

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

ACTION AGENDA

March 9, 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 March 9, 2017 Board of Commissioners meeting to order at 7:01 p.m. A quorum of the Board was present.

Invocation and Pledge of Allegiance by Commissioner Charles Rousseau

Commissioner Charles Rousseau offered the Invocation and led the audience and Board in the Pledge of Allegiance.

Acceptance of Agenda

Commissioner Steve Brown moved to approve the agenda as presented. Vice Chairman Randy Ognio seconded. The motion passed 5-0.

PROCLAMATION/RECOGNITION:

PUBLIC HEARING:

CONSENT AGENDA:

Chairman Maxwell removed item #1 and Vice Chairman Ognio removed #2 for discussion.

Commissioner Brown moved to approve the Consent Agenda with the exception of items #1 and #2 for discussion. Commissioner Oddo seconded. The motion passed 5-0.

1. **Approval of the State Court Judge's request for authorization to submit the Fiscal Year 2018 Grant Application for the Fayette County DUI Court up to the award amount of \$137,300 to authorize 10% local match in the amount of \$13,730 utilizing DUI Court fund balance, and authorization for the Chairman to sign all grant-related documents.**

State Court Judge Jason Thompson stated that he wanted to speak to the Commissioners regarding the DUI Court. He stated that the DUI Court was the only DUI Court in the Griffin Judicial Circuit which serves Fayette, Spaulding, Upson and Pike Counties. He briefed the Board on how DUI Court worked. He stated that the DUI Court saved the community

\$110,000. He stated that he would be recognizing the first graduate of the DUI program on March 10, 2017 at 3:30 pm. and he invited the Commissioners and citizens to attend.

Commissioner Oddo moved to approve the State Court Judge's request for authorization to submit the Fiscal Year 2018 Grant Application for the Fayette County DUI Court up to the award amount of \$137,300 to authorize 10% local match in the amount of \$13,730 utilizing DUI Court fund balance, and authorization for the Chairman to sign all grant-related documents. Commissioner Brown seconded. The motion passed 5-0.

- 2. Approval of staff's request to purchase Self-Contained Breathing Apparatus Cylinders as budgeted in the 2017 Capital Improvement Program to accept the low bid from Fisher Scientific Inc. for 188 cylinders at a cost of \$168,717.36 and allow for the appropriate disposal of all replaced cylinders.**

Vice Chairman Ognio stated that he would not be against the County purchasing new cylinders. He stated that if the County had the funds it would be nice to buy the new model cylinders instead of these and having to replace them later.

Chief Scarbrough stated that he would like to put the cylinders and the air pack together in a combined purchase but the department does not have the capital to purchase both. He stated that because the cylinders expire this year there was not a choice except to purchase the cylinder this year. He stated that to do the entire package would cost \$850,000 and based on other departmental needs staff had to sacrifice waiting to purchase the package. He stated that they would purchase the air pack portion in three years because he would have to put the capital aside to make that purchase.

Vice Chairman asked if these cylinders would work with the new style. Chief Scarbrough stated that they would.

Commissioner Rousseau stated that he wanted to raise the issue of saying staff was not getting a complete package. He stated that the public needed to hear that it would not compromise the safety of the men and women in the field. Chief Scarbrough stated absolutely and that safety was not being compromised.

Vice Chairman Ognio moved to approve the purchase Self-Contained Breathing Apparatus Cylinders as budgeted in the 2017 Capital Improvement Program to accept the low bid from Fisher Scientific Inc. for 188 cylinders at a cost of \$168,717.36 and allow for the appropriate disposal of all replaced cylinders. Commissioner Oddo seconded. The motion passed 5-0.

- 3. Approval of the wording for the cornerstones at the Kenwood Park Monument and Memorial Garden honoring the late Commissioner Pota Estel Coston.**
- 4. Approval of the Public Arts Committee's request for final project and budget approval for the 2nd Annual Chalk Art event and four additional Pop-Up chalk events.**
- 5. Approval of the Public Arts Committee's request for final approval to develop a Lecture Series program in 2017 specific to Art and to approve an honorarium of \$75 to each speaker for a total of \$300.00.**
- 6. Approval of the Public Arts Committee's request for final approval to participate in Fayetteville Main Street's Market Day in October, 2017.**
- 7. Approval of the Public Arts Committee's request for final approval to develop art programs in partnership with the Southern Conservation Trust.**

8. **Approval of the Public Arts Committee's request for Concept Approval to develop the Church Street Park Mural project, in partnership with Southern Crescent Habitat and the Moms Club.**
9. **Approval of the Public Arts Committee's request for Concept Approval for Earth Day to assist in the development of a mural project and participate in the Earth Day event.**
10. **Approval of the Public Arts Committee's request for Concept Approval to assist in the development of an arts festival in Fayetteville at the Courthouse (Fall, 2017).**
11. **Approval of the Concept Approval Request to expand the Annual Scarecrow Competition.**
12. **Approval of the February 23, 2017 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

NEW BUSINESS:

13. **Consideration of a recommendation from the Selection Committee, comprised of Commissioner Steve Brown and Commissioner Charles Rousseau, to appoint John Tate to the Fayette County Zoning Board of Appeals for a three-year term beginning January 1, 2017 and expiring December 31, 2019.**

Commissioner Brown stated that he and Commissioner Rousseau interviewed some excellent qualified candidates and it was an honor to interview the applicants. He stated that Mr. Tate was an attorney and that he had a great resume.

Commissioner Brown moved to appoint John Tate to the Fayette County Zoning Board of Appeals for a three-year term beginning January 1, 2017 and expiring December 31, 2019. Commissioner Rousseau seconded.

Mr. Tate thanked the Board for the opportunity and that he appreciated the recommendation to serve. He stated that although he had not been too involved in the community that he felt this was his chance to serve the community and be more involved.

Mr. Tom Mahon stated that he had resided in Fayette County since 1977 and been involved in many civic, local and church organizations. He stated that one of the proudest things that he had the opportunity to be a part of was the Zoning Board of Appeals (ZBA) which he had served since 1983. He stated that he was speaking on behalf of himself and Mr. Larry Blanks who had served on the ZBA for over 20 years. He stated that he was asking to keep the Board as it was currently with him and Mr. Blanks serving.

Further discussion followed.

Commissioner Brown moved to appoint John Tate to the Fayette County Zoning Board of Appeals for a three-year term beginning January 1, 2017 and expiring December 31, 2019. Commissioner Rousseau seconded. The motion passed 3-2 with Chairman Maxwell and Commissioner Oddo voting in opposition.

14. **Consideration of a recommendation from the Selection Committee, comprised of Commissioner Steve Brown and Commissioner Charles Rousseau, to appoint Therol Brown to the Fayette County Zoning Board of Appeals for a three-year term beginning January 1, 2017 and expiring December 31, 2019.**

Mr. Therol Brown stated that whether he was selected or not that it was an honor to be considered for the position. He stated that was a native of Fayette County and he cares about the county. He stated that he had served on some boards and been active when time allowed. He stated that when he retired he took care of his elderly mother who was 108 years old and was buried earlier today. He stated that he would be honored to serve and any decision would be fine with him.

Commissioner Rousseau moved to appoint Therol Brown to the Fayette County Zoning Board of Appeals for a three-year term beginning January 1, 2017 and expiring December 31, 2019. Commissioner Brown seconded.

Commissioner Brown stated that Mr. Brown was being very humble in his assessment of himself. He stated that Mr. Brown had served in a wide range of active volunteer capacity and was at the top officials at the Georgia Department of Transportation and had a stellar career. He stated that there was no relation to Mr. Brown.

Commissioner Rousseau offered condolences to Mr. Brown for the loss of his mother on behalf of the Board.

Commissioner Rousseau moved to appoint Therol Brown to the Fayette County Zoning Board of Appeals for a three-year term beginning January 1, 2017 and expiring December 31, 2019. Commissioner Brown seconded. The motion passed 3-2 with Chairman Maxwell and Commissioner Oddo in opposition.

15. Consideration of a recommendation from the Selection Committee, comprised of Commissioner Steve Brown and Commissioner Charles Rousseau, to re-appoint Thomas "Tom" Waller to the Fayette County Zoning Board of Appeals for a three-year term beginning January 1, 2017 and expiring December 31, 2019.

Commissioner Brown stated that Mr. Waller would be serving a second term and that he does keep current with the happenings in Fayette County and attends the Board meetings.

Commissioner Brown moved to re-appoint Thomas "Tom" Waller to the Fayette County Zoning Board of Appeals for a three-year term beginning January 1, 2017 and expiring December 31, 2019. Commissioner Rousseau seconded.

Mr. Waller thanked the Board for the opportunity to serve on the ZBA for the last three years. He stated that being a volunteer was important.

Commissioner Brown moved to re-appoint Thomas "Tom" Waller to the Fayette County Zoning Board of Appeals for a three-year term beginning January 1, 2017 and expiring December 31, 2019. Commissioner Rousseau seconded. The motion passed 5-0.

16. Consideration of the Peachtree City annexation of 3.5 acres containing the Heritage of Peachtree City Assisted Living Facility, and the rezoning of said property from C-C (Community Commercial) to GR-14 (General Residential).

Community Development Director Pete Frisina stated that this was an annexation for a piece of property located on State Route 54 that contains areas of Peachtree Assisted Living facility and was zoned in 1990 and land use was Community Commercial. He stated that in April of 2016 the Board gave permission for this facility to connect to the sewer system in Peachtree City because the septic systems were failing. He stated that at that time the applicant stated that annexation would be imminent because of Peachtree City wanted to give them sewer where the system was failing. He stated that the city was placing this property in a General Residential 14 which was a multi-family district. He stated

that it was his understanding that it would allow for a facility like assisted living. He stated that staff recommended that the Board does not object to this annexation.

Further discussion followed.

Commissioner Brown moved to approve the Peachtree City annexation of 3.5 acres containing the Heritage of Peachtree City Assisted Living Facility, and the rezoning of said property from C-C (Community Commercial) to GR-14 (General Residential). Vice Chairman Ognio seconded.

Commissioner Oddo asked if the better motion would be "not to object". County Attorney Dennis Davenport stated that technically speaking the Board was not objecting if approving.

Commissioner Brown amended the motion to "not to object" the Peachtree City annexation of 3.5 acres containing the Heritage of Peachtree City Assisted Living Facility, and the rezoning of said property from C-C (Community Commercial) to GR-14 (General Residential). Vice Chairman Ognio amended the second. The motion passed 5-0.

PUBLIC COMMENT:

ADMINISTRATOR'S REPORTS:

A. Contract #940-P. Public Works Engineer of Record: Task Order #17, Culvert Design and Bid Services for Broome Boulevard

County Administrator Steve Rapson stated that the mentioned contract was one of the projects in the category one stormwater projects that had damage from the 2015 rainfall. He stated that he wanted to brief the public regarding the refurbishing of the Stonewall Administrative Complex parking lot. He stated that early voting ends March 17 and the election was March 21 and currently there are 1,618 votes cast.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated that there were one item of real estate acquisition and for review of the Executive Session minutes for February 23, 2017.

COMMISSIONERS' REPORTS:

Commissioners Oddo, Commissioner Brown, Vice Chairman Ognio and Commissioner Rousseau made comments.

EXECUTIVE SESSION:

One Item of Real Estate Acquisition and Review of the February 23, 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 8:03 p.m. and returned to Official Session at 8:34 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 February 23, 2017 Executive Session Minutes: Vice Chairman Ognio moved to approve the February 23, 2017 Executive Session Minutes. Commissioner Brown seconded the motion. The motion passed 5-0.

ADJOURNMENT:

Commissioner Brown moved to adjourn the March 9, 2017 Board of Commissioners meeting. Vice Chairman Ognio seconded the motion. The motion passed 5-0.

The March 9, 2017 Board of Commissioners meeting adjourned at 8:34 p.m.

Tameca P. White, County Clerk