

## BOARD OF COUNTY COMMISSIONERS

Eric K. 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  
Marlena Edwards, Deputy County Clerk

140 Stonewall Avenue West  
Public Meeting Room  
Fayetteville, GA 30214

## MINUTES

May 11, 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 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 May 11, 2017 Board of Commissioners meeting to order at 7:00 p.m. A quorum of the board was present.

### **Invocation and Pledge of Allegiance by Vice Chairman Randy Ognio**

Vice Chairman Randy Ognio offered the Invocation and led the audience in the Pledge of Allegiance.

### **Acceptance of Agenda**

Vice Chairman Randy Ognio moved to accept the agenda with one modification of a Recognition as item 1a. Commissioner Charles Rousseau seconded. The motion passed 5-0.

### **PROCLAMATION/RECOGNITION:**

1. **Recognition of Kenneth Spaller honoring 52 years of service as a member of the Fayette County Board of Assessors.**

Tax Assessor Joel Benton, on behalf of the Board, presented Mr. Kenneth Spaller with a plaque honoring him for 52 years of service on the Board of Assessors. Mr. Spaller offered comments and thanks to the Board. A copy of the request, identified as "Attachment 1", follows these minutes and is made an official part thereof.

- 1a. **Recognition of County Administrator Steve Rapson for his appointment as president of the Georgia Association of County Managers and Administrators (GACMA).**

Vice Chairman Ognio, on behalf of the Board, recognized Mr. Rapson with a plaque for his appointment by his county peers as president of the Georgia Association of County Managers and Administrators.

**PUBLIC HEARING:** None.

### **CONSENT AGENDA:**

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

**Approval of staff's recommendation to contract with Gordian Group (Centennial Contractors Enterprise, Inc.) to paint the entire Stonewall Building in the amount of \$170,605.07 as a part of the Stonewall Administrative Building CIP Refurbishment Project (#6565B).** A copy of the request, identified as "Attachment 2", follows these minutes and is made an official part thereof.

2. **Approval of the April 25, 2017 Board of Commissioners Meeting Minutes.**

**OLD BUSINESS:** None.

**NEW BUSINESS:**

3. **Consideration staff's recommendation to submit applications to the Atlanta Regional Commission in response to their open solicitation for Transportation Improvement Program (TIP) projects and authorization for the Chairman to provide a letter of support for the projects.**

Public Works Director Phil Mallon briefed the Board that the Atlanta Regional Commission (ARC) advertised the opportunity to enter new projects into the regional plan for transportation known as the Transportation Improvement Program (TIP). Mr. Mallon recommended submitting three projects for application. The first project was a City of Fayetteville application for additional funding for the pedestrian bridge over Highway 54 near the hospital. The County serves as the sponsor for this project. The second project was a federal aid resurfacing project that would also include the cities in the effort to receive stronger bids from contractors because of the larger project. The third project application would be a series of three studies. He stated that the first phase would be the corridor portion of State Route 279 for Georgia Department of Transportation (GDOT) to complete the improvements. He stated that the second phase would be the realignment of SR 279, Highway 85 and Corinth Road. The second study would be corridor along Tyrone Road and Sandy Creek Road and the third study would be for Banks Road. The other projects would still be funded through the SPLOST with local funds, but these projects would be funded through federal aid with any required match. Mr. Mallon requested an approval to submit the applications and the letter of support to be signed by the Chairman.

Commissioner Rousseau stated that he wanted to ensure that there was reasonable input from the citizens regarding the East Fayetteville Bypass.

Commissioner Charles Oddo moved to approve the recommendation to submit applications to the Atlanta Regional Commission in response to their open solicitation for Transportation Improvement Program (TIP) projects and authorization for the Chairman to provide a letter of support for the projects. Commissioner Brown seconded. The motion passed 5-0. A copy of the request, identified as "Attachment 3", follows these minutes and is made an official part thereof.

Chairman Maxwell informed the audience that the Board agreed to move the Board of Commissioners meetings from 7:00 p.m. to 6:30 p.m. starting the first meeting on July 13, 2017.

4. **Consideration of staff's recommendation to award RFP #1282-P, Comprehensive Transportation Plan (CTP) and Master Path Plan (MPP) to Jacobs Engineering Group for a lump sum amount of \$492,124.**

Mr. Mallon briefed the Board that he was requesting that the Board award one contract to Jacobs Engineering. The scope of work would include two contracts, one with ARC and one with Georgia Department of Transportation (GDOT).

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).

One for an update of the County's Comprehensive Transportation Plan and the other to do a countywide Master Path Plan (MPP). The plan would identify maintenance needs, how to fund future needs, develop agreements with cities on how to permit and license the facility and to address issues such as pathway crossings, signage and striping. He stated that this plan had to be updated in order to submit projects for the TIP.

Commissioner Brown stated that he hoped the municipalities would work with the county on this project. He stated that the portion of GDOT right-of-way would link schools and shopping centers to the paths. He stated that he was hopeful that GDOT would be amendable in terms of providing the right-of-way.

Commissioner Oddo moved to approve recommendation to award RFP #1282-P, Comprehensive Transportation Plan (CTP) and Master Path Plan (MPP) to Jacobs Engineering Group for a lump sum amount of \$492,124. Vice Chairman Ognio seconded.

Chairman Maxwell stated that he was not familiar with the Brooks Act. He stated that his understanding was that the Brooks Act was when the cost was not discussed, but that it was the qualifications of the vendor that was accessed.

Purchasing Director Ted Burgess explained that the Brooks Act. Mr. Burgess explained that the proposals are received in sealed envelopes, staff evaluates and ranks the proposals without opening the envelope for pricing, the price proposal was opened for the highest ranked proposal and if the price was fair and reasonable it was accepted. The price can be negotiated and if there was no agreement after negotiating, staff can move to the next highest ranked proposal and open that price envelope. All other prices remained sealed and sent back to the contractor.

Mr. Rapson stated that the Brooks Act required government to select engineer and architectural firms based on competency, qualification and experience rather than price.

Commissioner Oddo moved to approve recommendation to award RFP #1282-P, Comprehensive Transportation Plan (CTP) and Master Path Plan (MPP) to Jacobs Engineering Group for a lump sum amount of \$492,124. 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 thereof.

**5. Consideration of the County Attorney's recommendation to deny the disposition of tax refunds, as requested by James Henry for tax year 2016 in the amount of \$2,814.11.**

Assistant County Attorney Patrick Stough briefed the Board that Mr. Henry filed for homestead exemption in February 2017 and the exemption was granted and it would apply going forward. The refund request was tax year 2016 for the homestead exemption which would be a retroactive application. The recommendation was to deny because State law does not provide for retroactive application.

Vice Chairman Ognio moved to deny the disposition of tax refunds, as requested by James Henry for tax year 2016 in the amount of \$2,814.11. Commissioner Oddo seconded.

Commissioner Rousseau stated that he wanted the record to reflect that in the supporting document from the County Attorney the date stated "February 2007" and it should read "February 2017".

Vice Chairman Ognio moved to deny the disposition of tax refunds, as requested by James Henry for tax year 2016 in the amount of \$2,814.11. Commissioner Oddo seconded. The motion was amended to include the change of "February

2007” to “February 2017” in the supporting documents. The second was amended. The motion passed 5-0. A copy of the request, identified as “Attachment 5”, follows these minutes and is made an official part thereof.

6. **Consideration of the County Attorney's recommendation to approve the disposition of tax refunds, as requested by Eileen Kross for tax year 2016 in the amount of \$1,795.08.**

Mr. Stough briefed the Board that when the property was quit claimed to Eileen Kross in 2012, the address in the County's records was updated incorrectly and as a result Ms. Kross did not receive any tax notices. After a few years the homestead exemption fell off. The request was for tax year 2016 to address when the exemption fell off. Mr. Stough stated that he was recommending approval because there was an error on the part of the county.

Commissioner Oddo moved to approve the disposition of tax refunds, as requested by Eileen Kross for tax year 2016 in the amount of \$1,795.08. Commissioner Brown seconded. The motion passed 5-0. A copy of the request, identified as “Attachment 6”, follows these minutes and is made an official part thereof.

**PUBLIC COMMENT:** None.

**ADMINISTRATOR'S REPORTS:**

**Red Day at Starr's Mill**

Mr. Rapson stated that “Red Day Cleanup” took place at Starr's Mill and was sponsored by the Water System and Keller Williams Realty. There were about 50 to 60 people cutting trees and cleaning up the area.

**Joint Development Authority Selection Committee:**

Mr. Rapson requested a Selection Committee be appointed to interview for the Joint Development Authority. The recommendation from the Development Authority was Dr. Luis Matta.

Commissioner Rousseau moved to appoint Vice Chairman Ognio and Commissioner Oddo to serve on the Joint Development Authority Selection Committee. Commissioner Brown seconded. The motion passed 5-0.

**ATTORNEY'S REPORTS:**

No Executive Session.

**COMMISSIONERS' REPORTS:**

**Commissioner Brown:**

**Roof repair**

Commissioner Brown stated that he wanted to see a strategy for addressing the roof repairs at the Administration Complex.

Mr. Rapson stated that a Capital Improvement Project (CIP) had been added to the fiscal year 2018 budget to address the roof repairs.

Commissioner Rousseau stated that he wanted to be sure that any issues of mold are being addressed. Mr. Rapson stated that any concerns of mold have been reviewed and addressed.

### **Autonomous vehicles**

He stated that the Board approved a resolution on autonomous vehicle testing. He stated that one of the stumbling blocks was the fact that the state routes were not permissible for use. He stated that he was proud to announce that Representative Ed Setzler and his colleagues on the Technology Committee got the Autonomous bill passed.

### **Commissioner Oddo:**

#### **Happy Mother's Day**

Commissioner Oddo wished all mothers a Happy Mother's Day.

### **Vice Chairman Ognio:**

#### **Happy Mother's Day**

Vice Chairman Ognio wished all the mothers a Happy Mother's Day.

#### **Happy Anniversary**

He thanked Mr. Stough for attending on his wedding anniversary.

### **ACCG Conference**

He stated that he learned a lot during the annual ACCG Conference in Savannah and that he was able to review the legislative package that was passed. He stated that ACCG told Commissioners about the changes to the Title Ad Valorem Tax (TAVT) and that he spoke against the changes. He stated that the Board needed to work on their legislative package and to get the TAVT situation fixed and to encourage other counties to get a legislative package to address this issue as well.

### **Commissioner Rousseau:**

#### **ACCG Conference**

Commissioner Rousseau stated that he wanted to particularly point out the young people who attended the conference. He stated that it was good to meet them and to watch them be exposed to public policy. He offered kudos to the organization that sent the group.

#### **Veterans homestead exemption**

He stated that the Board had received information regarding the homestead exemption and was awaiting further details regarding the outcome. He commended the Board for pushing it forward.

#### **Other comments**

He offered kudos to Mr. Rapson for his appointment as president to GACMA and to staff for continuing to elevate their skills set.

### **EXECUTIVE SESSION:**

None.

### **ADJOURNMENT:**

Commissioner Brown moved to adjourn the May 11, 2017 Board of Commissioners meeting. Vice Chairman Ognio seconded the motion. The motion passed 5-0.

The May 11, 2017 Board of Commissioners meeting adjourned at 7:43 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 25<sup>th</sup> day of May 2017. Referenced attachments are available upon request at the County Clerk's Office.

---

Tameca P. White, County Clerk