

## **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**

June 28, 2018  
6:30 p.m.

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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 6:30 p.m.

### **Call to Order**

Vice Chairman Randy Ognio called the June 28, 2018 Board of Commissioners meeting to order at approximately 6:32 p.m. A quorum was present. Chairman Eric Maxwell was absent.

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

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

### **Acceptance of Agenda**

Commissioner Steve Brown moved to approve the June 28, 2018 agenda as presented. Commissioner Charles Rousseau seconded. The motion passed 4-0. Chairman Maxwell was absent.

### **PROCLAMATION/RECOGNITION:**

#### **1. Recognition of the Fayette State Court interns.**

The Board of Commissioners and Judge Jason Thompson recognized Samuel Ellis, Andrew Grasser, Patrick Reames, Aliana Stanley, Tyler Eck and Lizeth Gomez for their hard work as State Court interns.

#### **2. Proclamation recognizing June as Alzheimer's and Brain Disease Awareness month and acknowledging the Southern Crescent 2018 Walk to End Alzheimer's.**

Commissioner Charles Oddo presented, on behalf of the Board, a proclamation recognizing June as Alzheimer's and Brain Disease Awareness month. Representatives with the Southern Crescent 2018 Walk to End Alzheimer's were present to receive the proclamation and encouraged citizens to join the walk and support Alzheimer's awareness.

#### **3. Recognition of Government Finance Officers' Association Certificates of Achievement for Excellence in Financial Reporting for Fayette County's Comprehensive Annual Financial Report (CAFR) for the fiscal year ended June 30, 2017 and Fayette County Water System Comprehensive Annual Financial Report (CAFR) for the fiscal year ended June 30, 2017.**

Assistant Chief Finance Officer Sheryl Weinman explained the process for receiving the Comprehensive Annual Financial Report awards, and with Budget Officer Sergio Acevedo, was recognized by the Board for the achievement.

#### **PUBLIC HEARING:**

4. **Second of two Public Hearings on Fayette County's proposed annual budget for Fiscal Year 2019 which begins on July 1, 2018 and ends June 30, 2019 and approval of staff's recommendation to adopt the proposed Fiscal Year 2019 Annual Budget.**

Ms. Weinman gave a brief overview of the items discussed in the first public hearing. She stated that the impact to the fund balance was a positive \$540,000. The revisions that were approved at the June 14 Board of Commissioners meeting were the State Court Judge's, Solicitor's and DUI Court's supplement at \$11,000 with an impact to the General Fund. In addition, the State Court Judge's, Solicitor's and DUI Court's stipend and expense allowance was a \$7,000 impact to the General Fund. The DUI and Drug Court grant award was a downward adjustment to the budget of approximately \$179,000 which only impact those funds. The other item discussed was the replacement of a CAT 242D skid steer loader for the Road Department, with a 279D compact track loader with an impact of \$22,522 to the vehicle equipment fund. The Board also approved, at the June 14 meeting, the use of the bell-curve for the merit system and it had no impact to the budget because it was included in the proposed budget.

A vote from the Board remained for the following: 1) Magistrate Court Clerk and the Superior Court Deputy Clerk, 2) salary supplement increases for the Superior Court Judges' supplement (increase by \$7,000), 3) Non-profit and other agencies funding of \$100,000, 4) additional \$32,000 for Saturday hours for the Senior Services Center.

She continued that the Superior Court Judges' supplement would have a total impact of \$46,000 to the General Fund. She stated that the proposed budget increases, with the changes that were approved, went from \$540,000 to \$521,000. She stated that there was no property tax increase planned and the current year savings for a millage rate rollback would be approximately \$600,000. The five-year capital plan was budgeted at \$6.3 million. Revenues remain higher than expenses and there was no unassigned fund balance being used. The Defined Benefit Plan was positive and the county maintained the medical and dental insurance and retirement plans for employees.

Commissioner Brown asked how staff determined how much money would go into the merit pay. Ms. Weinman stated that it was averaged out to be 1.88% based on the bell-curve and the layout of the number of employees that would fall within that bell-curve (15-35-35-15), which was calculated and averaged out by department.

County Administrator Steve Rapson stated that the allocation was allocated by fund and required the departments to follow the bell-curve for departments that are over 20 employees. The 1.88% was funded in General Fund and 911 Fund. He stated that it was the total payroll at 100%.

Commissioner Rousseau asked if there was any likelihood of the 1.88% being exceeded. Mr. Rapson stated absolutely not. Commissioner Rousseau stated that his concern was that if it would not be exceeded, would there be the risk of some evaluations being suppressed to maintain that level.

Mr. Rapson stated that everyone had a performance ranking and based on that ranking there was a score. He gave an example of a department head with 100 employees would have only 10 employees with an evaluation of 3.75. He stated that last year there were more because of the vacancies or new hires and it gave more leeway.

Commissioner Rousseau stated that his concern was that there was a risk of a manager/supervisor/department head trying to stay within that percentage and therefore, might suppress the evaluation to stay within the range. He stated that having been in

executive management level for a number of years, unless the department heads and mid-level managers are trained to evaluate people correctly and fairly, there would be the risk of favoritism and trying to meet the 15% level. He stated that it was a fact that he had seen repeatedly and that he wanted to be sure that this Board, through the county administrator and the department heads, monitored it very closely. He stated that he was concerned that with the set number, that someone would feel they did not get what was deserved, leaving the door open for grievances. He stated that he cautioned the Board to be careful, mindful and vigilant in working with the county administrator and human resource (HR) director on the training mechanisms for accurate evaluations. He stated that the artificial boundary raised a red flag.

Mr. Rapson stated that he, the HR director and the department heads would watch the trend and look for any favoritism to heed Commissioner Rousseau's words.

Commissioner Rousseau stated that for those who "fail", he wanted to know there was some training and/or consequences. He stated that it upset the employee balance and base, when employees did not feel they were treated fairly.

Commissioner Brown stated that it had to be as fair and balance program as possible with accountability systems. He stated that he was holding his position on adding the Magistrate Court Clerk position, at least part-time at the very least. He stated that if it was what was needed to function by the letter of the law, then the Board needed to give it to them.

At the last meeting of the Board of Commissioners, Judge Robert Ruppenthal stated that he would bring new information to the Board regarding the position. Staff confirmed that the information had not been received and that Judge Ruppenthal was not present.

Mr. Rapson stated that the Board could approve the budget and come back later to approve a position in the budget.

Commissioner Rousseau stated that regarding the Senior Services request, was there any surveys conducted by Fayette Senior Services with senior "customers". He stated that Saturday programs are rarely requested by seniors. He stated that the Board needed to evaluate doing public comments at the beginning of the meetings because the Board adjourned so late.

Mr. Rapson stated that the way it was presented to him was that it was a request by a few seniors, that were not local seniors that wanted to visit on the weekend. He stated that it opened a list of concerns regarding staffing during the Saturday hours.

Commissioner Rousseau asked would the \$32,000 be restricted only for the Saturday program or would it be absorbed into their budget to be used indiscriminately in other areas.

Mr. Rapson stated that, if approved, it would be required to be used for the Saturday program as presented to the Board.

Commissioner Brown stated that he would like to see some testing and weighing of these type request because a discounted meal at the Senior Center was a good thing for someone on Social Security. He questioned that for a multi-millionaire eating lunch there, four days a week, was it necessary to give them a subsidized meal. He stated that maybe there should be a means testing for some of the programming. He stated that it could be used for transportation as well.

Commissioner Rousseau stated that he was still advocating for \$75,000 for the non-profit. He stated that he was asking that it be included in the adoption of the budget.

Lynn Lasher made comments regarding the budget. She asked if ending at 31% in reserved funds was normal. She stated that in the capital improvement plan (CIP) there were two improvements; one for a bonding area and the other was new cat cages. She stated that there was discussion about outdoor animal runs and the sewer. She asked would the sewer issue be handled in this

budget or was it handled in last year's budget. She also mentioned fencing at the animal shelter. She stated that she did not see that there were projections for 2020-2023 improvements. She stated that she did not see that there was anything added for a new facility or upgrading the current facility. Ms. Lasher asked why the same amount for the Sheriff's body cameras was in 2019 and in the 2023 column. She asked about the driving course at \$176,000, the SCADA project, the vehicle replacements, the approval of the 279D compact track loader versus leasing the equipment and the missing five-year projection summary included in the budget.

Mr. Rapson addressed the comments. He stated that Ms. Lasher mentioned the 31% reserve and he believed she was referencing slide two of the presentation. He stated that slide two was also funding the five-year capital plan at \$6.3 million and setting aside \$2 million emergency reserve. He stated that the county's stabilization fund target was 25%. He stated that the county was AAA rated and a lot of the funds were categorized for specific use. He stated that the county had a healthy reserve. He stated that there was fund in the CIP for the bonding area and the cat cages. He stated that the Board decided that the outdoor runs would be taken out and so the renovation was completed without them. He stated that the reason there was not anything beyond 2023 for a new facility or upgrade was because the Board decided that the project would not be funded. The fencing was being resolved in-house and the sewer was included in a CIP and was in process. Related to the Sheriff's body cameras, the reason the amounts were in both columns was because there would be 50 cameras phased in at a time over two capital years. He stated that the driving course, in the eyes of the Sheriff, was the single most important, critical training facility function. He stated that the course would make the officers safer.

Commissioner Brown stated that the driving course was justified because there had been a significant number of accidents in the past that have cost the county significantly in insurance.

Mr. Rapson continued that Supervisory Control and Data Acquisition (SCADA) was the system that ran the electronics and waters at the Water System's treatment plants. He stated that the county had a vehicle replacement fund that the city did not have. He stated that the county did not have fleet that was old enough to have to be replaced at 40% to 50%. He stated that the reason for replacing so many vehicles in the past few years was because for 10 years the county did not replace any vehicles. He stated that 15-20 vehicles were a normal vehicle replacement for a Sheriff's office the county's size. He stated that vehicles are phased out and used in an administrative capacity. He stated that the number of vehicles funded was not the number originally requested in the budget. He stated that the CAT 279D equipment was a medium size piece of equipment that was used almost every day and a lease would not be beneficial. He stated that in regard to the five-year projects, staff looked at those type modeling projects. He continued that the county had rolled back taxes for the last six years and there had been no tax increases...the cities could not say that. He stated that from a staff perspective they were not looking at a forecasted model, but they are looking to see that the new revenues are higher than expenditures. He stated that Fund Balance was not in the equation for balancing the budget.

Commissioner Brown stated that if needed, Fund Balance was used. Mr. Rapson stated that it was available and yes, it could be used if needed. He stated that Fund Balance had been used to expedite the stormwater projects prior to the 2017 Special Purpose Local Option Sales Tax (SPLOST) passing. He stated that was why the loan was included as part of the analysis.

Ms. Lasher made comments from the audience. (inaudible)

Vice Chairman Ognio stated that the CAT 279D equipment would be dedicated for road clean-up and that was all it would be used for. He stated that he had extensive conversation with Mr. Hoffman and downsized one piece of equipment and upgraded this piece of equipment to be more stable. He stated that a lease on this equipment was not practical and would be more expensive over the long run.

Mr. Rapson invited Ms. Lasher to come and sit with staff any time she had questions about the budget.

Commissioner Oddo stated that he was good with the budget as it was, but that he was willing to discuss any changes.

Commissioner Brown stated that he would at least like to do the part-time clerk for Magistrate Court.

Commissioner Brown moved to add the part-time law clerk at the expense of \$20,293 for the Magistrate Court. Commissioner Rousseau seconded. The motion failed 2-2 with Vice Chairman Ognio and Commissioner Oddo voting in opposition. Chairman Maxwell was absent.

Commissioner Rousseau moved to include the non-profit funding of \$75,000 on a one-year basis to be evaluated in terms of establishing a committee that would assist the Board in evaluation, but not in any expenditures. Commissioner Brown seconded.

Lynn Lasher questioned tax payer funds being used for non-profits. She stated if the Board gave money to a non-profit that helped with the shelter because it was saving the county money, she was okay with that. She stated that she did not believe non-profits should be government subsidized.

Commissioner Rousseau stated that he had the same points of contention that he mentioned before. He stated that the Board had debated about Drug Court, DUI Court...those are grants that come down through Federal government which was tax payer's money. He stated that the services that Judge Thompson and the other judges provide restored people's lives in many ways. He stated that the Board had an even powerful obligation to do as much as possible on the preventive side. He stated that the non-profits do a good job with the services provided and the question was, if the Board would invest in something that would benefit the community where non-profits would catch some of those family "ills". He stated that Fayette County would be discussing this soon because the opioid epidemic was "next door" in Coweta County and some of the non-profits did the intervention that the county did not have an agency to do that. He stated that Peachtree City and Fayetteville gave to non-profits and support and assist these agencies in assisting the community.

Commissioner Oddo stated that the issue was the government collecting funds and distributing those funds. He stated that the budget did not include the \$19,000 that was given in the past to the non-profit. He continued that citizens have a hard-enough time paying taxes and he would rather the private sector and citizens step up and help where they can. He stated that he understood the situation, but at this time he did not think the county should contribute to non-profits.

Commissioner Rousseau stated that he could not let it go unchallenged that before he raised the issue and did the research, it was interesting to know that the Board did not know that those dollars were going to someone else for "x" amount of years. He stated that it was troubling and now that it was raised and had expanded to reach more, the Board wanted to "kill it" all together. He stated that it left him with a perplexed position that when the Board discovered something that the Board would just "kill it" all.

Commissioner Brown stated that he talked about this at the last meeting. He stated that if there was a non-profit organization that fulfilled a government mandated task, that would be his exception to the rule.

Vice Chairman Ognio stated that the reason it was being "killed" was because the Board could not pick and choose who to give to. He stated that it was hard to evaluate what group to give to. He stated that he could possibly give to a non-profit that was doing something that the county had to do and that they were doing. He stated that he was not ready to approve this item.

Commissioner Rousseau moved to include the non-profit funding of \$75,000 on a one-year basis to be evaluated in terms of establishing a committee that would assist the Board in evaluation, but not in any expenditures. Commissioner Brown seconded. The motion failed 1-3 with Vice Chairman Ognio, Commissioner Brown and Commissioner Oddo voting in opposition. Chairman Maxwell was absent.

Commissioner Oddo moved to approve the budget as presented. Vice Chairman Ognio seconded.

Commissioner Brown stated that hopefully the Board would consider the Magistrate Court position. If it was a legal function by state law of how they had to conduct business, the Board should take that seriously and he would wait to hear back from Judge Ruppenthal. He continued that he started with the county at the tail end of a nasty recession. He cautioned the Board and the future Commissioner that would take his place, to watch the economy. He cautioned the Board that when the economy was going bad, to "hit the brakes" on spending and make cuts right away. He stated that the Board was looking at an increase in revenue while rolling back the millage rate. He stated that the growth was feeding the budget and it would stall out at some point. He stated that the Board needed to watch the increases on the merit system. He stated that he was proud to say that the Board had rolled back the millage rate.

Commissioner Rousseau thanked staff for their responsive oversight of operational needs. He stated that one of the statements made in the highlights was, "countywide departmental cooperation that continues to yield positive results" and because of that collaborative spirit of departments working for the greater need of the whole, the county was able to be in this position. He commended staff for the work that they do to get it to this point.

Vice Chairman Ognio stated that in regard to the Magistrate law clerk, the judge said he would bring more information and did not, so that was why he did not vote for that item. He stated that he wanted to hear the information he had. He stated that the Board could address it, if and when it came back to the Board. He stated that staff did a great job with the budget and all the departments were helpful in working with finance. He stated that the Board needed to approve the budget and if an adjustment needed to be made to the budget later, it could be done at that time.

Commissioner Oddo stated that it was an incredible job by staff. He stated that he wished that it could be conveyed to the citizens that this was one of the reasons that there were people watching Fayette County. He stated that he was proud to be a part of the group.

Commissioner Rousseau stated that there were a lot of great things that are done in the county and the message was not getting out. He stated that the county needed to look at a public information process. He stated that the county was missing some golden opportunities to get the message out of the great things happening in Fayette County.

Commissioner Brown stated that everyone wanted to build a project, but the hard part was maintaining and staffing it in perpetuity. He stated that the Board had done a great job in maintaining the infrastructure in the county. He stated that it was priority number one to maintain what was already in the county.

Commissioner Oddo moved to approve the budget as presented. Vice Chairman Ognio seconded. The motion passed 4-0. Chairman Maxwell was absent.

5. **Consideration of Petition No. 1274-18, Mary Frances Black, Trustee, Frances O. Black, Trust/Owner, and Ron Godwin, Agent, request to rezone 3.398 acres from A-R to R-45 to develop a Residential Subdivision consisting of three lots; located in Land Lot 70 of the 7th District, and fronting on Sumner Road & SR 54.**

Community Development Director Pete Frisina read the *Introduction to Public Hearings for the Rezoning of Property* into the record.



Agent for the petition, Ron Godwin briefed the Board that this was an 8.4-acre parcel and the petitioner was requesting to rezone 3.398 to R-45. He stated that R-40 surrounded the property and that the petitioner was requesting something similar. He stated that there would be three lots.

Mr. Frisina explained that the home at the boot of the property was what would be left after the three lots were cut out and it would remain A-R.

No one spoke in favor or opposition.

Mr. Godwin stated that he wanted to move forward with the request with less than a full Board present.

Commissioner Oddo moved to approve the request to rezone 3.398 acres from A-R to R-45 to develop a Residential Subdivision consisting of three lots; located in Land Lot 70 of the 7th District, and fronting on Sumner Road & SR 54. Commissioner Brown seconded. The motion passed 4-0.

**6. Consideration of Petition No. 1275-18, Richard C. Bailey, Owner, and Randy Boyd, Agent, request to rezone 17.858 acres from R-20 to A-R to develop a Residential Subdivision consisting of A-R four lots; property is located in Land Lot 129 of the 4th District, and fronting on Highway 85 Connector.**

Randy Boyd stated that he wanted to move forward with the request with less than a full Board present.

Mr. Frisina stated that both the Planning Commission and staff recommended approval. He stated that the larger piece of property was A-R. He continued that it was about 60+ acres. He stated that back from a rezoning in 1975, there was a R-20 that covered a part of the area and a small portion of the property was zoned R-20 and this was basically housekeeping to bring this portion into A-R to subdivide the larger parcels.

Mr. Boyd stated that it was shown on the comprehensive land use plan as one unit per five acres and this would bring this back into compliance. Mr. Boyd stated that the intention was to have the entire property rezoned to A-R and Mr. Bailey (executor of the estate) was planning to split it into larger size lots.

No one spoke in favor or in opposition.

Commissioner Oddo moved to approve the request to rezone 17.858 acres from R-20 to A-R to develop a Residential Subdivision consisting of A-R four lots; property is located in Land Lot 129 of the 4th District, and fronting on Highway 85 Connector. Commissioner Brown seconded.

Commissioner Brown stated that there were wetlands running through the property. He asked if they would subdivide the wetland area to the billable space. He asked if four lots could be made.

Mr. Boyd stated yes. He stated that they completed the survey, located the flood hazard area and applied the appropriate buffers from stormwater management.

Commissioner Brown asked if it would be a common subdivision drive coming off the Highway 85 Connector. Mr. Boyd stated yes. Commissioner Brown stated that he hoped that the builder would take into consideration the orientation of the lots. He asked Mr. Boyd if he could just express the concern of the orientation of the home for future add-ons or pools, that would be appreciated. Mr. Boyd stated that not everyone read the plats.

Commissioner Oddo moved to approve the request to rezone 17.858 acres from R-20 to A-R to develop a Residential Subdivision consisting of A-R four lots; property is located in Land Lot 129 of the 4th District, and fronting on Highway 85 Connector. Commissioner Brown seconded. The motion passed 4-0. Chairman Maxwell was absent.

**CONSENT AGENDA:**

Commissioner Brown moved to approve the Consent Agenda with the exception of items #10 and #15. Commissioner Oddo seconded. The motion passed 4-0. Chairman Maxwell was absent.

7. **Approval of staff's recommendation to award Proposal #1465-P for professional services of a Certified Public Accountant for financial and compliance audits to Nichols, Cauley & Associates, LLC for fiscal years' audits 2018 - 2022 at a cost of \$287,500.**
8. **Ratification of the re-appointment of Peachtree City Battalion Chief Chad Matheny and Assistant Fire Chief Kevin Baggett to the Region 4 Office of Emergency Medical Services Council for a two-year term.**
9. **Approval to authorize staff to acquire all fee simple right-of-way and easements for the 315 Dogwood Trail culvert replacement project (2017 SPLOST No. 17SAH).**
10. **Approval of staff recommendation to award Bid # 1506-B Annual Contract for Waterline Extensions for Fiscal Year 2019 to the low bidder Shockley Plumbing, and authorization for the County Administrator to execute the contract and related documents.**

Yvonne Smith stated that she wanted to know if this waterline would have anything to do with the Newton Plantation Subdivision.

Mr. Rapson stated that this was a standby contract for waterline extensions and was not flagged toward anything that was in the budget.

Commissioner Brown moved to approve to award Bid # 1506-B Annual Contract for Waterline Extensions for Fiscal Year 2019 to the low bidder Shockley Plumbing, and authorization for the County Administrator to execute the contract and related documents. Commissioner Rousseau seconded. The motion passed 4-0. Chairman Maxwell was absent.

11. **Approval of staff's recommendation to award Contract #1459-B for the Road Department's annual pavement striping services to the low bidder Peek Pavement Markings, for the not-to-exceed amount of \$197,575.00.**
12. **Approval of Contract #1505-B to Atlanta Paving & Concrete Construction Inc. for an annual contract for asphalt milling services to be used on various project throughout fiscal year 2019, for the not-to-exceed amount of \$324,000.00.**
13. **Approval of staff's recommendation to renew annual bid #1300-B to Faultless Business Center as primary vendor with Concrete Supply Co. as secondary vendor for dump truck hauling services for fiscal year 2019, for the total not-to-exceed price of \$323,700.00.**



14. **Approval of staff's recommendation to award bid #1467-B, Precast Concrete Storm Drainage Products, to Old Castle Precast, Hydro Conduit, LLC and F.M. Shelton, Inc. for the total not-to-exceed amount of \$226,589.15 with a contract expiration date of June 30, 2019 and the possibility of contract renewal in accordance with approved Purchasing Department Policy.**
15. **Approval of the June 14, 2018 Board of Commissioners Meeting Minutes.**

Commissioner Oddo stated that he wanted to make a correction to the minutes. He stated that on page 99 of the agenda package, the line "County Administrator Steve Rapson stated that the steps would be a 1.5%" should read "1.25%". The statement was made "1.5%", but since this was going to be a historical document and it should be corrected.

Commissioner Oddo moved to approve the June 14, 2018 Board of Commissioners Meeting Minutes with the correction of "1.5%" to "1.25%". Commissioner Brown seconded. The motion passed 4-0. Chairman Maxwell was absent.

#### **OLD BUSINESS:**

16. **Consideration of staff's recommendation to approve an Intergovernmental Agreement between Fayette County and the City of Fayetteville to enter into an agreement for completion of a 2004 Special Purpose Local Option Sales Tax (SPLOST) transportation improvement project designated as Project R-13 (SR 85 Medians Improvements).**

Mr. Rapson stated that when the Board voted to realign the 2004 SPLOST, two projects were allocated to the city. This was one of those projects to the City of Fayetteville for the State Route 85 median improvement.

Commissioner Brown moved to approve an Intergovernmental Agreement between Fayette County and the City of Fayetteville to enter into an agreement for completion of a 2004 Special Purpose Local Option Sales Tax (SPLOST) transportation improvement project designated as Project R-13 (SR 85 Medians Improvements). Commissioner Oddo seconded.

Commissioner Brown stated that there had been comments on social media about why the county was still spending money from 2004. He stated that all the money was not collected in 2004 because it was a ten-year collection period. He stated that there was a significant change on the construction of the East Fayetteville Bypass. He stated that it was the only project that everyone agreed on and it was the only project that had not been built in the county's part. He stated that the money was set aside by this Board to get the project going.

Commissioner Brown moved to approve an Intergovernmental Agreement between Fayette County and the City of Fayetteville to enter into an agreement for completion of a 2004 Special Purpose Local Option Sales Tax (SPLOST) transportation improvement project designated as Project R-13 (SR 85 Medians Improvements). Commissioner Oddo seconded. The motion passed 4-0. Chairman Maxwell was absent.

17. **Approval of staff's recommendation of the Intergovernmental Agreement between Fayette County and Peachtree City for completion of a 2004 Special Purpose Local Option Sales Tax (SPLOST) transportation improvement project designated as Project I-16 (Peachtree Parkway/Crosstown Road).**

Commissioner Brown moved to approve an Intergovernmental Agreement between Fayette County and Peachtree City for completion of a 2004 Special Purpose Local Option Sales Tax (SPLOST) transportation improvement project designated as

Project I-16 (Peachtree Parkway/Crosstown Road). Commissioner Oddo seconded. The motion passed 4-0. Chairman Maxwell was absent.

**NEW BUSINESS:**

**18. Consideration and approval of staff's recommendation to implement the proposed grade changes and resulting salary adjustments for the Fayette County Water System as prepared by the Carl Vinson Institute of Government at the University of Georgia (UGA).**

Human Resource Director Lewis Patterson stated that he was before the Board with a follow-up study of the compensation (comp) and class review of the Fayette County Water System. He stated that there had been two reviews of the Water System; in 2014 a review of the production areas and last year with the countywide comp and class study. He stated that there was some concern after the study about how some of the positions were graded for the Water System. He stated that one of the concerns stemmed from the comparable jurisdictions that the Board held the Carl Vinson Institute to during the study. The organizations were the City of Fayetteville, City of Griffin, City of Newnan, Clayton County, Coweta County, Henry County, Spalding County and the Town of Tyrone. He stated that of the comparable jurisdiction there were only two (City of Fayetteville and City of Griffin) that operated any type of water system that could be considered comparable to the county. He stated that the decision was made to use the American Water Works Association (AWWA) 2016 Salary Survey data with the thought process that information might yield more results that were comparable to the county. He stated that there were positions that were affected with a grade change. The Water Distribution Maintenance Worker did not have a grade change. Mr. Patterson stated that the county allowed for a senior position when those employees received the water Distribution System Operation and Maintenance License. He stated that there were several changes in the water billing operations. He stated that in some of the positions, where the grade increased, the employee had already penetrated the grade so when it changed to the higher grade, the employee was still within those parameters so there was no increase. He stated that there were five employees, the Assistant Distribution Manager, three Billing Representatives and one Water Distribution Maintenance Worker that were identified as needing to have their salaries adjusted. He stated that the amount of \$15,998.52 would be to make those workers whole, to include the new salary, to accommodate the cost of benefits and to make it retro back to July 1, 2017 which was when the other employees saw that increase.

Commissioner Brown stated that in the backup on the agenda request form, it stated that the recommendations had been reviewed on three separate occasions to the Water System Director. He asked what were the three revisions and why did it take three times.

Water System Director Lee Pope stated that the first time he had identified some changes in the billing department and the second time was when staff asked them to look at the career lateral approach. He stated that some of the positions are stuck where they are in their positions. He stated that the maintenance workers are required to get a class three license, but there was nowhere else for them to go. He stated that if the employee could continue to get their license and move up to a "two or one", then they could possibly move to the water treatment facility as an operator. This would give them a career lateral to move up and progress in their career.

Commissioner Brown asked why this wasn't realized the first time. He stated that the Board had not asked anyone to do this study. He stated that was one of his bones of contention; the Board never voted for anyone to go back and do this.

Mr. Pope stated that the career lateral had been a thought process. He stated that Commissioner Rousseau may have been in the first meeting when this was kicked off, he stated that handcuffing the professionals by giving them the community to look at... they didn't have anything to compare to.

Commissioner Brown asked why that point was not brought up in the discussion. He stated that Peachtree City and the Town of Tyrone did not have a water system.

Carl Vinson Institute of Government Representative Alex Damien stated that at the beginning of the 2017 project, the human resource or administrative staff solicited recommendations from the Board of Commissioners in terms of what communities to include in the population group for the salary survey. He stated that the list shared by Mr. Patterson was the list submitted and approved by the Board of Commissioners. He stated that only two that operated a comparable water system and that was why they used the information from the American Water Works Association (AWWA). He stated that there was concern from the Board in terms of the population group included in the original AWWA analysis so that was why they received communication that the Board wanted Carl Vinson to take a second look at the data used for AWWA and to partner with administration at the water system to take a second look at the findings within that area to see if it would impact the classification recommendation. He stated that the work stemmed from a concern from the Board regarding the original source of the salary data.

Commissioner Brown stated that the AWWA was used in the first study that was voted on by the Board. Mr. Damien confirmed that they did. Commissioner Brown stated that he was the one that raised contention with that. He stated that he did not know why comparable water systems in the state of Georgia were not used.

Mr. Damien stated that he understood the concern and that was why it was addressed via the second follow up project. He stated that with the AWWA data the population was scaled back to be more comparable to Fayette County. He stated that they did not include any additional local governments because they did not receive that direction from the Board to expand the population group for the salary survey analysis beyond the communities that Mr. Patterson provided.

Commissioner Brown stated that the main concern was that they never got permission from the Board to go back to do this study in the first place. He stated that there was a vote on the first one and he found out after the fact that we were redoing something in the pay and comp plan. He stated that he did find anything where the Board voted to do that.

Mr. Damien stated that he was requested from the administrative staff and human resource to do some follow up work on concerns expressed from the Board.

Commissioner Brown stated that he understood that Mr. Damien was on the receiving end and he did not "hold his feet to the fire" on this. He stated that "we don't act on things that the Board officially approved unless the Board officially said to go back and act on it." He stated that never happened. He continued that was a concern he raised for years. He stated that there were projects that the Board had approved and staff had stopped the project with no authorization to stop a project and that was not the way business should be done. He stated that he was worried when he found out from a third-party that the county was doing enhancements to a pay and comp plan that he did not know about. He stated that there were other projects that he and Commissioner Rousseau and others wanted to work on and were told that it needed an official vote before staff could even look at it. He stated that if the Board had to get official votes for permission to proceed with pushing something through, then he did not know. He stated that if he had known he would have given some feedback and resources. He stated that it was circumventing the people who were elected by the citizens to look out for their best interest. He stated that he would vote against approving this and look at some other things that could be done to make this a better proposal. He stated that he would hope that "he" would get the feedback from the highest level of the county government that the citizens put in charge of handling the tax dollars.

Commissioner Rousseau stated that he had a point of order. He asked if the request was properly before the Board based on some assertions from Commissioner Brown. Specifically, was this authorized by the Board and if so, was there documentation to show that.

County Attorney Dennis Davenport stated that Commissioner Rousseau was asking him to give a substantive answer to a procedural question. He stated that he did not know what happened. He stated that he would think the County Administrator would have that information to help him answer that question.

Mr. Rapson stated that he did not have it all in front of him. He stated that in May 2017, the report was issued and Commissioner Brown had raised issues with the approach with University of Georgia (UGA). He stated that staff attempted to address those in the July timeframe and there were still issues outstanding. He stated that he advised the Board that under the existing agreement with UGA, they could revisit any outstanding concerns. He stated that had been done with several independent positions that each Commissioner had been aware of because he sent notification via email. He stated that in addition to that, one of the positions was a new position that the Board had just authorized. He stated that there were concerns with Mr. Pope's salary, so in October 2017 he notified the Board that UGA would look at the water system using the best approaches and expanding beyond the four cities and four counties that the Board had notified. He stated that this report was a combination of actions that had occurred over the last year. He stated that he notified the Board of all the actions that were taken. He stated that some of the systems were not "apples to apples". Some were water and sewer systems and extremely larger than Fayette County. He stated that the Board authorized the report and staff was doing due diligence to get to a final component for an issue that the Board raised which was the water system. He stated that one of the reasons for sending it out thirty-days ago was so that if there was a concern, UGA could go back. He stated that he did not want to have a meeting where people are questioning the methods or the way it was completed. He stated that to state that staff was "going rouge" was a very unfair statement.

Mr. Davenport addressed the point of order. He stated that when the Board first started out with the process to do the pay and class study, the fact of the matter was that the agreement with Carl Vinson would help provide the parameters in which they worked. He stated that it was a logical stream to say, if there are some results outside the expected parameters to go back and do some adjusting. He stated that it sounded logical to him, without the agreement to look at and compare, that it sounded good, but he would need to look at the details to determine what were the parameters. He stated that it probably fit within those parameters.

Commissioner Rousseau stated that he recalled a number of instances where individual employees were grieving their assessments and so the Board did ask for staff to revisit those individuals. He stated that those individuals came before the Board dissatisfied and still dissatisfied because the outcome did not go their way. He stated that after a third attempt, there was a realization that we did not use the best methodology to achieve a fair, balance assessment of that operation. He stated that he was confused and he wanted answers before proceeding.

Commissioner Brown stated that when this was presented last, Mr. Damien stated that it was the best he could do and the only thing available. He stated that there was no "we will come back and re-examine" this. He stated that there were others, as stated by Commissioner Rousseau, and the Board had not gone back to do a thorough review of those departments. He stated that Mr. Pope had raised grievance over his pay and that he had raised grievance about Mr. Pope's pay. He stated that he felt Mr. Pope was well underpaid for the work that he had achieved on a daily basis. He stated that he met with Mr. Rapson, Mr. Patterson and Mr. Pope and after the meeting he was told there was nothing that could be done about the pay. He stated that he then got a third-party notification that staff was redoing the water system based on points he raised. He stated that no one came to him and asked what were the points. He stated that he was peeved and that he wanted to see where the Board voted to go back and redo a follow up on the water system. He stated that if staff wanted a change of an official act of the Board of Commissioners, then come back to the Board and ask for a change.

Commissioner Rousseau asked if this would come out of Fund Balance. Mr. Rapson stated that it would come out of the water system's savings that are currently in vacancies because it would be funded in this year's budget and not the fiscal year 2019 budget. He stated that he was still stuck on the procedure question.

Vice Chairman Ognio asked if it included the entire water system.

Mr. Damien stated that it included everything except the water plant operators because they had already been studied. It also included one new position.

Vice Chairman Ognio stated that it included Mr. Pope's position also. He stated that he thought Commissioner Brown's instance of Mr. Pope's pay generated this study. He stated that he thought it was inadvertently requested when the Board approved the other positions and talked about Mr. Pope's pay. He stated that he thought it was how the study came about and that he did not think it was something that the Board took a vote on, but it was insinuated that it be done.

Commissioner Brown stated that he would take that at face value had he not been in a personal meeting with Mr. Patterson, Mr. Rapson and Mr. Pope and was told that nothing else could be done.

Mr. Rapson stated that he would disagree with that statement. He stated that he understood there was an email and he would disagree with some of the statements made in the email. He stated that in that meeting it was clear that staff would go back with UGA and have them take another look at the entire water system. He stated that the only thing that was excluded from the conversation was the departments that had already been individually done that same year.

Commissioner Brown stated that was not at all what was said in that meeting and it was why he was shocked when he heard from a third-party that the water system was being re-evaluated.

Mr. Patterson asked when did Commissioner Brown hear from a third-party that the study was being conducted. Commissioner Brown stated that it was shortly after the meeting. Mr. Patterson stated that this was the first concern that he had heard from Commissioner Brown. He asked why he would wait so long.

Commissioner Oddo stated that it irritated him that there was time to discuss this matter before the meeting. He stated that if there were concerns that this was being done wrong, it should have been talked about before the meeting. He stated that we could have found out what was going on, it did not have to get to this point. He continued that he was looking at this as an on-going process that staff was working on. He stated that Carl Vinson went back and looked at it as part of a process. He stated that he did not have an issue with that. He stated that if it was such an issue to be raising "holy hell" made the county look terrible and it was totally unnecessary. He stated that this could have been handled quietly and if there was an issue, taken care of it. He stated that it did not have to get to this point. He stated that if there were problems it could have been removed from the agenda to get answers.

Commissioner Brown stated that in 2017 he officially put it in the annual review of the County Administrator since December of 2017. He stated that was ample time.

Commissioner Rousseau stated that he did not disagree that questions, procedurally, operationally...can be asked prior to the meeting. He stated that the danger sometimes was that the Board was not conducting business in the public's eye. He stated that it was critically important. He stated that Commissioner Oddo's point was critically important as well. He stated that the Board had ample time to ask questions and get a better understanding. He stated that there are some things that he discovered, once at the dais, asking questions and receiving comments from staff and the community, opened some other doors. He stated that he wanted to make a big point that some things are not done in the public's eye, but need to be. He stated that if Vice Chairman Ognio's proposition that a portion, if not all, was done because Commissioner Brown made a point of Mr. Pope's salary, that was exactly what he was describing earlier about how to evaluate staff. He stated that if that was the motivation for going back then we are not evaluating people across the scale fairly. He stated that it was a dangerous proposition. He stated that there was staff that stood before the Board that did not agree with the evaluation. He stated that this was what staff accused people who did not



get the benefit of others, they accuse management of “picking and choosing”. He stated that he was not saying that it happened, but that we had to be mindful not to give that impression that it was happening.

Commissioner Brown stated that if staff was taking a position on one Commissioner’s comments, then “shame on you”. He stated that when the Board voted in a 5-0 vote for the rehab of the animal shelter and the project was scuttled in the background. He stated that he asked in a meeting and Chairman Maxwell stated that he raised some objections about the project and that was the rationale for ceasing the project. He stated that he was one commissioner of five with equal authority.

Vice Chairman Ognio stated that the Board did approve improvements to the animal shelter, but between the time it was approved, the citizens wanted a new animal shelter.

Mr. Rapson stated that on October 3, 2017 at 2:05 p.m. he sent an email to the Board and copied Mr. Pope and Mr. Patterson. The email read: “Honorable Commissioners, Alex with the Carl Vinson Institute-UGA explained during the commission meeting that they did not have any comparable water system data based on the city/county criteria that the Board of Commissioners selected. The AWWA survey had an average of 254 employees reporting to the water director versus Lee’s 69 so it wasn’t apples to apples as outlined in the UGA letter. Based upon the email from Commissioner Brown, I’m requesting that Lewis reach out the Carl Vinson-UGA for a pay and class study addendum on the remaining water system positions, excluding the stand-alone water positions conducted the previous year. We are proposing the Carl Vinson Institute-UGA conduct a pay and class study evaluating the water systems serving between 35,000 and 45,000 and have an employee work force of 70/80 employees.” He stated that was the moment that staff reached back out to Mr. Damien and gave him the new parameters and this started. That was October 2017. He stated that it just came back and he sent it to the Board to review. He stated that staff was working within the parameters given by the Board and communicating that to the Board. He stated that it did gear off comments from Commissioner Brown, but no one said to table it or to wait and put it on an agenda.

Commissioner Brown stated that it was wrong and that it should not be done off one Commissioner’s comments.

Mr. Rapson stated that it was based off a vote from the Board on a contract that was still valid and still in the parameters of the contract and did not cost any more money and it was still in the parameter of what they look like...whether one person or a group of people. He stated that the Board had the result of that process. He stated that the recommendation from staff was that these five people should be fixed and if the Board wanted to do something further, then staff can do that.

Commissioner Oddo moved to implement the proposed grade changes and resulting salary adjustments for the Fayette County Water System as prepared by the Carl Vinson Institute of Government at the University of Georgia (UGA). Vice Chairman Ognio seconded.

Commissioner Brown stated that he would like to see it taken back and that water systems of a comparable size in the state of Georgia using the same number of customers, same population and same cost of living index be used. He stated that he would like to see more effort be put into reaching out. He stated that his cell phone number was publicly published.

Commissioner Oddo stated that the staff was to work this out.

Commissioner Oddo moved to implement the proposed grade changes and resulting salary adjustments for the Fayette County Water System as prepared by the Carl Vinson Institute of Government at the University of Georgia (UGA). Vice Chairman Ognio seconded. The motion failed 2-2 with Commissioner Brown and Commissioner Rousseau voting in opposition.

Commissioner Rousseau moved to have this item tabled to the July 26 Board of Commissioners meeting until some procedural questions are answered.



Mr. Davenport stated that the procedural questions were: "What was the initial vote?", "What was the contract parameters?", "Compare that to the result of the work product."

Commissioner Rousseau stated correct. He added, "Does an email giving an update on what was transpiring constitute authority to move forward?" He stated that since the report was submitted and then acted upon to look at again, did it need to come back to the Board.

Commissioner Rousseau moved to have this item tabled to the July 26 Board of Commissioners meeting until some procedural questions are answered. The motion passed 4-0. Chairman Maxwell was absent.

**19. Consideration of staff's recommendation to renew the annual bid #1299-B to ER Snell of Tyrone as primary vendor and three plants of C.W. Matthews as secondary vendor for asphalt services for fiscal year 2019, not-to-exceed \$1,800,000.**

Commissioner Brown moved to approve to renew the annual bid #1299-B to ER Snell of Tyrone as primary vendor and three plants of C.W. Matthews as secondary vendor for asphalt services for fiscal year 2019, not-to-exceed \$1,800,000. Commissioner Rousseau seconded. The motion passed 4-0. Chairman Maxwell was absent.

**20. Consideration of staff's recommendation to continue the maintenance agreement (Contract #1485-S) between Fayette County and Motorola for the 800 MHz ASTRO Simulcast System and to authorize the Chairman to sign the renewal contract, in the amount of \$540,195.28 for the term of July 1, 2018 through June 30, 2019.**

Commissioner Rousseau moved to approve to continue the maintenance agreement (Contract #1485-S) between Fayette County and Motorola for the 800 MHz ASTRO Simulcast System and to authorize the Chairman to sign the renewal contract, in the amount of \$540,195.28 for the term of July 1, 2018 through June 30, 2019. Commissioner Oddo seconded.

911 Director Bernard Brown stated that these were the current system that 911 was on. He stated that the Request for Proposal would come before the Board on July 12. He stated that the new radios would be over a 18-20- month process. He stated that it would be a phased in approach.

Mr. Rapson stated that this was the maintenance agreement to run the Motorola radio system, so as long as there was a Motorola system the maintenance had to be paid per year.

Commissioner Rousseau moved to approve to continue the maintenance agreement (Contract #1485-S) between Fayette County and Motorola for the 800 MHz ASTRO Simulcast System and to authorize the Chairman to sign the renewal contract, in the amount of \$540,195.28 for the term of July 1, 2018 through June 30, 2019. Commissioner Oddo seconded. The motion passed 4-0. Chairman Maxwell was absent.

**21. Consideration of staff's and GDOT's recommendation to move the Redwine Road Multi-Use Path project (SPLOST 17TAH, GDOT PI No. 0012624, ARC FA-352) to the GDOT Office of Program Development and approve Heath & Lineback Engineering, Inc.'s lump sum proposal of \$70,080.00 for "Final Plans, Specifications & Estimates for Local Let."**

Public Works Director Phil Mallon stated that there were two path projects in the Redwine area. He stated that this was the federal aid project for which a notice-to-proceed was issued in May 2015 under a design build strategy. He stated that since that time the costing plan had been prepared, right-of-way acquisition was ongoing and nearly complete. He stated that the plan was

for Georgia Department of Transportation (GDOT) to Let (a term used to advertise/award and oversee construction) which was great for Fayette County. He stated that it was advertised last June and again in September and February. He stated that each time they failed to get a satisfactory bid. The number of bids were low and the cost of the bid was too high each time. He stated that GDOT did re-advertise and were able to drop the cost, but it was not low enough. He stated that the recommendation was to take it out of the Office of Program Development and shift it to the traditional approach. He stated that the Board could drop the project and make it 100% local design and construction or to move the project to this program and proceed. He stated that if that was the direction the Board wanted to go, the proposal from Heath & Lineback would be to take the plans to a full bid package. He stated that Heath & Lineback needed seven months to do that and it would start once there was an agreement with GDOT.

Commissioner Brown moved to approve to move the Redwine Road Multi-Use Path project (SPLOST 17TAH, GDOT PI No. 0012624, ARC FA-352) to the GDOT Office of Program Development and approve Heath & Lineback Engineering, Inc.'s lump sum proposal of \$70,080.00 for "Final Plans, Specifications & Estimates for Local Let." Commissioner Oddo seconded.

Vice Chairman Ognio stated that hopefully with a complete set of drawings, the pricing would be better and more people bidding.

Commissioner Brown moved to approve to move the Redwine Road Multi-Use Path project (SPLOST 17TAH, GDOT PI No. 0012624, ARC FA-352) to the GDOT Office of Program Development and approve Heath & Lineback Engineering, Inc.'s lump sum proposal of \$70,080.00 for "Final Plans, Specifications & Estimates for Local Let." Commissioner Oddo seconded. The motion passed 4-0. Chairman Maxwell was absent.

#### **PUBLIC COMMENT:**

Yvonne Smith thanked the Board for allowing Mr. Pope to work with Newton Plantation citizens in working with Environmental Protection Division (EPD). She also thanked Commissioners Rousseau and Brown for also attending that meeting. She stated that most of the time the Board only saw her, but that she was not alone. She stated that every first Saturday she had a meeting at her home or at the church for the seniors in her community. She stated that there were a lot of people that attended her meeting. She stated that she was working for her community to keep it safe and neat. She stated that the community really appreciated what Mr. Pope did for them. She stated that she worked with a lot of the youth in her community. She asked Commissioner Rousseau and others to help her to help the children to keep the community safe. She stated that if they had the ordinance it would let people know that if they did not take care of the yards that this is what would happen.

Laura Line stated that she was gaining more respect for Animal Control Director Jerry Collins in doing a great job in advertising difficult animals. She stated that the display tonight was painful. She stated that she agreed with Commissioner Oddo that there were somethings that needed to be handled behind closed doors. She stated that yes, somethings needed to be handled publicly, but the rant and raving did not make the Board look good. She stated that the meetings could be over a lot sooner, but that some of the grand standing and non-sense had to stop. She stated that she appreciated the hard work of the Board.

Lynn Lasher stated that she partially agreed that there should be some discussion prior to coming into the meeting. She stated that she sided with Commissioner Rousseau and that she did not want things covered up. She stated that she had learned so much, as uncomfortable as they are, but sometimes you have to sit through things that are uncomfortable because there was a lesson. She stated that the Board was missing some procedures. She stated that the Board should create a Standard Operations Procedure (SOP). She stated that she believed there was a lack of delineation in job duties and the Board was the elected officials and who would be held accountable in the elections. She stated she did not feel it needed to go as far as it did, it showed that there was a problem and it was something that the Board needed to address.

#### **ADMINISTRATOR'S REPORTS:**

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](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).

Mr. Rapson stated that there were three contracts that were approved.

- A. **Contract #1207-B Rising Star Culvert Replacement**
- B. **Bid #1475-B: Public Library New Roof**
- C. **Contract #1457-A: Scott Breathing Apparatus- Phase 2: Compressor System**

**Alzheimer's Walk:** He stated that the Alzheimer's Walk for American was on September 19.

**Hospital Authority:** There are two vacant positions. The positions had been advertised twice. There were three applicants and six are needed. The Board instructed staff to re-advertise the position.

**Parking on the Lawn:** Mr. Rapson stated that this item needed to come before the Board. Commissioner Rousseau stated that he had already requested that. He stated that it would be on the July 12 agenda.

**I-85 and SR 74 letter:** He stated that a draft letter was on the dais for the Board to review.

Vice Chairman Ognio stated that the letter was drafted based on a meeting. He stated that the recommendation was to draft a letter to keep things moving on the I-85/SR74 interchange project. He stated that if approved, the letter would be signed by the Chairman or Vice Chairman, Mayor Fleisch, Mayor Dial, Fairburn's Mayor and the South Fulton CID.

Commissioner Brown stated that he would offer a change to the last paragraph of the first page. He stated that they had been working on this since 2004. He stated that a joint resolution was approved in 2004 and he would like to see that change.

Commissioner Rousseau moved to approve with the recommended changes incorporated so that it could be forwarded to Fairburn for final approval. Commissioner Brown seconded. The motion passed 4-0. Chairman Maxwell was absent.

**Office will be closed in observance of the 4<sup>th</sup> of July**

#### **ATTORNEY'S REPORTS:**

**Notice of Executive Session:** County Attorney Dennis Davenport stated that there was one item involving pending litigation and the review of the Executive Session Minutes for June 14, 2018.

#### **COMMISSIONERS' REPORTS:**

##### **Commissioner Rousseau:**

**Retreat item:** Commissioner Rousseau asked to have the Public Information Officer (PIO) position added as his retreat topic for next year's retreat.

**Change orders:** He stated that he had conversations with Mr. Rapson regarding change orders and how much he hated them. He stated that he understood the parameters of the change order, but he did not like them.

He stated that he enjoyed the Board's robust debate. He stated that the Board made it through and the county's business continued. He stated that the Board did need to be mindful of the image projected. He stated that the Board had done a good job. He stated that in regard to Commissioner Brown's comments about keeping up infrastructure, it was not a matter of "if" the county wanted to upgrade, it was "when". He stated that here needed to be a commitment to upgrading some things in the county. He

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stated that he had talked to the Board in terms of the administrative building and the senior center. He stated that the county needed to have a blueprint. He stated that he agreed that it was the operational cost, but that it was an investment in the community.

**Commissioner Oddo:**

**4<sup>th</sup> of July:** Commissioner Oddo wished everyone a happy 4<sup>th</sup> of July.

**Wedding Anniversary:** He wished his wife, Pily a Happy Anniversary.

**Tragic in Maryland:** He stated that he did not know what was happening in this country. He stated that this tragedy worried and scared him for this country. He stated that somehow, we had to get a hold of ourselves. He extended prayers to the people in Maryland.

**Thank you:** He thanked staff for the job for the budget. He stated that it was something that was difficult to convey and how important it was and he was proud of staff.

He thanked citizens for being tolerant and listening to the Board. He stated that maybe the Board would heed some of the wise counsel.

**Commissioner Brown:**

**Public Comments:** Commissioner Brown stated Commissioner Rousseau mentioned moving public comments to the front of the meeting and that there was some merit in doing that. He stated that he had no less than four or five seniors that had to leave the last meeting because they could not stay until the end. He stated that if the Board could accommodate them and let them speak in the daylight hours and leave that would help their situation. He stated that there are times when high school students are present and keeping them to ten or eleven o'clock was not doing them any favors. He stated that the Board should consider doing that.

**Openness:** He stated that all important decisions had to be done in the open meeting. He stated that he made no apologies for doing it in open meetings. He stated that he would also bring to Ms. Line's attention that she listened to him being cited as the person who had been complaining over a period of years through emails and meetings. He stated that he did not just decide to complain today, but that he had been complaining about this process for over a year. He stated that he had it documented in emails. He had expressed his displeasures. Expedient was not his model for government. He stated that the state could have a vote where they did not have to count the votes. He stated that was what happened when business was not done in an open meeting.

**Water Guardians:** He stated that the Water Guardians event took place at Lake Peachtree. He stated that the volunteers picked up two truck-loads of trash from the grass. He stated that the next month's event was at Lake McIntosh.

**Meeting with EPD:** He stated that he was proud of Ms. Smith for bringing it to the people who needed to hear what she had to say. He stated that a lot of issues and concerns were brought to them. He stated that at Newton Plantation was on a private water system and the water owner/operator was in the meeting and he got up and left when confronted with what was going on with the water system. He stated that prior to leaving he noted that he purchased the water system in 2007. He stated that there were 118 residents in the subdivision. He stated that prior to 2007, the water operator stated that the water was treated by the owner by pouring a gallon of Clorox in the water. He stated that he did not blame Ms. Smith for being angry. He stated that if we

did not savage that subdivision it would be a domino effect and the housing value would go down. He stated that it would be on the agenda in July and he hoped it could be early on the agenda so the older people could stay.

**Building inspections:** He asked if the county was using an outside third-party for building inspections.

Mr. Rapson stated that it was brought before the Board and the homebuilders had issues with it. He stated that since then Mr. Scarborough had met with them and was in the process of getting a letter from the homebuilders. He stated that it would be coming back before the Board.

**Vice Chairman Ognio:**

**New cell phone law:** Vice Chairman Ognio reminded citizens about the new law on July 1<sup>st</sup>; no phones in hand when driving.

**4<sup>th</sup> of July:** He cautioned people to be careful with fireworks and where they use them.

**Thank you:** He thanked staff for all the efforts put forth on the budget, including constitutional officers and department heads.

**EXECUTIVE SESSION:**

**Notice of Executive Session:** County Attorney Dennis Davenport stated that there was one item involving pending litigation and the review of the Executive Session Minutes for June 14, 2018.

**One Item of Pending Litigation and review of the June 14, 2018 Executive Session Minutes:** Commissioner Brown moved to go into Executive Session. Commissioner Oddo seconded. The motion passed 4-0. Chairman Maxwell was absent.

The Board recessed into Executive Session at 10:05 p.m. and returned to Official Session at 10:14 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 Oddo seconded. The motion passed 4-0. Chairman Maxwell was absent.

**Approval of the June 14, 2018 Executive Session Minutes:** Vice Chairman Ognio moved to approve the June 14, 2018 Executive Session Minutes. Commissioner Oddo seconded. The motion passed 4-0. Chairman Maxwell was absent.

**ADJOURNMENT:**

Commissioner Brown moved to adjourn the June 28, 2018 Board of Commissioners meeting. Vice Chairman Ognio seconded. The motion passed 4-0. Chairman Maxwell was absent.

The June 28, 2018 Board of Commissioners meeting adjourned at 10:14 p.m.

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Tameca P. White, County Clerk

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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 12<sup>th</sup> day of July 2018. Referenced attachments are available upon request at the County Clerk's Office.

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Tameca P. White, County Clerk