

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 Board Retreat

April 20, 2018
8:30 a.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

Vice Chairman Ognio called the April 20, 2018 Board of Commissioners retreat to order at 8:32 a.m. Chairman Eric Maxwell was absent from the meeting.

Acceptance of Agenda

Commissioner Charles Oddo moved to approve the agenda as written. Commissioner Steve Brown seconded. The motion passed 4-0. Chairman Maxwell was not present.

Vice Chairman Ognio turned the meeting over to County Administrator Steve Rapson.

Chief Finance Officer Mary Parrott made a presentation to the Board. A copy of the PowerPoint presentations, identified as "Attachment 1," is made an official part hereof.

There were no votes on the presented information.

FY2017 FINANCIAL REVIEW

Mrs. Parrott stated that at the end of fiscal year 2017, the county had \$28.5 million in fund balance which included the three-month working capital as required in the county policy. In addition, there was \$2 million for emergency purchases which require Board direction to use. The five-year CIP represents 16% of the \$4.6 million based on the fiscal year 2018 budget. There are restrictive funds related to Public Works that was set aside for grants received. The unassigned amount was just under \$5 million. The finances are in very good shape.

She continued with an overview of the revenues and expenditures. Commissioner Rousseau asked if we treated the judicial system as an enterprise fund, could some of their request be taken from that line item.

Mrs. Parrott stated that for the other funds such as the Water System, Fire Fund and 911 Fund, an administrative fee was charged to cover some of the expenses in General Fund. She stated that we did not do that with other partners within the General Fund.

The presentation continued. She stated that the digest was a huge part of the revenue. She stated that for FY2018, staff was anticipating a total impact to the digest of about 5% with about half growth and the other half assessments. She stated that last year's growth was 12.5%, with 3% as new growth and the rest assessments.

Mrs. Parrott address the (Title Ad Valorem Tax) TAVT and how it hurt the county in 2016, when the state only paid out about 40.5%. She stated that in 2018 it went up to 51.58% which was a slight increase.

911 Operations Fund

The 911 Operations Fund operates with a healthy fund balance which will be needed for technology upgrades and maintenance. She continued that the 2017 SPLOST will help to fund the technology. The 911 budget added \$771,000 to the General Fund.

Mrs. Parrott stated that the State would be centralizing 911 collections beginning January 1, 2019 and the county would receive payments each month.

Fire Fund

The Fire Fund did not have available funds because the plan was to redo Fire Station #6. She stated that there was approximately \$2 million for Fire Station #2 in the capital project fund. The working capital was \$3.3 million.

Mr. Rapson stated that Chief Scarbrough had challenges with hiring firefighters. He has hired people and making them firefighters. He currently had 10 people scheduled to graduate the class. Mr. Rapson stated that there would be overtime in Fire and EMS that would be budgeted accordantly.

EMS Fund

The estimated for EMS was to add an additional \$164,000 in the Fund Balance. Mr. Rapson stated that they adjusted the rates for transport and so EMS was not running as many transport. The changes in Medicaid reimbursements also made an impact. In 2019 staff will be looking at increasing the transfers out to the vehicle replacement.

County Jail Surcharge Fund

Mrs. Parrott stated that staff had watched this fund over the years because they have not been about to collect enough fees from the courts to cover the cost of the inmate meals and have used money from the General Fund to cover the cost. She stated that in the recent Service Delivery Strategy (SDS) agreement went into effect on March 1, 2018 and the first billing went out to the municipalities. She stated that the first month's billing was \$14,750; annually was \$177,000. The Sheriff did a new inmate meal agreement.

Proprietary Funds

Water System – The net asset for the Water System was about \$84 million with most of it contributed to the infrastructure.
Solid Waste – There was a new inert landfill added to Solid Waste. It is not a self-sustaining fund. The methane monitoring for the two closed landfills at a cost of about \$50,000 a year.

Mr. Rapson stated that staff was having conversation regarding charging the municipalities for using the county's landfill. Mrs. Parrott stated that the county was required by EPD to guarantee that funds are available for monitoring the landfill.

Internal Revenue Funds:

Workers Compensation – This fund depends on the type of claims that come to the county.

Commissioner Brown stated that we must continue to have education in this area and for the use of heavy equipment to include daily safety checks.

Employee Insurance – This fund was \$1.5 million and included stabilization fund and a payout if the county moves from Cigna.

Mr. Rapson stated that the last two years have not been good medical claim years. He stated that when the insurance companies have to write the county checks it did not help the policy renewal.

Mrs. Parrott stated that were looking at a 3% increase for 2019. The negotiations started at 32%.
The dental/vision would be funded at an 5% increase.

Tax Digest/Millage Rate History

Mrs. Parrott stated that the majority of the digest was real property. She continued that Fayette County continued to grow. In 2008, 2009 and 2010 there were negative reassessments that allow for a roll-up, however Fayette County did not roll-up. She stated that in 2012 there was not a roll-back in the General Fund, increased Fire Fund millage, decreased the EMS and established a separate 911 district. The accumulative cost of the roll-back for five years was \$21.6 million.

Mr. Rapson stated that there would be \$21.6 million more in the General Fund revenue. This is an accumulative amount.

The legislation allows for the county to charge for tax collection, but Fayette County does not charge. There are 118 counties out of 159 charged 2.5% for tax collection to the school board and municipalities. Mr. Rapson stated that we would only tax the amount that it would take to run the Tax Commission. There are seven of the 159 counties that do not charge anything. The cost to run the Tax Commissioners office was \$1,088,000.00.

Mrs. Parrott stated that the 72% of the tax bill goes to the school board.

Capital/CIP/2017 SPLOST Projects

The information presented was from the last retreat up to this retreat. There was a total of 41 projects.

Break (9:32am – 9:38am)

Parliamentary Procedures Overview

County Attorney Dennis Davenport did an overview of the parliamentary procedures for the Board of Commissioners meetings. He stated that the Board ordinance was a duplicate of state law that was not needed. He stated that it would require the Board to change the ordinance each time state law was changed and it was not necessary because state law would always supersede county ordinance. He stated that he was prepared to put forth an ordinance to delete the language. He stated that the Section 2-56 covered the "Rules of Order". He encouraged the Board to look at them regularly in addition to the chart that showed the actions to take for motions. He stated that the other change was taking out the "order of the meeting" from the ordinance as well.

Staff was instructed to place a copy of the "Action chart" on the dais for the Board.

Mr. Davenport stated that the Board did a great job of sounding the agenda item. He continued that using the agenda item verbatim as the motion could cause a problem. He continued with making the Board aware of calling the motion and the order of discussion for an agenda item. The Board was encouraged to make the motion brief and concise. He stated that there had to be a second to a motion or no one say anything. He stated that based on a recent court case, multiple parcels from the same petitioner will require multiple postings, and a vote of 2 to 3 will still require a second motion and vote to deny.

He continued with discussion regarding "calling the question", "amending the motion" and "executive sessions".

Commissioner Rousseau asked that Mr. Davenport discuss the position the county is put in when an EEOC complaint has been made against the county.

Mr. Davenport also addressed using "adjourned" to exit into executive session.

Commissioner Rousseau stated that since his time on the Board there have been at least two instances of disclosure regarding executive session. He asked what was the benefit of going into executive session.

Mr. Davenport stated that the Board was not required to go into executive session, but that the Board was allowed to hold executive session under the topics that were discussed; personnel, real estate acquisition and pending and threatening litigation. He stated that if the Board discussed executive session topics in an open meeting the two immediate results would be a rise in litigation cost and most likely a rise in acquisition cost.

Commissioner Rousseau stated that to avoid accusations could the Board make a policy change to do them in an open meeting.

Vice Chairman Ognio stated that it would be costly to the county.

Commissioner Rousseau stated that if the Board was not going to adopt a policy change then he would like to adopt a model and be open to punishment when discussing executive session topics.

Commissioner Brown stated that open session was not a cloak to hide a behavior that Commissioners should not be involved in.

Mr. Davenport stated that he, the Chairman and the Commissioners have a duty to stop any discussion in an executive session that did not meet the criteria.

In response to Commissioner Rousseau's topic of imposing punishments for unethical behavior. Mr. Davenport stated that the Board was a political subdivision of the State. He stated that the Board had rights and responsibilities and duties as spelled out in the enabling legislation. If the Board wanted to change a law or enact a law, beyond home rule power, then it would require a local act approved by the General Assembly. He continued the conversation regarding this topic. He stated that even if the Board agreed he did not believe it would be enforceable because the Board was guided by the enabling legislation. He stated that the punishment would take place at the ballot box.

Lunch (11:11am – 11:54am)

Public Works Director Phil Mallon asked for Board direction on involving the public on transportation projects.

Vice Chairman Ognio stated that the question was do you just contact those effected or send to all others.

Commissioner Brown suggested getting information to the Homeowner's Associations (HOA) as a way of getting the information out.

Commissioner Rousseau stated that he would like to have staff create an HOA mailing list.

Chairman & Commissioner Topics

Discussion of County Attorney Contract (Commissioner Brown)

Commissioner Brown led the discussion. He stated that any time there was a financial relationship and where the party was holding vital records that there should be a contract.

Commissioner Oddo stated that most professional organizations do not have contracts. He stated that the most that they have was professional engagement letters. He stated that if the county did not want Dennis as an attorney then we would not use him. He stated that the engagement letter would just include the cost of services.

Commissioner Brown stated that he was not asking for anything complicated just something that said that the County records would be returned.

Vice Chairman Ognio stated that he could not hold on to the records because he would lose his license. He would have to turn over the records. He stated that an engagement letter would be fine.

Commissioner Brown stated that an engagement letter would be fine with him that included the terms.

Commissioner Oddo stated that he understood what was being requested, but that he didn't understand what different would be accomplished.

Commissioner Brown stated that he could bring in a draft for the Board to consider.

Creation Countywide Comprehensive Plan (Commissioner Rousseau)

Mr. Rapson stated that this had been discussed briefly in the past. He stated that when developing a countywide comprehensive plan that it would be a joint effort with the municipalities and have them talk to staff about the annexations and where they think their borders would end.

Commissioner Rousseau stated that he was asking for the Board support to create an agreement or resolution with the municipalities in agreeing, in principle, to look at the county as a whole and address those issues. He stated that instead of piece milling this it should be done comprehensively with the municipalities.

Planning & Zoning Director Pete Frisina stated that he discussed with his peers when completing the comprehensive plan; to discuss the county as a whole. The feedback was that they did not know if their council wanted to do that and he was not sure if the Board wanted that. The discussion continued.

Commissioner Rousseau stated that he wanted to have this presented as a resolution. He stated that he would get with staff and put something forward to see where it goes.

Strengthening Ethics Ordinance Consequences (Commissioner Rousseau)

Discussed during the Parliamentary and Procedures.

SB 318 EMT & Paramedic Mental Health Determination (Commissioner Rousseau)

Commissioner Rousseau stated that he was going to do a Summit in August with the service providers. He stated that there could be some reduction in duplication of services. He stated that this legislation would put the responsibility on the paramedics to make a determination that they were not equipped to make. He asked Chief Scarbrough to share any concerns.

Chief Scarbrough stated that he was opposed because it was introducing paramedics and EMT's into an area that they do not have the background in. He stated that there was a community need and it was a problem when someone did not have a medical issue, but had other concerns that was not medical. He stated that he was concerned about tying up an ambulance for a non-medical issue. He stated that he was asking for the Board to oppose the legislation. He stated that the State was planning to implement this in urban counties as an experiment. He stated that it was a matter of a transport situation.

He continued that they do use McIntosh Trail Community Service Board.

County Mail Security Handling (Commissioner Rousseau)

The discussion was regarding how to safe guard the mail that was received at county. He asked if it was a good time to revisit the mail process. He elaborated that he was referring to a screening process before the mail even gets to staff.

Mr. Rapson stated that staff could evaluate it and determine the cost.

Commissioner Brown stated that the most probable threat was the computer system.

Comprehensive Plan on Small Cell Tower Impact/Water Lines (Commissioner Rousseau)

Mr. Frisina stated that they want the small cell towers to go in the rights-of-way which would affect the road department. The bill did not pass, but he was sure it would come up again. He stated that he was not sure if it was a utility and it was a cost benefit for them to go in the right-of-way.

Commissioner Brown posed the question, could the county be proactive and identify areas to put the small cell towers. Vice Chairman Ognio stated that he believed the only proactive thing the county could do at this point was to get with ACCG and get control mechanisms that local government could control the location.

Mr. Rapson stated that any state law in place would supersede any policy that would be put in place.

Vice Chairman Ognio stated that the Board should get with ACCG, but also make this part of the legislative package. He stated that the package needed to be put together early.

Commissioner Brown stated yes, but to have the Board lead it.

Mr. Davenport stated it needed to be ready by October.

ADJOURNMENT:

Commissioner Brown moved to adjourn the April 20, 2018 Board of Commissioners retreat. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Rousseau was not present.

Tameca P. White, County Clerk

Randy Ognio, Vice Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 10th day of May 2018. Referenced attachments are available upon request at the County Clerk's Office.

Tameca P. White, County Clerk