 Board of Commissioners Meeting Minutes.

**OLD BUSINESS:**

There were no items on the Agenda for Old Business.

**NEW BUSINESS:**

10. Consideration of the Selection Committee's recommendation to reappoint John Culbreath to the McIntosh Trail Community Service Board, for a three-year term, beginning July 1, 2014 and expiring June 30, 2017.

Commissioner Oddo moved to accept the recommendation to reappoint John Culbreath to the McIntosh Trail Community Service Board, for a three-year term, beginning July 1, 2014 and expiring June 30, 2017. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously.

11. Consideration of the Selection Committee's recommendation to reappoint Karen Spangler to the Fayette County Department of Family and Children Services Board, for a five-year term, beginning July 1, 2014 and expiring June 30, 2019.

Commissioner McCarty moved to approve the Selection Committee's recommendation to reappoint Karen Spangler to the Fayette County Department of Family and Children Services Board, for a five-year term, beginning July 1, 2014 and expiring June 30, 2019. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously.

12. Consideration of the Selection Committee's recommendation to appoint Briana MacDowell to Post 2 of the Fayette County Recreation Commission, for a four-year term, beginning June 1, 2014 and expiring May 31, 2018.

Commissioner Barlow moved to accept the Selection Committee's recommendation to appoint Briana MacDowell to Post 2 of the Fayette County Recreation Commission, for a four-year term, beginning June 1, 2014 and expiring May 31, 2018. Commissioner Ognio seconded the motion. No discussion followed. The motion passed unanimously.

13. Consideration of the Selection Committee's recommendation to appoint Bradley Klinger to Post 5 of the Fayette County Recreation Commission, to fill an unexpired term, beginning April 11, 2014 and expiring March 31, 2016.

Commissioner Oddo moved to accept recommendation to appoint Bradley Klinger to Post 5 of the Fayette County Recreation Commission, to fill an unexpired term, beginning April 11, 2014 and expiring March 31, 2016. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously.

**14. Consideration of staff's request to enter into an agreement with Hopeful Community Club for the purpose of preserving the Hopeful Primitive Church.**

Interns Kyra Parks and Vanessa Johnson gave a PowerPoint presentation on staff's request to enter into an agreement with Hopeful Community Club for the purpose of preserving the Hopeful Primitive Baptist Church. Discussion followed.

The Board did not vote and did not give further direction on this matter.

**15. Discussion of the Fayette County's interns' findings and options concerning a safe golf path and crossing for the Starr's Mill school complex along Redwine Road.**

Interns Tessa Strickland and Khalil Johnson gave a PowerPoint presentation on their findings and options concerning a safe golf path and crossing for the Starr's Mill school complex along Redwine Road.

**David Kazusko:** Mr. Kazusko, President of Jefferson Wood subdivision, spoke about his appreciation with the recent changes Fayette County has passed opening access for golf carts throughout Fayette County. He commended the interns for their work, and he offered alternatives for safely crossing Redwine Road.

**Scott Fabricius:** Mr. Fabricius, President of Whitewater Creek Homeowners Association, said he appreciated the interns work. He stated that he spoke on behalf of Whitewater Creek and that he totally supported the findings and options given by the interns. He then told the Board why Whitewater Creek supported the presented options.

**James Rubalcava:** Mr. Rubalcava, a resident of Whitewater Creek, agreed with Mr. Fabricius with one exception. He opposed having a stop sign at Whitewater Road since there could be alternatives to a stop sign that would mitigate safety concerns in the area.

**Bob Mudrinich:** Mr. Mudrinich, a resident of Woodcreek Subdivision, thanked the interns for their work, and he thought they did a great job for giving a great presentation. He supported the options provided by the interns, and he spoke about why he supported this effort.

**Deputy Superintendent Sam Sweat:** Deputy Superintendent of the Fayette County Board of Education Sam Sweat congratulated the interns for their outstanding presentation. He informed everyone that the Board of Education would hold a workshop meeting on September 8, 2014 at 7:00 p.m. Mr. Sweat asked for the interns to give their presentation to the Board of Education at the workshop meeting. He agreed with Mr. Mudrinich's comments, and he offered some options and thoughts on the matter.

**Lara Dial:** Ms. Dial asked the Board to consider a crossing at Whitewater and Birkdale so that those subdivisions could use the golf cart paths.

The interns then answered questions from the Board.

The Board directed county staff to work with Mr. Michael Satterfield and the Fayette County Board of Education by taking the elements the interns presented and to provide the Board with a cost for getting students to the school site, and to explore potential grant opportunities available for this project.

**16. Discussion of the Fayette County's interns' findings and options concerning fluoride in Fayette County's water supply.**

Interns John Hlas and Haider Khan gave a PowerPoint presentation about findings and options concerning fluoride in Fayette County's water supply, and they answered questions from the Board.

**Dr. Barry Marcum:** Dr. Marcum, a pediatric dentist, spoke in favor of not removing fluoride from the water supply, saying it was the single most effective means available to prevent tooth decay. He then answered several questions from the Board members.

**Leslie Edwards:** Ms. Edwards spoke in favor of removing fluoride from Fayette County's water supply.

**Teresa Clark:** Ms. Clark told about the adverse medical effects that fluoride had on her personally, and spoke in favor of removing fluoride from Fayette County's water supply.

**Andrea Lyle:** Ms. Lyle spoke in favor of removing fluoride from Fayette County's water supply.

**Martin Smith:** Mr. Smith spoke in favor of removing fluoride from Fayette County's water supply.

**Angela Bean:** Ms. Bean spoke in favor of removing fluoride from Fayette County's water supply.

The interns returned to briefly respond to some of the comments that were made by those who spoke in favor and in opposition to keeping fluoride in Fayette County's water supply.

**Dixianne Parker:** Ms. Parker, from the Georgia Department of Public Health, asked the Board to consider looking much further into this issue since there is more to consider before a referendum should be considered.

The Board did not vote or give further direction in this matter.

**PUBLIC COMMENT:**

**Alice Jones:** Mrs. Jones spoke about the possibility of adding a facility at Kenwood Park and about potential funding for Kenwood Park.

**ADMINISTRATOR'S REPORTS:**

**Region Six Mental Health Board:** County Administrator Steve Rapson informed the Board that a Selection Committee needed to be established for one position on the Region Six Mental Health Board. Chairman Brown and Commissioner Oddo were appointed as the Selection Committee for the Region Six Mental Health Board.

**GEMA/FEMA Reimbursement:** County Administrator Steve Rapson informed the Board that the County had received its GEMA/FEMA Reimbursement for an amount just over \$116,000.00. He said the reimbursement was roughly 87.5% of the cost associated with the ice and snow storms in January and February 2014. He thanked Captain Pete Nelms and the department heads that were instrumental in obtaining the reimbursement.

**First Lady Sandra Deal:** County Administrator Steve Rapson told the Board that Georgia's First Lady, Sandra Deal, went to Juvenile Court earlier in the day and was given a presentation. He stated that the Criminal Justice Coordinating Council was present and that the council provides grants to Fayette County.

**Revision of Ordinances and Policies Removing Prohibitions on Political Activities:** County Administrator Steve Rapson informed the Board that he has asked County Attorney Dennis Davenport to edit the existing ordinances to eliminate prohibitions on political activities. He stated that he made the request based on feedback he had received from the Board members. He explained that this work would be brought to the Board as an amendment to the ordinance.

**County Administrator Signed the District Attorney's Affidavit:** County Administrator Steve Rapson stated that the Board had approved an affidavit with Consent Agenda #7 from the Sheriff's Office that is for reimbursement for federal funding that the Sheriff's Office receives. He added that he had signed the affidavit for the District Attorney's Office since that affidavit is always signed by the County Administrator.

**Potential Rescheduling of the September 11, 2014 Board of Commissioners Meeting Time:** County Administrator Steve Rapson stated that the Firefighter's Silent Hero Award Ceremony would begin at 6:30 p.m. on Thursday, September 11, 2014. He pointed out that this event would conflict with a regularly scheduled Board of Commissioners meeting, and he stated that he would send an email to the Board in the coming days to determine if the Board would want to reschedule the September 11, 2014 meeting to begin at 2:00 p.m. instead of the typical 7:00 p.m. meeting hour.

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

**Executive Session Notification:** County Administrator Dennis Davenport notified the Board that he had several items for consideration in Executive Session. Those items included four involving pending litigation, one involving threatened litigation, and to consider the July 10, 2014 and July 24, 2014 Executive Session Minutes.

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

**Commissioner Barlow:** Commissioner Barlow thanked the interns for their outstanding work. He said they took on controversial topics and they stuck with it. He said it was a joy to see the interns prosper and he hoped they would have great success in their future endeavors.

**Commissioner Ognio:** Commissioner Ognio asked for the people to help save the Hopeful Church since it is important to the county. He thought the citizens could come out and raise the funds to save the structure. He said it was odd that most people are drinking bottled water and he wondered how much fluoride people were taking in. He said there may be bottled water companies that add fluoride to their water, but most of the companies that he was aware of did not add fluoride to their water.

**Commissioner McCarty:** Commissioner McCarty stated that if a person went to Wal-Mart and bought nursery distilled water it would contain fluoride. He stated that the fluoride has been taken out of that water, however, since it has been discovered how damaging fluoride is to babies. He pointed out that Gerber has taken fluoride out of its products, and that Colgate is producing toothpaste without fluoride. He questioned why these companies were removing fluoride if it was not dangerous. He further commented that the bag that contains fluoride pictures skull and crossbones, and that being put into the county's water system. He stated that he is against having fluoride in the water system and he told how fluoride damaged his teeth as a young child. He concluded that if a person wants fluoride they can get it through toothpaste and mouth wash.

**Commissioner Oddo:** Commissioner Oddo thanked the audience for coming to the meeting and staying. He echoed Commissioner Ognio's request to help preserve the church. He said everyone was going for the same goal, but they may be taking a different path.

**Chairman Brown:** Chairman Brown stated that one of the options given for fluoride was for a legal remedy, and he stressed they were not suggesting anything illegal. He commented on Hopeful Church saying there were only certain instances when a historical structure could be preserved. Chairman Brown also responded to Ms. Alice Jones' public comments. Chairman Brown pointed out that Mr. David Brill, who had been in a bad motorcycle accident several months ago, was in the audience. He said he was glad to see Mr. Brill back to the meetings and wished him well.

**EXECUTIVE SESSION:**

**Four Items of Pending Litigation, One Item of Threatened Litigation, One Item of Real Estate, and Review of the July 10 and July 24, 2014 Executive Session Minutes:** Chairman Brown moved to recess into Executive Session. Commissioner Oddo seconded the motion.

Chairman Brown added that he had one item of Real Estate to discuss in Executive Session.

Chairman Brown amended his motion to include one item of Real Estate along with four items of Pending Litigation, one item of Threatened Litigation, and review of the July 10 and 24, 2014 Executive Session Minutes. Commissioner Oddo seconded the amended motion. No discussion followed. The motion passed unanimously.

The Board recessed into Executive Session at 9:52 p.m. and returned to Official Session at 10:47 p.m.

**Return to Official Session and Approval of the Executive Session Affidavit:** Commissioner Ognio moved to return to Official Session and for the Chairman to sign the Executive Session Affidavit. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously.

**Approval of the July 10, 2014 and July 24, 2014 Executive Session Minutes:** Chairman Brown moved to approve the July 10, 2014 and July 24, 2014 Executive Session Minutes. Commissioner Ognio seconded the motion. No discussion followed. The motion passed unanimously.

**Approval of Claim Settlement with Mr. Robert Haydon:** Chairman Brown moved to approve a claim settlement for Mr. Robert Haydon, based on an Equal Employment Opportunity Commission (EEOC) claim, in the amount of \$20,000.00, as a general release, to reinstate Mr. Haydon as a Lieutenant, with a non-admission of liability on behalf of the County, and a confidentiality clause regarding Mr. Haydon. Commissioners Oddo and McCarty seconded the motion. No discussion followed. The motion passed unanimously.

**ADJOURNMENT:**

Commissioner Brown moved to Adjourn the August 14, 2014 Board of Commissioners meeting. Commissioner Oddo seconded the motion. No discussion followed. The motion passed unanimously.

The August 14, 2014 Board of Commissioners meeting was adjourned at 10:47 p.m.

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Floyd L. Jones, County Clerk