

## BOARD OF COUNTY COMMISSIONERS

Eric Maxwell, Chairman  
Randy Ognio, Vice Chairman  
Steve Brown  
Charles W. Oddo  
Charles D. Rousseau

## FAYETTE COUNTY, GEORGIA

Steve Rapson, County Administrator  
Dennis A. Davenport, County Attorney  
Tameca P. White, County Clerk



140 Stonewall Avenue West  
Public Meeting Room  
Fayetteville, GA 30214

## MINUTES

January 12, 2017  
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 Eric Maxwell called the January 12, 2017 Board of Commissioner meeting to order at approximately 7:01 p.m. A quorum of the board was present.

### Invocation by Commissioner Steve Brown

Commissioner Brown offered the Invocation.

### Pledge of Allegiance

Commissioner Brown introduced Boy Scout Troop #201 who led the Board and audience in the Pledge of Allegiance.

### Acceptance of Agenda

Commissioner Brown moved to accept the agenda as written. Vice Chairman Ognio seconded. The motion passed 5-0.

### PROCLAMATION/RECOGNITION:

1. Proclamation honoring the 50th Anniversary of the Fayette Chamber of Commerce.

Commissioner Brown and the Board presented the Fayette Chamber of Commerce with a proclamation honoring their 50<sup>th</sup> Anniversary. The Chamber members introduced themselves. Fayette Chamber of Commerce Director Carlotta Ungaro thanked the Board and gave brief comments about the Chamber. A copy of the request and proclamation, identified as "Attachment 1," follows these minutes and is made an official part hereof.

### PUBLIC HEARING:

Community Development Director Pete Frisina read the *Introduction to Public Hearings for the Rezoning of Property*. A copy of the *Introduction to Public Hearings for the Rezoning of Property*, identified as "Attachment 2," follows these minutes and is made an official part hereof

2. Consideration of Petition TA-001-16, Rebecca Tate, Petitioner, to amend Article V, Section 110-169 (d), Animal hospital, kennel, and/or veterinary clinic to reduce the 300 foot setback for all structures, pens, runs, or enclosures from any A-R or residential zoning district to 100 feet.

Mr. Frisina briefed the Board that the petitioner withdrew their request. An email from the petitioner to withdraw the petition was provided on the dais of the request to withdraw the petition. The email further stated that the petitioner were ceases their operation.

County Attorney Dennis Davenport briefed the Board that this is a proposed text amendment to the zoning ordinance which was advertised for a public hearing. He stated that the petitioner does not have the authority to withdraw him or herself. He stated that permission from the Board of Commissioners is required to withdraw the petition.

Chairman Maxwell stated that he wanted those in the audience that were present for this item to be clear on what would take place.

Mr. Frisina stated that Code Enforcement would visit the site to verify that it is closed down.

Vice Chairman Ognio expressed his concern about receiving the request to withdraw by email.

Mr. Davenport stated that from the start of the process, up to this point, the Tate's had been in communication with Planning and Zoning and had already attended one public hearing on this matter. He stated that there has been a line of communication established between the County and the Tate's.

Commissioner Rousseau asked what steps were in place in terms of enforcement. Mr. Frisina stated that Code Enforcement would revisit the resident and if the operation was not closed, the petitioners would be cited.

No one spoke on this item.

Commissioner Brown moved to acknowledge the withdrawal by the petitioner of Petition TA-001-16, Rebecca Tate, Petitioner, to amend Article V, Section 110-169 (d), Animal hospital, kennel, and/or veterinary clinic to reduce the 300 foot setback for all structures, pens, runs, or enclosures from any A-R or residential zoning district to 100 feet. Commissioner Rousseau seconded. Discussion followed.

Chairman Maxwell read the email into the record. The email was sent to Mr. Frisina at 1:50 p.m. on January 12, 2017:

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*To the Fayette County Board of Commissioners,*

*I am requesting to withdraw our petition (TA-001-16) to amend the zoning ordinance. We met with Pete and Steve on November 15th to talk about our plans with the kennel and what we wanted to do. Pete said his recommendation would be to not change the ordinance. We understood and notified them that our intent was to find another location and property and to move the kennel. At the close of January 12, 2017 there will be no more kennel/rescue operation.*

*Sincerely,*

*Eugene Tate*

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Mr. Davenport stated that this email communication is from the petitioner and it recites the actual petition number and the petitioner had the knowledge of when the public hearing would take place and in the absence of the petitioner, for what was obviously an important issue to the petitioner, those factors militate toward receiving the email to withdraw the petition.

Commissioner Brown moved to acknowledge the withdrawal by the petitioner of Petition TA-001-16, Rebecca Tate, Petitioner, to amend Article V, Section 110-169 (d), Animal hospital, kennel, and/or veterinary clinic to reduce the 300 foot setback for all structures, pens, runs, or enclosures from any A-R or residential zoning district to 100 feet. Commissioner Rousseau seconded. The motion passed 5-0. A copy of the request, identified as "Attachment 3," follows these minutes and is made an official part hereof.

**CONSENT AGENDA:**

Commissioner Brown moved to approve the Consent Agenda with the exception of Items #3, #6, and #7 to be removed for discussion. Vice Chairman Ognio seconded. The motion passed 5-0.

- 3. Approval of authorization to sign checks combining any of the following two signatures for transactions at or above \$5,000.00: Chairman, Vice-Chairman, County Administrator.**

Commissioner Rousseau stated that he was asking a procedural question. He asked if this was a policy revision or just a house keeping measure. County Administrator Steve Rapson confirmed that it was just a house keeping measure.

Commissioner Rousseau stated that he wanted to be certain that as long as policy was not being changed and that prior Board approval was required before the authorization to sign would occur. He stated that he wanted that to be clear.

Mr. Rapson stated that it was an internal control that requires two signatures before being released.

Commissioner Rousseau moved to approve authorization to sign checks combining any of the following two signatures for transactions at or above \$5,000.00: Chairman, Vice-Chairman, County Administrator. Commissioner Brown seconded. The motion passed 5-0.

- 4. Approval of authorization to sign checks for transactions in the amount of \$4,999.99 or less: Chairman, Vice-Chairman, County Administrator.**
- 5. Approval of the Chairman, Vice-Chairman, and the County Administrator to execute contracts, resolutions, agreements, or other documents approved by and on behalf of the Board of Commissioners.**
- 6. Approval of the Public Arts Committee's request for Concept Approval to develop art for the Fayette County Animal Shelter exterior and interior spaces in addition to developing art programs and events to showcase art while increasing awareness and visitors to the Shelter.**

Commissioner Oddo asked the Chairwoman of the Public Arts Committee Donna Thompson, if this project was carried forward from the previous committee. He stated that he wanted to ensure that because the project was in the City of Peachtree City that they would be involved with this project if approved by the Board. Mrs. Thompson stated that was correct.

Commissioner Oddo moved to approve the Public Arts Committee's request for Concept Approval to develop art for the Fayette County Animal Shelter exterior and interior spaces in addition to developing art programs and events to showcase art while increasing awareness and visitors to the Shelter. Vice Chairman Ognio seconded. The motion passed 5-0. A copy of the request, identified as "Attachment 4," follows these minutes and is made an official part hereof.

- 7. Approval of the draft contract between the Georgia Department of Transportation and Fayette County for the SR 74 Corridor Study (GDOT PI # 0015076 / ARC Project No. FA-357).**

Commissioner Brown stated that this item is concerning a contract between the Georgia Department of Transportation and Fayette County for the State Route (SR) 74 Corridor study. He stated that he had worked on the SR 74 Corridor since 2002. He stated that when this collaborative effort was originally discussed, the object was to bring Fairburn into the fold and get a collaborative approach in terms of the design and the flow of traffic, similar to what the City of Peachtree City and the Town of Tyrone were doing. Commissioner Brown stated that before he would vote to pass the contract he would like to see a commitment from Fairburn saying that they would do something toward the goal of the study and that they would stop with the

fast food franchises and look at rezoning some of the "big box" zoned property. He stated that otherwise it was not worth spending the \$80,000 on the project.

Town of Tyrone Mayor Eric Dial stated that he was the designee from the SR 74 Gateway Coalition. He stated that the purpose of the Coalition was to preserve the integrity of the corridor as much as possible. He stated that one of the goals was to increase setbacks and to create an overlay that would present consistency along that section. He continued that he does not disagree with Commissioner Brown. He stated that to the City of Fairburn's credit, they were one of the first governmental entities that tried to start the Gateway Coalition. He stated that the South Fulton Community Improvement Districts (CID) has funded a multi-mobile study and was funding a ride share lot under the premise that Fayette County would fund the local match portion of the grant which was \$78,000. He stated that the grant was provided to conduct the study. He stated that he was not certain if Commissioner Brown was saying that he wanted to do away with the entire study. He stated that because South Fulton CID funded other things, with the understanding that Fayette County would fund the local match portion of the study, he stated that the County would not be a good neighbor if they did not continue with the study.

Commissioner Oddo stated that when he attended the meetings it was understood that this was the County's part of the project. He stated that this project was a benefit to the county.

Mayor Dial reiterated that all the members of the Coalition are under the impression that the commitment was made by Fayette County to pay the local match portion of this grant.

Commissioner Brown stated that yes there was a commitment that the County would fund the local match, but there was also a commitment from Fairburn that they would be an advocate of the plan, fall within the parameters of the plan and they have not done that since making the commitment.

Commissioner Brown moved to table the draft contract between the Georgia Department of Transportation and Fayette County for the SR 74 Corridor Study (GDOT PI # 0015076 / ARC Project No. FA-357) pending a letter from the City of Fairburn asking them (1). What are their future development plans for the tracks along Highway 74? (2). What are their intentions related to potential zoning changes on State Route 74? (3). What is their commitment to adhering to the plan once it is finalized? Discussion followed.

Commissioner Rousseau asked Mayor Dial if he was representing the Coalition when stating that he would prefer that the County enter into this agreement as previously outlined.

Mayor Dial stated yes. He stated that if the Coalition found out that this item was not approved it would be a shock to them.

Commissioner Rousseau asked if the County had entered into any agreement regarding this item. Mr. Davenport stated that he was not familiar of this Coalition and what had been done. Commissioner Rousseau asked who the members of the Coalition were.

Mayor Dial stated that the Coalition members were made up of the City of Fairburn, South Fulton CID, Fayette County, Town of Tyrone and the City of Peachtree City.

Commissioner Rousseau asked Public Works Director Phil Mallon if there were any implications for not receiving these funds.

Mr. Mallon stated that there was an approved Intergovernmental Agreement that the Board executed in August of 2014 to establish the Gateway Coalition. He stated that to get a commitment from Fairburn seems doable but the only concern was the impact to the timeframe of when the County would have to start spending the funds. He stated that for the County that deadline would be the end of the fiscal year.

Mr. Rapson stated that he had Phil reach out to Atlanta Regional Commission (ARC) to determine if the project was moved from Highway 29 up to the Fayette County line, could a modification be done on the \$390,000 grant. He stated that ARC assured staff that it could be done. He stated that ultimately there would be a study and the study would show what needs to be done to have a cohesive look to the corridors. He continued that each jurisdiction would pay for their own improvements and all the entities involved agreed that they would pay and implement the recommendations from the study.

Commissioner Rousseau stated that by tabling this item it would give the County time to ask, "What is the level of commitment at this time?" Commissioner Brown confirmed.

Mayor Dial stated that he was not personally as concerned about the letter going to Fairburn because he knows what was said. He stated that the CID has put in money and shown that they are in support of the project. He stated that if it is the Board's desire he would speak to Fairburn regarding the concerns.

Commissioner Rousseau asked Mayor Dial if he had any trepidation that if the Board tabled this item it would hurt the progress that had been done. Mayor Dial asked Commissioner Brown to restate the three things he was requesting in the letter.

Commissioner Brown stated that he would ask that the Board put the motion in writing and send it to Fairburn as an official correspondence and that Mayor Dial could be the courier for the letter.

Vice Chairman Ognio stated that he was concerned that Fairburn had reached a point that they could not follow the plan even if it was approved.

Commissioner Oddo stated why the project couldn't move forward with just Tyrone, Peachtree City and Fayette County. He asked what would happen if Fairburn was no longer interested. He stated that not approving this contract based on whether Fairburn may or may not want to proceed does not strike him as the way to go.

Vice Chairman Ognio asked would the match change without Fairburn onboard. He asked would ARC dial back the grant. Mr. Rapson stated absolutely. Vice Chairman Ognio stated that the grant was for \$312,000 and the match was \$78,000 which was what made it \$390,000. Mr. Rapson stated that was correct.

Chairman Maxwell asked Commissioner Brown if he was committing to the smaller plan if Fairburn says no. Commissioner Brown stated that he had no problem changing the scope of the plan and getting back with the jurisdictions within Fayette County to decide what to do.

Mayor Dial stated that a big piece of attraction about the project was that it goes across borders. He stated that if a jurisdiction is removed from the project it would lose some of its luster and the cohesiveness of different governmental entities working together. He stated that they would also lose the money that South Fulton CID has put in.

Commissioner Brown stated that all he was asking was for Fairburn to say that they are onboard with the project.

Commissioner Rousseau stated that he wanted to distant himself from sending the signal that he was not as confident with Fairburn as with the other members of the Coalition. He stated that the Board should be careful of sending that kind of signal if the goal was to cultivate the relationship so that it is as strong as the others. He asked Mr. Mallon was he in support of the outcome of the letter.

Mr. Mallon stated that he does not personally think it was possible to get a response from Fairburn in that timeframe. He stated that what he had heard from ARC and GDOT was that they are focused on delivery and the County must have a consultant on board endorsing this project by the end of the fiscal year or the County risks losing the money.

Mr. Rapson stated that he was not clear that if the County received the affirmative from Fairburn of the three questions, whether that means the County would pay the entire contribution or would the County be asking Fairburn to pay a share.

Mr. Davenport stated that procedurally, from what he heard, if the Board does not get the three conditions met then it would come back at the March meeting and another motion would be needed.

Chairman Maxwell called the question. The motion to call the question passed 5-0.

Commissioner Brown moved to table the draft contract between the Georgia Department of Transportation and Fayette County for the SR 74 Corridor Study (GDOT PI # 0015076 / ARC Project No. FA-357) until February 9, 2017 with a letter from the Chairman to be sent to the City of Fairburn asking them (1). What are their future development plans for the tracks along Highway 74? (2). What are their intentions related to potential zoning changes on State Route 74? (3). What is their commitment to adhering to the plan once it is finalized? and to request a response in writing from the City of Fairburn. The motion passed 3-2 with Commissioner Oddo and Commissioner Rousseau voting in opposition. A copy of the request, identified as "Attachment 5," follows these minutes and is made an official part hereof.

**8. Approval of the 2017 Water Committee's meeting schedule.**

A copy of the request, identified as "Attachment 6," follows these minutes and is made an official part hereof.

**9. Approval of the January 5, 2017 Special Called Organizational Meeting Minutes.**

**10. Approval of the January 6, 2017 Special Called 2017 Special Purpose Local Option Sales Tax (SPLOST) Meeting Minutes.**

**OLD BUSINESS:**

**NEW BUSINESS:**

**11. Consideration of a recommendation of the Selection Committee comprised of Commissioner David Barlow and Commissioner Charles Rousseau to re-appoint Sam Burch to the Board of Assessor position to serve a term beginning January 1, 2017 and expiring December 31, 2022.**

Commissioner Rousseau stated that this a re-appointment to the Board of Assessor. He stated that Mr. Burch had served on the Board for 17 years and was highly recommended to continue on the Board of Assessor.

Commissioner Rousseau moved to approve the recommendation of the Selection Committee comprised of Commissioner David Barlow and Commissioner Charles Rousseau to re-appoint Sam Burch to the Board of Assessor position to serve a term beginning January 1, 2017 and expiring December 31, 2022. Commissioner Brown seconded. The motion passed 5-0. A copy of the request and application, identified as "Attachment 7," follows these minutes and is made an official part hereof.

**12. General information and discussion of the proposed 2017 Special Purpose Local Option Sales Tax projects in the unincorporated county including information on the education and outreach plans.**

Environmental Management Director Vanessa Birrell updated the Board regarding the 2017 Special Purpose Local Option Sales Tax (SPLOST) that was coming up on the March 21 special election. She stated that staff was committed to educating anyone who wanted to know about the SPLOST. She then introduced the Environmental Management Assistant Director Bryan Keller who gave a brief overview of the SPLOST projects. He informed the Board that the interactive map was available on the website.

Commissioner Brown stated that it is important to note that the 911 system is a county-wide project that affects all the municipalities and the county.

Mr. Davenport stated that at the Special Called SPLOST meeting on January 6, he distributed a proposed draft question. He stated that several cities offered suggestions to make changes and he had revised the question. He stated that he will present the question at the Board of Elections January 17 meeting to be sent to Kennesaw State to build the ballot. He stated that Kennesaw State's deadline to receive the question is January 20. He stated that the question would be part of the Resolution that would call for the referendum to the Board of Elections.

Mr. Dennis Chase spoke regarding his history with the SPLOST projects in the County. He stated that as soon as the 2017 SPLOST came up he requested details of the projects. He stated that the County staff has been absolutely phenomenal in answering questions. He stated that he had five or six projects that he had environmental concerns about. He stated that the effort is to get clarification in the project manual for all the cities and county on these projects. He stated that if the clarification are put in place then the County would have his approval.

There was no vote on this item.

A copy of the request, identified as "Attachment 8," follows these minutes and is made an official part hereof.

**13. Consideration of staff's recommendation to approve Contract #1232-N with AT&T for MegaLink telecommunication circuits, totaling \$131,196.00 over the next 29 months.**

Mr. Rapson stated that this was the communication hub for the 911 telecommunication center and six radio towers. He stated that AT&T mandates that there should be a 36 month contract and staff negotiated the contract down to 29 months in an effort to realign the contract with the County's fiscal year budget.

Commissioner Brown moved to approve Contract #1232-N with AT&T for MegaLink telecommunication circuits, totaling \$131,196.00 over the next 29 months. Commissioner Oddo seconded. The motion passed 5-0. A copy of the request, identified as "Attachment 9," follows these minutes and is made an official part hereof.

**14. Consideration of the Water Systems' request to upgrade its water bill remittance processor system by issuance of a sole source contract with the single provider of the complete system, Creditron, in the amount of \$91,090.00 and to issue an annual maintenance agreement with Opex after the 30-day equipment warranty period in the amount of \$9,480.90 for a total of \$100,570.90.**

Water System Director Lee Pope stated that this request is to replace the bill remittance processor. He stated that the goal is to put the three processors into one machine which would make the Water System more efficient.

Vice Chairman Ognio stated that his biggest concern was that currently if one machine goes down, then staff would do one process manually, but if this machine goes down the staff would do three processes manually. He asked what the response time for repairs would be and if there would be a loaner machine.

Mr. Pope stated that they would keep the Opex machine to open bills as they come in and the counter scanner that can scan and make the bill image for the deposits. He stated that he would not get rid of those machines. He stated that the company would respond within four hours and has agreed to loan the Water System a unit. He stated that the process takes about three hours and with this machine it would cut the time down to about one hour to an hour and a half each day.

Commissioner Rousseau stated that the system was obsolete and the parts are no longer available. He stated to Mr. Pope that his response to Vice Chairman Ognio was that if two of the three systems go down that staff would still be able to

function. Mr. Pope stated that staff can actually do all three processes manually, however the remittance part would not have a backup. Commissioner Rousseau confirmed that two of the machines still have parts. Mr. Pope stated yes.

Commissioner Rousseau stated that changed his view point. He stated that he was concerned that parts were not available for all three of the components. He stated that what he heard was that there are still parts available for two of three processes.

Commissioner Brown asked if staff had any intention of asking Water and Sewer Authority to increase their per bill rate. Mr. Pope stated that staff had reviewed what the charges were for the municipalities and updated the rates a while back.

Chairman Maxwell asked what was being done to increase online bill pay. Mr. Pope stated that they will utilize the Facebook page and the "notify" component of Munis that would help send electronic notification to customers.

Vice Chairman Ognio asked if there was a service contract on the existing equipment. Mr. Pope stated yes there was a service contract for the Opex.

Commissioner Rousseau stated that he wanted to ensure that with the electronic bill pay there would be a strong cyber firewall in place going forward.

Commissioner Oddo moved to approve the Water Systems' request to upgrade its water bill remittance processor system by issuance of a sole source contract with the single provider of the complete system, Creditron, in the amount of \$91,090.00 and to issue an annual maintenance agreement with Opex after the 30-day equipment warranty period in the amount of \$9,480.90 for a total of \$100,570.90. Commissioner Brown seconded. Discussion followed.

Commissioner Rousseau stated that he was always mindful of sole source contracts and that the County was not meeting the threshold with three bids. He stated that some items are specialty, but he was stating this publicly to encourage staff to meet our own guidelines with respect to minimum bidders.

Commissioner Oddo moved to approve the Water Systems' request to upgrade its water bill remittance processor system by issuance of a sole source contract with the single provider of the complete system, Creditron, in the amount of \$91,090.00 and to issue an annual maintenance agreement with Opex after the 30-day equipment warranty period in the amount of \$9,480.90 for a total of \$100,570.90. Commissioner Brown seconded. The motion passed 5-0. A copy of the request, identified as "Attachment 10," follows these minutes and is made an official part hereof.

**15. Consideration of the County Attorney's recommendation to approve an amended agreement between Fayette County and the Town of Woolsey for municipal court services.**

County Attorney Dennis Davenport briefed the Board regarding the amendment of the agreement. He stated he was contacted by the Town of Woolsey Attorney Charles Ballard to renew the agreement for municipal court services for the town through the State Court. He stated that the agreement started in 2004 and was amended in 2009. He stated that he tracked the language from 2004 and 2009 and put together a document for the Board's consideration. He stated that the agreement would allow the state court to sit as the municipal court for the Town of Woolsey to adjudicate any citations that were issued and any fines that would be levied would go to the County for providing the service. He continued that there was a typo. He stated that under "Severability" the first line was missing two words. He stated that it should read "Should any provision of this agreement be held unconstitutional." He stated that this agreement incorporates that in addition to the parties of Fayette County and Woolsey, it also asks for consent by the State Court Judge and State Court Solicitor General. He stated that the agreement runs from year to year and either party can terminate with notice and if neither party terminates the agreement would continue for another year. He stated that if a new State Court Judge or State Court Solicitor comes into office the County would get another agreement signed.



Commissioner Oddo moved to approve the County Attorney's recommendation to approve an amended agreement between Fayette County and the Town of Woolsey for municipal court services with the corrections as stated. Commissioner Rousseau seconded. Commissioner Brown added an amendment to accept the noted changes to Severability Clause as stated by the County Attorney. Commissioner Oddo amended the motion. Commissioner Rousseau amended the second. The motion passed 5-0. A copy of the request, identified as "Attachment 11," follows these minutes and is made an official part hereof.

**16. Consideration of the County Attorney's recommendation to approve the disposition of tax refunds, as requested by Mercedes Perera, in the aggregate amount of \$1,765.34 for years 2015 and 2016.**

Mr. Davenport briefed the Board regarding this request. He stated that this was an issue where the requester purchased property in 2013. He stated that when a property is recorded, after the purchase, at the courthouse, copies are sent to the tax assessors to update the records. He stated that for some reason the documents recorded show that the requester received nine parcels in a subdivision. He stated that she only bought one. He stated that there was not a clear understanding of exactly what parcel she had purchased. He stated that the tax assessor communicated to the closing attorney to obtain the legal description to clarify what property she purchased. He stated that it was placed on hold. He stated that in the interim, in 2015, the requester came in to submit a homestead exemption and the homestead exemption was placed in the same hold file as the other deeds. He stated that whenever someone purchased this property in 2014 the value was approximately \$314,000 and the value the property was later appraised was \$50,000 higher than that. He stated that when someone purchases property, if the purchase price is lower than what is on the books that new purchase price automatically becomes the value for the subsequent year. He stated that since the file was on hold that information did not get translated, so the 2015 value carried over from 2014 which was higher than the purchase price and that happened again for 2016. He stated that when the requester inquired why the value was high or that she did not get her homestead exemption it was discovered that all the communications being provided to the requester was sent to the address that she moved from in 2014, so she never received any communications. He stated that this was a classic case for an error being made and a value causing erroneous taxes to be paid as a result. He stated that the overpaid taxes for 2015 was \$772.68 and for 2016 it was \$992.66 for a total of \$1,765.34. He stated that his recommendation was to approve the request as presented.

Ms. Perera was not present for the meeting.

Vice Chairman Ognio moved to approve the disposition of tax refunds, as requested by Mercedes Perera, in the aggregate amount of \$1,765.34 for years 2015 and 2016. Commissioner Oddo seconded. The motion passed 5-0. A copy of the request, identified as "Attachment 12," follows these minutes and is made an official part hereof.

**17. Consideration of Resolution 2017-01: Resolution of the Fayette County Commissioners Pledge to Citizens and County Staff on Core Values and Beliefs.**

Commissioner Oddo read Resolution 2017-01 into the record.

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**RESOLUTION 2017-01**

**RESOLUTION OF THE FAYETTE COUNTY COMMISSIONERS  
PLEDGE TO CITIZENS AND COUNTY STAFF ON CORE VALUES AND BELIEFS**

**WHEREAS,** *the 2017 Fayette County Board of Commissioners desire to affirm their core values and beliefs to our constituents and county staff; and*

**WHEREAS,** *the Board of Commissioners acknowledges they were placed in office by the voters of Fayette County and are responsible for conducting the official business of those citizens, looking out for their best interests; and*

- WHEREAS, the Board is determined to give the citizenry ample opportunity to voice their comments and concerns in all meetings; and*
- WHEREAS, the Board respects each individual staff member and believes that members who are treated with respect and given responsibility respond by giving their best; and*
- WHEREAS, although there may not be unanimous consent on every issue, the Board requires complete honesty and integrity in everything we do while valuing everyone's opinion; and*
- WHEREAS, the Board will take its commitments very seriously, and then do its utmost to live up to them, acknowledging the importance of doing what we say we are going to do; and*
- WHEREAS, the Board recognizes that the work performed by each staff member is an important part of their life, and it should be fulfilling and rewarding, so we encourage an open and welcoming workplace; and*
- WHEREAS, the Board vows to be good stewards of the citizen's resources, exercising the same vigilance that we would use to guard and conserve our own personal resources; and*
- WHEREAS, the Board insists that each commissioner and each staff member always give their best effort in everything we undertake, refusing to accept sloppiness or lack of effort; and*
- WHEREAS, the entire Board, each department director and each individual in our organization is expected to understand our mission and our goals realizing that doing so it is extremely critical to our success; and*
- WHEREAS, the Board believes in the Golden Rule, and we will strive to be friendly, courteous, fair and compassionate in all our dealings; and*
- WHEREAS, the Board and our staff members should always feel a sense of urgency on any matters related to our citizens, owning problems and always being responsive*

*NOW, THEREFORE, BE IT RESOLVED that we, the Board of Commissioners of Fayette County, Georgia do hereby pledge our acceptance of these core values and beliefs in the service of our citizens.*

*So resolved this 12<sup>th</sup> day of January 2017 by the*

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**FAYETTE COUNTY BOARD OF COMMISSIONERS**

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Commissioner Brown moved to approve Resolution 2017-01: Resolution of the Fayette County Commissioners Pledge to Citizens and County Staff on Core Values and Beliefs and to have the Resolution added verbatim to the official minutes. Vice Chairman Ognio seconded. Discussion followed.

Chairman Maxwell stated that this was not something that was done on his prior Board. He stated that this was a very important thing. He asked if there was a place to hang the Resolution.

Commissioner Brown stated that it would be mounted on the back wall in the Public Meeting Room.

Chairman Maxwell stated that it was a pleasant surprise to see the commitment from the Board members to work together, to work honestly and to do the best job. He stated that the Board has that expectation of the employees and the voters has that expectation of the Board.

Commissioner Rousseau stated that unfortunately he compelled to say what he needs to say. He stated that he concurs that the core values are important to the Board and should be adhered to in everything and anything that the Board does in the capacity of an elected official. He stated that unfortunately there were instances in the past year where he wanted to rip it off the wall to remind people of what was pledged. He stated that he was asking the Board to make a personal commitment to adhere to the things put in writing. He stated that he was disturbed to be a party to some of the things that transpired last year that fell short of what was in writing. He stated that sometimes when things are in writing and unfortunately if there was no enforcement behind it, it was meaningless. He stated that he pledge to do his part to live up to the principal and values associated in the words, in his deeds. He stated that with some degree of reservation he would vote for this item. He stated that he pledge to the Board, the staff, the county and the citizens to continue to live up to these words in action and in deeds going forward.

Commissioner Brown stated that in paragraph six it says that the Board needs to take their job seriously and in paragraph five it states that the Board needs to do their job with honesty, integrity and value everyone's opinion. He stated that was the big part. He stated that the Board would not always agree, but needs to be civil in a manner where everyone's opinion was valued. He stated that he would invite the citizens to recite the line and bring it to the Board.

Commissioner Rousseau stated that citizens and staff have done so. He stated that the problem was that there was no enforcement. He asked the Board what would be done when citizens or staff bring this to the Board.

Commissioner Oddo stated that he agreed with Commissioner Rousseau. He stated that the Board had a list of twelve rules to live by and it should be placed so that the Board can see it during the meeting.

Chairman Maxwell called for the question. He asked each Board member for a personal commitment to the Resolution as read by Commissioner Oddo. He stated that he was willing to commit to it as well.

The Board agreed.

Commissioner Brown moved to approve Resolution 2017-01: Resolution of the Fayette County Commissioners Pledge to Citizens and County Staff on Core Values and Beliefs and to have the Resolution added verbatim to the official minutes. Vice Chairman Ognio seconded. The motion passed 5-0. A copy of the request and Resolution 2017-01, identified as "Attachment 13," follows these minutes and is made an official part hereof.

18. **Consideration of Commissioner Steve Brown's recommendation to approve Resolution 2017-02 to request that the General Assembly amend O.C.G.A. 52-7-8.3 to permit a person 10 through 12 years of age to operate a personal watercraft or Class A vessel on any of the waters of this state provided that such person is accompanied by, and under the direct supervision of, a certified instructor.**

Commissioner Brown briefed the Board regarding Resolution 2017-02. He stated that the Resolution would be sent to the Fayette County delegation to see if they can move this forward for approval. He stated that there is a rowing program in the county and all over Georgia. He stated that there are stipulations on who can be in a boat at a certain age. He stated that the length of the vessel is also involved. He stated that the County is trying to make it legal for the youth in the rowing program to operate the watercraft with a coach in a boat that accompanies the rowing vessel. He stated that this is under the direct supervision of a certified instructor and not mom and dad. He stated that it would be a certified train instructor. He stated that he spoke with Senator Josh McKoon and he suggested that the best way to approach this would be to have the Department of Natural Resources (DNR) create a separate clause for rowing.

Commissioner Brown moved to approve Resolution 2017-02 and to send it to the County's legislative delegation. Vice Chairman Ognio seconded. Discussion followed.

Commissioner Oddo stated that the County Attorney did vet the Resolution and provided a good explanation for the Resolution.

Commissioner Rousseau asked if there was a mechanism where DNR could make revision changes to their policy and then they introduce it to the legislature.

Mr. Davenport stated that Commissioner Brown stated to him that he would like for him to tell the legislature what the County would like to have done and to give them the freedom to do whatever they would to make it happen.

Commissioner Rousseau stated that if the motion was to send it to the legislature to do what they would to make changes to state law, then he can support it.

Commissioner Brown moved to approve Resolution 2017-02 and to send it to the County's legislative delegation. Vice Chairman Ognio seconded. The motion passed 5-0. A copy of the request and Resolution 2017-02, identified as "Attachment 14," follows these minutes and is made an official part hereof.

#### **PUBLIC COMMENT:**

Mr. Ted Kirk, Board Member of the Region Six Mental Health Board, gave the Board a brief update of the Region Six Mental Health Board. He stated that he had attended four meetings. He stated that he saw transportation on the Special Purpose Local Option Sales Tax. He stated that region six is growing in population growth and we have to look at things differently. He stated that the one topic that was discussed consistently at the region meeting was transportation. He stated that the other topic that was consistent was the discussion on how to stop the revolving door of therapist. He stated that he will continue to provide the Board as much information as he can.

Mr. Greg Clifton congratulated Commissioners Ognio and Oddo on their re-election, Chairman Maxwell on his appointment to Chairman and the County Clerk for her promotion. He stated that he commended the Board on requesting that the delegation move on Resolution 2017-02 as presented.

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

Mr. Rapson stated that he needs a Selection Committee for the Recreation Commission and the Department of Family and Children Services to appoint one open position to each.

Vice Chairman Ognio moved to approve Commissioner Brown and Commissioner Rousseau to the Selection Committee for the Recreation Committee. Commissioner Brown seconded. The motion passed 5-0.

Commissioner Brown moved to approve Commissioner Oddo and Vice Chairman Ognio to the Selection Committee for the Department of Family and Children Services Board. Commissioner Rousseau seconded. The motion passed 5-0.

Mr. Rapson stated that he Comprehensive Annual Financial Report (CAFR) is available for the Board to review.

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

**Notice of Executive Session:** County Attorney Dennis Davenport stated that he had one item involving Threaten Litigation and the Review of the December 8, 2016 Executive Session Minutes for consideration in Executive Session.

In accordance with the Americans With Disabilities Act, accommodations are available for those who are hearing impaired and in need of a wheelchair. The Board of Commissioners Agenda and written material for each item is available on-line through the County's website at [www.fayettecountyga.gov](http://www.fayettecountyga.gov). This meeting will be telecast on Comcast Cable Channel 23 and on the internet at [www.livestream.com](http://www.livestream.com).

## COMMISSIONERS' REPORTS:

### Commissioners Rousseau

Commissioner Rousseau thanked Mr. Kirk for giving the Board an update. He congratulated Fayette Chamber on celebrating their 50<sup>th</sup> year Anniversary and he offered congratulations to the school board on their ranking and placement. He stated that he wanted to encourage people to come out to get a visual aid of the SPLOST projects with the bus tours on January 21 and February 25. He commended staff on the interactive map that was available on the website showing the projects. He ended his comments by recognizing the life, legacy and work of Ms. Rosa Anderson who passed away at age 96 years old. He stated that she was born and raised in Fayette County and lived in Peachtree City before it was called Peachtree City.

### Vice Chairman Ognio

Vice Chairman Ognio thanked Commissioner Oddo for his last two years as chairman. He stated that people do not realize the amount of time that it takes to do that job. He also thanked Commissioner Oddo for his support to him as Vice Chairman and also the rest of the Board for their support. He congratulated Chairman Maxwell. He thanked the citizens for their support.

### Commissioner Brown

Commissioner Brown stated that the overwhelming majority of kids participating in the rowing program have not participated in any other sport. He stated that the program does extend the county's recreation opportunities. He stated that he got some electric outboard motors donated for the rowing program and that there needs to be a decision on what to do regarding the launch boats. He stated that there had been some discussion about whether the County should own the boat and lease it to the rowing team or let the rowing people do it and create an exception to the rules. He stated that he would like to have this placed on the agenda for the first week in February.

### Commissioner Oddo

Commissioner Oddo stated that last week he was extremely ill and today he was much better. He thanked Vice Chairman Ognio for his comments. He stated that he had a new found respect for anyone willing to run for office and deal with what comes with being an elected official. He stated that we should appreciate that more. He thanked Mr. Chase for his feedback regarding the SPLOST. He stated that he appreciated hearing that Mr. Chase does appreciate what staff was doing. He continued that there will be a Martin Luther King Day parade in the City of Fayetteville and he will have a 1966 Chrysler boat in the parade and he will be waving at the crowd.

## EXECUTIVE SESSION:

**One Item of Threaten Litigation and Review of the December 8, 2016 Executive Session Minutes:** Commissioner Rousseau moved to go into Executive Session. Commissioner Brown seconded. The motion passed 5-0.

The Board recessed into Executive Session at 9:52 p.m. and returned to Official Session at 10:03 p.m.

**Return to Official Session and Approval to Sign the Executive Session Affidavit:** Vice Chairman Ognio moved to return to Official Session and for the Chairman to sign the Executive Session Affidavit. Commissioner Brown seconded the motion. The motion passed 5-0.

**Approval of the December 8, 2016 Executive Session Minutes:** Commissioner Brown moved to approve the December 8, 2016 Executive Session Minutes. Commissioner Oddo seconded the motion. The motion passed 3-2. Chairman Maxwell and Vice Chairman Ognio were not present at the December 8, 2016 meeting.

In accordance with the Americans With Disabilities Act, accommodations are available for those who are hearing impaired and in need of a wheelchair. The Board of Commissioners Agenda and written material for each item is available on-line through the County's website at [www.fayettecountyga.gov](http://www.fayettecountyga.gov). This meeting will be telecast on Comcast Cable Channel 23 and on the internet at [www.livestream.com](http://www.livestream.com).

**ADJOURNMENT:**

Commissioner Brown moved to adjourn the January 12, 2017 Board of Commissioners meeting. Vice Chairman Ognio seconded the motion. The motion passed 5-0.

The January 12, 2017 Board of Commissioners meeting adjourned at 10:04 p.m.

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Tameca P. White, County Clerk

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Eric K. Maxwell, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 26<sup>th</sup> day of January 2017. Referenced attachments are available upon request at the County Clerk's Office.

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Tameca P. White, County Clerk