



Action Agenda

Board of Commissioners
October 24, 2013
7:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on October 24, 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

Call to Order, Invocation, and Pledge of Allegiance

Chairman Brown called the October 24, 2013 Board of Commissioners meeting to order at 6:59 p.m.

Commissioner Barlow gave his third presentation on the United States Constitution and the third Principal of Liberty of the Constitution. Commissioner Barlow then asked Dr. William Holmes Robinson, pastor of Olivet Baptist Church to offer the invocation, and Pastor Robinson did so.

Commissioner Oddo led the audience in the Pledge of Allegiance.

Acceptance of Agenda

Chairman Brown moved to Accept the Agenda as published, to accept a new Agenda Item referred to as New Business Item #14- Water Committee recommendation to rescind the action taken on May 9, 2013 on the Water Committee recommendation to allow the City of Fayetteville to use the waterline easement on Highway 85 to service 1391 Highway 85 with sewer, and to move New Business Item #12

PRESENTATION / RECOGNITION:

1. Proclamation of November 2013 as Epilepsy Awareness Month in Fayette County.

Commissioner Barlow presented the proclamation declaring November 2013 as Epilepsy Awareness Month in Fayette County.

2. Recognition of the Fayette County School Board's VITAL (Volunteer Initiative to Assist Learning) program.

Commissioner McCarty presented the recognition of the Fayette County School Board's VITAL program. Ms. Sharon Walters, representing the VITAL program, gave a brief PowerPoint presentation on the beginning of the program and its work.

3. Proclamations honoring Fayette County residents who are celebrating milestone wedding anniversaries.

The Board recognized the 60th anniversary of Mr. and Mrs. Mercer and June Fisher, the 51st anniversary of Mr. and Mrs. Lamar and Sandra Feagan, and the 65th anniversary of Thomas and Shirley Sullivan.

Fayette County Awarded the "Deal of the Year Award: Chairman Brown announced that Fayette County is the recipient of the "Large Development of the Year" award, and that the award was related to Pinewood Studios. He introduced Ms. Emily Poole, who represented the Fayette County Development Authority, who commented on Fayette County's award.

PUBLIC HEARING:

4. Consideration of Petition No. 1229-13, Olivet Baptist Church, Owner, and Dr. Maurice Ukadike, Agent, request to rezone property from A-R Agriculture-Residential to R-45 Single-Family Residential District to expand an existing Church Facility, with one recommended condition, and with said property consisting of 10.408 acres located in Land Lot 250 of the 5th District and fronting on SR 279.

Community Development Director Pete Frisina read the Public Hearing rules into the record, and he briefly spoke about this request.

Dr. Maurice Ukadike and Pastor William Holmes Robinson spoke in favor of Petition No. 1229-13. No one spoke in opposition to Petition No. 1229-13.

Commissioner Brown asked Mr. Frisina if he would read the recommended condition in to the record, and Mr. Frisina did so.

Commissioner Barlow moved to approve Petition 1229-13, Olivet Baptist Church, Owner, and Dr. Maurice Ukadike, Agent, request to rezone property from A-R Agriculture-Residential to R-45 Single-Family Residential District to expand an existing Church Facility, with one recommended condition as listed in the agenda request that is listed as Condition 1 and reads "the property owner will work with staff during the Site Plan process to place a gate or other traffic controls on the property to reduce the potential of cut-through traffic between State Route 279 and State Route 314", and with said property consisting of 10.408 acres located in Land Lot 250 of the 5th District and fronting on SR 279. Commissioner McCarty seconded the motion.

Chairman Brown asked Dr. Ukadike if he was agreeable to the condition as stated, and Dr. Ukadike replied that he was agreeable to the condition.

The motion to approve Petition 1229-13, Olivet Baptist Church, Owner, and Dr. Maurice Ukadike, Agent, request to rezone property from A-R Agriculture-Residential to R-45 Single-Family Residential District to expand an existing Church Facility, with one recommended condition as listed in the agenda request that is listed as Condition 1 and reads "the property owner will work with staff during the Site Plan process to place a gate or other traffic controls on the property to reduce the potential of cut-through traffic between State Route 279 and State Route 314", and with said property consisting of 10.408 acres located in Land Lot 250 of the 5th District and fronting on SR 279 passed unanimously.

5. Consideration of staff's recommendation to adopt Ordinance 2013-15 approving proposed amendments to the Fayette County Code of Ordinances, Chapter 20. Zoning Ordinance, regarding Article XII. Planning Commission.

Community Development Director Pete Frisina spoke about staff's recommendation to approve Ordinance 2013-15 approving proposed amendments to the Fayette County Code of Ordinance, Chapter 20. Zoning Ordinance, regarding Article XII. Planning Commission.

No one spoke in favor of or in opposition to this request.

Commissioner Oddo moved to approve staff's recommendation to adopt Ordinance 2013-15 approving proposed amendments to the Fayette County Code of Ordinances, Chapter 20. Zoning Ordinance, regarding Article XII. Planning Commission. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously.

6. Public Hearing to gain public input on the regulation of sexually oriented businesses and consideration of Ordinance 2013-16 for the amendment of the Fayette County Code of Ordinances, Chapter 6. Business Licenses to now be titled Regulation of Specific Occupations and associated Fee Schedule.

Community Development Director Pete Frisina about the proposed amendments to the Fayette County Code of Ordinances.

Mrs. Denise Ognio and Ms. Fanita Williams spoke in opposition to this request. Discussion followed. Ms. Marissa Williams questioned the proposed amendments and volunteered to work with staff to find alternative locations for sexually oriented businesses. Further discussion followed. Fayetteville Mayor Greg Clifton spoke in favor of the proposed amendments.

Commissioner Barlow moved to adopt Ordinance 2013-16 for the amendment of the Fayette County Code of Ordinances, Chapter 6. Business Licenses to now be titled Regulation of Specific Occupations and associated Fee Schedule. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

PUBLIC COMMENT:

Ms. Jeanelle Toddman: Mr. Toddman asked if the Board could look into the "beautification" of things such as the concrete plant in north Fayette County, as well as other eye sores in Fayette County. Discussion followed.

CONSENT AGENDA:

Commissioner Oddo asked to remove Consent Agenda Item #9 from the Consent Agenda.

Commissioner Barlow moved to accept Consent Agenda Items #7, 8 and 10. Commissioner Ognio seconded the motion. No discussion followed. The motion passed unanimously.

7. **Approval of staff's recommendation for an amendment to the final supplemental budget adjustment, in the amount of \$2,550.00, to the final amended budget for the fiscal year ended June 30, 2013.**
8. **Approval of staff's request to authorize Tank Pro, Incorporated to install a ladder inside both the Ellis Road water tower and the Highway 92 water tower for safe access to each tank's interior, at an aggregate cost of \$29,224.00, to be funded from the Renewal and Extension Fund Account.**
9. **Approval of staff's recommendation to authorize the Fayette County Water System to lower the water level in Lake Peachtree from January through March 2014.**

Commissioner Oddo moved to approve staff's recommendation to authorize the Fayette County Water System to lower the water level in Lake Peachtree from January through March 2014 conditioned upon the approval of the Water System Director. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

10. **Approval of the October 10, 2013 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

There was no Old Business item on the Agenda.

NEW BUSINESS:

11. **Consideration of staff's request to award the bid for renovating the old jail facility to Gleeds USA Incorporated (Bid #887); establish three new jail deputy positions; abolish one records clerk; and convert one Administration Assistant into an Administration Specialist to bring the old Jail fully operational.**

County Administrator Steve Rapson explained staff's request.

Commissioner Barlow moved to approve staff's request to award the bid for renovating the old jail facility to Gleeds USA Incorporated (Bid #887) for \$50,675 utilizing residual bond proceeds to renovate the old jail facility; establish three new jail deputy positions; abolish one records clerk, and convert one Administration Assistant into an Administration Specialist. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

12. **Consideration of Chairman Steve Brown's request to adopt Resolution 2013-22 calling on Facebook to protect our teenagers from predators and abuses of privacy.**

Chairman Brown commented on this agenda item.

Commissioner Ognio moved to approve Chairman Steve Brown's request to adopt Resolution 2013-22 calling on Facebook to protect our teenagers from predators and abuses of privacy. Commissioner Barlow seconded the motion. Discussion followed. The motion passed unanimously.

13. Consideration of the October 16, 2013 Board of Commissioners Special Called Meeting Minutes. Commissioner McCarty was not present for this meeting.

Commissioner Ognio moved to approve the October 16, 2013 Board of Commissioners Special Called Meeting Minutes that Commissioner McCarty was not present at. Commissioner Oddo seconded the motion. No discussion followed. The motion passed 4-0-1 with Commissioner McCarty abstaining from the vote.

14. Water Committee recommendation to rescind the action taken on May 9, 2013 on the Water Committee recommendation to allow the City of Fayetteville to use the waterline easement on Highway 85 to service 1391 Highway 85 with sewer.

Chairman Brown stated that the Board had an additional item on the dais; namely, a County Agenda request from the Water System, and that a copy of the document could be obtained from the County Clerk.

County Administrator Steve Rapson spoke about the Water System's request.

Commissioner Barlow moved to rescind the action taken on May 9, 2013 on the Water Committee recommendation to allow the City of Fayetteville to use the waterline easement on Highway 85 to service 1391 Highway 85 with sewer, with the revised recommendation being finalized with the developer and will be presented for consideration and approval in the near future. Commissioner Oddo seconded the motion. No discussion followed. The motion passed unanimously.

ADMINISTRATOR'S REPORTS:

Planning Commission: County Administrator Steve Rapson informed the Board that since it approve Public Hearing Item #5, which basically amended the Planning Commission's Ordinance, there are two Planning Commission members seats that actually expire in December. He stated that the positions would be advertised, and he asked the Chairman to appoint a Board member to review the applications. Chairman Brown and Commissioner Oddo agreed to review the Planning Commission applications.

Recreation Department is Revising the Parks and Recreation Ordinances: County Administrator Steve Rapson informed the Board that the Parks and Recreation Department is in the process of revising its ordinances, and that there is a meeting that is scheduled for Monday, October 28, 2013 at 6:00 p.m. He said he wanted the meeting to be noted for the official record, and that the Recreation Commission would be running that particular meeting.

Recommendation of Mr. Lee Pope as Water System Director: County Administrator Steve Rapson reported that staff has made a recommendation to Mr. Lee Pope, who is the "number two person" at Rockdale County for the Water Director's position. He stated that no one would be happier than he is to have Mr. Pope in Fayette County, and that while he is a Baptist he was glad the Pope was coming. Mr. Rapson added that Mr. Pope would begin working for Fayette County on November 5, 2013, and that he has eleven years of experience.

Update on the Water System's Deficiencies: County Administrator Steve Rapson reported that the Water System has corrected 57.3% of the deficiencies, and he asked the Board to recall that at the last meeting that there are four Notices of Violations still outstanding from the ten that the County originally had. He said staff was continuing its work on getting the deficiencies and violations completed. Chairman Brown asked Mr. Rapson to have Mr. Pope go to a Brooks Town Hall Meeting and introduce himself. Mr. Rapson replied that Mr. Pope would definitely be making the rounds.

ATTORNEY'S REPORTS:

Two Items of Threatened Litigation and One Review of Executive Session Minutes: Interim County Attorney Dennis Davenport reported that he had two items of threatened litigation and one review of the October 10, 2013 Executive Session Minutes for consideration in Executive Session.

COMMISSIONERS' REPORTS:

Commissioner Barlow: Commissioner Barlow reminded everyone that at the October 16, 2013 Special Called Meeting, that neither reporters Pat Cooper or John Munford was present, and that he challenged the *Fayette Daily News* and *The Citizen* to acknowledge the fact that the Board of Commissioners has done everything that it said it would do. He stated that it just so happened that Pat Cooper had already published an article, and that its two words started out: "As promised . . .". He explained that Mrs. Cooper had also enumerated everything that the Board had been talking about, and so he called Mrs. Cooper and thanked her. He said if he had seen the paper prior to the Special Called Meeting, he never would have said anything. He closed his remarks by thanking Mrs. Cooper.

Commissioner Oddo: Commissioner Oddo wished everyone a Happy Halloween. He pointed out that his brother may be watching, and that while his brother may not want it, he was going to wish his brother a Happy Birthday since his birthday is on Halloween.

Commissioner Ognio: Commissioner Ognio said he was wearing his pink shirt, but this was special since it was in recognition of his sister, whose birthday will be on Saturday, and who would have been 49 years old.

Commissioner McCarty: Commissioner McCarty thanked everyone who came to the meeting. He said it was really exciting to see people come to the meeting, that Fayette County is a wonderful county with wonderful citizens who seem to care a lot. He said the Board was getting a lot done, and it could not be done without the citizen's help.

Chairman Brown: Chairman Brown said he was glad that Ms. Marissa Williams came to speak, and he thanked her for speaking and for staying around and participating. He said it was very refreshing to see someone who was actually raised in Fayette County and who has come back and who says "I want to stay and I want to keep it the way I've always had it." He said the County appreciated her, wished her God's blessings, and asked her to keep coming to the meetings.

EXECUTIVE SESSION:

Two Items of Threatened Litigation and One Review of the October 10, 2013 Executive Session Minutes: Chairman Brown moved to go into Executive Session for two threatened litigation items and the Executive Session Minutes from October 10, 2013. Commissioners Ognio and McCarty seconded the motion. No discussion followed. The motion passed unanimously.

The Board recessed into Executive Session at 8:40 p.m. and returned to Official Session at 9:11 p.m.

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

Approval of the October 10, 2013 Executive Session Minutes: Chairman Brown moved to approve the October 10, 2013 Executive Session Minutes. Multiple seconds followed. No discussion followed. The motion passed unanimously.

ADJOURNMENT:

Commissioner Barlow moved to adjourn the October 24, 2013 Board of Commissioners Meeting. Commissioner Ognio seconded the motion. No discussion followed. The motion passed unanimously.

The Board adjourned the October 24, 2013 Board of Commissioners Meeting at 9:12 p.m.

Floyd L. Jones, County Clerk

