

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 26, 2017
7:00 p.m.

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 2nd and 4th Thursday of each month at 7:00 p.m.

Call to Order

Chairman Eric Maxwell called the January 26, 2017 Board of Commissioners meeting to order at 7:01 p.m.
A quorum of the Board was present.

Invocation by Chairman Eric Maxwell

Chairman Maxwell gave the Invocation.

Pledge of Allegiance

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

Acceptance of Agenda

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

PROCLAMATION/RECOGNITION:

1. **Recognition of the Fayette County departments who won in the Fayette County 4th Annual Merry Door Decorating Contest.**

County Administrator Steve Rapson presented awards to the first and second place winners of the County's 4th Annual Merry Door Decorating Contest. Building Permits and Inspections Director Joe Scarborough and Assistant Director Steve Tafoya, with staff accepted the 2nd Place trophy for their door decoration. 911 Center Director Bernard Brown, with staff, and Library Director Chris Snell, with staff, both accepted 1st Place respectively. A copy of the request, identified as "Attachment 1," follows these minutes and is made an official part hereof.

2. **Presentation by Fayette County's auditing firm, Nichols, Cauley & Associates, LLC, of the results of the Fiscal Year 2016 annual audit.**

A representative from Nichols, Cauley and Associates, LLC, Gregory Chapman presented the results of the 2016 annual audit. Chief Finance Officer Mary Parrott and Mr. Rapson assisted with responding to questions from the Board. A copy of the request and PowerPoint presentation, identified as "Attachment 2," follows these minutes and is made an official part hereof.

There was no vote on this item.

PUBLIC HEARING:

Community Development Director Pete Frisina read the *Introduction to Public Hearings for the Rezoning of Property*. A copy of the request and proclamation, identified as "Attachment 3," follows these minutes and is made an official part hereof.

- 3. Consideration of Petition No. 1263-17, Fayette County Board of Commissioners, Owner, and Phil Mallon, Agent, request to rezone 0.27 acres from C- H to R-70 for property located in Land Lot(s) 256 of the 13th District and fronting on Veterans Parkway.**

Public Works Director Phil Mallon briefed the Board that this is a part of the West Fayetteville Bypass/Veterans Parkway project. He stated that the parcel is located at the intersection of Westbridge Road and State Route 92. He stated that Fayette County purchased a three acre parcel in the Veterans Parkway roadway, which split it into two parcels. He informed the Board that the correct rezoning is for 0.237 acres and that the request is to rezone the property to match the adjacent property. He stated that the property is needed for right-of-way to complete the project.

No one spoke in favor or in opposition of this item.

Commissioner Brown moved to approve Petition No. 1263-17, Fayette County Board of Commissioners, Owner, and Phil Mallon, Agent, request to rezone 0.237 acres from C- H to R-70 for property located in Land Lot(s) 256 of the 13th District and fronting on Veterans Parkway. Vice Chairman Ognio seconded. The motion passed 5-0. A copy of the request, Ordinance 1263-17 and Resolution 1263-17, identified as "Attachment 4," follows these minutes and is made an official part hereof.

- 4. Consideration of the Director of Public Work's determination on the proposed abandonment of a portion of McBride Road.**

Mr. Mallon briefed the Board that this property is located at McBride and Antioch Road. He stated that this portion of McBride Road is the result of a Special Purpose Local Option Sales Tax (SPLOST) project that was completed in 2010. He stated that the right-of-way was donated when the Belmont Subdivision was developed. He stated that when Fayette County moved the road in 2010, the County regained ownership of the old road bed. He stated that property owners made a written request to consider abandoning the property. He stated that in his opinion it serves no useful purpose to the County. He stated that he supports abandoning the property.

Commissioner Brown asked if it was the same owners on either side of the property. Mr. Mallon stated that it is two different owners and that the property would be split between the two owners. The current zoning on the north section of the parcel is R-45 and the south parcel is R-40. Commissioner Brown asked if there had been any request to rezone. Mr. Frisina stated that the properties are zoned one acre.

County Attorney Dennis Davenport stated that Engineer for the Road Department, Anthony Stanley was present and he would like for him to render an opinion of value regarding this property. He stated that he has experience and training in estimating the value of property in Fayette County. He stated that with his training and research of available records, including the appraisals and tax assessors' data, he estimated the value of the half acre within the right-of-way to be \$11,035.

Mr. Davenport stated that in the abandonment process the rules are different for property with values greater than \$30,000. He stated that this property's value is below that threshold and gives the Board more maneuverability in respect to how to abandon the property. He stated that the primary difference was that property greater than \$30,000 would require that the property was appraised and sold at fair market value to the highest bidder. He stated that when property was valued that high

it was because it was a significant amount of property. He stated that it was up to the governing body to determine what to do when the value was less than \$30,000.

Commissioner Brown asked the cost to realign McBride Road. Mr. Mallon stated that the majority of the cost was donated to the County when the subdivision was built. He stated that there was a minimum cost.

The agent for the property owners, Mr. Boyd spoke in favor of this request. He stated that the donation of the property was part of the rezoning conditions. Commissioner Brown stated that the owner did receive some profit from the developer. Mr. Boyd stated that was correct.

Mr. Rapson read the following email into the record: "Records indicate that Mr. Stinchcomb dedicated some 60 foot right-of-way for the McBride Road relocation, east of Antioch Road at no cost to the County. This transfer was part of the Belmont Subdivision and that occurred in April 1995. After the design was completed for this intersection improvement project in July of 2009, it was determined that additional right-of-way was needed and at that time they purchased land from the owners." He stated that in this case the gentleman was paid \$1,100.

Mr. Bill Wheeler spoke in favor of this request. He stated that with the proposal presented it would help give him enough room to put in a small retention pond to keep the water from polluting the lake.

No one spoke in opposition of this item.

Mr. Davenport stated that the Board has been presented with evidence from Mr. Stanley that the value was under \$30,000 and the Board can adopt that in respect to the value of the property. He stated that Mr. Mallon also presented evidence that this property was no longer being used for a public purpose and he considered moving it from the County's road system as being in the best public interest of Fayette County. He stated that was important if the Board's decision was to abandon this portion of the property.

Commissioner Brown stated that the property does have some value and that he had some reservations about abandoning the property. He stated that he would like to see the citizens recoup something for the land. He stated that he felt the property should be posted for bid.

Vice Chairman Ognio stated that the value of the property was only good to the people on those parcels. He stated that the property was not big enough to do anything and no one would pay anything for it. He stated that a retention pond would benefit both the property owners and the County.

Commissioner Oddo moved to accept the proposed abandonment of a portion of McBride Road and finding that the value of the property is less than \$30,000 and that it no longer serves a public purpose and removing it from the County's road systems is in the public's best interest and that the owners pay the cost to abandon the property. Vice Chairman Ognio seconded. Discussion followed.

Vice Chairman Ognio asked if that was agreeable to the owners. Mr. Boyd stated that it was agreeable and that he could prepare the deed and conduct the survey. He stated that the erosion was not because of anything that the owners created. He stated that in the spirit of cooperation, he would pay \$1,100 that Mr. Stinchcomb was paid back to the County.

The motion was amended.

Commissioner Brown stated that he felt the property should be posted for bid.

Commissioner Oddo moved to accept the proposed abandonment of a portion of McBride Road and finding that the value of the property is less than \$30,000 and that it no longer serves a public purpose and removing it from the County's road

systems is in the public's best interest and that the owners pay the cost to abandon the property and pay the \$1,100 to be returned to the County. Vice Chairman Ognio amended the second. Discussion followed. The motion passed 4-1 with Commissioner Brown voting in opposition. A copy of the request, identified as "Attachment 5," follows these minutes and is made an official part hereof.

CONSENT AGENDA:

Commissioner Brown moved to accept the Consent Agenda with the exception of removing Items #5 and #8 for discussion. Commissioner Oddo seconded. The motion passed 5-0.

5. **Approval of staff's request for the Board of Commissioners to establish the annual Budget Calendar for Fiscal Year 2018 which begins July 1, 2017 and ends June 30, 2018.**

Commissioner Brown moved to revise the Board of Commissioners Retreat (April 21, 2017) format to include all county departments and offices of the Constitutional Officers, incorporating discussions related to policy, staffing, programming, capital expenses and departmental goals, and to add an addition day, Thursday, April 20, to the Retreat, if deemed necessary; and to add a Board of Commissioners budget review meeting on Monday, May 8 for thorough department-by-department review of the proposed FY2018 budget with directors prepared to discuss year-to-year changes, new budget line items and justification for existing items, if requested by the Board. This meeting would be a public meeting and citizens would be welcome to come to the May 8 meeting; and to approve the remainder of the schedule. Commissioner Rousseau seconded.

Mrs. Parrott stated that the schedule was to outline the steps needed to have an official budget adopted as of July 1, 2017 which would start the next fiscal year. She stated that there are public notices required for publication in regards to the hearings.

Chairman Maxwell asked if the Finance's recommendation was to follow the schedule as presented. She stated that it was.

Commissioner Brown stated that in the last two years the retreats have been brief and things have come up suddenly that had to be discussed at the retreat. He stated that after the retreat the department heads, County Administrator and finance department are still working on the budget. He stated that he would like to have a budget discussion after staff has taken the comments from the retreat and realign things if necessary to bring back to the Board. He stated that a document was added to the dais, "Department Outreach Schedule" and that it could be used as item number one in formatting the retreat. He stated that he wanted access to the departments to ask them questions.

Mrs. Parrott stated that a date was added where the budget was presented to the Board of Commissioners and the Board was provided detail budget books which has all the details which was scheduled for May 22. She stated that she would be concerned with being ready to provide all the information to the Board earlier than the date presented on the proposed schedule.

Mr. Rapson stated that of the four years that the county has balanced the budget, the County has rolled back taxes for three of those years. He stated that the one year the tax was not rolled back was because the reassessments were so bad, they could not be rolled back. He stated that at the retreat he immediately flags the new programs, positions and he tries to highlight those things. He stated that the Commissioners can let staff know what they would like to have done. He stated that he welcomes any input from the Commissioners.

Commissioner Brown shared his concerns regarding receiving the budget book hours before a retreat and not having the discussions with the department heads.

Commissioner Oddo stated that the Commissioners are invited to the two budget workshops that are on the proposed schedule. Mr. Rapson stated that was correct and that staff can set up a meeting with any department that a Commissioner would like to speak with. Commissioner Oddo stated that the opportunity was available.

Chairman Maxwell stated that he was able to meet with all departments except two of them and he was able to do that on his own without Mr. Rapson. He stated that he wants to have communications with the department heads. He asked Commissioner Brown what would trigger the need to meet with the department; would it be those who had a substantial change in the budget.

Commissioner Brown stated that the Board would make that determination at the meeting.

Commissioner Oddo stated that he feels that the Board receives the agenda packages late. He stated that there was a lot of pressure. He stated that each time he has gotten the budget book he reviews it. He stated that he would jump on the offer to be present at the budget workshop instead of scheduling additional meetings.

Vice Chairman Ognio stated that the retreat was when the information with department heads and constitutional officers should be discussed. He stated that he had no problem making it a two day retreat. He stated that it was asking a lot of staff to schedule a meeting before May 22. He stated that he had no problem scheduling another public hearing if needed to address any issues before the June 6 date. He stated that he has followed the schedule for the past four years and he can do it again this year.

Commissioner Brown asked Vice Chairman Ognio if he would be amenable to changing the May 8 meeting to May 22. Vice Chairman Ognio stated that he felt the Board would just be repeating the retreat.

Commissioner Rousseau stated that he was open to Commissioner Brown's suggestion that the Board does not have a lot of intimate interaction with department heads and the constitutional officers. He stated that he was in favor of adding an additional date on the front end and not necessarily on the back end to interact with the constitutional officers. He stated that opportunities do exist and there will be opportunities to interact with the department heads. He stated that the Board has to be aware of the operations to make educated decisions. He stated that by the operational guidelines that responsibility was given to Mr. Rapson to do the day-to-day operations. He stated that he was going to pull this item because he would like to see the emphasis placed on where the public has the opportunity to engage the Commissioners.

Mrs. Parrott stated that when the budget books are presented to the Board they are also made available at the library and at the county administrative office.

Vice Chairman Ognio stated that the retreat was open to the public.

Commissioner Rousseau stated to use the term "public interaction with staff and the budget process". He stated that it was an opportunity for citizens to come to the Board to bring critical issues in their neighborhood. He stated that he agreed with some of the comments from Commissioner Brown, but that there are inherent dangers because the Board was not charged with the day-to-day of the county. He stated that if Commissioner Brown was amenable to his motion, he would be open to adding the extra day on the front end.

Commissioner Brown asked staff to put him on the schedule to be present at the May 2-5 meeting.

Mr. Rapson stated that those meetings are only if necessary with the departments. He stated that he was only meeting with those that he cannot reach an agreement with. He recommended adding the non-agencies to the meeting on April 20. Commissioner Rousseau stated that he was always concerned with citizens' input. He stated that he would like the budget hearings to be out in the community to make it more convenient. He stated that he would like to see that in the future.

Mr. Rapson stated there has always been public present at the retreat. He stated that Commissioners have gone to the homeowners associations to discuss projects.

Commissioner Rousseau stated that he wants to educate the public about where their dollars are going and what the Board was mandated to fund. He stated that many citizens do not know that almost 70% of their taxes go to the school board and that the County was only working with 30%. He stated that an educated constituency would be armed to know why the Board was making the decisions that are being made.

Commissioner Brown moved to revise the Board of Commissioners Retreat (April 21, 2017) format to include all county departments and offices of the Constitutional Officers and non-agencies, incorporating discussions related to policy, staffing, programming, capital expenses and departmental goals, and to add an additional day, Thursday, April 20, to the Retreat. Commissioner Rousseau seconded. The motion passed 5-0. A copy of the request, identified as "Attachment 6," follows these minutes and is made an official part hereof.

6. **Approval of staff's recommendation to award Contract #1016-P, Amendment 1 to Sages Networks, Inc. to add permitting, inspection, enforcement, interactive voice response, and credit modules to existing software modules at the first-year cost of \$41,540 and to authorize transfer of \$16,000 from the Contingency Fund for this purpose.** A copy of the request, identified as "Attachment 7," follows these minutes and is made an official part hereof.
7. **Ratification of the City of Fayetteville's appointment of Dr. Regina M. Daigre to the Fayette County Library Board for a four-year term beginning January 1, 2017 and expiring December 31, 2020.** A copy of the request, identified as "Attachment 8," follows these minutes and is made an official part hereof.
8. **Approval of the Public Arts Committee's request for Concept Approval to assist with the planning and execution of a festival in Town of Tyrone.**

Commissioner Brown asked Public Arts Committee Chairwoman Donna Thompson to explain what the Public Arts Committee would be doing at this event.

Mrs. Thompson explained that the ordinance that created the Public Arts Committee charged the committee with integrating art throughout Fayette County. She stated that this was one of the tasks the committee was aiming to achieve by assisting with this event.

Commissioner Brown moved to approve the Public Arts Committee's request for Concept Approval to assist with the planning and execution of a festival in Town of Tyrone. 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.

9. **Approval of the Public Arts Committee's request for Concept Approval to assist in the planning of the Tyrone Winter Break program and to develop a Birdhouse build/decorate event in addition to a children's art project.** A copy of the request, identified as "Attachment 10," follows these minutes and is made an official part hereof.
10. **Approval of staff's recommendation to add Elysian Fields subdivision to Fayette County's Street Light Program.** A copy of the request, identified as "Attachment 11," follows these minutes and is made an official part hereof.
11. **Approval of the Water Committee's recommendation to approve a request from Row America to close Lake McIntosh Park for a Regatta to be held on March 18, 2017.** A copy of the request, identified as "Attachment 12," follows these minutes and is made an official part hereof.
12. **Approval of the January 12, 2017 Board of Commissioners Meeting Minutes.**

OLD BUSINESS: None.

NEW BUSINESS:

13. **Consideration of a recommendation from the Selection Committee, comprised of Vice Chairman Randy Ognio and Commissioner Charles Oddo, to re-appoint Clarence Leathers to the Fayette County Library Board for a four-year term beginning January 1, 2017 and expiring December 31, 2020.**

Vice Chairman and Commissioner Oddo shared positive comments regarding Mr. Leathers and the other applicants.

Commissioner Oddo moved to approve to re-appoint Clarence Leathers to the Fayette County Library Board for a four-year term beginning January 1, 2017 and expiring December 31, 2020. Commissioner Brown seconded. The motion passed 4-0. Commissioner Rousseau stepped out of the room. A copy of the request, identified as "Attachment 13," follows these minutes and is made an official part hereof.

14. **Consideration of a recommendation from the Selection Committee, comprised of Vice Chairman Randy Ognio and Commissioner Charles Oddo, to re-appoint Tony Parrott to the Fayette County Library Board for a four-year term beginning January 1, 2017 and expiring December 31, 2020.**

Commissioner Oddo stated that Mr. Parrott served a partial term and has been elected to serve as Vice Chair to the Library Board. He stated that the Selection Committee felt Mr. Parrott should continue for a full term.

Commissioner Oddo moved to approve to re-appoint Tony Parrott to the Fayette County Library Board for a four-year term beginning January 1, 2017 and expiring December 31, 2020. Vice Chairman Ognio seconded. The motion passed 3-0-1 Commissioner Brown abstained. Commissioner Rousseau stepped out of the room. A copy of the request, identified as "Attachment 14," follows these minutes and is made an official part hereof.

15. **Consideration of the approval to adopt the Fayette County Public Arts Committee's By-laws.**

Mrs. Thompson stated that the Public Arts Committee's by-laws had been reviewed by Mr. Davenport and are being presented to the Board for approval.

Commissioner Brown moved to approve the adoption of the Fayette County Public Arts Committee's By-laws. Commissioner Oddo seconded. Discussion followed. The motion passed 5-0. A copy of the request, identified as "Attachment 15," follows these minutes and is made an official part hereof.

16. **Review and discussion of the priority list of existing stormwater projects.**

Mr. Rapson stated that this was a follow up from Commissioner Brown's request in October. He stated that there was a major realignment of existing projects to fund the amount needed for Emerald Lake Dam. He stated that it was included in category one of the stormwater utilities, which are projects involving safety issues. He stated that the projects include Rising Star, Antebellum, Old Senoia, Lees Mill, Broom Boulevard and Emerald Lake. He continued that all these projects are category one projects that have been funded through loans that have been noted in the audit. He stated that Emerald Lake was currently the only project in construction and the next two in late March was Rising Star and Oak Street. He stated that all the projects should be completed by the end of the year with the exception of Antebellum Lane, Old Senoia Road and the Kosiak Dam. He stated that Longview Dam and Kosiak Dam have some legal issues and Corps of Engineer was involved. He stated that staff was working with the residents for solutions.

Commissioner Brown asked if Kosiak Dam would be completed in the future if the Special Purpose Local Option Sales Tax was approved or would the County cover the entire cost. Mr. Rapson stated that the County was going to do an allocation to the homeowner and he was going to work with the Corps of Engineer. Mr. Rapson that the funds in the SPLOST would cover the County's portion.

Mr. Mallon stated that the legal issues are holding up the project and not the funding.

There was no vote on this item.

17. Consideration of the County Attorney's recommendation to deny the disposition of tax refunds, as requested by Gregg Appliances DBA HH Gregg, for tax year 2016 in the amount of \$3,523.80.

County Attorney Dennis Davenport briefed the Board regarding the tax refund request from Gregg Appliances. He stated that this was personal property that was valued by the tax assessor's office. He stated that the value was communicated to the taxpayer and once communicated the taxpayer has forty-five days to respond by either refuting the value or with no response which means they agree with the value. He stated that the taxpayer informed the tax assessor's office, after the fact, that they had a different methodology that would arrive at a value of a lesser number that would result in lesser taxes. He stated that the taxpayer was told they had past the deadline to appeal and so the taxpayer submitted a tax refund request instead for the amount they believed should be refunded. He stated that he recommends denial in the amount of \$3,523.80.

Commissioner Brown moved to deny the disposition of tax refunds, as requested by Gregg Appliances DBA HH Gregg, for tax year 2016 in the amount of \$3,523.80. Vice Chairman Ognio seconded. Discussion followed. The motion passed 5-0. A copy of the request, identified as "Attachment 16," follows these minutes and is made an official part hereof.

18. Consideration of the County Attorney's recommendation to deny the disposition of tax refunds, as requested by Jamie Johnson Kagels for tax years 2014, 2015 and 2016 in the aggregated amount of \$5,745.49.

Mr. Davenport briefed the Board that Ms. Kagels was notified of the meeting. He stated that this request is requesting retroactive application to the veteran's homestead exemption and therefore he was recommending denial in the amount of \$5,745.49.

Commissioner Oddo moved to deny the disposition of tax refunds, as requested by Jamie Johnson Kagels for tax years 2014, 2015 and 2016 in the aggregated amount of \$5,745.49. Vice Chairman Ognio seconded. Discussion followed. The motion passed 3-2 with Chairman Maxwell and Commissioner Brown voting in opposition. A copy of the request, identified as "Attachment 17," follows these minutes and is made an official part hereof.

19. Consideration of the County Attorney's recommendation to approve the disposition of tax refunds, as requested by Joann Chapman for tax years 2014 and 2015 in the aggregated amount of \$251.53.

Mr. Davenport briefed the Board on this item. He stated that Ms. Chapman had an exemption on her homestead for age 62 and over. He stated that it was a locate exemption in Fayette County. He stated that due to illness she had to move in with a relative and that she maintained her homestead exemption for her previous address. He stated that in error the L4 Homestead was removed and should not have been. He stated that he recommended approval of the \$251.53 tax refund.

Commissioner Brown moved to approve the disposition of tax refunds, as requested by Joann Chapman for tax years 2014 and 2015 in the aggregated amount of \$251.53. Commissioner Oddo seconded. The motion passed 5-0. A copy of the request, identified as "Attachment 18," follows these minutes and is made an official part hereof.

PUBLIC COMMENT:

Ms. Yvonne Smith spoke regarding stormwater issues in the Newton Plantation neighborhood, water quality issues, the lack of fire hydrants in her neighborhood, drainage issues in the easements and the lack of a response regarding the cars on the lawn in her neighborhood. She asked the Board to address her concerns.

ADMINISTRATOR'S REPORTS:

Mr. Rapson stated that Mr. Dennis Chase presented a "Turtle" report and has some interesting information regarding box turtles. He also addressed the concerns presented from Ms. Yvonne Smith. He stated that he has spoken with Ms. Smith. He stated that in regards to stormwater, Ms. Smith has submitted three service requests. He stated that the issues are on private property and not in the County's right-of-ways. He stated that staff has given her suggestions in regards to how to mitigate some of the issues. He stated that some of the things that she proposed cannot legally be done in the County's right-of-way. He stated that he has offered to sit with her and have the Environmental Management Director and any other experts to find out if there are some solutions to her stormwater issues. He stated that Newton Plantation was a private water system. He stated that the issues she addressed regarding Environmental Protection Agency are not a County system. He stated that was why there are no fire hydrants and why there was low water pressure. He stated that in late March staff asked CH2MHill to evaluate the five private water systems in Fayette County. He stated that there are two systems owned by the same individual that operates the well. He stated that when Ms. Smith talks about noncompliance issues that was who she was referring to. Mr. Rapson stated that in 2006 or 2007 Ms. Smith's home burned down. He stated that when the fire department arrived they pumped the system dry. He stated that now the fire emergency takes tankers and runs water from the county's water system. He stated that if Ms. Smith would like to have her water tested she can bring it to the County and we would test the water. He stated that she asked why Newton Plantation was not one of the projects on the stormwater utility recommendations and that was because it was a private system. He stated that staff would prioritize the private systems and determine if it makes sense to have them incorporated into the county's water system. He stated that in regards to the drain, the county was mandated to look at the drains, once every five years and the last time the county looked at those drains was March 20, 2012. He stated that they are on Environmental Management's cycle and they will be looked at again soon. He stated that in regards to the cars on the lawn, Commissioner Rousseau was working with code enforcement to determine if that was something the Board would like to do. He stated that staff was more than willing to meet with Ms. Smith.

The Board allowed Ms. Smith to give further comments.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated there were four items for Executive Session, one item involving Pending Litigation, two involving Threaten Litigation and the Review of the January 12, 2017 Executive Session Minutes for consideration in Executive Session.

COMMISSIONERS' REPORTS:

Chairman Maxwell

Chairman Maxwell encouraged any Board member that has not visited Atlanta Regional Commission (ARC) should visit. He stated that he can give the Board updates when needed. He stated that Commissioner Oddo was recognized by ARC for his service.

Commissioner Oddo

Commissioner Oddo wished Vice Chairman Ognio and his wife Denise Ognio a happy anniversary.

Commissioner Brown

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. This meeting will be telecast on Comcast Cable Channel 23 and on the internet at www.livestream.com.

Commissioner Brown stated that as part of the County Administrator's annual evaluation, he would like a copy of his evaluations of the staff and then he would submit his evaluation to Human Resource. He also commended the young students in the audience for attending.

Commissioner Rousseau

Commissioner Rousseau stated that he would like for the County Administrator to coordinate with Ms. Smith to meet and address her concerns. He stated that he would like for Chief Scarbrough to visit Newton Plantation to assure residents of the fire safety measures in place to respond in an event of a fire. He stated that he would extend an offer to her to meet and discuss the runoff of water. He stated that staff has given some assurance that the Water System would check the water in terms of the quality and if possible he would like staff to help secure the reports of the owner of the privately owned water system that were submitted to the State.

Mr. Rapson stated that looking at making those systems a part of the County's water system would be vetted through the Water Committee and a recommendation brought to the Board. He stated that staff was reviewing the five privately owned systems and based on the analysis would make a recommendation. Commissioner Rousseau stated that if there are budget impacts staff needs to review that. He also instructed staff to take care of the easement and drainage issues mentioned by Ms. Smith.

Commissioner Rousseau thanked staff for their efforts with the SPLOST bus tours. He stated that the tour was rained out but it was informative. He stated that he received an email that on February 2, Sandy Creek High School will hold an open house. He wished Vice Chairman Ognio and his wife a happy anniversary. He also commended the youth that were present for the meeting.

Vice Chairman Ognio

Vice Chairman Ognio stated that he was re-appointed as Chairman to the Transportation Committee. He stated that the committee has looked at proposed improvements to the intersection of State Route 74 and SR 54. He stated that at the next Transportation Committee meeting DOT will be present to discuss multi-use paths. He concluded with a presentation of roses to his wife to celebrate their wedding anniversary.

EXECUTIVE SESSION:

One Item of Pending Litigation, Two Items of Threaten Litigation and Review of the January 12, 2017 Executive Session

Minutes: Commissioner Brown moved to go into Executive Session. Commissioner Rousseau seconded. The motion passed 5-0.

The Board recessed into Executive Session at 10:09 p.m. and returned to Official Session at 10:42 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 Rousseau seconded the motion. The motion passed 5-0. A copy of the Executive Session Affidavit, identified as "Attachment 19," follows these minutes and is made an official part hereof.

Approval of the January 12, 2017 Executive Session Minutes: Vice Chairman Ognio moved to approve the January 12, 2017 Executive Session Minutes. Commissioner Brown seconded the motion. The motion passed 5-0.

ADJOURNMENT:

Commissioner Brown moved to adjourn the January 26, 2017 Board of Commissioners meeting. Vice Chairman Ognio seconded the motion. The motion passed 5-0.

The January 26, 2017 Board of Commissioners meeting adjourned at 10:43 p.m.

Tameca P. White, County Clerk

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 9th day of February 2017. Referenced attachments are available upon request at the County Clerk's Office.

Tameca P. White, County Clerk