



## *Action Agenda*

Board of Commissioners  
November 13, 2014  
7:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met in an Official Meeting on November 13, 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, Chief Deputy County Clerk  
Dennis Davenport, County Attorney

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### **Call to Order**

Chairman Brown called the November 13, 2014 Board of Commissioners meeting to order at 7:04 p.m.

### **Invocation by Commissioner Ognio**

Commissioner Ognio introduced Worship Pastor Jeff Durham of Lisbon Baptist Church, and he asked Pastor Durham to offer the Invocation. Pastor Durham offered the Invocation.

### **Pledge of Allegiance**

Chairman Brown led the audience in the Pledge of Allegiance.

**Introduction of Commissioner-elect Pota Coston:** Commissioner McCarty congratulated and introduced Commissioner-elect Pota Coston who will represent the 5<sup>th</sup> District of Fayette County.

### **Acceptance of Agenda**

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

**PROCLAMATION /RECOGNITION:**

- 1. Recognition of J.C. Booth Middle School as the "Scarecrow Grand Master," and the Town of Tyrone, and the Fayette County Sheriff's Office for placing first, second, and third place, respectively, in Fayette County's Inaugural Scarecrow Contest.**

Chairman Brown and a few members of the Fayette County Public Arts Committee presented prizes to those organizations who participated in the recent scarecrow competition. The Fayette County Sheriff's Office, who came in third place, received a gift certificate to Twisted Taco. The Town of Tyrone, who came in second place, received a gift certificate to Broadway Diner. J.C. Booth Middle School's Art Department was the first place winner and received an award of \$150.00 and the title "2014 Scarecrow Grand Master."

- 2. Recognition and presentation of three newly promoted Fire and Emergency Services officers to the rank of Lieutenant.**

Mr. Jason Crenshaw, Mr. Michael Hadden, and Mr. Ronald Redman were promoted to the rank of Lieutenant and sworn into office by Superior Court Judge W. Fletcher Sams.

- 3. Recognition of Matt Bergen, Construction Inspector with Fayette County's Water System, who has been named Region Three Vice-Chairman of the year by the Georgia Utilities Coordinating Council.**

Water System Director Lee Pope recognized Mr. Matt Bergen who was named the Region Three Vice-Chairman of the year by the Georgia Utilities Coordinating Council.

- 4. Proclamation honoring William and Gertrude Dreisbach who are celebrating their 50th wedding anniversary.**

Commissioner Oddo read the proclamation honoring William and Gertrude Dreisback who will celebrate their 50<sup>th</sup> anniversary on November 28, 1964.

**PUBLIC HEARING:**

- 5. Public Hearing on a request to approve a 2015 Alcohol License for retail sales of malt beverages and wine from Ram Nawas, doing business as Chevron Food Mart, which is located at 1488 Highway 92 North, Fayetteville, Georgia 30214, to Highway 92 Chevron with an equal partnership between Tushar Patel and Yijayh Pakikh, and to transfer as the licensee Mr. Tushar Patel.**

Code Enforcement Officer Kathy Hobbs briefed the Board on this request and informed the Commissioners that all the requirements were met.

No one spoke in favor of or in opposition to this request.

Commissioner Oddo moved to approve a 2015 Alcohol License for retail sales of malt beverages and wine from Ram Nawas, doing business as Chevron Food Mart, which is located at 1488 Highway 92 North, Fayetteville, Georgia 30214, to Highway 92 Chevron with an equal partnership between Tushar Patel and Yijayh Pakikh, and to transfer as the licensee Mr. Tushar Patel. Commissioner Ognio seconded the motion. No discussion followed. The motion passed unanimously.

6. Public Hearing on a request to approve the renewal the 2015 Alcohol License and transfer of a 2014 Alcohol License for the retail sales of malt beverages and wine at 1552 Highway 85 South, Fayetteville, Georgia 30214, from Green Oil, doing business as South Fayette Chevron, to Pari USA, LLC., doing business as South Fayette Chevron, and licensee is Mr. Paresh Patel.

Code Enforcement Officer Kathy Hobbs briefed the Board on this request and informed the Commissioners that all the requirements had been met. She added that the licenses that was under consideration for transfer was in good standing.

No one spoke in favor of or in opposition to this request.

Commissioner Oddo moved to approve the renewal the 2015 Alcohol License and transfer of a 2014 Alcohol License for the retail sales of malt beverages and wine at 1552 Highway 85 South, Fayetteville, Georgia 30214, from Green Oil, doing business as South Fayette Chevron, to Pari USA, LLC., doing business as South Fayette Chevron, and licensee is Mr. Paresh Patel. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously.

#### **CONSENT AGENDA:**

Commissioner Barlow moved to approve Consent Agenda Items 7 through 9. Commissioners Ognio and McCarty seconded the motion. No discussion followed. The motion passed unanimously.

7. **Approval of staff's recommendation to approve the "Right-of-Way Mowing and Maintenance Agreement," between the Georgia Department of Transportation and Fayette County, Georgia, in order to perform certain services relating to mowing and maintenance within the Georgia Department of Transportation's right of way.**
8. **Consideration of staff's recommendation to award the Chemical System and Actuator Improvements Project (Bid #913) to the low bidder, AllSouth Constructors, Inc. for the not to exceed amount of \$2,059,730; and to award CH2M Hill for design and project construction management in the amount of \$258,900.**
9. **Approval of the October 23, 2014 Board of Commissioners Meeting Minutes.**

#### **OLD BUSINESS:**

There was no item of Old Business for consideration.

#### **NEW BUSINESS:**

10. **Consideration of staff's recommendation to enter into a contract with The Carl Vinson Institute of Government at the University of Georgia to conduct a classification and compensation study, beginning January 21, 2015 with a preliminary cost estimate and report submitted for review in May 2015, and a final report submitted in June 2015, at a cost of \$26,250.00.**

Mr. Alex Daman, Public Service Assistant with the Carl Vinson Institute of Government, gave a PowerPoint presentation and spoke to the Board about staff's recommendation to enter into a contract with The Carl Vinson Institute of Government for the conduction of a classification and compensation study. Mr. Daman and County Administrator Steve Rapson answered several questions and addressed concerns expressed by the Commissioners. This discussion lasted just over one hour.

Commissioner Barlow moved to enter into a contract with The Carl Vinson Institute of Government at the University of Georgia to conduct a classification and compensation study, beginning January 21, 2015 with a preliminary cost estimate and report submitted for review in May 2015, and a final report submitted in June 2015, at a cost of \$26,250.00. Commissioner Oddo seconded the motion.

**Frank Gardner:** Mr. Gardner spoke in opposition to this recommendation.

Each commissioner commented on this recommendation and motion.

The motion to enter into a contract with The Carl Vinson Institute of Government at the University of Georgia to conduct a classification and compensation study, beginning January 21, 2015 with a preliminary cost estimate and report submitted for review in May 2015, and a final report submitted in June 2015, at a cost of \$26,250.00 failed 2-3 with Chairman Brown, Commissioner Ognio, and Commissioner McCarty voting in opposition.

**11. Consideration of staff's recommendation to adopt Ordinance 2014-18- Roads and Bridges, and in so doing deleting Article II pertaining to "Street Lighting", from Chapter 20, in its entirety, and by replacing it with a new Article II in Chapter 20 entitled "Article II. Street Lighting."**

Engineering Technician Deb Sims briefed the Board and answered questions regarding staff's recommendation to adopt Ordinance 2014-18.

Commissioner Oddo moved to adopt Ordinance 2014-18- Roads and Bridges, and in so doing deleting Article II pertaining to "Street Lighting", from Chapter 20, in its entirety, and by replacing it with a new Article II in Chapter 20 entitled "Article II. Street Lighting." Commissioner Ognio seconded the motion. No discussion followed. The motion passed 4-1 with Commissioner McCarty voting in opposition.

**PUBLIC COMMENT:**

**Frank Gardner:** Mr. Gardner spoke about a grant related to the Fayette County Board of Education, and he said the grant could be withdrawn if it was awarded to the Fayette County Board of Commissioners. He thought that was a "slap in the face" for the County Commissioners where someone on the Board of Education said they would withdraw their request for a grant if it went through Fayette County. He thought that if the grant would do something for the county, then perhaps the county should look into obtaining that grant.

**Tom Waller:** Mr. Waller expressed his heartfelt appreciation to Commissioner Allen McCarty. He said Commissioner McCarty did a good job and he hoped his successor would also do a good job.

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

**Planning and Zoning Commission:** County Administrator Steve Rapson stated that there was one position available on the Planning and Zoning Commission, and he asked for a Selection Committee to be formed to interview applicants to the position. Chairman Brown and Commissioner Barlow were appointed to the Selection Committee.

**Zoning Board of Appeals:** County Administrator Steve Rapson informed the Board that one position was available on the Zoning Board of Appeals, and he asked for a Selection Committee to be formed to interview applicants for the position. Chairman Brown and Commissioner Oddo were appointed to the Selection Committee.

**Recreation Commission:** County Administrator Steve Rapson told the Board that one position was available on the Recreation Commission, but that the appointment was tied to Post 3; meaning Chairman Brown would need to recommend the appointment. Chairman Brown and Commissioner Ognio were appointed to the Selection Committee. Mr. Rapson reiterated that this appointment was tied to a post so the recommendation would come from Chairman Brown.

**Ethics Board:** County Administrator Steve Rapson stated that the Board would need to advance an alternate member appointed to the Fayette County Ethics Board to a permanent position once Commissioner-elect Pota Coston, who is appointed to the Fayette County Ethics Board, is removed from the position upon being sworn in as a County Commissioner. Chairman Brown and Commissioner Barlow were appointed to the Selection Committee for this appointment.

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

**Notification of Executive Session:** County Attorney Dennis Davenport notified the Board that he had one item of Executive Session pertaining to Pending Litigation.

### **COMMISSIONERS' REPORTS:**

**Commissioner Barlow:** Commissioner Barlow recognized the veterans in the room and thanked them for their service. He also commented on the sacrifice of Jesus Christ, and he spoke about the recent Republican take-over of the United States Senate and his personal effort for the election of a Republican president in 2016. Commissioner Barlow congratulated Commissioner-elect for winning the election even though he disagreed with how the election was won through district voting.

**Commissioner Oddo:** Commissioner Oddo congratulated those who ran their races and won their races. He also thanked Commissioner McCarty for his work on the Fayette County Board of Commission.

**Commissioner Ognio:** Commissioner Ognio thanked Commissioner McCarty for his service on the Fayette County Board of Commissioners and he congratulated Commissioner-elect Coston for her recent electoral victory. Commissioner Ognio also reminded everyone that Thanksgiving Day was coming up and he wished everyone a safe and happy holiday.

**Commissioner McCarty:** Commissioner McCarty asked everyone to have a safe and happy Thanksgiving Day, and he asked everyone to remember why they were giving thanks. He stated that the people live in a wonderful county in a wonderful country.

**Chairman Brown:** Chairman Brown thanked the veterans for their service and congratulated Commissioner-elect Pota Coston on her recent victory saying he looked forward to working with her.

**EXECUTIVE SESSION:**

**Pending Litigation:** Commissioner Oddo moved to recess into Executive Session to discuss Pending Litigation. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously.

The Board recessed into Executive Session at 9:18 p.m. and returned to Official Session at 9:26 p.m.

**Executive Session Affidavit:** Commissioner Ognio moved to authorize the Chairman to sign an Executive Session stating one item of Pending Litigation was discussed in Executive Session. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously.

**Settlement Agreement for Mr. Myron Hayes:** Chairman Brown moved to approve a settlement in the amount of \$190,000.00 for Mr. Myron Hayes, who was injured in August 2012 and was unable to return to work as a firefighter, with this settlement being approved by the State Board of Worker's Compensation on October 30, 2014. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously.

**ADJOURNMENT:**

Chairman Brown moved to adjourn the November 13, 2014 Board of Commissioners Meeting. Commissioners Barlow and McCarty seconded the motion. No discussion followed. The motion passed unanimously.

The November 13, 2014 Board of Commissioners meeting was adjourned at 9:27 p.m.

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Floyd L. Jones, County Clerk