



Action Agenda

Board of Commissioners
May 23, 2013
7:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on May 23, 2013 at 7:00 p.m. in the Public Meeting Room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

Commissioners Present:

Steve Brown, Chairman
Charles Oddo, Vice Chairman
David Barlow
Allen McCarty
Randy Ognio

Staff Present:

Steve Rapson, County Administrator
Tameca P. White, Executive Assistant
Dennis Davenport, Interim County Attorney
Mary Holland, Chief Financial Officer
Tony Parrott, Director of Water System
Phil Mallon, Director Public Works
Lewis Patterson, Director Human Resources

Call to Order, Invocation, Pledge of Allegiance

Commissioner Steve Brown called the May 23, 2013 Board of Commissioners' meeting to order at 7:02 p.m.

Commissioner David Barlow introduced Pastor Edward Johnson, Fayetteville City Council Member. Pastor Johnson gave the invocation.

Commissioner Randy Ognio led the audience in the Pledge of Allegiance.

Acceptance of Agenda

On motion from Commissioner Chuck Oddo, seconded by Commissioner Allen McCarty and carried, the Board unanimously approved the acceptance of the agenda.

On motion from Chairman Brown, seconded by Commissioner Oddo and carried, the Board unanimously approved that item number 18, Update: 2013 Board of Commissioners' Changes in Transparency be moved before the Public Comments portion of the meeting .

Update: 2013 Board of Commissioners' Changes in Transparency

Chairman Brown presented a PowerPoint presentation on the recent changes in transparency with the current Board.

PRESENTATION / RECOGNITION:

PUBLIC HEARING:

PUBLIC COMMENT:

Public comments were given as follows:

1. Steve Church spoke regarding district voting.
2. Norma Adams spoke regarding district voting.
3. Arnold Martin spoke regarding district voting and concerns about Lees Mill Road.
4. Ross King spoke regarding district voting.
5. Dawn Oparah spoke regarding district voting.
6. Lee Hearn spoke regarding issues not limited to public safety, reimbursement for legal fees for Chairman Brown's ethic issues and re-zoning.
7. Unknown speaker spoke regarding the sell of the school and base taxes.
8. Representative Virgil Fludd spoke regarding district voting.
9. Emory McHugh spoke regarding concerns in Fayette County finances.
10. Kevin Madden spoke regarding district voting.
11. Edward Johnson spoke regarding district voting.
12. Wayne Kendall spoke regarding district voting.
13. Harrison McFarrin speaker spoke regarding doing what's right.
14. John E. Jones spoke regarding district voting.
15. Ronnie Mabra spoke regarding district voting.

CONSENT AGENDA:

1. Approval of the Water Committee's recommendation to approve an increase of \$200,000.00 in the Fiscal Year 2013 budget for line extensions.
2. Approval of the May 9, 2013 Board of Commissioners Minutes and the May 13, 2013 Board of Commissioners Budget Presentation Minutes.

On motion from Commissioner Chuck Oddo, seconded by Commissioner David Barlow and carried, the Board unanimously approved the consent agenda.

OLD BUSINESS:

3. Discussion of a draft Ethics Ordinance prepared by Interim County Attorney Dennis Davenport.

Attorney Dennis Davenport gave the Board an overview of the draft Ethics Ordinance. He informed staff that he had reached out to Georgia Municipal Association as a resource to draft the ordinance.

Chairman Brown asked Mr. Jones and Mr. Ross to each give three (3) names of individuals to be on the ethics committee.

NEW BUSINESS:

4. Consideration of Commissioner McCarty's recommendation to appoint Reverend John Culbreath to the McIntosh Trail Community Service Board for a term to begin immediately and to expire on June 30, 2014, in order to fill the unexpired term resigned by Ms. Terri Willis.

Commissioner McCarty gave an overview of the interview process for the McIntosh Trail Community Service Board.

On motion from Commissioner Ognio, seconded by Commissioner Barlow and carried, the Board unanimously approved the appointment of Reverend John Culbreath to the McIntosh Trail Community Service Board for a term to begin immediately and to expire on June 30, 2014, in order to fill the unexpired term resigned by Ms. Terri Willis.

5. Consideration of Commissioner McCarty's recommendation to appoint Ms. Linda Lane to the McIntosh Trail Community Service Board for a three-year term to begin immediately and to expire on May 23, 2016, in order to fill a new position on the Board.

On motion from Commissioner Oddo, seconded by Commissioner Barlow and carried, the Board unanimously approved the appointment of Ms. Linda Lane to the McIntosh Trail Community Service Board for a three-year term to begin immediately and to expire on May 23, 2016, in order to fill a new position on the Board.

6. Consideration of Chairman Brown's recommendation to appoint Ms. Letitia "Tish" Naghise, County Administrator Steve Rapson, and Commissioner Randy Ognio to serve on Fayette County's Public Facilities Authority for one-year terms and with said terms beginning immediately.

Commissioner Ognio abstained from voting on this appointment because he is being recommended for the position. Chairman Brown agreed.

On motion from Chairman Brown, seconded by Commissioner Oddo and carried, the Board unanimously approved the appointment of Ms. Letitia "Tish" Naghise, County Administrator Steve Rapson, and Commissioner Randy Ognio to serve on Fayette County's Public Facilities Authority for one-year terms and with said terms beginning immediately.

7. Consideration of the City of Peachtree City's request to annex four (4) properties totaling 7.398 acres located between State Route 54 West and Sumner Road, and to rezone said properties from C-C Conditional (Community-Commercial) and O-I (Office-Institutional) to O-I (Office-Institutional).

Pete Frasina led this discussion.

On motion from Chairman Brown, seconded by Commissioner Barlow and carried to annex four (4) properties totaling 7.398 acres located between State Route 54 West and Sumner Road, and to re-zone said properties from C-C Conditional (Community-Commercial) and O-I (Office-Institutional) to O-I (Office-Institutional).

8. Discussion of square-footage limitations for accessory structures in residential zonings.

Chairman Brown led this discussion.

On motion from Chairman Brown, seconded by Commissioner Barlow and carried to increase the square-footage limitations for accessory structures in residential zonings.

9. Discussion of Fayette County's height restrictions on uninhabitable building structures such as church steeples and high-frame roofs.

Chairman Brown led this discussion.

On motion from Chairman Brown, seconded by Commissioner Barlow and carried, the Board unanimously approved to have the Planning Commission do research and to look at height restrictions across the board in Fayette County.

10. Discussion of Conditional Use Requirements for churches and existing residential structures that do not meet the Conditional Use Requirements.

Chairman Brown led this discussion.

On motion from Chairman Brown, seconded by Commissioner Barlow and carried, the Board unanimously approved to have the Planning Commission look at the issue of Conditional Use Requirements for churches and existing residential structure that do not meet the Conditional Use Requirements.

11. Consideration of staff's recommendation to adopt Ordinance 2013-03 amending Fayette County Code, Chapter 19, Article IV, Stormwater Management, and changing the Stormwater Utility Credit Technical Manual.

Chairman Brown led this discussion.

On motion from Chairman Brown, seconded by Commissioner Barlow and carried, this item was tabled until the June 13, 2013 Board of Commissioners meeting and direct staff to handle the credits and re-billings from the previous billing issues.

12. Consideration of the Interim County Attorney's recommendation to enter into an Intergovernmental Agreement between Fayette County, Georgia and the Town of Woolsey, Georgia regarding the Town of Woolsey's Soil Erosion, Sedimentation, and Pollution Control Ordinance.

Attorney Davenport led this discussion.

On motion from Commissioner Oddo, seconded by Commissioner McCarty and carried the Board unanimously approved to enter into an Intergovernmental Agreement between Fayette County, Georgia and the Town of Woolsey, Georgia regarding the Town of Woolsey's Soil Erosion, Sedimentation, and Pollution Control Ordinance contingent that their ordinance is identical to Fayette County's ordinance.

13. Consideration of staff's request to approve the Bid for Kenwood Road Bridge at Morning Creek (SPLOST Project No. B-3) to the low-bidder, McCarthy Improvement Company, in the amount of \$1,390,422.50, for the construction of a new bridge on Kenwood Road over Morning Creek, and authorization for the Chairman to sign the contract and related documents.

Phil Mallon led this discussion.

On motion from Commissioner Oddo, seconded by Commissioner Barlow and carried, the Board unanimously approved the Bid for Kenwood Road Bridge at Morning Creek (SPLOST Project No. B-3) to the low-bidder, McCarthy Improvement Company, in the amount of \$1,390,422.50, for the construction of a new bridge on Kenwood Road over Morning Creek, and authorization for the Chairman to sign the contract and related documents.

14. Approval of staff's recommendation to award Proposal P869- Dam Engineering Services, to Walden, Ashworth & Associates, Inc. for Margaret Phillips Lake Dam, in an amount not to exceed \$34,000, and authorization for the County Administrator to sign the contract and related documents.

Phil Mallon led this discussion.

On motion from Chairman Brown, seconded by Commissioner Barlow and carried, the Board unanimously approved to direct staff to see if the owner is willing to donate the lake and any property necessary to create a park amenity and get a cost estimate to restore the dam and bring the cost to the Board. If the owner is not willing to donate, staff can move forward with working on the plan for breaching, not to exceed \$34,000.

15. Discussion of the Kozisek Dam and Emerald Lake Dam.

Phil Mallon led this discussion.

On motion from Chairman Brown, seconded by Commissioner McCarty and carried, the Board unanimously approved to direct staff to provide cost estimate related to the project and that the project be included on the core infrastructure SPLOST list and pending the outcome of the referendum, if it fails, staff will bring this item to the Board to come up with another solution.

16. Consideration of the Telecommuting Committee's recommendation to approve both the Teleworking Policy 448.20 and the Fayette County Teleworking Agreement; officially allowing the county to begin the process of implementing a Teleworking pilot program.

Chairman Brown led this discussion.

On motion from Chairman Brown, seconded by Commissioner Barlow and carried, the Board unanimously approved both the Teleworking Policy 448.20 and the Fayette County Teleworking Agreement; officially allowing the county to begin the process of implementing a Teleworking pilot program.

17. Approval of a reduction in force for the Marshal's Department, per Separation of Employment and Policy 452.01

Mr. Rapson led this discussion.

On motion from Commissioner Oddo, seconded by Commissioner McCarty and carried, the Board unanimously approved the reduction in force for the Marshal's Department, per Separation of Employment and Policy 452.01.

18. Update: 2013 Board of Commissioners' Changes in Transparency.

This item was moved to the beginning of the meeting. No action was taken.

19. Emergency Procurement for Professional Services Contract for the Fayette County Water System's Taste and Odor Project. A copy of the contract will be provided on the dais.

Chairman Brown led this discussion.

On motion from Commissioner Ognio, seconded by Commissioner Barlow and carried, the Board unanimously approved the acceptance of the Emergency Procurement for Professional Services Contract for the Fayette County Water System's Taste and Odor Project.

ADMINISTRATOR'S REPORTS: Mr. Rapson provided comments.

ATTORNEY'S REPORTS: No comments.

COMMISSIONERS' REPORTS: Commissioners McCarty, Ognio, Oddo and Barlow and Chairman Brown provided comments.

EXECUTIVE SESSION:

Attorney Dennis Davenport briefed the Board on a legal matter.

On motion from Chairman Brown, seconded by Commissioner Barlow and carried, the Board unanimously approved to go into Executive Session to discuss three (3) items of threatened litigation.

The Board recessed into Executive Session at 10:15 p.m. and returned to Official Session at 10:38 p.m.

Return to Official Session and Authorization to Sign an Executive Session Affidavit: On motion from Commissioner Ognio, seconded by Commissioner Barlow and carried, the Board unanimously approved to exit Executive Session and for the Chairman to sign the affidavit.

There was no further discussion.

ADJOURNMENT:

On motion from Commissioner Barlow, seconded by Commissioner Ognio and carried, the Board unanimously approved to adjourn.

Tameca P. White
Executive Assistant