

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

July 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 July 12, 2018 Board of Commissioners meeting to order at 6:31 p.m. A quorum of the Board was present. Commissioner Charles Rousseau was absent to attend National Association of Counties (NACo) conference and Commissioner Charles Oddo was out of the country.

Invocation and Pledge of Allegiance by Chairman Eric Maxwell

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

Acceptance of Agenda

Commissioner Steve Brown moved to have the Public Comments moved after the Proclamation/Recognition and before Public Hearing on the agenda. Chairman Maxwell seconded.

Commissioner Brown stated that there were people in the audience that came for a particular agenda item that was not on the agenda. He stated that it was Commissioner Rousseau's item and unfortunately, he did not tell the people that the item had been moved to the July 26 meeting.

The motion passed 3-0. Commissioner Rousseau and Commissioner Oddo was absent.

PROCLAMATION/RECOGNITION:

1. **Presentation of the Government Finance Officers Association Distinguished Budget Award for Fayette County's annual budget document for the fiscal year beginning July 1, 2017 and ending June 30, 2018.**

Chief Finance Officer Mary Parrott had Budget Officer Sergio Acevedo to come before the Board. She stated that Mr. Acevedo worked on this budget presentation and others for several years for the county. She commended Mr. Acevedo for his part in the county receiving this award. Mrs. Parrott also recognized Assistant Chief Finance Officer Sheryl Weinman for standing in and giving the budget presentation at the previous meeting.

PUBLIC HEARING:

- 2. Consideration of Petition No. 1257-16, TSTT Investments, LLC, Owner, and Brent Holdings, LLC, Donna Black & Randy Boyd, Agents request to rezone 212.832 acres from A-R and R-40 to PUD-PRD to develop a Single-Family Residential Subdivision with 91 lots; property located in Land Lots 4, 5, 28, 29, and 30 of the 7th District and fronts on Ebenezer Church Road and Davis Road.**

Chairman Maxwell stated that he had a letter from the petitioner requesting, because there was not a full Board present, to table this rezoning to August 9, 2018. He stated that the meeting was properly advertised and he apologized to those who were present to discuss this item.

County Attorney Dennis Davenport stated that the Board could proceed with the hearing and have another hearing on August 9; the earliest date that it could come back before the Board because a re-advertisement was required. He stated that it was at the discretion of the Board to have it during this meeting and have it again on August 9 or to only have it on August 9, either way was fine as long as the petitioner had the opportunity on August 9 to provide information to the Board.

Commissioner Brown stated that because people came to discuss this item, and they did not know it would not be presented, they should have the opportunity to speak. He continued that he noticed in the letter from the petitioner's attorney, Smith, Gambrell & Russell, that they requested that the agenda item come back on August 9. He stated that he would not be in town on August 9 and would like to table this to the August 23 meeting so that it would be a full Board present.

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

Jack Smith stated that 20 feet of his property boundary was joined to the proposed rezoning. He stated that there were two reasons to deny the petition. First, the ruling by the court denied the commissioners the fundamental duties to management the development of the county with the best interest of the citizens in mind. Second, the development, as proposed did not meet the intent of PUD/PRD. He stated that the code stated that it existed only to allow creativity in the development of the property and it was not intended to "cram as many houses as it can cram into the property", as proposed by this developer. He stated that the Board should dismiss the PUD/PRD and if necessary, go to a two to three-acres zoning. He stated that the reason he did not like the PUD/PRD as constructed was because the vast majority of the homes did not have the required set asides of the other residential zonings in the county. He stated that they were too close to each other and that was not the intent of the zoning or the county land use plan. He stated that it should be denied.

Norm Nolde stated that he was against the development because of the additional traffic that may result on Davis Road. He stated that Davis Road was not paved and the public works department informed him that there was no plan to pave Davis Road. He stated that he was against it because of safety reasons. He stated that because it was an unposted road there was no speed-limit and a number of drivers speed on that road. He stated that if there was construction traffic on that road, it would degrade the road. He asked the Board if the PUD was to pass, that all traffic be blocked from using Davis Road as an entry and exit into the development area. He stated that Davis Road was not envisioned to be that kind of road.

Andrew Barlow stated that Davis Road was narrow. He stated that he bought a big home and this would destroy the property value. He stated that two-acres of frontage that front Davis Road and it would take a lot of property from residence if the Board paved Davis Road and required the easement.

Sylvia Nolde stated that she would like to remind the Board of the words of our founder, Thomas Paine, "Your freedom ends, where my nose begins." She stated that she would like to know what assurances the Board could offer to the residents of Davis Road, that their "present peace and tranquility would not be impacted negatively by this development." She stated that 91 homes have the potential of putting 180 cars, additionally, on that road. She stated that paving the road would cause the loss of yard frontage, up-to or more than a half-acre of property that they currently own. She stated that it would impact the schools with approximately 300-400 more children. She stated that safety was an issue. She thanked the Board for considering her concerns.

In accordance with the Americans With Disabilities Act, accommodations are available for those who are hearing impaired and/or in need of a wheelchair. The Board of Commissioners Agenda and supporting material for each item is available on-line through the County's website at www.fayettecountyga.gov. This meeting will be telecast on Comcast Cable Channel 23 and on the internet at www.livestream.com.

Evelyn McNeil stated that she lived on Ebenezer Church for 35 years and she did not approve of more homes. She stated that five-acres was fine. She stated that the Zack Brown Camp was on that road and it brought more traffic. She stated that this road did not need any more traffic and she was against this request.

Lou Jean McKnight stated that she lived at the corner of Ebenezer Church Road and Bridger Pointe. She stated that she purchased two lots about 35 years ago. She stated that she rebuilt the lake near her lot. She stated that Fayette County did not assist in rebuilding the lot, but during the creation of stormwater, her lake was listed as Fayette County stormwater. She stated that when Ebenezer Church was widened, the road was banked so that the wash off came to her pond. She stated that the rezoning was uphill and she was downhill. She stated that her concern was, with the additional water, it would destroy her dam and it would overflow. She stated that when that happened it would take out Ebenezer Church Road. She expressed concerns about the increase in traffic and the speed on that road. She stated that the Zack Brown Camp was used 36 days a year for children. She stated that when she bought the property she "played by the rules" and that the developers needed to "play by the rules". If they bought five-acre tracts it should remain as five-acre tracts. She stated that when Zack Brown came in, she gave the power company permission to put up poles, but they have not removed the old poles. She asked if the Board could do something about the poles.

Michael Cooley stated that if this request was approved, his house would probably float away because he was at the lowest point. He stated that he was concerned about what would happen if the water came from the other direction. He stated that he appreciated the Board's responsibility. He stated that he would like for the Board to consider not to allow the maximum number of development because there was no place for the water to go.

Vice Chairman Randy Ognio moved to table Petition No. 1257-16, TSTT Investments, LLC, Owner, and Brent Holdings, LLC, Donna Black & Randy Boyd, Agents request to rezone 212.832 acres from A-R and R-40 to PUD-PRD to develop a Single-Family Residential Subdivision with 91 lots; property located in Land Lots 4, 5, 28, 29, and 30 of the 7th District and fronts on Ebenezer Church Road and Davis Road. Commissioner Brown seconded.

Commissioner Brown instructed staff to have the judge's ruling included in the package for the August 23 meeting and he informed the audience that they could request a copy from the clerk's office.

Chairman Maxwell instructed that it be posted to the website as well.

Vice Chairman Randy Ognio moved to table Petition No. 1257-16, TSTT Investments, LLC, Owner, and Brent Holdings, LLC, Donna Black & Randy Boyd, Agents request to rezone 212.832 acres from A-R and R-40 to PUD-PRD to develop a Single-Family Residential Subdivision with 91 lots; property located in Land Lots 4, 5, 28, 29, and 30 of the 7th District and fronts on Ebenezer Church Road and Davis Road. Commissioner Brown seconded. The motion passed 3-0. Commissioner Rousseau and Commissioner Oddo was absent.

CONSENT AGENDA:

Commissioner Brown moved to approve the Consent Agenda as written. Vice Chairman Ognio seconded. The motion passed 3-0. Commissioner Rousseau and Commissioner Oddo was absent.

- 3. Approval of staff's recommendation to include "Addendum 4" as an added event to the Intergovernmental Agreement between the City of Fayetteville and Fayette County for use of county owned property.**

4. **Approval to authorize staff to acquire all fee simple right-of-way and easements for the 2017 SPLOST; Stormwater; Category II - Tier I Project: 364 Chappell Road Culvert Replacement.**
5. **Approval to authorize staff to acquire all fee simple right-of-way and easements for the 2017 SPLOST; Stormwater; Category I Project: 287 Graves Road Culvert Replacement.**
6. **Approval of the June 28, 2018 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

NEW BUSINESS:

7. **Consideration of staff's recommendation to approve a Memorandum of Understanding (MOU) between Fayette County and the City of Fayetteville to relocate a City water main located in County right-of-way during the construction of a 2017 Special Purpose Local Option Sales Tax (SPLOST) stormwater improvement project designated as Project 17SAJ (130 Morning Dove Drive Culvert Replacement).**

Environmental Management Director Vanessa Birrell briefed the Board regarding this item. She stated that there was a City of Fayetteville waterline in the county's right-of-way and for the speed of the Special Purpose Local Option Sales Tax (SPLOST) implementation and cost savings, it would be best to include the construction of the waterline in the bid.

Mr. Rapson stated that there was a signed copy from the City of Fayetteville of the Memorandum of Understanding (MOU) in the package.

Vice Chairman Ognio moved to approve a Memorandum of Understanding (MOU) between Fayette County and the City of Fayetteville to relocate a City water main located in County right-of-way during the construction of a 2017 Special Purpose Local Option Sales Tax (SPLOST) stormwater improvement project designated as Project 17SAJ (130 Morning Dove Drive Culvert Replacement). Commissioner Brown seconded. The motion passed 3-0. Commissioner Rousseau and Commissioner Oddo was absent.

8. **Consideration of the approval of "First Amendment to Annexation Consent Agreement" with City of Fayetteville for County contribution for pedestrian bridge over Veterans Parkway.**

Public Works Director Phil Mallon stated that in December 2016 there was discussion regarding a tunnel or bridge under or over Sandy Creek, near the Pinewood Forrest, Pinewood Studio development. He stated that there was a proposal from the City of Fayetteville and the Board agreed with it in concept. He stated that rather than be involved in the design or construction, the county would commit a certain amount of money and let it become the City of Fayetteville's responsibility. He stated that the general idea was put in the form of an agreement that the City of Fayetteville passed at a recent meeting.

Commissioner Brown asked if there was any expectation of when the project would start. Mr. Mallon stated that he had not heard any talk about this project.

Commissioner Brown moved to approve the "First Amendment to Annexation Consent Agreement" with City of Fayetteville for County contribution for pedestrian bridge over Veterans Parkway. Vice Chairman Ognio seconded. The motion passed 3-0. Commissioner Rousseau and Commissioner Oddo was absent.

9. **Consideration of request from the Board of Education (BOE) to move the Redwine Road tunnel location from Panther Path to Robinson Road (2017 SPLOST No. 17TAI).**

Mr. Mallon briefed the Board that this was a 2017 SPLOST project located near the Starrs Mill school complex. He stated that the need identified was to get parents, students and operators of golf carts safely across Redwine Road. He stated that staff looked at several options in a memorandum and decided there were no good solutions other than a tunnel or a bridge. There was no funding at the time. The project was included in the 2017 SPLOST list and now the project is funded. He stated that the idea was to put the tunnel at the entrance of Panther Path and Redwine Road. He stated that they met with the various principals and took the concept before the Board of Education (BOE) in January 2018. He stated that they seemed acceptant of the idea, but it was the first time they had seen it in detail. After the BOE staff reviewed, there was some serious concerns with creating conflict between golf cart operators and vehicles going in and out of the elementary school. The BOE suggested moving it to the north side of Panther Path. He stated that he looked at that and even looked at various options along Redwine Road and there was nothing that was feasible from a construction stand point. He stated that there was another meeting with the BOE and he informed them that there was no good option and they suggested moving it up to Robinson Road. He stated that originally, he was opposed to that because he did not think it met the original intent, however they looked at it and it has some very appealing aspects. The Robinson Road option would have a starting point at the same location where there was an existing path across Redwine. He stated that this option, if the Board chose to pursue it, would be a, half Peachtree City, half Fayette County option. He stated that he spoke with the Peachtree City staff and they are supportive, but that does not represent the city council. He stated that he would recommend that the county draft a memorandum of understanding or an intergovernmental agreement with the city before going further. The budget for the Panther Path location was \$900,000. The initial communication from the consultant was that the county would use every dollar of that and may need more. He stated that he did not have a cost estimate for the Robinson Road location. He gave the characteristics of both projects. He stated that the right-of-way impacted seven parcels at the Panther Path option and two to three parcels at Robinson Road. He stated that both would require a total road closure for construction. He stated that there was a possible waterline relocation with Robinson Road. He stated that both options would be box culvert and same size. He explained the concern of the BOE with the Panther Path option.

Fayette County Schools Assistant Superintendent of Operations Mike Sanders stated that initially the path that was on the school side of the road, was what was used. He stated that because of the problems they had with traffic "dumping" into the parking lot, that was when the traffic was moved down and a four-way stop was put in place. He stated that it worked well and everyone had gotten use to the four-way stop. He stated that having the drivers "dumped" in the parking lot, caused a lot of problems.

Commissioner Brown stated that he was worried about moving the tunnel that far over. He stated that it had nothing to do with the school, but with the big picture of the path system. He asked how would all this tie in. He stated that in addition to going to the school, the citizens are going to want to go to the grocery store or retail in the area. He asked if there was a way to bring the tunnel to the left of the school to maintain the bridge.

Mr. Mallon stated that they looked at that option and it was doable. He stated that it would add several thousand feet that would raise a cost issue. He stated that the tunnel served a lot of people, but it was inevitable that in five to fifteen years they would still be looking at putting in some sort of underpass. He stated that this was just delaying that project.

Commissioner Brown stated that he would put the tunnel so that it went through the top side, rather than taking it up to Robinson Road. He asked if the tunnel could be placed on the other side of Panther Path.

Mr. Mallon stated that they looked at that option. He stated that with money it could be done. He stated that there are drawbacks to that option.

Chairman Maxwell asked who would be responsible for the maintenance for the Robinson Road option. Mr. Mallon stated that it would have to be established in the intergovernmental agreement (IGA).

Mr. Rapson stated that if the Board approved to move the location to Robinson Road, straddling it from city to county, typically there was an IGA to address reoccurrence maintenance. He stated that the project was funded in the 2017 SPLOST. He stated that he was not asking for the capital contribution, but the maintenance aspect would be something that the two jurisdictions would have to resolve.

Commissioner Brown stated that it was a huge draw for the school and huge draw for the commercial area. He stated that he believed that in the future it would demand that something be build there because all the development would happen further south.

Fayette County Schools Facility Director Mike Satterfield stated that he would like to point out that if some of the areas were developed where the horse farms are currently, citizens would have to backtrack to get to Robinson Road if a tunnel was placed there. He stated that there was a lot of places in Peachtree City where that occurred. He stated that it was not a big issue. He stated that the main concern was the safety of the students and the schools try, as much as possible, not to mix golf carts and cars. He stated that it did not work. He continued that he did not want them to mix at the south complex. He stated that there were about 300 students that use the path system and parking lot. He stated that it worked out well that the students cross at that one spot. He stated that if it was moved to the south side of Panther Path, it would move 300 golf carts through the parking lot. He stated that if the Board chose the southern proposal, the students would have to loop around the west side of the elementary school and come to the back and to do that, the students would have to cross the bus loop and the schools did not like to mix golf carts and buses either. He stated that the Robinson Road proposal was the least expensive and if a developer was to come in they could discuss having the developer put in the tunnel to the south side. He stated that it was possible that the growth in Peachtree City would require that they look at the attendance lines in two or three years, which may send more students to the south complex. He stated that the Robinson Road option connected well with the blue cart path.

Commissioner Brown stated that his concern with the development of the horse farms was that it would be harder to do anything because it would be dealing with a developer instead of a horse farmer. He stated that his main concern was the capacity below the south of the school on both sides of Highway 74. He stated that residents are going to want to use the path to visit the retail stores. He stated that he did not care what the project cost if it was done right. He stated that he would hate to miss the opportunity to get this right.

Mr. Satterfield stated that it would take more engineering because it would have to get around Peeples Home Place and Peeples Elementary School.

(Inaudible responses from the audience)

Commissioner Brown asked if there was a way to see what the engineers could do on the north side of Panther Path.

Mr. Mallon stated that it was tough and that it would increase the budget. He stated that if the instruction was to put the tunnel north of Panther Path, south of Robinson Road, then staff would have to go back to the drawing board and at that point, it may have to be a bridge instead of tunnel.

Commissioner Brown stated that when the path system was done right the home values stay high and keep going higher. He stated that people would fight for the get subdivisions with access to schools and retail.

Commissioner Brown moved to send this back to staff to look at other alternatives to help get traffic on the side of Panther Path and get the crossing as close to the school complex as possible.

Mr. Mallon stated that he would like to consult with the transportation engineer of record to get a cost feasibility study to determine what options are available from Panther Path to 1,000 feet or more north.

Chairman Maxwell stated that someone would need to talk to Peachtree City and the School Board to help with funding.

Commissioner Brown stated that this was one of the central nodes in the path system. He stated that it would be one of the heavily traveled section of the path.

Mr. Rapson stated that Mr. Mallon already had authorization to consult with the transportation engineer of record. He stated that staff could reach out to Peachtree City and the School Board and put together a cost analysis and find out what the cost sharing would be for the preferred option.

Commissioner Brown encouraged staff not to just focus on a tunnel, but to weigh all options.

Mr. Rapson stated that staff would bring back a proposal at a later date.

No vote was taken on this item.

10. Consideration of a recommendation from the Selection Committee comprised of Commissioner Steve Brown and Commissioner Charles Oddo, to reappoint Sharon White to a term beginning July 1, 2018 and expiring June 30, 2021 the McIntosh Trail Community Service Board.

Commissioner Brown moved to approve to reappoint Sharon White to a term beginning July 1, 2018 and expiring June 30, 2021 the McIntosh Trail Community Service Board. Vice Chairman Ognio seconded. The motion passed 3-0. Commissioner Rousseau and Commissioner Oddo was absent.

11. Consideration of staff's recommendation to award Bid #1516-B: 2017 SPLOST; Stormwater; Category I; 104 Broom Boulevard Culvert Replacement for Fiscal Year 2019 to the low bidder, Ryde Grading, Inc., in the amount of \$249,656.31.

Vice Chairman Ognio moved to approve Bid #1516-B: 2017 SPLOST; Stormwater; Category I; 104 Broom Boulevard Culvert Replacement for Fiscal Year 2019 to the low bidder, Ryde Grading, Inc., in the amount of \$249,656.31. Commissioner Brown seconded. The motion passed 3-0. Commissioner Rousseau and Commissioner Oddo was absent.

12. Consideration of staff's recommendation and the 911 Advisory Board's ratification of the approval to negotiate Contract #1428-P, Public Safety Radio System with E.F. Johnson Company, not-to-exceed \$14,983,180.42.

911 Director Bernard Brown introduced Mike Milas with Mission Critical Partners (MCP). Mr. Milas gave a brief history of his background. He also gave an introduction of Todd Johnson, also of Mission Critical Partners. He stated that he was here to address the process that was used to obtain and evaluate the proposals for this project. He stated that it was a comprehensive process that was designed to produce a competitive procurement and environment. There were two proposals submitted and favorable pricing as a result of that process. The process was initiated with a mandatory pre-bid with over 25 people present with a lot of participation. E.F. Johnson and Motorola were the two vendors that submitted

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proposals. A cross-functional, technical evaluation committee was created that included two police chiefs, two fire chiefs, 911 director, representative from the Sheriff's office and chief marshal. He stated that purchasing and MCP provided support to the committee and the process. He stated that as part of the process there were clarifying questions that were submitted to the vendors for responses. Both vendors responded and after the responses were received, they were reviewed with the evaluation committee to make sure there was clarity on what was being proposed. He stated that the goal was to give good information to make sound decisions. He stated that the committee met numerous times and went over the questions and clarified the answers to make sure there was good technical understanding. He stated that there was a separate cost evaluation in accordance with county policy that was completed by the purchasing department and MCP supported the analysis. He continued that as part of the process, they also asked for clarifying questions which was submitted by both vendors with clarifications. He stated that they wanted to be sure to understand the cost proposal from each vendor. There was a good faith effort put forth by everyone to give the right information and to make the right decision on the evaluation. He stated that he was aware that Motorola sent a letter to the county identifying a list of evaluation criteria or consideration that they wish to highlight. He stated that he wanted to make the Board aware that they did discuss all the topics and did consider all of those topics. He thanked the members of the evaluation committee and he was impressed with the fact that they were engaged, asked proper questions and he felt they were endeavoring to make good decisions based on solid information.

Mr. Milas continued that the main driver for the replacement of the radio system was that the current radio system had reached its end of life and was no longer in a place to guarantee support. He stated that they looked at improving coverage, having reliable and resilient equipment and evaluating the two cost factors; one-time installation cost and the long-term cost. He stated that they were interested in the 15-year cost of ownership. He stated that they do not tell vendors how to build the system, but instead tell them, "this is how we want the system to work". He stated that created a base bid. He stated that the base bid prices are usually not what would be paid. He stated that there were some differences in the base bid and how the vendors interpreted what was the requirement. He stated that they also asked for pricing on a variety of options. He stated that it would be design that would accommodate an increasing use of system data. He stated that the long-term external maintenance support was realization that the county would not maintain the system solo. He stated that the 15-year software and firm was an upgrade package and it was a cadence for system refresh so that the end of life did not happen as soon. He stated that the ability to use cellular and wireless application over the radio system was also designed into the cost analysis. He stated that Todd Johnson took each proposal and dug through the vendor pricing proposals to try and normalize it and align the pricing with the system that they thought the county would purchase, aligned with the need of the users.

Todd Johnson stated that a lot of time was spent with the committee to get to this point. He stated that MCP determined that the committee wanted the different public safety features and wanted to have a clear grasp of the 15-year maintenance agreement. This created a fixed target for "apple-to-apple" comparison for the vendors. He stated that from the stand point of the system and the infrastructure, it included the radio at the sites, the activity of the microwave bringing it back to the brain, the consoles at the dispatch center and the management equipment for the technicians to look at. He stated that the \$852,000 difference, from that perspective, was the system and hardware differences. He stated that the feature subtotals were harder to compare "apples-to-apples" because one vendor included it in as part of the base. He stated that the difference in that category was \$680,000. He stated that they looked at the subscribers next. That was the unit that the officers wear on the hip and the radio in the vehicles. He stated that Motorola had an advantage on the pricing of \$189,000. He stated that the biggest differentiator was in the services. He stated that the cost to install, maintain and to keep it fresh, current and supportable over the 15-year life of the system, was \$6,100,000. He stated that usually the vendors will give discounts and there was over \$3,000,000 difference where one vendor gave more incentive for the total package price of the system. He stated that the actual installation was a \$2,000,000 difference and the actual maintenance was a \$2,000,000 difference. He stated that the ability to refresh the system was \$1,300,000. He stated that he picked the microwave for a component. It was a third party for both vendors and there was a little over \$200,000 difference. He stated that they thought it was important to share what contributed to the different prices.

Mr. Milas stated that on the technical scoring, which was weighted at 70%, E.F. Johnson's composite score was slightly higher than Motorola's. The cost analysis based on the numbers presented, was a significant difference. The cost analysis was weighted at 30%. He stated that in accordance with county policy and the formulas, the recommendation was to negotiate with E.F. Johnson.

Mr. Rapson stated that there was a letter provided from Motorola. He stated that when a vendor's base bid was normalized, it changed the number. He stated that he wanted to give the vendors the opportunity to evaluate the numbers to ensure the accuracy of the "apples-to-apples" comparison. He stated that he sent that to the vendors on June 27 and gave them the opportunity to see if there were issues or concerns. He stated that the variance between the bids was \$10.6 million, so they would have had to miss some big stuff. He stated that in the letter to the vendors he pointed them to the purchasing department and the consultant to follow up with the questions. He stated that it was a little different from what was typically done. He stated that the only step that the county did not do was an oral presentation. He stated that when the evaluation committee saw the variance between the two proposals, they did not think an oral presentation was necessary at that point. He stated that the county had the option of doing an oral presentation. He continued that they did not think, with a \$10.6 million variance that the likelihood of it being changed was likely. He commended the public safety people who made up the evaluation committee.

Commissioner Brown moved to approve 911 Advisory Board's ratification of the approval to negotiate Contract #1428-P, Public Safety Radio System with E.F. Johnson Company, not-to-exceed \$14,983,180.42. Vice Chairman Ognio seconded.

The Board recessed at 8:25 p.m.

The Board reconvened at 8:35 p.m.

Strategic Project Manager Clay Whitehead with Motorola made comments. Mr. Whitehead stated that he led the response to the Request for Proposal (RFP). He introduced other Motorola employees who resided in Fayette County and employees with Diversified Electronics (service partner) who have five people who also resided in Fayette County, including the owners who lived in Fayette County. He stated that in every competitive RFP process for a technology project of this size, there had always been a competitive oral [presentation]. He stated that he recognized that the RFP said that orals [presentation] would be an option. He stated that there was no oral held for the vendors to come in and give a description of their technology solutions and have some direct interaction as opposed to how the process was handled. He stated that he found it unusual that orals were scheduled but subsequently canceled. He stated that he felt like there were some technology differences that they did not have the opportunity to explain adequately. He stated that a competitive oral process would identify key differences between the two technology offerings. He stated that Motorola felt the total cost of ownership analysis did not account for all the cost. He stated that it was their understanding, after speaking with MCP, that there were some additional leased towers included in the design. He stated that was a key difference in the Motorola offering and what E.F. Johnson proposed. He stated that Motorola proposed towers that the county would own on county property. He stated that the four additional towers that E.F. Johnson proposed were lease sites, which meant there would be additional cost above and beyond the towers that the county already pay a lease. He stated that could be tower mediation cost associated with the four towers and the lease terms would likely have escalators, like any property or asset lease would have associated with it. He stated that Motorola communicated with the director of government leasing at American Tower and their competitive rate was \$4,500 per month for what was planned to be put on each of the four towers. He stated that to normalize that cost over 15 years was well over \$3,000,000. He stated that additional cost was added to Motorola's cost of ownership because the county would not stop using the system after 15 years...

Chairman Maxwell interjected. He stated that E.F. Johnson was proposing to do a lease and Motorola was going to build towers. Mr. Whitehead stated yes. Chairman Maxwell asked how high would the towers be. Mr. Whitehead stated that they

would be over 300 feet. He stated that typically the towers are about 200 feet high. The advantage of the towers would be to provide better coverage in the interior part of the county.

Mr. Whitehead stated that the overall total cost of ownership analysis did not include the lease pricing which over a 20-year period could add up to around \$4.5 million, which would bring the total cost of ownership analysis significantly closer. He stated that it would change the pricing scoring significantly if included. He stated that he also wanted to talk about the SPLOST requirements. He stated that he wanted to highlight the value of owning the towers. He stated that Motorola placed the towers where the county could get the best coverage for first responders. He stated that when they did the analysis of the available towers, they did not see that it would meet the coverage requirements, unless they used more than the ten towers that were proposed. He stated that by using towers on fire stations or county properties, they could give the most value for a ten-site solution. He stated that by owning the towers, it would eliminate the cost of ownership of having to pay a lease over a yearly period of time. It could also provide the county a revenue source from the other commercial carriers that may have problems with building towers in the county. He stated that the last thing that he wanted to address was the maintenance aspect of the system. He stated that Diversified Electronics had over 20 years of experience working with the county, maintain multiple P-25 systems in the county and have nine technicians on staff who are certified to maintain P-25 systems. The technicians are the subject matter experts in Fayette and in the metro area. He stated that Motorola was "scratching their heads" trying to determine where Radio One and E.F. Johnson have a P-25 system in the metro area or even in the southeast that was comparable or close to the system in the RFP requirements. He stated that they felt it was a concern that was not expressed adequately and needed to be revisited in terms of what are the competitors capable of maintaining, what experience did they have, what technician capability do they have on staff to date. He stated that Motorola was asking for an opportunity to do an oral presentation and have a more detailed discussion of their technical offering and key differences and more discussion about the difference of the cost of ownership analysis in terms of the lease payments or the tower sites. He stated that they were grateful for having the opportunity to be the county's service provider for the last 20 years and whatever came to pass, Motorola would respect the county's decision.

Mr. Rapson stated that the competitive orals was a decision of the evaluation committee which was how the RFP was structured. There were tentative dates provided, but there was never an oral that was scheduled and then canceled because no meeting was scheduled. There was debate about whether to relocate or to build towers. He stated that the preference in the RFP was to collocate. He stated that Motorola was not disqualified for the recommendation to build the towers because it was up to them on how they wanted to make the proposal. He stated that the county had towers and the lease price that the county received was about \$850 to \$2,050. He stated that he was not sure how the \$4,500 was derived. He continued that for all of the cell towers that the county was currently on, we did not pay leases for any of the towers. He stated that the county initiated an ordinance that said to build a cell tower in Fayette, then the county would be on the top. He stated that one of the reasons the Board hired Mission Critical Partners, was to have the expertise to evaluate and ensure that vendors could meet the coverage requirement. He stated that was one of the most important things. He stated that the county was not in the cell tower business. He stated that people go to wherever the gaps are in service and just because the county would have four towers, did not mean that was where the towers would need to be to get the revenue for the service. He stated that he was not sure how much weight he would place in that being a revenue stream. He stated that MCP could address the P-25 maintenance people.

Mr. Milas stated that on the issue of qualifications, quite extensive information was required from the proposal responses from both vendors. He stated that the evaluation committee's perception was that there were quality professional responses from both vendors and no areas of disqualifications. He stated that one of the topics for discussion in negotiations was the training. He stated that his recollection was that the committee did not have any particular concerns.

Mr. Rapson stated that most of the public safety officers have always had a Motorola radio. He stated that they reached out to E.F. Johnson to program a couple radios for the officers to use. He stated that the county would ensure that the

qualifications and coverage was working before moving too far down this road. If not, staff would be back before the Board with another recommendation.

Commissioner Brown stated that the idea of the county having its own tower, if done 30 years ago, Fayette County would be one of the richest counties in Georgia by now. He stated that years ago he thought it made sense. He stated that the county missed that boat in terms of making money off tower leases. He stated that to go with Motorola "you know what you're getting" because Motorola was a value name in the business. He stated that it was hard to overlook almost \$11,000,000 in difference. He stated that the top-level law enforcement and fire professionals have put themselves on the line to select E.F. Johnson and he hoped that E.F. Johnson would not let them down. He stated that on face-value there would be some questions about why there was such a huge discrepancy, but according to the consultants and the engineers, E.F. Johnson met all the criteria, answered all the questions and satisfied the evaluation committee and he hoped they would make the county very proud.

Chairman Maxwell stated that generally the county went with the low bidder. He stated that had not always been the case. He continued that staff would usually point out why the recommendation was with someone that was "a little bit higher" bid. He stated that he literally meant, "a little bit higher", but this was not one that came close. He stated that was probably why the orals were not scheduled. He stated that he assumed that these were the best effort proposals. He stated that it was his understanding that the bids were made in good faith. He stated that \$11,000,000 difference was a large number to overcome.

Vice Chairman Ognio stated that he agreed. He stated that the difference was so large. He stated that he understood the bid process and all the evaluations that had to take place to get to this one proposal, he wanted to thank everyone that was on the evaluation committee. He stated that he had used Motorola and he did not have a problem with them, but he had used others as well and did not have problems with them. He stated that he believed the county was getting something that would work just as well and he looked forward to getting it going.

Commissioner Brown moved to approve 911 Advisory Board's ratification of the approval to negotiate Contract #1428-P, Public Safety Radio System with E.F. Johnson Company, not-to-exceed \$14,983,180.42. Vice Chairman Ognio seconded. The motion passed 3-0. Commissioner Rousseau and Commissioner Oddo was absent.

13. Presentation by the Road Department on the current processes being used to extend road life and pavement preservation to include the next steps for Huckaby and Robinson Roads.

Road Department Director Steve Hoffman made a presentation. The presentation showed the current pavement practice of moving projects from "worst to first" to pavement preservation when a road was in fair condition compared to allowing the road to become very poor. He stated that the goal was to catch the road before getting to poor condition. He stated that one of the first technics that was used was Asphalt Rejuvenators. He stated that it was used to protect the asphalt. He stated that this process was not Georgia Department of Transportation (GDOT) approved and was currently under review for approval.

Commissioner Brown asked if it was not GDOT approved could state funds be used. Mr. Hoffman stated no.

The next process was Crack Seal or Fill. This method was used to seal the cracks already in the roadway, but that are not ready to be resurfaced. This process would buy more life on the road. He stated that it may be required to be completely removed before resurfacing. He stated that this was one of the least expensive "options in the tool box". This method was approved by GDOT. He stated that he usually contracted this work out.

The Mineral Bond-HA5 was a high density mineral bond. He stated that the Board started funding this material about four years ago and it had ramped up every year. He stated that it was successful. He stated that this one was another product that was not approved by GDOT, but it was close to final approval. He stated that it took good weather to apply this product.

The Double Surface Treatment-Chip Seal was another method that brought life into the existing roadway surface. He stated that it was put on the road by an asphalt binder with a mineral aggregate. He stated that this was a GDOT approved product. He stated that it could go over crack seal.

The Patching method was done in-house and was used for small potholes to the entire lane of a road.

Asphalt Milling was used to remove existing asphalt for patching or to re-establish the existing gutter. He stated that there was a new in-house policy that crews did not pave above the curb line. He stated that it would be milled by the annual contractor and over-laid by in-house crews.

Commissioner Brown asked what was done with the mill material. Mr. Hoffman stated that it would depend logistically where the crew was located. He stated that if they were near the asphalt plant, then they would take it back. If they are close to a county stock pile site, then they kept it to be used later. The last option was to put it out at McDonough Road for citizens to pick up.

Mr. Hoffman stated that the other technic was resurfacing. He stated that the most expensive technic was the Full Depth Reclamation (FDR). He stated that this was used to reconstruct failing roads. He stated that it mixed the existing asphalt or stone on the road with cement to form a new road base. He stated that it was done by an engineer coming up with a mix design for the base and then the county crew paved the top. This process was also approved by GDOT.

Commissioner Brown asked if someone from the county checked when a contractor put in the initial road for a subdivision. Mr. Hoffman stated yes in some instances, but not in every case. He stated that he did not have a full-time inspector.

Mr. Hoffman gave an update on Huckaby and Robinson Roads. He stated that there was a double surface treatment placed in early June. He stated that Huckaby Road was 1.6 miles and Robinson Road was half-a-mile. He stated that it was a GDOT approved product. He continued that the total cost was \$114,125 or \$54,345 per mile. He stated that county crew did patching on Huckaby Road prior to the chip seal. He stated that the options for Huckaby and Robinson was to leave the double surface treatment or to resurface over the double surface treatment at a cost of \$230,155.80 to include asphalt, trucking, equipment, labor and striping. He stated that it was staff's recommendation to leave the road "as-is".

Commissioner Brown stated that he drove Huckaby Road and the surface seemed very rough. He stated that there were a lot of people who cycle and if that was a major cycle route, he would probably not use that treatment on the road. He expressed the concerns he heard from cyclist. He asked if there was anything that could be placed on top of the surface to make it smoother. Mr. Hoffman stated no.

Commissioner Brown asked what was the criteria for using this material. Mr. Hoffman stated that they looked for the spot on the curve before getting to the "worst" area. He stated it was no different from the other materials he mentioned, except it brought life into the roadway at less cost. He stated that he would not use this material in any subdivisions and they were currently following GDOT criteria. He stated that it was a criterion of a traffic count not-to-exceed 800 vehicles per day. He stated that Huckaby was around 350 vehicles per day according to GDOT's count. He stated that this material would not be used on any major roads in the county. He stated that it would not hold up to the heavy traffic of a major road.

Commissioner Brown stated that if this material was applied on the road and enough people drove on it, and the surface texture did not change over time, there was a lot of people who were used to a certain quality of driving and Fayette County was one of those counties. He stated that he could see more complaints.

Mr. Hoffman stated that GDOT even said it was not a popular process. He stated that it was a tool in the tool box that extended the life of the roads and extended the money being spent in the road department.

Commissioner Brown stated that as part of the budget discussion, there should be discussions on whether to decide to go with the chip material or something else. He stated that there was a certain level of service expectation that the citizens had in Fayette County.

Public Works Director Phil Mallon stated that he spoke with three cyclist who stated that it was not the same riding surface of a paved road, but they were all supportive of the material. He stated that he asked them if they would stop riding on Huckaby on their route and they stated no.

Mike Godby stated that there was some patch work done on that road before the chip seal and that may have introduced a lot of problems on the road with the unevenness. He stated that Mr. Hoffman stated that it would not be put on a subdivision, but he did not feel he had to put up with a chip seal road just because he did not live in a subdivision. He continued that he stopped about 40 bicyclists and each one hated the road. He stated that he did not want to see that type of road in Fayette County. He stated that he did not want to see this all over the county. He asked who approved the process.

Mr. Rapson stated that this was the first chip seal that the county had put in place. He stated that he put a stop on doing any more chip seal until staff determined how the road would work. He stated that staff would evaluate the road in six months.

Mr. Godby stated that he had gravel in his yard from when the chip seal was put on the road. He stated that he appreciated staff coming to speak to him the next day about this issue.

Lavonna Gibbs stated that there was gravel in her yard. She stated that it was no way to clean it up. He stated that there may be a few people who like the road, but she can promise that driving back and forth on the road was a rough ride.

Mrs. Woods stated that she had been cycling for twelve years and it was her career. She stated that she had over 10,000 miles on a bike. She stated that she had ridden on many road surfaces, but none like Huckaby Road. She stated that she was advising others not to ride on that road. She stated that the road was dangerous to ride on.

Nate Woods stated that he came to represent many of the cyclist in Peachtree City. He stated that he was the president of Tri-Peachtree City. He stated that his concern was over the surface of the road and the safety of the cyclist. He stated that because of the rough road, cyclists are going to change their route to more active roadways. He stated that his major concern was forcing cyclist onto heavy traffic roads.

Jack McCormick stated that one of his concerns was that it did not seem to be setting up. He stated that there are places on the road where the aggregate was gone and nothing was left except the asphalt subsurface. He stated that the gravel clean-up was blown into his yard. He stated that he understood the aspect of lower cost and he appreciated the effort to keep cost down. He stated that the county seemed to be able, in so many areas of the county, to do major expensive projects and seem to be saving money in places where there are few people that can complain about it.

Vice Chairman Ognio stated that he understood the concerns and he visited Huckaby and Robinson Road multiple times since the chip seal had been put on the road. He stated that there had been some change on Huckaby Road over the time.

He stated that the roughness had smoothed out, but not so much on Robinson Road because it did not get as much traffic. He stated that he also took the time to visit some of the roads in Coweta and they were done over a year ago. He stated that he literally could not tell the difference between the ones that had chip seal and the ones that did not. He stated that he did not agree that the county should look at the type of house on a road to determine what to do to the roads. He stated that public works looked at the amount of traffic. He stated that staff did a section large enough to get feedback. If a smaller section of road had been done, it would have been seen as a patchwork and the Board would not have gotten feedback from citizens. He stated that if the county was to use the chip seal again the contract would be adjusted to address the gravel left in the yards. He hoped citizens would give this some time to see how the road would smooth out. He stated that the public works department was doing what was asked of them and that was to look for options. He stated that he could not blame them for doing as asked.

The discussion continued. There were several comments made from the audience that were inaudible.

There was no vote made on this item.

14. Consideration of staff's request to award bid # 1502-B, Site Development for Fire Station Relocation-Station #4, to Tomco Construction, Inc. in the amount of \$765,000.

Commissioner Brown asked if there was discussion with GDOT to ensure that plans would not interfere with this project.

Fire Chief David Scarbrough stated yes. He stated that all the items related to McDonough Road would not adversely affect the construction of the fire station. He stated that it was out of GDOT right-of-way.

Commissioner Brown moved to award bid # 1502-B, Site Development for Fire Station Relocation-Station #4, to Tomco Construction, Inc. in the amount of \$765,000. Vice Chairman Ognio seconded.

Vice Chairman Ognio asked if there was a lot of field going on this site.

Mr. Rapson stated that it was \$198,000 worth of field going onto this site. He stated that Fire Station #2 was in the works and Fire Station #4, when the construction was back, it would require an addendum for a change order to shore up the project.

Chief Scarbrough stated that the soil test had been completed as part of the Civil Engineering Firm.

Commissioner Brown moved to award bid # 1502-B, Site Development for Fire Station Relocation-Station #4, to Tomco Construction, Inc. in the amount of \$765,000. Vice Chairman Ognio seconded. The motion passed 3-0. Commissioner Rousseau and Commissioner Oddo was absent.

15. Consideration of the County Attorney's recommendation to approve the disposition of tax refunds, as requested by Brian and Penny Curry for tax years 2015, 2016 and 2017 in the aggregate amount of \$361.76.

County Attorney Dennis Davenport brief the Board regarding this item. He stated that this was from real property that the Currys owned that was taxed at 6-acres although the deed had a legal description showing that it was 5-acres from 1999 forward. The recommendation was to approve the request from 2015, 2016 and 2017. He stated that dates prior to that would be time barred. The total amount was \$361.76.

Commissioner Brown moved to approve the disposition of tax refunds, as requested by Brian and Penny Curry for tax years 2015, 2016 and 2017 in the aggregate amount of \$361.76. Vice Chairman Ognio seconded. The motion passed 3-0. Commissioner Rousseau and Commissioner Oddo was absent.

16. Consideration of the County Attorney's recommendation to approve the disposition of tax refunds, as requested by Roger and Carolyn Weston for tax years 2015 and 2016 in the aggregate amount of \$458.48.

Mr. Davenport stated that during a tax appeal in 2017 it was found that Mr. Weston had an unfinished room above his basement that had been assessed as being finished heated living space. He stated that when that was accounted for and removed from the square footage of the residence, it amounted to an over taxing of \$218.32 for 2015 and for \$240.16 for 2016. He stated that the recommendation was to approve 2015 and 2016. 2017 was handled through appeal. The total amount was \$458.48.

Commissioner Brown moved to approve the disposition of tax refunds, as requested by Roger and Carolyn Weston for tax years 2015 and 2016 in the aggregate amount of \$458.48. Vice Chairman Ognio seconded. The motion passed 3-0. Commissioner Rousseau and Commissioner Oddo was absent.

PUBLIC COMMENT:

Per the motion at the start of the meeting, the following citizens made comments:

Yvonne Smith thanked the Board for the opportunity to speak. She stated that Newton Plantation did not want a homeowner's association. She stated that with an ordinance to regulate parking on the lawn, there would not be a need for code enforcement because citizens would know the rules and guidelines. She stated that she believed the ordinance would make residents aware of the importance of what needed to be done to maintain the community and work together as a community. She stated that we must continue to fight for a better community today for the children of tomorrow. She suggested that if someone was fined for not following the rules, the fine should go to the county.

Bess Benton stated that she was concerned about the water at Newton Plantation. She stated that things were not the same from when she would visit her in-laws at Newton Plantation. She stated that several yards were in bad shape and nobody seemed to see to the yards being taken care of. She stated that the water was her main concern. She stated that if her homeowner's insurance was to go up, she would not be able to live there and if the insurance company was to find out that there was no water in the hydrants, the insurance would definitely go up. She stated that the Board should take care of that.

Elias Reddick stated that he was asking that something be done about the "junk" cars parked on the lawn. He stated that he did not see "junk" cars in Peachtree City and he believed something could be done.

Sandra Brooks stated she was concerned about the water pressure in Newton Plantation. She stated that if the insurance company knew that there was no water in the hydrants her insurance would increase. She stated that she was a widow and could not afford for it to increase.

John Keaton stated that he just moved to Newton Plantation and he had an issue with the water pressure. He stated that he wanted to know what was the issue with the pressure. He stated that if the pressure could not be improved, then why couldn't it be changed over to city water.

County Administrator Steve Rapson stated that the parking on the lawn would be on the July 26 Board of Commissioners meeting agenda. The water issue was a private system. He stated that Water System Director Lee Pope met with Environmental

Protection Division (EPD) and the county had obtained the requested data and currently working with the owner of the water system to release the data to EPD. He stated that EPD was aware and sent notification that they were in the process of reevaluating the system and the pressure. He stated that things were moving along as discussed at the meeting.

Commissioner Brown stated that EPD was very responsive and the process was a sanitary survey that would be conducted on a periodic basis. He stated that this it was scheduled for this month. He encouraged the residents of Newton Plantation to contact EPD to relay their thoughts and concerns. He encouraged citizens to request that their comments be made part of the record as part of the sanitary survey process.

ADMINISTRATOR'S REPORTS:

Selection Committee-Water Committee:

Commissioner Brown moved to approve Commissioner Rousseau and Commissioner Oddo as the Selection Committee for the Water Committee. Chairman Maxwell seconded. The motion passed 3-0. Commissioner Rousseau and Commissioner Oddo was absent.

5th Judgeship:

Mr. Rapson stated that the county was eligible for a fifth judgeship and he was working with other counties to get a cost analysis to be presented to the Board. He stated that he would provide a final report once he had the information from the other jurisdictions. He stated that it would not happen until the following year, if the state approved the fifth judgeship.

Vice Chairman Ognio stated that it was the Griffin Circuit so it was divided among the counties.

Transportation Public Meetings:

The first meeting was held on July 12 and the second meeting would take place on July 16 at the library from 5:30 p.m. to 7:00 p.m. The third public transportation meeting would be at Fairburn City Hall to discuss the SR74 corridor. He stated that would be held on July 19 from 5:00 p.m. to 7:00 p.m. He encouraged everyone to complete the online survey.

ATTORNEY'S REPORTS: No reports.

COMMISSIONERS' REPORTS:

Commissioner Brown: He stated that he wanted to thank Leah Williamson for stepping in for the Water Guardians in his absence on July 14. He will be away in New York helping his daughter to move.

Vice Chairman Ognio: He stated that a lot of things that the county did to save money was not always popular. He stated that they worked through them, assessed them and moved on. He stated that he understood the concerns about the road paving. He stated that staff would assess the roads in a few months and see where to go from there.

EXECUTIVE SESSION:

ADJOURNMENT:

Commissioner Brown moved to adjourn the July 12, 2018 Board of Commissioners meeting. Vice Chairman Ognio seconded. The motion passed 3-0. Commissioner Rousseau and Commissioner Oddo was absent.

The July 12, 2018 Board of Commissioners meeting adjourned at 10:02 p.m.

In accordance with the Americans With Disabilities Act, accommodations are available for those who are hearing impaired and/or in need of a wheelchair. The Board of Commissioners Agenda and supporting material for each item is available on-line through the County's website at www.fayettecountyga.gov. This meeting will be telecast on Comcast Cable Channel 23 and on the internet at www.livestream.com.

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 26th day of July 2018. Referenced attachments are available upon request at the County Clerk's Office.

Tameca P. White, County Clerk