



## *Action Agenda*

Board of Commissioners  
September 26, 2013  
7:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on September 26, 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  
Floyd L. Jones, County Clerk  
Tameca P. White, Deputy Clerk  
Dennis Davenport, Interim County Attorney

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### **Call to Order, Invocation, and Pledge of Allegiance**

Chairman Brown called the September 26, 2013 Board of Commissioners meeting to order at 7:05 p.m.

Commissioner Barlow gave a brief presentation on United States Constitution, explained the precedence of why the Board calls for prayer at the beginning of each meeting, and introduced Bishop Rob Richards of the Church of Jesus Christ of Latter-day Saints. Commissioner Barlow asked Bishop Richards to offer the invocation, and Bishop Richards did so.

Commissioner Allen McCarty led the audience in the Pledge of Allegiance.

### **Acceptance of Agenda**

Chairman Brown moved to accept the Agenda as published. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously.

### **PRESENTATION / RECOGNITION:**

**1. Presentation of a donation from "The Go Two Guys" to the Department of Fire and Emergency Services for the County's Alternative Teaching Methods Program.**

Fire Chief David Scarbrough introduced Mr. Rick Ryckley and thanked him for a donation that will help further Fire and Emergency Service's Alternative Teaching Methods Program. Chief Scarbrough then introduced two clowns, Biscuit and Butterbean, to the Board as an example of the teaching program and had them participate in the presentation.

**2. Presentation of the Government Finance Officers Association Distinguished Budget Award for Fayette County's annual budget document for the fiscal year beginning July 1, 2012 and ending June 30, 2013.**

County Administrator Steve Rapson introduced Chief Financial Officer Mary Parrott and Budget Officer Sergio Acevedo to the Board, commented on their work in earning the award, and he congratulated them on a job well done.

**3. Presentation of two Government Finance Officers Association Certificates of Achievement for Excellence in Financial Reporting for both Fayette County's and the Fayette County's Water System Comprehensive Annual Financial Reports (CAFR) for the fiscal year ended June 30, 2012.**

County Administrator Steve Rapson asked for Assistant Chief Financial Officer Sheryl Weinmann to join Mrs. Parrott and Mr. Acevedo, and he spoke about the importance of the two CAFR awards.

**4. Proclamation recognizing Promise Place and their 5k "Run From Domestic Violence" Run.**

Commissioner Oddo read the proclamation recognizing Promise Place and their 5k "Run from Domestic Violence" Run. Ms. Catherine Sanderson, who represented Promise Place, gave a PowerPoint presentation on Promise Place's history and service in the Fayette community.

**5. Recognition of Fayette County's residents who are celebrating milestone Wedding Anniversaries.**

Chairman Brown and the Board recognized the following couples and their milestone Wedding Anniversaries:

- Mr. and Mrs. Claude and Janet Paquin—50th Wedding Anniversary
- Mr. and Mrs. Jim and Lois Richter—50th Wedding Anniversary
- Mr. and Mrs. Darrell and Teresa Newby—50th Wedding Anniversary
- Mr. and Mrs. Will Rogers— 52<sup>nd</sup> Wedding Anniversary
- Mr. and Mrs. Bill and Nancy Jones—60th Wedding Anniversary
- Mr. and Mrs. Russell E. (Bob) and Louise Bennett—65th Wedding Anniversary

**PUBLIC HEARING:**

**6. Consideration of staff's recommendation to adopt Ordinance 2013-13 amending the Fayette County Code of Ordinances, Chapter 20. Zoning Ordinance (2010), as amended, specifically Article IX (Zoning Board of Appeals); to provide for severability; to repeal conflicting laws, ordinances, and resolutions; to provide an effective date; and for other purposes allowed by law.**

Community Development Director Pete Frisina briefed the Board on staff's recommendation to adopt Ordinance 2013-13, and he answered questions from the Board.

**Brenda Moody:** Mrs. Moody spoke in favor of adopting Ordinance 2013-13.

No one else spoke in favor of or in opposition to this recommendation.

Commissioner Ognio moved to approve staff's recommendation to adopt Ordinance 2013-13 amending the Fayette County Code of Ordinances, Chapter 20. Zoning Ordinance (2010), as amended, specifically Article IX (Zoning Board of Appeals); to provide for severability, to repeal conflicting laws, ordinances, and resolutions; to provide an effective date; for other purposes allowed by law. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously.

**PUBLIC COMMENT:**

No one spoke during the Public Comment portion of the meeting.

**CONSENT AGENDA:**

Commissioner Barlow moved to approve Consent Agenda Items 7-14. Commissioners Ognio and McCarty seconded the motion. No discussion followed. The motion passed unanimously.

7. **Approval of IPN USA's request for approval of a Tax Exempt Industrial Revenue Bond and use of the proceeds as specified by applicable tax code requirements.**

**Emily Poole:** Ms. Poole commented on Consent Agenda Item #7.

8. **Approval of staff's recommendation to adopt Resolution 2013-19 relating to the issuance of a 2013 General Obligation Bond for the purpose of advance refunding of the School Board's 2005 and 2007 General Obligation Bonds, and to provide a present value of approximately \$2,637,000.00 savings for the taxpayers of Fayette County.**

9. **Approval of staff's recommendation for a final supplemental budget adjustment for the fiscal year ended June 30, 2013.**

County Administrator Steve Rapson commented on Consent Agenda Item #9.

10. **Approval of staff's recommendation to award the McDonough Road Fiber Optic Cabling Project to the low-bidder, ComTran, in an amount not to exceed \$202,300.00, to authorize \$43,000.00 in additional funding for the project, and to authorize the County Manager to sign the contract and related documents.**

11. **Approval of staff's recommendation to approve requested changes to the list of streets identified for resurfacing in the June 13, 2013 Intergovernmental Agreement between Fayette County and the Town of Tyrone.**

12. **Approval of staff's recommendation to enter into an Intergovernmental Agreement with the City of Fairburn for bridge improvements to Bohannon Road over Line Creek (Structure 121-5081-0), and authorization to utilize \$57,430.00 from the Road Department Asphalt and Tack (Accounting Line # 10040220-531171) if the bridge improvements begin in Fiscal Year 2014.**

13. **Approval of staff's recommendation to award a contract to Gullett Sanitation Services, Inc., in the amount of \$165,000, for dredging the two lagoons at Crosstown Water Treatment Plant, to establish a budget for this purpose, to transfer funds from the Renewal and Extension account, and to authorize the Chairman to execute said contract and related documents.**

Commissioner Ognio asked County Administrator Steve Rapson to clarify Consent Agenda Item #13. Mr. Rapson provided answers as requested.

14. **Approval of the Water Committee's recommendation to close McIntosh Lake, McIntosh Park, and the access road to McIntosh Park from Friday, October 11, 2013 at 3:00 p.m. until Sunday, October 13, 2013 at 6:00 p.m. for the upcoming Great Georgia Airshow.**

#### **OLD BUSINESS:**

15. **Consideration of staff's recommendation to enter into a revised Intergovernmental Agreement for the Use and Distribution of Proceeds from the 2013 Special Purpose Local Option Sales Tax for Capital Outlay Projects.**

County Administrator Steve Rapson and Interim County Attorney Dennis Davenport briefed the Board on this matter.

Commissioner Oddo moved to approve staff's recommendation to enter into a revised Intergovernmental Agreement for the Use and Distribution of Proceeds from the 2013 Special Purpose Local Option Sales Tax for Capital Outlay Projects. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

16. **Discussion of proposed amendments to the Fayette County Code of Ordinances, Chapter 20. Zoning Ordinance, Article VI, Sec. 6-22. M-1 Light Industrial District and Sec. 6-23. M-2 Manufacturing and Heavy Industrial District, regarding Building Height.**

Community Development Director Pete Frisina briefed the Board on the proposed amendments to the Fayette County Code of Ordinances, and he answered questions from the Board.

The Board directed staff to move forward with public hearings for the proposed amendments. The Board took no action on this item.

#### **NEW BUSINESS:**

17. **Presentation by the Georgia Department of Transportation concerning the department's project to widen McDonough Road.**

Public Works Director Phil Mallon introduced Georgia Department of Transportation Board Member Dana Lemon, who represents the 13<sup>th</sup> Congressional District, and he introduced Georgia Department of Transportation Project Manager Jeremy Busby to the Board. Representative Lemon then briefly addressed the Board before Mr. Busby gave a PowerPoint presentation explaining the department's proposed project to widen McDonough Road.

The Board spoke of some concerns related to the widening of McDonough Road, and said it looked forward to working with the Georgia Department of Transportation in this endeavor. The Board gave no direction and took no action in this matter.

- 18. Consideration of staff's recommendation to adopt Ordinance 2013-12 amending the Code of Ordinances for Fayette County, Georgia; to enact provisions pertaining to registration of vacant or foreclosed real property; to provide an effective date, to repeal conflicting ordinances; to provide for severability, to promote the public health, safety and welfare, and for other purposes.**

Community Service Director Pete Frisina briefed the Board on staff's recommendation to adopt Ordinance 2013-12, and he answered questions from the Board.

Commissioner Barlow moved to accept staff's recommendation to adopt Ordinance 2013-12 amending the Code of Ordinances for Fayette County, Georgia; to enact provisions pertaining to registration of vacant or foreclosed real property; to provide an effective date, to repeal conflicting ordinances; to provide for severability, to promote the public health, safety and welfare, and for other purposes. Commissioners McCarty and Oddo seconded the motion. No discussion followed. The motion passed unanimously.

Chairman Brown moved to establish a fee at \$100.00. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

- 19. Consideration of staff's request to award the bid for Fire Station No. 3 construction to Ward General Contractors, Incorporated.**

Fire Chief David Scarbrough briefed the Board on staff's request to award the bid for Fire Station No. 3 construction to Ward General Contractors, Incorporated, and he answered questions from the Board.

Commissioner Barlow moved to approve staff's request to award the bid for Fire Station No. 3 construction to Ward General Contractors, Incorporated, in the amount of \$1,802,000 and to fund the project utilizing funding from Project # 0550A in the amount of \$1,425,769.40 and \$400,000.00 from Project #2930C. Commissioner McCarty seconded the motion.

**Michelle Mills:** Ms. Mills, representing Aarene Contracting, Incorporated, commented on this matter and expressed her concern on the bid process and potential awarding of the bid.

County Administrator Steve Rapson replied to Ms. Mill's concerns.

The motion to approve staff's request to award the bid for Fire Station No. 3 construction to Ward General Contractors, Incorporated, in the amount of \$1,802,000 and to fund the project utilizing funding from Project # 0550A in the amount of \$1,425,769.40 and \$400,000.00 from Project #2930C passed unanimously.

- 20. Consideration of staff's recommendation to award a contract to CH2M Hill to serve as Engineer of Record for the Water System as specified in RFP #888, for the fiscal year ending June 30, 2014, and with provisions for two one-year renewals, and for the County Manager to execute said contract and related documents.**

County Administrator Steve Rapson briefed the Board on staff's recommendation to award a contract to CH2M Hill to serve as Engineer of Record, and he answered questions from the Board.

Commissioner McCarty moved to approve New Business #20, consideration of staff's recommendation to award a contract to CH2M Hill to serve as Engineer of Record for the Water System as specified in RFP #888, for the fiscal year ending June 30, 2014, and with provisions for two one-year renewals, and for the County Manager to execute said contract and related documents. Commissioner Ognio seconded the motion. Mr. Rapson commented on this item. The motion passed unanimously.

**21. Approval of the September 12, 2013 Board of Commissioners Meeting Minutes. Commissioner McCarty was not present for this meeting.**

Commissioner Oddo moved to approve the September 12, 2013 Board of Commissioners Meeting Minutes. Commissioner Ognio seconded the motion. No discussion followed. The motion passed 4-0-1 with Commissioner McCarty abstaining from the vote.

**ADMINISTRATOR'S REPORTS:**

**Introduction of Assistant Chief Financial Officer Sheryl Weinmann:** County Administrator Steve Rapson introduced Assistant Chief Financial Officer Sheryl Weinmann to the Board, and he told the Board that he has named her "Firecracker." The Board welcomed her to the Fayette family.

**Installation of the Blinds in the Public Meeting Room:** County Administrator Steve Rapson reported that the blinds had been installed in the Public Meeting Room, and that the room "just looks normal now." He commented that the blinds give a much more professional appearance

**Asset Management Policy:** County Administrator Steve Rapson reported that he gave the Board a copy of the Asset Management Policy that staff is ready to enact within the next week or so. Chairman Brown agreed, and he added that a copy of the policy was on the dais and that it is entitled *Fiscal Policy-Asset Management 300.13*. Mr. Rapson gave kudos to Chief Financial Officer Mary Parrott and Assistant Chief Financial Officer Sheryl Weinmann who helped draft the policy, and who did an outstanding job in their work.

**Legislative Leadership Conference:** County Administrator Steve Rapson informed everyone that the Legislative Leadership Conference was going to occur from September 29-October 1, 2013, and that he and the entire Board were going to Athens to attend the conference.

**Update on the Sanitary Survey Report:** County Administrator Steve Rapson updated the Board on the Sanitary Survey Report by saying that up through today the County has corrected 50% of the items that were identified in the deficiency report. He said he did not want to gloss over that report since staff at the Water System has worked very hard in making the corrections. He stated that in regards to the Environmental Protection Division's actual final review, that he would meet with the Board on October 10, 2013 concerning "our final pass in regards to our final position on the Notice of Violations (NOVs)." He added that the Environmental Protection Division has agreed to receive the County's final report on October 11, 2013.

**Support Breast Cancer Research:** County Administrator Steve Rapson asked Fire Chief David Scarbrough to address the Board about an effort to support breast cancer research. Chief Scarbrough told the Board that many people are aware that the month of October is "Breast Cancer Awareness Month," and he explained that the fire

personnel will be wearing pink shirts in the first weeks of October. He said the Fire Department was requesting the Board to also wear pink shirts in support of breast cancer research. Each member of the Board then put the pink shirts on in support of defeating breast cancer.

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

**Five Items for Executive Session:** Interim County Attorney Dennis Davenport informed the Board that he had two items of threatened litigation, two items of pending litigation, and review of the September 12, 2013 Executive Session Minutes to be considered in Executive Session.

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

**Commissioner McCarty:** Commissioner McCarty told everyone that he had just returned from Europe, and he wanted everyone to understand what a great privilege it is to live in the United States of America. He said even when he landed at the wrong airport it was still good ground to kiss.

**Commissioner Barlow:** Commissioner Barlow thanked staff since they have already worked all day and are still with the Board at late meetings. He said he appreciated staff, Chief Financial Officer Mary Parrott, the County Clerk, and Ms. Tameca White. He added that it is always a joy to look to the citizens in the audience, and he remembered how in meetings past there would only be three or four people in the audience. He liked that the citizens were coming to the meetings to learn how the process works.

**Commissioner Oddo:** Commissioner Oddo thanked Fire Chief David Scarbrough for the pink shirts. He pointed out that the homecoming for the Vietnam Veterans was upcoming and it would be nice if everyone would attend the parade for them. He said he has been thanking the veterans for the past forty years, but this event would be a great way to show pride in them. He also thanked the audience for coming to the meetings.

**Commissioner Ognio:** Commissioner Ognio said he had the opportunity to attend the Inman Heritage Day weekend, and that it was something that just amazed him. He said Fayette County is considered an oasis, but when someone attends Heritage Day that person is reminded they are really in metro Atlanta. He thought it was really impressive that Fayette County is the way that it is. He pointed out that a person could even see reporters taking hay rides, that many people were there, and that it was very impressive.

**Chairman Brown:** Chairman Brown reminded everyone that the Board and County Administrator Steve Rapson were going to be in Athens from Sunday until Tuesday, and he asked for prayer for Athens, Georgia.

#### **EXECUTIVE SESSION:**

**Five Items for Executive Session:** Chairman Brown moved to go into Executive Session for two items of pending litigation, two items of threatened litigation, and to review the Executive Session Minutes from September 12, 2013. Commissioners Barlow, Ognio, and Oddo seconded the motion. No discussion followed. The motion passed unanimously.

The Board recessed into Executive Session at 8:37 p.m. and return to Official Session at 9:29 p.m.

**Return to Official Session and Approval of an Executive Session Affidavit:** Commissioner Ognio moved to exit Executive Session and for the Chairman to sign the Executive Session Affidavit. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

**Approval of the September 12, 2013 Executive Session Minutes:** Chairman Brown moved to approve the September 12, 2013 Executive Session Minutes. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

**ADJOURNMENT:**

**Additional Comments:** Fire Chief David Scarbrough noted that Atlanta Shirts is the provider of the pink T-shirts, and that he neglected to recognize them earlier. He added that "one of his guys has a company and he needed to get credit," and he stated the man's name is Warren Fry.

**Adjournment:** Commissioner Oddo moved to adjourn the September 26, 2013 Board of Commissioners meeting. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

The Board of Commissioners adjourned the September 26, 2013 Board of Commissioners meeting at 9:30 p.m.

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Floyd L. Jones, County Clerk