

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

April 12, 2018
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 April 12, 2018 Board of Commissioners meeting to order at 6:32 p.m. Commissioner Charles Rousseau was absent from the meeting.

Invocation and Pledge of Allegiance by Chairman Eric Maxwell

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

Acceptance of Agenda

Vice Chairman Randy Ognio moved to remove items #12 and #13 from the agenda and to accept the agenda as written. Commissioner Steve Brown seconded. The motion passed 4-0. Commissioner Rousseau was absent.

PROCLAMATION/RECOGNITION:

1. Proclamation for "National Telecommunicators Week" April 8-14, 2018.

Chairman Maxwell, on behalf of the Board, presented the 911 Telecommunicators with a proclamation. 911 Director Bernard Brown offered comments in support of the telecommunicators that answer the emergency calls in Fayette County.

2. Proclamation recognizing April 2018 as "Safe Digging Month in Fayette County".

Chairman Maxwell, on behalf of the Board, presented Water System Utilities Services Manager Matt Bergen with a proclamation. Mr. Bergen urged citizens to call 811 before digging.

3. Proclamation honoring April as "National Donate Life Month".

Commissioner Charles Oddo, on behalf of the Board, presented LifeLink of Georgia Representative Cynthia Jenkins with a proclamation. Ms. Jenkins gave brief comments regarding the statistics of donating and informed everyone that Fayette County was the only county that allowed citizens to sign up for the organ donor registry when renewing their vehicle registration. She stated that one donor could improve or save the life of up to 75 people.

PUBLIC HEARING: None

CONSENT AGENDA:

Commissioner Oddo stated that one of the projects that was listed for repair abuts his property, but that there was no conflict of interest.

Commissioner Brown moved to approve the Consent Agenda as written. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Rousseau was absent.

4. **Approval of staff's recommendation to approve Contract #940-P, Public Works Engineer of Record: Task Order #41-Construction Management for Broom Boulevard, Old Senoia Road, Morning Dove Drive, and Mercedes Trail Culvert Replacements; not-to-exceed \$186,627 and to authorize the County Administrator to sign the related documents.**
5. **Approval of staff's recommendation to approve \$158,582 to fund the installation of the water infrastructure for the Sheriff's Training Center.**
6. **Approval of the March 22, 2018 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

NEW BUSINESS:

7. **Consideration of the Board of Education's request to approve the Fayette County School District (GA) General Obligation (Sales Tax) Bonds, Series 2018 Tax Levy Resolution.**

Mr. Tom Gray, Fayette County School System Assistant Superintendent of Business and Personnel Management, briefed the Board that the package included a resolution for Board consideration. He stated that March 26, 2018 the Board of Education adopted the Bond Resolution for the purpose of issuing \$25 million in General Obligation debt and the bonds would be paid from E-SPLOST refunds. He stated that collection would start at the end of 2018 or the beginning of 2019, depending on when the E-SPLOST II ran out. He stated that the bonds would be used for projects in the E-SPLOST III list starting with the Fayette County High School and the McIntosh High School renovations. He continued that tax levy would most likely have a zero-percentage possibility of having to issue a millage off this bond. He stated that the bonds would be paid back within five years from the collection of the E-SPLOST funds.

Commissioner Brown moved to approve the Board of Education's request to approve the Fayette County School District (GA) General Obligation (Sales Tax) Bonds, Series 2018 Tax Levy Resolution. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Rousseau was absent.

8. **Ratification of the City of Peachtree City's re-appointment of Shayne Robinson to the Fayette County Transportation Committee to serve a term beginning April 1, 2018 and expiring March 31, 2021.**

Vice Chairman Ognio moved to ratify the City of Peachtree City's re-appointment of Shayne Robinson to the Fayette County Transportation Committee to serve a term beginning April 1, 2018 and expiring March 31, 2021. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Rousseau was absent.

9. **Ratification of the Town of Woolsey re-appointment of Gary Laggis to the Fayette County Transportation Committee to serve a term beginning April 1, 2018 and expiring March 31, 2021.**

Vice Chairman Ognio moved to ratify the Town of Woolsey's re-appointment of Gary Laggis to the Fayette County Transportation Committee to serve a term beginning April 1, 2018 and expiring March 31, 2021. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Rousseau was absent.

10. **Ratification of the Town of Brooks re-appointment of Ellen Walls to the Fayette County Transportation Committee to serve a term beginning April 1, 2018 and expiring March 31, 2021.**

Vice Chairman Ognio moved to ratify the Town of Brooks' re-appointment of Ellen Walls to the Fayette County Transportation Committee to serve a term beginning April 1, 2018 and expiring March 31, 2021. Commissioner Oddo seconded.

Mr. Tom Waller stated that it would be nice to have a presentation from the committee chair regarding what the committee did, how many times it met and the accomplishments in the past 12 months that the public should be aware of. He stated that he was referring to all committees that were placed on the agenda for appointments.

Commissioner Brown stated that as a point of information, the purpose and what the committee was charged with was provided in the agenda that was posted on the website. He stated that the accomplishments were not.

Chairman Maxwell stated that he and Vice Chairman Ognio rode to Thomaston to meet with Department of Transportation officials. He stated that Vice Chairman Ognio shared some good ideas during the ride. He stated that one of things that Vice Chairman Ognio shared was that the Board should talk more about the various meetings and what was being discussed. He stated that the information was provided on the website. He stated that Vice Chairman Ognio, who was also the Chairman of the Transportation Committee, could post a quarterly update regarding the committee.

Vice Chairman Ognio stated that the minutes are on the county's website and that it was a public meeting. He stated that there have been many times during "Commissioner Comments" that he had shared what happened in previous Transportation Committee meetings, because he wanted to ensure that the citizens were informed.

Commissioner Oddo stated that this committee was just starting to make some moves and doing things, like organizing the 2004 SPLOST and prioritizing it. He stated that the thing that was unexpected was that the committee had brought together the cities and the county in one place each month. He stated that there was a lot of communication and people are starting to exchange ideas and that it had blossomed into more than a Transportation Committee.

Vice Chairman Ognio moved to ratify the Town of Brooks' re-appointment of Ellen Walls to the Fayette County Transportation Committee to serve a term beginning April 1, 2018 and expiring March 31, 2021. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Rousseau was absent.

11. Ratification of the Town of Tyrone re-appointment of Jaimi Tapp to the Fayette County Transportation Committee to serve a term beginning April 1, 2018 and expiring March 31, 2021.

Vice Chairman Ognio moved to ratify the Town of Tyrone's re-appointment of Jaimi Tapp to the Fayette County Transportation Committee to serve a term beginning April 1, 2018 and expiring March 31, 2021. Commissioner Brown seconded. The motion passed 4-0.

12. Approval of staff's recommendation to implement Third Party Inspections and After-Hours Inspections.

This item was removed from the agenda at the start of the meeting.

13. Approval of staff's recommendation to approve the purchase of software programming services from Sages Networks, Inc. to build permitting modules for Third Party Inspections and After-Hours Inspections and transfer \$7,000 from FY2018 General Fund Project Contingency.

This item was removed from the agenda at the start of the meeting.

14. Update from Joe Scarborough regarding his relief activities in the United States Virgin Island.

Building Safety Director Joe Scarborough gave the Board a brief update on his volunteer trip to the United States Virgin Island (USVI) to assist with relief after two back-to-back category five hurricanes in September. He stated that FEMA requested volunteers to assist with plan reviews and building inspections of the damaged structures in USVI. He shared photos and reported on his experience while there. He stated that the request for volunteers had been extended through the month of May and encouraged others to volunteer.

No vote was taken on this item.

15. Consideration of approval for the Board of Commissioners to authorize staff to acquire all fee simple right-of-way, easements and appraisals for the proposed roundabout at the intersection of Antioch and Goza Roads (2017 SPLOST 17TAO & 2004 SPLOST I-13).

Public Works Director Phil Mallon stated that the Board made the decision to transform the intersection to a roundabout. He stated that the consultant had completed the plans for construction and staff was in the process of giving a final review. He stated that he received the right-of-way plans and he was asking the Board for approval to acquire the easement and right-of-way necessary to start construction.

Commissioner Brown moved to authorize staff to acquire all fee simple right-of-way, easements and appraisals for the proposed roundabout at the intersection of Antioch and Goza Roads (2017 SPLOST 17TAO & 2004 SPLOST I-13). Vice Chairman Ognio seconded.

Commissioner Brown stated that he wanted to send out a press release with the anticipated construction schedule. Mr. Mallon stated that he recognized that this was a good time for an update.

Commissioner Brown asked why money was being drawn from the 2017 SPLOST if money there was still enough in 2004 to cover the project. Mr. Mallon stated that he was including both the 2004 SPLOST and the 2017 SPLOST just to be safe. Commissioner Brown confirmed that the plan was to deplete the 2004 SPLOST and then to use the 2017 SPLOST if needed. Mr. Mallon confirmed that was correct.

Commissioner Brown moved to authorize staff to acquire all fee simple right-of-way, easements and appraisals for the proposed roundabout at the intersection of Antioch and Goza Roads (2017 SPLOST 17TAO & 2004 SPLOST I-13). Vice Chairman Ognio seconded. The motion passed 4-0. Commissioner Rousseau was absent.

16. Consideration of the approval of an Intergovernmental Agreement between Fayette County and the City of Peachtree City for mutual use of the respective fueling stations on an emergency basis.

County Administrator Steve Rapson stated that this was a spin-off from the Service Delivery Strategies (SDS) negotiations. He stated that Peachtree City had approved the agreement and the city would charge the county and the county would charge the city to swap out gas in emergency situations.

Vice Chairman Ognio moved to approve an Intergovernmental Agreement between Fayette County and the City of Peachtree City for mutual use of the respective fueling stations on an emergency basis. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Rousseau was absent.

17. Consideration of the County Attorney's recommendation to approve the disposition of tax refunds, as requested by Stephen Girard for tax year 2015 in the amount of \$238.80.

Assistant County Attorney Patrick Stough briefed the Board that Mr. Stephen Girard made this request based on the belief that the county was taxing his property based on a square footage that was greater than the actual square footage. He continued that on examination it was determined that the county was, in fact, charging more because of an error in the residential appraisal software. He stated that the house was entered in at 4,640 square feet instead of 3,712 square feet. He stated that the error was corrected in tax years 2016 and forward. He stated that because state law only permitted refunds back three years, the only year a refund could be granted was for 2015. The recommendation was for the approval of a refund for tax 2015 in the amount of \$238.80.

Commissioner Brown moved to approve the disposition of tax refund as requested by Stephen Girard for tax year 2015 in the amount of \$238.80. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Rousseau was absent.

18. Discuss County Administrator's usage of county vehicles, his accident in a county vehicle, his non-disclosure of the accident to the full Board of Commissioners, the actions taken following the accident without a vote of the Board of Commissioners.

Commissioner Brown stated that he would like a full Board present to discuss this item. He stated that since Commissioner Rousseau was absent he would like to table this item to the April 24, 2018 Board of Commissioners meeting.

Commissioner Brown moved to move item #18 to the April 24, 2018 Board of Commissioners meeting. Chairman Maxwell seconded. The motion failed 2-2 with Vice Chairman Ognio and Commissioner Oddo voting in opposition.

Commissioner Brown stated that he would withdraw the motion and resubmit this item at a future meeting.

PUBLIC COMMENT:

Ms. Yvonne Smith addressed the Board. She stated that a year ago she requested an amendment to the ordinance to not allow cars on the lawn. She stated that it had been a year and she had not heard anything about this request. She asked if anyone could give her an update on this request. She continued that this was not a commercial resident. She stated that at the last meeting Water System Director Lee Pope was given the okay to go with her to EPD. She stated that Commissioner Rousseau stated that he would also go. She continued that a few days later she phoned Commissioner Brown and asked if he would go and he stated that he would, but he did not want to go over Commissioner Rousseau, so if he was okay then he would go. She stated that no one had contacted her with a date to visit EPD and that she had not heard from Commissioner Rousseau.

ADMINISTRATOR'S REPORTS:

Public Arts Committee:

Mr. Rapson stated that there were three open seats on the Public Arts Committee with one applicant. He stated that staff had not been successful with getting the other applicants and was therefore looking for Board direction.

Chairman Maxwell stated that the retreat was a great time to discuss what to do with that committee. Commissioner Oddo stated that he would like to interview the one applicant before placing them into the appointment.

Response to Ms. Smith's comments:

Mr. Rapson stated that regarding Ms. Smith's comments about parking vehicles on the lawn, the decision was made to remove that from the ordinance prior to 2010. He stated that it would require an amendment to an existing ordinance and would be something that the Board would have to consider.

He stated that as for the selling of cars in the residential neighborhood, he believed Ms. Smith was getting the correct information from Code Enforcement. He stated that there was no way to prove someone was selling a vehicle unless we could actually see that occurring. He stated that so far, Code Enforcement had no indication that was taking place.

He stated that as for the meeting with EPD, it was on Mr. Pope's radar to set that up. He was working to get dates from EPD and Commissioner Rousseau and then he would contact Ms. Smith to set that up.

Commissioner Brown stated that Ms. Smith did ask him to attend that meeting, so if Commissioner Rousseau was okay with that he would attend. He asked Mr. Pope to let him know when the meeting was set.

Mr. Rapson stated that if Ms. Smith had pressure systems, it was one of the reasons for the meeting, because the county was limited in what could be done. He stated that EPD would have to react with the owner of the system and there was not a lot that the county could do.

ATTORNEY'S REPORTS:

Notice of Executive Session: Assistant County Attorney Patrick Stough stated that there were two items involving pending litigation and the review of the Executive Session minutes for March 22, 2018.

COMMISSIONERS' REPORTS:

Commissioner Brown:

Water Guardians: Commissioner Brown stated that the first water event for 2018 was held at Lake McIntosh. He stated that there was a record number in attendance. He continued that he was pleased that over half the participants were under the age of 18 years old. He stated that the youngest person was four years old. He stated that they ran out of food, supplies and almost ran out of t-shirts, but it was a great problem to have. He stated that there were two pickup-trucks full of trash. He stated that the Marshal office always stopped by to introduce themselves and to make sure everyone was aware of the job of the Marshal. He stated that Lake Horton was next.

Vice Chairman Ognio:

Comments: Vice Chairman Ognio stated that it was tax season.

He stated that he hoped everyone had a Happy Easter and Happy April's Fool. He stated that there were some bad jokes that caused some havoc from public announcers that they would have to deal with for a long time. He stated that jokes could be fun, but an issue if used in the wrong place.

High School Safety event: He stated that Whitewater High School had an event regarding school safety. He stated there was one person on the panel that put out statements that were not exactly true. He stated that he did not like to see an elected official not give the citizens the fact. He stated that he just wanted to say, "the citizens are smarter than you think. They dig through and find out what is really going on, so give them the facts."

Commissioner Oddo:

Tax Season: Commissioner Oddo stated that the deadline for filing taxes this year was April 17, 2018 because of some holiday in Washington, DC. He continued that people could file an extension to file by October 15, 2018.

He thanked everyone for coming.

Commissioner Brown reminded everyone that the Board retreat would be held on April 18-20 at the Old Courthouse on the 3rd floor. He stated that there was an opportunity for public conversations related to the topics for discussion.

Chairman Maxwell:

Shout-out to 911 Director Bernard Brown: Chairman Maxwell stated that wanted to give a shout-out to Mr. Brown for being the leader in North America for bringing Carbyne to Fayette County.

Georgia Department of Transportation (GDOT): He stated that he and Vice Chairman Ognio rode down to Thomaston, Georgia and had the opportunity to talk about transportation issues. He stated that they were invited back and that they spoke highly of Mr. Mallon. He stated that there are a number of GDOT projects that are getting ready to start. He stated that the repaving of Highway 54 and there would be a full depth reclamation taking place. He thanked GDOT for doing that. He stated that GDOT was cutting back the branches on Highway 85, so they do great things for Fayette County.

Doctor's release: He stated that he had his final doctor's visit and received the doctor's release.

EXECUTIVE SESSION:

Notice of Executive Session: Assistant County Attorney Patrick Stough stated that there were two items involving pending litigation and the review of the Executive Session minutes for March 22, 2018.

Two Items of Pending Litigation and review of the March 22, 2018 Executive Session Minutes: Commissioner Brown moved to go into Executive Session. Vice Chairman Ognio seconded. The motion passed 4-0. Commissioner Rousseau was absent.

The Board recessed into Executive Session at 7:46 p.m. and returned to Official Session at 8:01 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. Commissioner Rousseau was absent.

Approval of the March 8, 2018 Executive Session Minutes: Vice Chairman Ognio moved to approve the March 22, 2018 Executive Session Minutes. Commissioner Brown seconded. The motion passed 2-0. Chairman Maxwell abstained because he was absent and Commissioner Rousseau was absent.

ADJOURNMENT:

Chairman Maxwell moved to adjourn the April 12, 2018 Board of Commissioners meeting. Commissioner Brown seconded. The motion passed 4-0. Commissioner Rousseau was absent.

The April 12, 2018 Board of Commissioners meeting adjourned at 8:02 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 24th day of April 2018. Referenced attachments are available upon request at the County Clerk's Office.

Tameca P. White, County Clerk