

## **BOARD OF COUNTY COMMISSIONERS**

Charles W. Oddo, Chairman  
Randy Ognio, Vice Chair  
David Barlow  
Steve Brown  
Charles D. Rousseau



## **FAYETTE COUNTY, GEORGIA**

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

140 Stonewall Avenue West  
Public Meeting Room  
Fayetteville, GA 30214

## **MINUTES**

December 10, 2015  
7:00 p.m.

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Welcome to the meeting of your Fayette County Board of Commissioners. Your participation in County government is appreciated. All regularly scheduled Board meetings are open to the public and are held on the 2<sup>nd</sup> and 4<sup>th</sup> Thursday of each month at 7:00 p.m.

### **Call to Order**

Chairman Oddo called the December 10, 2015 Board of Commissioners meeting to order at 7:04 p.m.

### **Invocation by Chairman Charles W. Oddo**

Chairman Oddo offered the Invocation.

### **Pledge of Allegiance**

Chairman Oddo led the Board and audience in the Pledge of Allegiance.

### **Acceptance of Agenda**

Chairman Oddo moved to accept the Agenda as published and to add Agenda Item 3A to recognize the winners of the Christmas Door Art Competition. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 5-0.

### **PROCLAMATION/RECOGNITION:**

#### **1. Recognition and honoring of Commissioner and Vietnam War Veteran David Barlow as Vietnam War Veteran Senator Valencia Seay.**

State Senator Valencia Seay and the Board of Commissioners recognized Commissioner David Barlow for his service in the Vietnam War from 1966 through 1969. A copy of the request, identified as "Attachment 1," follows these minutes and is made an official part hereof.

#### **2. Recognition of the summer interns who worked in Fayette County's State Court.**

State Court Judge Jason Thompson and the Board recognized two summer interns, Daniel Richardson and Alexa Yanar, who worked in Fayette County's State Court. A copy of the request, identified as "Attachment 2," follows these minutes and is made an official part hereof.

**3. Recognition of Assistant Chief Financial Officer Sheryl Weinmann for earning the Level 1 Local Finance Officer Certification in pursuit of professional development in governmental finance, accounting, budgeting, and public finance topics.**

Chief Financial Officer Mary Parrott, County Administrator Steve Rapson, and the Board of Commissioners recognized Assistant Chief Financial Officer Sheryl Weinmann for earning the Level 1 Local Finance Officer Certification in pursuit of professional development in governmental finance, accounting, budgeting, and public finance topics. A copy of the request, identified as "Attachment 3," follows these minutes and is made an official part hereof.

**3A. Recognition of the winners of the 2015 Merry Door Decorating Contest.**

County Administration Steve Rapson recognized the winners of the 2015 Merry Door Decorating Contest. The 911 Department won 1<sup>st</sup> place. The Library won 2<sup>nd</sup> place. The Tax Commissioner's Office won 3<sup>rd</sup> place. Pictures of the winning departments' door decorations, identified as "Attachment 3A," follow these minutes and are made an official part hereof.

**PUBLIC HEARING:**

Community Development Director Pete Frisina read the *Introduction to Public Hearings for the Rezoning of Property* into the record before introducing Public Hearing #4. A copy of the *Introduction to Public Hearings*, identified as "Attachment 4," follows these minutes and is made an official part hereof.

**4. Public Hearing of staff's recommendation to transfer an existing 2015 Retail Alcohol, Beer and Wine License from Amy McKnight to Timothy Evans, doing business as Metro Sports Bar, which is located at 1950 Hwy 85 North, Fayetteville, Georgia 30214.**

Community Development Director Pete Frisina briefed the Board on the matter.

No one spoke in favor of or in opposition.

Commissioner Brown moved to approve the transfer of an existing 2015 Retail Alcohol, Beer and Wine License from Amy McKnight to Timothy Evans, doing business as Metro Sports Bar, which is located at 1950 Hwy 85 North, Fayetteville, Georgia 30214. Commissioner Ognio seconded the motion. The motion passed 5-0. A copy of the request, identified as "Attachment 5," follows these minutes and is made an official part hereof.

**5. Public Hearing of Petition No. 1251-15, Ruth M. Sitton, Owner, and Al Gaskins, Agent, request to rezone 4.238 acres from A- R to R-70 to develop a Single-Family Residential Lot with said property being located in Land Lots 169 and 170 of the 4th District and fronting on Antioch Road.**

Community Development Director Pete Frisina briefed the Board on the matter and he noted that both staff and the Planning Commission recommended denial of the request.

**Tom Lord:** Mr. Lord read a letter in favor of the petition that was written by Mr. Al Gaskins. Mr. Lord then urged the Board to approve Petition No. 1251-15. Mr. Lord asked members of the audience if they came to the meeting in support of approval of Petition 1251-15 and many people indicated their support of the petition.

**Bonnie Hicks:** Ms. Hicks spoke in favor of approving Petition No. 1251-15.

**Frank Gardner:** Mr. Gardner spoke in favor of approving Petition No. 1251-15.

No one spoke in opposition of Petition No. 1251-15.

Commissioner Brown moved to deny Petition No. 1251-15. Commissioner Ognio seconded the motion.

Commissioner Brown empathized with the requestors but he explained that he had sworn to uphold the ordinances of Fayette County. He acknowledged that there was R-40 zoned property near Ms. Sitton's property but he stated that the rezoning of the property to R-40 was a mistake. He explained that if the Land Use Plan was allowed to erode then the County would lose its legal ability to uphold the plan. He said he had looked at the Land Use Plan to determine if there was a way to honor the request but he was unable to find a way to approve the request. Commissioner Ognio agreed with Commissioner Brown.

Commissioner Rousseau asked Mr. Frisina if the other properties that were zoned as R-40 had been rezoned by the Board of Commissioners. Mr. Frisina stated that he recalled the R-40 properties were zoned R-40 prior to the Land Use Plan being in effect. Commissioner Rousseau asked Mr. Lord if efforts had been made to acquire additional land. Mr. Lord replied that there was a small peninsula of land added to the property but there was no other property available since, should someone sell property to the Sitton's, it would reduce the seller's property to below minimum standards.

Commissioner Brown suggested that the property owners could possibly build a substantial addition to the house rather than building two houses on the property. Mr. Lord stated that when the house was built it was fine but given the addition of the lake, should the same house be built today, it would be considered non-compliant. He stated that the Land Use Plan could not address every single situation and suggested that is why the Planning Board existed to apply rational thought to the document and change it if needed. He further added that the Land Use Plan was written about 20 years ago so it is impractical to abide by it since needs and plans must change rapidly.

Commissioner Barlow reminded the Board of an earlier denial of the Moody's request, however, subsequent to the denial a solution was obtained. He asked if there was anything staff could do to address the current issue. Mr. Frisina replied that the only solution was to change the current Zoning Regulations. Commissioner Barlow asked Mr. Frisina if there was any way to modify the Zoning Regulations. Mr. Frisina replied that it would take an ordinance with by-in from the Board of Commissioners to make the changes. Commissioner Barlow stated that sometimes he cannot "do what is right but only what is legal" and that he has to uphold the law. He hoped the County would be able to come up with a solution that does not open a door creating precedence.

Chairman Oddo agreed that this was a difficult decision but that the entire community had to be considered. He said he admired the people who came to support the petition and he hoped some resolution could be had. He stated that Fayette County was unique due to its adherence to the Land Use Plan and that once the Land Use Plan begins to change it would necessarily have to change for everyone.

The motion to deny Petition 1251-15 passed 5-0. Copies of the request, Rezoning Ordinance 1251-15, Rezoning Petition 1251-15, and the neighbor's petition, identified as "Attachment 6," follow these minutes and are made an official part hereof.

**6. Public Hearing of Petition No. 1252-15, Jeffrey Anderson Jr., Owner, request to rezone 8.87 acres from R-20 to A-R to develop a Single-Family Residential Lot with said property being located in Land Lot 62 of the 4th District and fronting on Bankstown Road with two (2) recommended conditions.**

Community Development Director Pete Frisina briefed the Board on Petition 1252-15 and he reported that both staff and the Planning Commission supported the petition with two recommended conditions.

**Jeffrey Anderson:** Mr. Anderson spoke in favor of Petition No. 1252-15.

No one else spoke in favor or in opposition to Petition No. 1252-15.

Commissioner Brown moved to approve Petition No. 1252-15 with the two conditions as written. Commissioner Ognio seconded the motion.

Commissioner Brown asked Mr. Anderson if he had read the conditions and agreed to them. Mr. Anderson replied that he had read and agreed to the conditions.

The motion to approve Petition No. 1252-12 with the two conditions as written was approved 5-0. Copies of the request, Rezoning Ordinance 1252-12 and Rezoning Resolution 1252-12, identified as "Attachment 7," follow these minutes and are made an official part hereof.

**7. Public Hearing of Petition No. RP-058-15, Jeffrey Anderson Jr., Owner, request to revise the Survey for P.K. Dixon Subdivision to add A-R uses to the subdivision with said property being located in Land Lot 62 of the 4th District and fronting on Bankstown Road.**

Community Development Director Pete Frisina briefed the Board on the request saying it was associated with Public Hearing #6.

No one spoke in favor of or in opposition to Petition No. RP-058-15.

Commissioner Brown moved to approve Petition No. RP-058-15. Commissioner Ognio seconded the motion. The motion passed 5-0. A copy of the request, identified as "Attachment 8," follows these minutes and is made an official part hereof.

**8. Public Hearing on Ordinance 2015-13 amending the Fayette County's Code of Ordinances, Chapter 110. Article V., Sec. 110-169. Conditional Use Approval, to eliminate buffers between specified Conditional Uses in a residential or A-R zoning district.**

Community Development Director Pete Frisina reminded the Board that this request had been brought up at the October 22, 2015 Board of Commissioners meeting by Zoning Director Dennis Dutton and the request was to take an approach that was taken up a number of years ago where the County eliminated buffers when there is a non-residential use abutting a governmentally-owned property. He reported that the Board had returned the proposed ordinance to the Planning Commission for additional review before it could come back to the Board of Commissioners. He stated that the Conditional Uses of each of the uses would allow the buffer to be eliminated when two non-residential uses are allowed in a residential zoning district and abut each other only on the property line. He stated that the non-residential uses include churches and places of worship, colleges and universities, hospitals, private schools, child care facilities, cemeteries, and recreation centers. Mr. Frisina stated the ordinance was amended since it was originally written back in the day when Conditional Uses were written for the YMCA. He stated the phrase "and similar intuitions" had been removed from the proposed ordinance since. He added that the conditional uses had to be non-profits registered with the Georgia Secretary of State.

**John Lee:** Mr. Lee, headmaster of Konos Academy, spoke in support of Ordinance 2015-13.

No one else spoke in favor of or in opposition to Ordinance 2015-13.

Commissioner Brown moved to adopt Ordinance 2015-13 amending the Fayette County's Code of Ordinances, Chapter 110. Article V., Sec. 110-169. Conditional Use Approval, to eliminate buffers between specified Conditional Uses in a residential or A-R zoning district. Commissioner Barlow seconded the motion.

Commissioner Brown stated the Ordinance made sense since, given examples such as churches and cemeteries being next to each other or with churches and schools being next to each other, for the uses to be nearer to each other instead of being separated by buffers. Commissioner Rousseau thanked staff for drilling down the issues in the Ordinance.

Commissioner Ognio said he was concerned since, should one of the properties return back to a residential use, there would be a problem but no plan on how to address the problem. He acknowledged that this reversion to residential use may never happen but, given the possibility that it could, there would be no way to put the buffer back into place. Commissioner Brown replied that the Board of Commissioners would have to change the zoning back and he hoped the Board would honor the plan and maintain the zoning classification. He added that the purchaser would also know they would be buying a property without a buffer.

Chairman Oddo asked what would be the process where there were two non-residential properties and one of them converted to a residential property. County Attorney Dennis Davenport stated that when a property converts to residential the non-residential use goes away. He asked the Board to keep in mind that the starting point is there is a residential use and that this issue was about uses that are hostile to residential uses. He said the County's position has been that non-residential uses in residential zoning districts must maintain certain conditions. He said Conditional Uses are different animals than the zonings since Conditional Uses cannot be varied because they are a minimum standard. Mr. Davenport continued saying once a non-residential use goes away the County would have a unique position with a residential property with a residential use without a buffer shielding it from a non-residential use next door. He explained that the County could not require the non-residential use to put in a buffer after the fact and there is nothing about a residential use that requires it to put a buffer on either. He agreed with Commissioner Ognio's assessment that once the non-residential use goes away there would be no fix for the problem.

Commissioner Ognio asked what would happen when the next church moves in somewhere and says, "They don't have a buffer, why are you going to make me have a buffer?" Mr. Davenport stated that churches in residential areas have traffic issues on certain days of the week. He said if there is one church in a residential area that has to have buffers and there is another church in the residential area then there should be more protection of the non-residential use instead of less protection. He said that while the change being considered does not affect the current geographical location of the two properties under consideration, the change would affect every Conditional Use of churches throughout the county. He explained if the buffer goes away and does not come back and if a church comes back and coexists nicely with a residential use next door, then it calls into question whether or not there needs to be a condition. Mr. Davenport asked if the Board wanted to remove the condition since it was probably the best solution to keep from eroding it away. He added that if the Board wanted to keep the condition because it has vitality, then the Board needed to uphold the condition since it is already at a minimum standard.

Chairman Oddo stated that this was a hard decision since it makes since in this particular case but it would be effective for the entire county with questions with what would happen if a property does revert without a normally required buffer. He said it was a situation where there is a desire to do something but after looking at the entire situation it is probably not the best way to go. Commissioner Brown stated that the crux of something changing or returning to residential use is solely based on the Board of Commissioners as it upholds the Land Use Plan. Mr. Davenport replied that the question was not whether or not the property would convert to residential use since the property already is residential use, but rather that the issue is about non-residential uses with minimal standards. He explained that if non-residential uses went away they automatically become residential use by right. Commissioner Brown asked if a non-residential use reverted back to a residential use then would it be a rezoning issue. Mr. Davenport replied that it would not be a rezoning matter since the properties are already zoned residential. Mr. Davenport stressed that Conditional Use properties do not exist unless they meet all the conditions. Chairman Oddo stated that each one of the Commissioners needs to look to the same ordinance and Land Use Plan.

Commissioner Brown asked if the concerns were discussed in the Planning Commission and Mr. Frisina replied that they were discussed in the Planning Commission since Assistant County Attorney Patrick Stough brought up the same concerns raised by Mr. Davenport. Mr. Frisina agreed there was an issue with a property reverting from a non-residential use to a residential use and he understood Mr. Davenport's concerns, however, he said that kind of reversion had never come up even though the possibility existed.

The motion to adopt Ordinance 2015-13 amending the Fayette County's Code of Ordinances, Chapter 110. Article V., Sec. 110-169. Conditional Use Approval, to eliminate buffers between specified Conditional Uses in a residential or A-R zoning district passed 3-2 with Chairman Oddo and Vice Chairman Ognio voting in opposition. Copies of the request and Ordinance 2015-13, identified as "Attachment 9," follow these minutes and are made an official part hereof.

#### **CONSENT AGENDA:**

Commissioner Brown requested to remove Consent Agenda Item 10 and 19.

Commissioner Barlow moved to approve the Consent Agenda with the exception of Consent Agenda Items 10 and 19.

9. **Approval of staff's amendments to Policy 100.01- Policy Development / Revision. Copies of the request and Policy 100.01, identified as "Attachment 10," follow these minutes and are made an official part hereof.**
10. **Approval of Chairman Oddo's recommendation to authorize the County Administrator to allow the individual department heads to reduce to minimal staffing beginning at 1:00 p.m. on Wednesday, December 23, 2015 in observance of the Christmas holiday.**

Commissioner Brown stated that this item is traditionally voted on off the Consent Agenda. He reminded the Board that in 2014 he made the motion to give the Friday after Christmas off since it did not make sense for the employees to take two days holiday, only to return to work on a Friday, only to return to the weekend for another two days. He stated that since Christmas Eve and Christmas Day about the weekend he did not see the necessity of having December 23.

Chairman Oddo moved to approve the recommendation to authorize the County Administrator to allow the individual department heads to reduce to minimal staffing beginning at 1:00 p.m. on Wednesday, December 23, 2015 in observance of the Christmas holiday.

Chairman Oddo asked County Administrator Rapson if, traditionally, early closure for Christmas was a hard close. Mr. Rapson replied that was the tradition, however, this recommendation was to reduce to minimal staffing.

Chairman Oddo amended his motion to make a hard close of the County beginning at 1:00 p.m. on December 23, 2015. Commissioner Barlow seconded the amended motion.

Commissioner Ognio said he was not on board with the motion. He said he was in agreement with letting the employees have Friday off last year since likely little work would be accomplished. He explained that in this case there are things the County needs to get done and this year they would essentially get a four-day weekend.

The motion to authorize the County to have a hard close beginning at 1:00 p.m. on Wednesday, December 23, 2015 in observance of the Christmas holiday failed 2-3 with Chairman Oddo and Commissioner Barlow voting in favor of the motion. A copy of the request, identified as "Attachment 11," follows these minutes and is made an official part hereof.

11. **Approval of Chairman Oddo's recommendation to authorize the County Administrator to allow the Fayette County Library to be closed on Saturday, December 26, 2015 in observance of the Christmas holiday. A copy of the request, identified as "Attachment 12," follows these minutes and is made an official part hereof.**
12. **Approval of the County Clerk's recommendation to adopt the 2016 County Commissioner Meeting Schedule. A copy of the request, identified as "Attachment 13," follows these minutes and is made an official part hereof.**
13. **Approval of the County Attorney's recommendation to authorize the Chairman to sign a letter on County letterhead and addressed to the Georgia Environmental Protection Division certifying Fayette County is actively involved in and has a strategy for meeting Georgia's statewide goal of waste reduction. Copies of the request and letter, identified as "Attachment 14," follow these minutes and are made an official part hereof.**
14. **Approval of staff's recommendation to authorize the Fayette County Solicitor's Office to accept a grant award from the Criminal Justice Coordinating Council in the amount of \$68,000.00 with the initial grant award period beginning October 1, 2015 and expiring September 30, 2016, and authorization for the Chairman to sign all grant related documentation. Copies of the request and grant award documentation, identified as "Attachment 15," follow these minutes and are made an official part hereof.**
15. **Approval of staff's recommendation to add Waterlace Pod D, also known as Canoe Club, subdivision to Fayette County's Street Light Program. A copy of the request, identified as "Attachment 16," follow these minutes and are made an official part hereof.**

16. **Approval of staff's recommendation to award Quote #1042-A- Floating Docks at Lake Horton and Lake McIntosh to the low bidder, Amaysing Services, Inc. in the amount of \$80,000.00 utilizing Renewal and Extension funds, and authorization for the Chairman to sign any related documents. A copy of the request, identified as "Attachment 17," follows these minutes and is made an official part hereof.**
17. **Approval of staff's recommendation to award Quote #989-A- Crosstown Water Treatment Plant Thermoplastic Polyolefin Roofing System to the low bidder Briggs Brothers Enterprises Corporation, in the amount of \$73,500.00, to utilize Renewal and Extension funds for the project, and to authorization for the County Administrator to sign all related documents. A copy of the request, identified as "Attachment 18," follows these minutes and is made an official part hereof.**
18. **Approval of Water Committee's recommendation to continue the Metropolitan North Georgia Planning District Toilet Rebate Program with an additional funding in the amount of \$50,000.00. A copy of the request, identified as "Attachment 19," follows these minutes and is made an official part hereof.**
19. **Approval of staff's recommendation to award RFQ #1021-A- Easement Clearing at the South Fayette Water Treatment Plant to Georgia Power in the amount of \$20,562.50, to transfer \$10,562.50 from the Renewal and Extension fund to existing easement clearing funds, and authorization for the Chairman to sign any necessary documents.**

Commissioner Brown asked Water System Director Lee Pope asked if there would be continuous maintenance cycle once the brush and trees were cleared. Mr. Pope replied that staff would do a better job of maintaining the fence line with assistance from the Public Works Department. Commissioner Brown asked if there were wetlands in the property and, if so, could the trees be cut in the wetlands. Mr. Pope replied that there wetlands at the backside of the property and that there would be work in the wetlands. He reminded Commissioner Brown that, as a utility, the Water System is exempt for maintaining its own property even in wetlands. He gave several examples of the type of work the utilities do.

Commissioner Ognio pointed out that the request showed there would be clearing on church property. Mr. Pope stated that when this project was first being considered there was concern about being on church property so the contractors were asked, to bid the church property separately. He stressed that the work actually would not be on church property. Commissioner Ognio stated that the updated map showed no work on church property but the bid package did show work on church property with separate costs for doing the work with the cost for working on church property being included in the total requested amount. Mr. Pope again stressed that there would be no work on church property. County Administrator Steve Rapson provided clarification on where the work would take place and agreed there would be no work on church property. He further recommended that the motion be made in the amount of \$18,506.25.

Commissioner Ognio stated he did not see anything in the packet about seeding. Mr. Pope replied that the fence line would be cleared since it is a secure facility. He stated that the County would remove all the foliage and trees and maintain grass. Commissioner Ognio clarified that the quote did not include grass maintenance and Mr. Pope replied that was correct.

Commissioner Brown moved to approve RFQ #1021-A- Easement Clearing at the South Fayette Water Treatment Plant to Georgia Power and to exclude the property as church and the funding associated with that, from the Renewal and Extension fund to existing easement clearing funds, and to authorize the Chairman to sign any necessary documents. Commissioner Barlow seconded the motion. The motion passed 5-0. A copy of the request, identified as "Attachment 20," follows these minutes and is made an official part hereof.

20. **Approval of the Water Committee's recommendation to accept the 2016 meeting schedule as presented. A copy of the request, identified as "Attachment 21," follows these minutes and is made an official part hereof.**
21. **Approval of the November 12, 2015 Board of Commissioners Meeting Minutes.**

#### **OLD BUSINESS:**

There were no items of Old Business on the Agenda.

**NEW BUSINESS:**

- 22. Consideration of a recommendation from the Selection Committee, comprised of Vice Chairman Randy Ognio and Commissioner David Barlow, to appoint Page McDonald to the Fayette County Library Board for a four-year term beginning January 1, 2016 and expiring December 31, 2019.**

Commissioner Ognio spoke about Ms. McDonald's qualifications for serving on the Library Board. He said there were many good applicants for the position but Ms. McDonald was the one he felt should be on the Board. Commissioner Barlow agreed with Commissioner Ognio's comments.

Commissioner Ognio moved to accept the Selection Committee's recommendation to appoint Page McDonald to the Fayette County Library Board for a four-year term beginning January 1, 2016 and expiring December 31 2019. Commissioner Barlow seconded the motion. The motion passed 5-0. A copy of the request, identified as "Attachment 22," follows these minutes and is made an official part hereof.

- 23. Consideration of a recommendation from the Selection Committee, comprised of Chairman Charles W. Oddo and Commissioner Charles D. Rousseau, to re-appoint Alvin Gilbert and James Graw to the Fayette County Planning Commission for a three-year term beginning January 1, 2016 and expiring December 31, 2018.**

Commissioner Rousseau thanked the applicants who submitted their names for consideration and he specifically thanked Mr. Gilbert and Mr. Graw for their on-going service to Fayette County. He then recommended their reappointments without reservation.

Chairman Oddo moved to accept the recommendation from the Selection Committee, comprised of Chairman Charles W. Oddo and Commissioner Charles D. Rousseau, to re-appoint Alvin Gilbert and James Graw to the Fayette County Planning Commission for a three-year term beginning January 1, 2016 and expiring December 31, 2018. Commissioner Rousseau seconded the motion. The motion passed 5-0. A copy of the request, identified as "Attachment 23," follows these minutes and is made an official part hereof.

- 24. Consideration of a resolution from the City of Fayetteville consenting to the inclusion of certain Fayette County Ad Valorem Taxes in the Computation of the Tax Allocation Increment for the City of Fayetteville Tax Allocation District Number One- Highway Corridor.**

County Administrator Steve Rapson notified the Board that the City of Fayetteville had originally asked for this item to be tabled but subsequently had asked for the Board to remove this item from consideration.

Commissioner Brown moved to not act on this request. Commissioners Ognio and Rousseau seconded the motion. The motion passed 5-0. A copy of the request, identified as "Attachment 24," follows these minutes and is made an official part hereof.

- 25. Consideration of staff's recommendation to adopt Ordinance 2015-15, Resolution 2015-13, and the Purchasing Card User Agreement for compliance with Georgia General Assembly House Bill 192 pertaining to county issued Purchase Cards and Credit Cards by county elected officials, and for said documents to become effective on January 1, 2016.**

Chief Financial Officer Mary Parrott stated the Georgia General Assembly passed House Bill 192 pertaining to the use of Purchasing Card by elected officials. She said the House Bill requires local governments to take three actions, specifically, to develop a policy for elected officials and their use of the purchasing cards, to take a public vote and designate the elected officials authorized to use the county purchasing card program as well as to appoint an purchasing card administrator, and to enter into an agreement with each elected official between both the elected official and the Board of Commissioners. Mrs. Parrott said the requirements would become effective on January 1, 2016. She stated that Ordinance 2015-15 would become the required policy and that Resolution 2015-13 would be the public vote designating the elected officials.

Commissioner Brown moved to adopt Ordinance 2015-15 as written. Commissioner Ognio seconded the motion.



Commissioner Brown stated that there have been some counties and elected officials in the news who abused the purchasing cards. He stated that the members of the Fayette County Board of Commissioners do not get to have a purchasing card until they have to go to a conference or function and have to buy gas or stay overnight. He said the cards are promptly returned to the County Clerk's staff. County Administrator Steve Rapson added that there is a process where he and the Finance Department review purchases made with purchasing cards. He stated that there is always the possibility that someone would make an improper charge on the purchasing card but this is not a case where someone would look up in six months to be surprised.

The motion to adopt Ordinance 2015-15 as written passed 5-0.

Commissioner Ognio moved to approve Resolution 2015-13. Commissioner Brown seconded the motion. The motion passed 5-0. Copies of the request, Ordinance 2015-15, and Resolution 2015-13, identified as "Attachment 25," follow these minutes and are made an official part hereof.

**26. Consideration of staff's recommendation to proceed with transitioning the County's Defined Benefit retirement plan from GEBCorp to MassMutual and to authorize the Chairman to sign any associated documents.**

County Administrator Steve Rapson reported that Regional Client Manager Paul Bates, representing the Association of County Commissioners Georgia (ACCG) Retirement Team, was in the audience for the meeting. He stated that part of the concerns that have been discussed involve transparency and reporting issues. He said ACCG had agreed to provide the information, and he recommended that the request be tabled to January 28, 2016 in order to give ACCG time to provide the information.

Chairman Oddo moved to table this item to the January 28, 2016 Board of Commissioners meeting. Commissioner Ognio seconded the motion.

Commissioner Brown asked if the GEBCorp officials on the committee responsible for the Defined Benefit retirement plan were elected officials. Mr. Bates replied there is a formal Defined Benefit Board comprised of County Commissioners and staff from around the state. Commissioner Brown asked if there was an internal ethical code from which they have to operate. Mr. Bates replied that there are several ethical codes that they must abide by and that the elected officials also must abide by the ethical codes. Mr. Rapson stated that this matter did not concern who was on the committee or its decisions, but rather it involved a decision of the Investment Committee who wants transparency, one-stop shopping, and to make investments on behalf of the employees instead of a third-party making the decision with no transparency. He said Mr. Bates made assurances that the information would be provided but, should there not be a middle-ground that could be agreed upon, staff would return with a recommendation.

The motion to table this item to the January 28, 2016 Board of Commissioners meeting passed 5-0. A copy of the request, identified as "Attachment 26," follows these minutes and is made an official part hereof.

**27. Consideration of staff's recommendation to adopt Ordinance 2015-16- Transportation Committee and in so doing adding a new division to the Fayette County Code of Ordinances to provide for the establishment of the Fayette County Transportation Committee.**

Commissioner Ognio stated that since he has been on the Board he found there was basically no planning for future traffic. He explained that even though he did not necessarily want to call the committee the "Transportation Committee" the ordinance does involve golf cart paths and bicycle paths so it became known as the Transportation Committee. He thought it was important for the county and municipalities to grow and plan together and to take a common message to the Atlanta Regional Commission (ARC) for state and federal funding. He pointed out that Commissioner Brown had made some suggested changes that he would support.

Commissioner Brown pointed out that there was a packet on the dais containing a red-lined version of Ordinance 2015-16 and he quickly briefed the Board on the recommended changes.

Commissioner Brown moved to adopt Ordinance 2015-16- Transportation Committee as written in the red-lined version on the dais. Commissioner Barlow seconded the motion.

County Attorney Dennis Davenport stated that the ordinance would be effective immediately upon adoption and he suggested that the effective date be in the future in order to put members on the Board through a resolution.

Commissioner Brown amended his motion to include population of the Committee within sixty days. Commissioner Barlow seconded the amended motion.

Commissioner Rousseau cautioned that the Transportation Committee did not need to get out ahead of the Board or staff and that the Transportation Committee needed to be very cognizant to not go out and speak on behalf of Fayette County. Commissioner Rousseau also expressed concern with having the Transportation Committee appoint a secretary who can be either an officer or employee of Fayette County. He asked how flexible time or overtime would be administered when staff spends an exorbitant amount of time at evening meetings since they are still technically at work on work time. County Administrator Steve Rapson said that matter needed to be taken into consideration. He said the preference is that the secretary comes from the committee itself instead of staff since; otherwise, it would wear out the County Clerk's staff. Mr. Rapson said it was staff's preference to strike the language making the committee generate its own minutes.

Commissioner Brown amended his motion to strike the wording "who may be an officer or employee of Fayette County," out of the ordinance. Commissioner Barlow seconded the motion.

The motion to adopt Ordinance 2015-16- Transportation Committee as written in the red-lined version on the dais, for populate the Committee to become effective within sixty days, and to strike the phrase "who may be an officer or employee of Fayette County" from the third line of page seven of the ordinance passed 5-0. A copy of the request, red-line version of Ordinance 2015-16, and final form Ordinance 2015-16, identified as "Attachment 27," follows these minutes and is made an official part hereof.

**28. Consideration of staff's recommendation to approve Change Orders with Southeastern Pressure Grouting, Inc., in the amount of \$12,570, to fill settled small voids in the Lake Peachtree Spillway and with Piedmont Geo-technical to oversee work and issue a final report approving the safety of the structure in the amount of \$7,316, and to authorize the County Administrator to sign related Change Orders.**

County Administrator Steve Rapson reported that the work had been completed so there were actual figures to provide. He stated that the \$12,570 amount would change to \$14,186 and the \$7,316 amount would change to \$5,700. He stated that Water System Director Lee Pope was on the field as the work was being completed and they were able to complete the work since there was not a substantial void. Mr. Rapson stated that the void was capped off, that the sealing was complete, and the work was finished within the requested amount of \$19,886. Mr. Rapson stated that Southeastern Pressure Grouting reduced their actual expenses by \$1,282, but he reminded the Board that this was the third change order so Southeastern Pressure Grouting was willing to make that reduction.

Chairman Oddo asked if this work would complete the project. Mr. Rapson replied that the work did complete the project and that the remaining dirt was being removed from Lake Peachtree as expeditiously as possible. He stated that there just needed to be another week or two without rain so the dredging could be completed and then it could rain as much as it wanted. Mr. Rapson gave kudos to Mr. Pope because he went to the site and pushed both of the firms to make sure the spillway was completed.

Commissioner Barlow moved to approve Change Orders with Southeastern Pressure Grouting, Inc., in the amount of \$14,186, to fill settled small voids in the Lake Peachtree Spillway and with Piedmont Geo-technical to oversee work and issue a final report approving the safety of the structure in the amount of \$5,700, and to authorize the County Administrator to sign related Change Orders. Commissioner Ognio seconded the motion.

Commissioner Ognio said he had concern with the request since the companies had already been paid to grout the spillway but now the companies have to return to grout the spillway again. He thought there should be a better job on the contracts to make sure the companies warranty or guarantee their work since if his company had to do the same job over like this he would not be in business for long. Mr. Rapson reminded the Board that three vendors replied to the bid for the work but one vendor was unqualified leaving only two bidders for the job. He said the low bidder was \$71,855 and the high bidder was \$123,775 meaning there was a significant cost difference between the two bids. He said both companies bid the same material, namely a cement-wet paste type grout even though there are other types of grout available. He explained that if the other grouts had been used then there was the chance that the spillway itself could have been damaged. He said he was convinced that the approved change orders were valid and would have been valid irrespective of which vendor was used since additional voids were located and since the scope of the project was expanded to re-caulk, re-grout, and do internal work on the structure. He reminded the Board that the lake was nearly full several weeks ago after heavy rains and, even so, there were no residual flows behind the spillway structure. He suggested that it may have been sufficient not to do the capping and re-grouting of the spillway, however, the decision was made to do the extra work in order to cross all the "t"s and dot all the "i"s, removing all questions about what should have been done. Mr. Rapson stated that even given the variances and with the assumption that change orders would not have happened with the other vendor, the County has still spent \$11,000 to \$12,000 less than the original bid. He agreed that he was not a big fan of Change Orders but given this scenario where this type of work had not been done before and with the consultants telling staff how to do the work, there was not a whole lot of "Sunday morning quarterbacking" that could have been done. Mr. Rapson concluded that the repair is a permanent repair for the lake but that Peachtree City may do other work making this spillway a secondary structure.

Commissioner Rousseau said Mr. Rapson had answered his questions as well, but he pointed out that the work had already been done negating the need to actually approve the work. Commissioner Rousseau stated that the motion needed to be amended to in order to ratify the Change Order instead of to approve the Change Order since the work was already completed.

Commissioner Barlow amended his motion to ratify the Change Orders. Commissioner Ognio seconded the amendment.

The motion to ratify Change Orders with Southeastern Pressure Grouting, Inc., in the amount of \$14,186, to fill settled small voids in the Lake Peachtree Spillway and with Piedmont Geo-technical to oversee work and issue a final report approving the safety of the structure in the amount of \$5,700, and to authorize the County Administrator to sign related Change Orders passed 5-0. Copies of the request and Change Orders, identified as "Attachment 28, follow these minutes and are made an official part hereof.

**29. Discussion concerning Fayette County's Ethics Ordinance.**

Chairman Oddo stated that the Ethics Ordinance had been adopted and is effective but there was work to do on the ordinance. Chairman Oddo asked if the discussion could be tabled to the January 28, 2015 Board of Commissioners meeting since there was a lot to discuss. Commissioner Brown suggested that staff be directed to provide suggestions and a straw-man proposal that could correct some of the concerns. Chairman Oddo asked County Attorney Dennis Davenport if he would be willing to provide the suggestions and Mr. Davenport replied he would be glad to do so.

Chairman Oddo moved to table the discussion concerning Fayette County's Ethics Ordinance to January 28, 2015. Commissioner Rousseau seconded the motion. The motion passed 5-0. A copy of the request, identified as "Attachment 29, follows these minutes and is made an official part hereof.

**30. Discussion of Commissioner Brown's request to display "Out of Many, One" as the English translation of the original national motto "E Pluribus Unum" in the Commissioners' Meeting Chambers.**

Commissioner Brown reminded the Board that at the end of 2014 the Board unanimously approved displaying the National Motto "In God We Trust" in the Public Meeting Room. He said the issue was resolved at a recent meeting and the wording would be placed above the seal in a half-round fashion. He said since its approval there have been numerous citizens to contact him who have brought up the point to add one of the original mottos of the nation, namely, *E Pluribus Unum* in the

meeting chamber. He thought it would be better to display the English version instead of the Latin version. Commissioner Brown suggested that the Public Arts Committee did not need to be involved with the decision, and he suggested placing "Out of Many, One" at the bottom of the seal.

Commissioner Brown moved to approve the request to add the motto "Out of Many, One," to prominently display the motto in the Commission Meeting Chambers, to put the motto beneath the seal opposite of "In God We Trust," and to not forward the motto to the Public Arts Committee. Commissioner Rousseau seconded the motion.

Commissioner Rousseau stated the Board had labored over the issue of putting mottos in the Public Meeting Room. He reminded the Board that he had expressed his thoughts about the original motto and how the impression is given that those who are not faith-based are not welcomed. He said the currently discussed motto was a little more inclusive. Commissioner Rousseau stated that he stood by his faith but slogans and mottos do not determine how the Board operates. He stated he was ambivalent about having various slogans in the meeting room and that he would prefer to have nothing in the Public Meeting Room. He said he was not necessarily opposed to "Out of Many, One" since it brings the Board closer to being all inclusive of the Fayette County citizens. He then asked the Board to stop adding mottos and slogans to the Public Meeting Room.

Commissioner Ognio stated he was not a fan of "Out of Many, One" since he did not know how the citizens would interpret its meaning. He said he was unsure how the citizens would interpret the motto and he was concerned with how it would be interpreted.

Commissioner Brown stated this motto would be the last one he would be willing to ask for since he agreed with Commissioner Rousseau's comments.

Chairman Oddo opened the floor for Public Comment on this matter.

**George R. Moore:** Mr. Moore stated that the "In God We Trust" motto is exclusive, is part of the ideological wars engulfing the nation, and is a pushback against the separation of church and state. He suggested placing the statement in the Public Meeting Room suggests some of the Commissioners use Scripture instead of state and federal law to make decisions. He stated that the concern became greater after a citizen received an email from a Commissioner that was punctuated with Scripture "from a vengeful God." He closed that government of the people, by the people, and for the people deserves better.

**Steve Yoshment:** Mr. Yoshment agreed with Commissioner Rousseau that "Out of Many, One" is a more inclusive choice and he spoke about its original and current meanings. He concluded that he was in favor of the motto.

**Judith W. Moore:** Mrs. Moore read an email that was written to her by Commissioner Barlow in response to her opposition about displaying "In God We Trust" in the Public Meeting Room. She stated that she was raised Baptist, married Presbyterian, was a member of the Episcopal Church for many years, and is currently an Atheist. She stated that placing "In God We Trust" in the public meeting room makes her feel she would not find justice in any decision required by the Commissioners on the basis of the fact that at least one of them would regard her as "lukewarm" and that she might be "spat out" by God in some fashion. She feared the Board would look to the Holy Scriptures before it looks to the United States Constitution, which does not have the word "God" in it. She asked the Board to reconsider and vacate the decision to display "In God We Trust" in the meeting room and to remove any references to God in the Public Meeting Room.

**Marcia Hendershot:** Mrs. Hendershot said she emailed each Commissioner about displaying the mottos in the Public Meeting Room. She stated that the Board's intention was likely to display a unifying motto but she was concerned that not everyone felt the same way about the motto. She told a story about a family vacation that ended in a "restaurant" where she felt unwelcome and unwanted. She said whatever is displayed on the walls matters to people and it concerned her that the Board would superimpose its belief in God by placing the motto above the seal, effectively leaving out some of the people. She said she was mystified that the United States Supreme Court has ruled that it is okay to use "In God We Trust" as a motto since all references to God were intentionally left out of the United States Constitution and since the Founding Fathers never

envisioned religious displays in government buildings. She suggested that Fayette County's motto "Where Quality is a Lifestyle" or other options would be better in the Public Meeting Room. She suggested this matter may require compromise from the Board by not posting anyone's religious beliefs on the wall.

**Carla Brady:** Ms. Brady thanked the Board for its service to Fayette County. She stated that posting "In God We Trust" is exclusionary and divisive. She stated that population has a growing number of Agnostics and Atheists, and she suggested that those who believe in God still may not want to have the motto posted. She stated that believing in God is not a requirement for running for office and it leaves an unbelieving Commissioner in a position of displaying a motto that does not represent that Commissioner. She reminded everyone that earlier in the meeting someone mentioned that the law, not Scripture, needed to be considered. She stated the motto is a personal statement and she did not want individual beliefs posted on the wall and she suggested that the motto indicated the county's management is under God's rule even though there are violent disagreements about what that is. She then gave a story about how people can be excluded based on an arbitrary decision and she concluded that was what the Board is actually doing.

Commissioner Brown thanked the people for the comments and emails, and he said this was his attempt to create balance. He stated that "Out of Many, One" is a bona fide motto of the United States and written on the currency, and he hoped it would address both sides since it is a very inclusive statement.

Commissioner Rousseau said he appreciated the people's comments and he agreed that the Board's responsibility was not to impede anyone's access or right to petition the government, to ask for redress, or seek services. He recognized how the motto could be divisive and how this attempt would bring some semblance of balance. He stated that anything that gives the appearance of dividing the people, makes them feel unwelcome, or gives the impression that the deliberations would be one-way of thinking is not appropriate. He said decisions should be based on the merits of the case and he would never intentionally give the impression that services would be denied by a motto. He asked the Board to discontinue the practice of placing mottos on the wall and that God would judge him by how he conducts himself as pleasing in God's sight. He stated he was bound by both his faith and the law but while in the seat he was bound by the law.

Chairman Oddo said his personal preference was to not add more mottos to the wall. He said the addition of "In God We Trust" to the wall had already been approved, but he would oppose adding the new motto to the wall.

The motion to approve the request to add the motto "Out of Many, One," to prominently display the motto in the Commission Meeting Chambers, to put the motto beneath the seal opposite of "In God We Trust," and to not forward the motto to the Public Arts Committee passed 3-2 with Commissioners Barlow and Oddo voting in opposition. A copy of the request, identified as "Attachment 30," follows these minutes and is made an official part hereof.

#### **PUBLIC COMMENT:**

**Tom Waller:** Mr. Waller reminded the Board that approximately five months ago the County provided an update on the progress of the West Fayetteville Bypass. He stated that since that time there was no apparent progress on completing the road and he suggested that if staff was incapable of completing the road that it should be sent to a third party who could bring it to completion.

**Frank Gardner:** Mr. Gardner said an ordinance was changed about three years ago that affected him so he has attended meetings often since that time. He stated that the ordinance that governed the denial of Petition 1251-15 should be amended or that the decision needed to be reconsidered.

**John Hendershot:** Mr. Hendershot stated that he had heard several of the Commissioners say the Board should not have approved displaying "In God We Trust" in the Public Meeting Room. He encouraged the Commissioners to reconsider their decision of displaying that motto.

**Greg Clifton:** City of Fayetteville Mayor Greg Clifton reminded the Board that there is no constitutional separation between church and state but rather the phrase came from a letter from President Thomas Jefferson. He stated this would be the last time coming to the meeting as mayor. He added that the city just had its best Christmas parade ever and that the city was currently celebrating Chanukah. He said there was a great turnout to the parade and he thanked the Board for the use of the Heritage Park fountain and

county facilities. He reported that next year's parade would be hosted by the Shriners, and he finished his comments by wishing everyone a Merry Christmas. Chairman Oddo replied that it had been a pleasure to work with Mayor Clifton and welcomed him to future meetings.

**Dennis Benson:** Mr. Benson spoke for approximately 16 minutes about the ongoing lawsuit between the National Association for the Advancement of Colored People (NAACP) and Fayette County, and he stressed that the lawsuit should not prevail in favor of the NAACP.

**Paul Oddo:** City of Fayetteville Councilman Paul Oddo repeated Mayor Clifton's comments about the successful Christmas parade and other events. He said he was a student of history and that the "In God We Trust" motto is historical and is the national motto so he would support the effort to place the motto on the wall. He added that *E Pluribus Unum* is something that people forget since people come to the country and remain separate. Councilman Oddo reminded the Board that the Land Use Plan is not concrete and is not set in stone like the Ten Commandments so he asked the Board to reconsider helping out the family with Petition 1251-15. He closed his comments by wishing everyone Merry Christmas.

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

**Response to Mr. Waller's Public Comments:** County Administrator Steve Rapson replied to Mr. Waller's comments saying Director of Engineer and Buildings and Grounds Carlos Christian is working on the project. He said Mr. Christian is saving the County thousands of dollars by making and submitting the plans to the Georgia Department of Transportation (GDOT). He reported that Mr. Christian has sent about thirteen plans to GDOT for review, but the plans are very dynamic and has changed dozens of times based on conversations with GDOT. He said there are particular concerns with the intersection and there have been conversations both with the Commissioners and with Mr. Waller about the intersection. He acknowledged that Mr. Waller was unhappy with the results and progress and he understood Mr. Waller's frustration, but he added that the County is on target to have the final plans for the intersection submitted to GDOT by the end of the year. He said at that point the County would be waiting on GDOT and that staff would continue to keep the Board and Mr. Waller apprised of the situation.

**Upcoming Holiday Open Houses:** County Administration Steve Rapson reminded the Board that the County would be holding Holiday Open Houses at the Public Works Building on December 11, 2015 at 7:30 a.m. and then at the Justice Center on December 16, 2015. He suggested that it would be nice for the Commissioners to go to each Holiday Open House.

**Grand Opening for the Old Jail:** County Administrator Steve Rapson informed the Board that the grand opening for the Old Jail would take place on January 8, 2016 at 2:00 p.m.

**Selection Committee for the Recreation Commission:** County Administrator Steve Rapson asked the Board to appoint a Selection Committee for the Recreation Commission to fill an unexpired term on the Recreation Commission. The Board appointed Commissioner Barlow and Commissioner Rousseau to the Selection Committee.

**Selection Committee for the Transportation Committee:** County Administrator Steve Rapson reminded the Board that it approved New Business #27 and he asked for the Board to appoint a Selection Committee for the Transportation Committee. The Board appointed Chairman Oddo and Commissioner Barlow to the Selection Committee. Commissioner Brown stated that he wanted to be a part of the Transportation Committee and therefore could not be on the Selection Committee.

**Commissioner Brown Appointed to the McIntosh Trail Community Service Board:** Commissioner Brown stated he informed Commissioner Barlow that if no one else wanted to fill in the vacancy on the McIntosh Trail Community Service Board then he would be glad to take the position. The Board appointed Commissioner Brown to the vacancy on the McIntosh Trail Community Service Board.

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

**Notification of Executive Session:** County Attorney Dennis Davenport reported that he had one item of Real Estate Acquisition, one item of Pending Litigation, and review of the November 12, 2015 Executive Session Minutes.

## **COMMISSIONERS' REPORTS:**

### **Commissioner Barlow:**

**Keep Christ in Christmas:** Commissioner Barlow thanked everyone for coming to the meeting. He reminded everyone to keep Christ in Christmas and he stated that Christmas is all about the birth of Christ and what Christ brought to the nations.

### **Commissioner Brown:**

**Response to Mr. Gardner's Public Comments:** Commissioner Brown replied to Mr. Gardner's comments saying there are no easy decisions when it comes to rezonings and that decisions can bring divisions even among acquaintances. He said many decisions that are made, and particularly with Petition 1251-15, are not made lightly but the consequences of spot-zoning the area could have significant and negative consequences. He hoped the people would be able to find another solution but stated that Commissioners have to take the longer approach and a bigger view on these matters.

**Suggestions for the County Website:** Commissioner Brown stated he was doing research on the website and he tried to pull up the County's Policies and Procedures. He said he could not find a tab for Policies and Procedures and was only able to find them by doing a Google search. He suggested that if he could not find them then the citizens may not be able to find them. County Administrator Steve Rapson replied that the Policies and Procedures were on the web but agreed that their location could be made easier to find on the website. Commissioner Brown then stated that he tried to look up individual ordinances on the website, that he found Municode, but he could not find individual ordinances. County Attorney Dennis Davenport replied that in the past the individual ordinances were available but they were not available now since the individual ordinances were merged into the County Code when they were sent to Municode. He said there would be temporary, individual ordinances on the Municode site until those ordinances were merged into the County Code. Commissioner Brown said he could not access the body of the ordinances and could not get into certain sections of the code. Mr. Rapson added that the Policies and Procedures were under "Open Government" on the home page.

**Contribution to the Fayette County Water System:** Commissioner Brown stated that he had a tradition of sending Christmas cards to each of the County employees but last year he changed the tradition due to a financial situation. He said he had made a contribution to the Hopeful Primitive Baptist Church restoration fund so he gave the donation in the name of the employees. Commissioner Brown stated that this year he was going to make another contribution but it occurred to him that there is a lady who he is familiar with who has two small children. He said the lady could not pay her water bill so he called staff and agreed to pay her water bill. He asked the Board to recall that earlier this year the Board received a surprise pay raise from the Georgia General Assembly. He said he did not vote for the raise or ask for the raise, and so he decided to put the balance of the raise to the Water System for single mothers who are having trouble paying their water bills. He said if they could pay the money back that would be great for others down the road but he would put the money in that fund.

### **Commissioner Ognio:**

**Comments on Petition 1251-15:** Commissioner Ognio stated that it was a hard decision to deny Petition 1251-15, but he felt bound by zoning and the Land Use Plan. He added that he was not sure that rezoning the property was the property way to handle the situation. He hoped another solution could be found to help out the situation. He concluded that he was not giving up on the possibility of helping the family out.

**Merry Christmas and Be Safe:** Commissioner Ognio wished everyone a Merry Christmas. He urged everyone to be safe and aware of their surroundings, and to make sure purchases are hidden when stored in cars. He said it would help lower the crime rate when people take proper precautions.

### **Commissioner Rousseau:**

**Thoughts of Thankfulness:** Commissioner Rousseau appreciated the diversity of thought even though there may be disagreement on the subject matters being broached. He wished the Fayette community and particularly staff a safe and prosperous holiday, and he thanked his colleagues saying they would continue to work collectively for the common good.

**Chairman Oddo:**

**Reflection on the Year 2015:** Chairman Oddo took a moment to reflect on the year 2015. He thanked everyone who was present including the Commissioners and staff as well as the elected officials and citizens of Fayette County. He thanked everyone for giving him the opportunity to serve as Chairman through the year 2015 saying it was a distinct honor and pleasure. Chairman Oddo thanked his family for the support they gave him saying they have been "a rock." He reminded everyone that the year had many valleys and peaks. He stated that the deepest valley was the loss of Commissioner Coston which was felt by all personally and business-wise. He said her voice would have made a difference had it not gone silent. Chairman Oddo stated that through the diversity of a split Board of Commissioners the County stayed the course and moved forward with the addition of Commissioner Rousseau to the dais. He said he did not want to dwell on the sad times but to recall that even through the many adversities wonderful achievements that were reached in the community. He stated that, like the lesson of Christmas, hope springs from despair and good can come from disappointment and he said he looked on the difficulties as learning experiences on the way to success. He concluded by wishing each one, on behalf of his family, a very Merry Christmas and a Happy New Year.

**EXECUTIVE SESSION:**

**Real Estate, Pending Litigation, and Review of the November 12, 2015 Executive Session Minutes:** Commissioner Brown moved to go into Executive Session. Commissioner Ognio seconded the motion. The motion passed 5-0.

The Board recessed into Executive Session at 10:46 p.m. and returned to Official Session at 11:35 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 Rousseau seconded the motion. The motion passed 5-0. A copy of the Executive Session Affidavit, identified as "Attachment 31," follows these minutes and is made an official part hereof.

**November 12, 2015 Executive Session Minutes:** Commissioner Ognio moved to approve the November 12, 2015 Executive Session Minutes. Commissioner Barlow seconded the motion. The motion passed 5-0.

**ADJOURNMENT:**

Commissioner Ognio moved to adjourn the December 10, 2015 Board of Commissioners Meeting. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 5-0.

The December 10, 2015 Board of Commissioners meeting was adjourned at 11:35 p.m.

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Floyd L. Jones, County Clerk

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Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 14<sup>th</sup> day of January 2016. Referenced attachments are available upon request at the County Clerk's Office.

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Floyd L. Jones, County Clerk