

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

ACTION AGENDA

August 24, 2017

6:30 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 6:30 p.m.

Call to Order

Chairman Eric Maxwell called the August 10, 2017 Board of Commissioners meeting to order at 6:31 p.m. A quorum of the Board was present. Commissioner Charles D. Rousseau was absent.

Invocation and Pledge of Allegiance by Commissioner Steve Brown

Scout Troop 212 led the Board and audience in the Pledge of Allegiance.

Acceptance of Agenda

Chairman Maxwell requested to move item #3 from the Consent Agenda. Vice Chairman Randy Ognio moved to accept the agenda as written with the exception of item #3 which was moved for presentation and discussion. Commissioner Steve Brown seconded. The motion passed 4-0-1. Commissioner Charles D. Rousseau was absent.

PROCLAMATION/RECOGNITION:

1. Recognition of Samantha Rumpel as the Equestrian National Champion.

Vice Chairman Ognio, on behalf of the Board of Commissioners, recognized Samantha Rumpel with a Certificate of Recognition.

PUBLIC HEARING:

Planning & Zoning Administrator Chanelle Blaine read the Introduction to Public Hearings for the Rezoning of Property.

2. Consideration of Petition No.1268-17, Elizabeth R. Arnold, Owner, and Broderick Arnold, Agent, request to rezone 1.00 acre from A-R to R-40 located in Land Lot 70 of the 5th District and fronting on Price Road.

Chairman Maxwell asked County Attorney Dennis Davenport for clarification on applicant rights regarding County rules/procedures when a quorum is present, but not a full Board. County Attorney Davenport outlined that per the County's rules/procedures any action taken by the Board requires three affirmative votes. With a full Board not being present the applicant has a one-time option of tabling the Petition, if desired to have the hearing presented to a full Board.

Attorney Davenport requested that if a decision to waive the option of having the hearing heard by a full Board was selected; the Petitioner would need to do so for the "record"; acknowledging that less than a full Board was present, but they'd still like to continue.

Broderick Arnold, son and agent for the Petitioner waived tabling the Hearing acknowledging that he was aware of the County's rules/procedures.

Ms. Blaine brief the Board on the property rezoning request.

Vice Chairman Ognio for clarification asked if this was an illegal lot or a non-conforming lot, Attorney Davenport explained that it was not an illegal lot, but non-conforming due to no fault of the property owner.

Commissioner Oddo moved to approve Petition No.1268-17, Elizabeth R. Arnold, Owner, and Broderick Arnold, Agent, request to rezone 1.00 acre from A-R to R-40 located in Land Lot 70 of the 5th District and fronting on Price Road. Vice-Chairman Ognio seconded. The motion passed 4-0-1. Commissioner Rousseau was absent.

CONSENT AGENDA:

Chairman Maxwell requested to remove item #3 from the Consent Agenda for presentation.

Commissioner Brown moved to accept the Consent Agenda, except for item #3 for discussion. Commissioner Oddo seconded. The motion passed 4-0-1. Commissioner Rousseau was absent.

3. **Approval of staff's recommendation to sell 17 Glock weapons on GovDeals to increase the Marshal's Office budget by \$2,592.00 and to purchase six new Glock G17 weapons.**
4. **Approval of a grant in the amount of \$300,000 from the State Road and Tollway Authority's, Georgia Transportation Infrastructure Bank (GTIB), for a portion of construction costs associated with Fayette County SPLOST Project R-5F, the intersection of State Route 92 and Westbridge Road/Veteran's Parkway.**
5. **Approval of the August 10, 2017 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

6. **Approval of staff's request to accept the donation of a Physio Control Lucas CPR compression device from the Fayette Fire Foundation.**

Fire Chief David Scarborough presented in collaboration with Fayette Fire Foundation the Physio Control Lucas CPR compression device, this was an effort to educate the public on the device and how it worked.

Commissioner Oddo moved to approve the request to accept the donation of a Physio Control Lucas CPR compression device from the Fayette Fire Foundation. Vice Chairman Ognio seconded. The motion passed 4-0-1. Commissioner Rousseau was absent.

This item was moved from the Consent Agenda at the acceptance of the agenda.

NEW BUSINESS:

7. Approval of the July 13, 2017 Board of Commissioners Meeting Minutes.

Commissioner Brown moved to table the July 13, 2017 Board of Commissioners Meeting Minutes to the September 14, 2017. Commissioner Oddo. The motion passed 4-0-1. Commissioner Rousseau was absent.

8. Consideration of staff's recommendation to amend the 2017-SPLOST fund (32240320) reallocating \$67,000 from Old Senoia Rd (6509H) to Rising Star Rd (6509C) and approval of staff's recommendation to award Bid #1207-B: Rising Star Culvert Replacement SPLOST Cat I, for FY18 to the low bidder, Piedmont Paving, Incorporated in the amount of \$384,805.

Public Works Director Phil Mallon presented a recommendation to the Board.

Commissioner Brown motioned to approve recommendation to amend the 2017-SPLOST fund (32240320) reallocating \$67,000 from Old Senoia Rd (6509H) to Rising Star Rd (6509C) and approval of staff's recommendation to award Bid #1207-B: Rising Star Culvert Replacement SPLOST Cat I, for FY18 to the low bidder, Piedmont Paving, Incorporated in the amount of \$384,805. Commissioner Oddo seconded. The motion passed 4-0-1. Commissioner Rousseau was absent.

9. Consideration of Resolution 2017-14 adopting the 2017 Property Tax Millage Rates.

Finance Officer Mary Parrott presented a brief PowerPoint on the 2017 Property Tax Millage Rates.

Commissioner Brown asked for clarification on the amounts highlighted in the presentation.

Mrs. Parrott explained the figures and how to calculate the figures.

Vice Chairman Ognio moved to approve Resolution 2017-14 adopting the 2017 Property Tax Millage Rates. Commissioner Steve Brown seconded. The motion passed 4-0-1. Commissioner Rousseau was absent.

10. Consideration of the Public Arts Committee's request for Concept Approval for the Five Senses PopUp Event and authorization to have the County Attorney review related documents; and consideration of the revisions to the Concept Approval to develop and host PopUp events.

Public Arts Chair Donna Thompson discussed a request regarding the Concept Approval for the Five Senses PopUp Event as well as the request for the County Attorney to review related documents. Mrs. Thompson explains that due to a recent resignation of a committee member, the Five Senses PopUp Event project and any funding related to this project was on hold and that the committee would like to table that portion of the request. She continued that the committee still needed a liability waiver to be used for PopUp events and/or projects facilitated by the Arts Committee to be reviewed by the County Attorney.

Commissioner Brown moved to have staff and the County Attorney review the documents from the Arts Committee in relation to the Pop-Up Art events artist application. Vice Chairman Ognio seconded. The motion passed 4-0-1. Commissioner Rousseau was absent.

Laura Line from Fayetteville asked if this review was part of the County Attorneys salary.

Vice Chairman Ognio clarified that the County Attorney is not a County employee, but is paid out of an hourly rate for services provided. The motion passed 4-0-1. Commissioner Rousseau was absent.

11. Consideration of staff's recommendation for the Board of Commissioners to approve the bid from Blount Construction Company, Inc. for Bid # 1362-B HA-5, High Density Mineral Bond in the amount of \$132,533.89.

Road Department Director Steve Hoffman briefed the Board regarding this item.

Commissioner Steve Brown moved to approve recommendation for the Board of Commissioners to approve the bid from Blount Construction Company, Inc. for Bid # 1362-B HA-5, High Density Mineral Bond in the amount of \$132,533.89. Commissioner Charles Oddo seconded. The motion passed 4-0-1. Commissioner Rousseau was absent.

This was a single/sole bid recommendation, due to the limited number of suppliers, previous workmanship, and suitable pricing.

12. Consideration of staff recommendation to implement a multi-way stop at Antioch Road and Goza Road intersection.

Commissioner Brown initiated discussion regarding citizen interest and concern about the intersection at Antioch Road and Goza Road, which stemmed from numerous traffic accidents where citizen have suffered property damage both minor and major personal injury, and unfortunately a recent fatality. With such devastation citizens are concerned and want to draw attention to the need for Board assistance. He mentioned that he had at least 100 people from the community via, "social media, email, and telephone calls" reached out to him, explaining what they had seen at that intersection. Commissioner Brown noted that with such a resounding cry for help that he would like to push this intersection to the top of the list for improvement as a part of the SLOST project.

Phil Mallon added to the discussion that he agreed with Commissioner Brown's opening statement regarding the intersection at Antioch Road and Goza Road. He continued that this intersection was one of the projects approved in the 2017 SPLOST. In doing an analysis of the intersection; reports specifically crash data, was not matching up with what the citizens were experiencing. Upon further investigation it was determined that the initial crash data was incorrect. After receiving corrected crash data reporting, citizen's concerns were solidified. Mr. Mallon also recommended that this project be pushed to priority.

Phil Mallon presented a presentation of findings surrounding the Antioch Road and Goza Road intersection to include speed analysis, traffic patterns and volume, and traffic accident/incident.

Commissioner Brown asked what type of speed detection device was used to capture the information.

Mr. Mallon explained the speed detection was captured by a 2-tubed detection system.

Mr. Mallon stated that he recommends as an interim measure converting this intersection into a four-way stop.

The following made public comments:

Phillip Doolittle, Merci Forsyth, Bill Ballard, Adam Hembolt, Nancy Holland, Doug Ivey and Cheri Burton.

County Administrator Steve Rapson clarified how 2017 SLOST funds are disbursed as it related to various projects.

Commissioner Brown moved to ask staff to proceed with the engineering study beginning RFP process as soon as possible and to add the caveat to fast tract the engineering study expediting the process. Chairman Maxwell seconded.

Chairman Maxwell asked how long would it take to initiate an RFP or was it done in-house?

Phil Mallon added to the discussion that this study was not done in-house and that the process can be fast-tracked with Board approval to hire a consultant.

The motion passed 4-0-1. Commissioner Rousseau was absent.

Commissioner Brown motioned to ask staff to investigate some immediate implementation of precautionary measures to include: additional signage, rumble strips, flashing lights, if deemed necessary. Chairman Maxwell seconded. The motion passed 4-0-1. Commissioner Rousseau was absent.

Commissioner Brown moved to send written request to Fayette County Sheriff asking for speed surveillance to include speed detection device, if available in the area to enforce the speed limit or to provide police presence in the area to keep citizens alert of the intersection. Chairman Maxwell seconded. The motion passed 4-0-1. Commissioner Rousseau was absent.

Chairman Maxwell requested a letter be posted to the county website.

Commissioner Brown moved to have Antioch and Goza Road intersection designated as a Top priority project for implementation; and if necessary, if engineering is ready in time we utilize reserve funds or whichever funds are designated by Finance and reimburse those with SLOST funds as they become available. Chairman Maxwell seconded. The motion passed 4-0-1. Commissioner Rousseau was absent.

13. Discussion regarding the Transportation Committee.

Commissioner Brown raised concerns about the Transportation Committee adhering to its bylaws.

Vice Chairman Ognio stated that the Transportation Committee adhered to its bylaws.

Commissioner Oddo confirmed that the Transportation Committee followed its bylaws as outlined. All recommendations are properly sent per bylaws for Board approval.

The following made public comments:

Phillip Doolittle, Denise Ognio and Adam Hembolt.

PUBLIC COMMENT:

The following made public comments:

Yvonne Smith, Sandra Wilson and Stephanie Cohran,

ADMINISTRATOR'S REPORTS:

Response to Public Comments

County Administrator Steve Rapson in answering Ms. Yvonne Smith, noted that Newton Planation was a private system, with that the County's Water Director had been in touch with EPD who have advised that there are no citations against that system. A Water Committee meeting was scheduled for September 13, 2017 at 8:00am and will included discussions about the privately-owned system.

Public Arts Selection Committee

Selection Committee for a Public Arts Committee; Board decision to utilize Selection Committee already established for previously posted open position to fill second position also, per policy.

Inman Farm Heritage Day

The Inman Farm Heritage Day will be held on Sept 15 and 17.

Grant funding clarification-Clothes Less Traveled

At the August 10, during the discussion for funding the non-profit Fayette Care Clinic, Clothes Less Traveled wanted it clarified that the Fayette Care Clinic requested \$60,000, but was awarded \$16,000. Over the last 3 years they have been awarded \$30,000; \$45,000; and \$30,000 and not the \$60,000.

ATTORNEY'S REPORTS:

Notice of Executive Session:

Four items involving pending litigation, three items of threatening litigation, two items involving real estate acquisition, and the review of the Executive Session minutes for August 10, 2017.

COMMISSIONERS' REPORTS:

Commissioners Brown, Ognio, Oddo made comments.

EXECUTIVE SESSION:

Four involving pending litigation, three items of threatening litigation, two items involving real estate acquisition, and the review of the Executive Session minutes for August 10, 2017.

Commissioner Brown moved to go into Executive Session. Commissioner Ognio seconded. The motion passed 4-0-1.

The Board recessed into Executive Session at 10:31 p.m. and returned to Official session at 11:50 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 passed 4-0-1.

Approval of the August 10, 2017 Executive Session Minutes: Vice Chairman Ognio moved to approve the August 10, 2017 Executive Session Minutes. Commissioner Brown seconded. The motion passed 4-0-1.

In accordance with the Americans With Disabilities Act, accommodations are available for those who are hearing impaired and/or in need of a wheelchair. The Board of Commissioners Agenda and supporting 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.

ADJOURNMENT:

Commissioner Brown moved to adjourn the August 24, 2017 Board of Commissioners meeting. Vice Chairman Ognio seconded. The motion passed 4-0-1.

The August 10, 2017 Board of Commissioners meeting adjourned at 11:50 p.m.

Tameca P. White, County Clerk