# Minutes

Board of Commissioners
June 27, 2013
7:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on June 27, 2013 at 7:00 p.m. in the Public Meeting Room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

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| **Commissioners Present:** | Steve Brown, Chairman<br>Charles Oddo, Vice Chairman<br>David Barlow<br>Allen McCarty<br>Randy Ognio |
| **Staff Present:** | Steve Rapson, County Administrator<br>Floyd L. Jones, County Clerk<br>Dennis Davenport, Interim County Attorney |

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

Chairman Brown called the June 27, 2013 Board of Commissioners meeting to order at 7:01 p.m.
County Clerk Floyd Jones offered the Invocation.
Commissioner McCarty led the audience in the Pledge of Allegiance.

**Acceptance of Agenda**

Chairman Brown moved to accept the Agenda with the exception of New Business Item Number 11, and for New Business Item Number 11 to be left off the Agenda. Commissioner Ognio seconded the motion. No discussion followed. The motion passed unanimously.

**PRESENTATION / RECOGNITION:**

**1. Proclamation of "Days of Remembrance" in accordance of the 150th Anniversary of the Battle of Gettysburg.**

Chairman Brown introduced Mr. Matt Blackburn and his family to the audience. Mr. Blackburn interned with Fayette County throughout the month of June, and prepared the Proclamation of "Days of Remembrance" in accordance of the 150th Anniversary of the Battle of Gettysburg. Mr. Blackburn read the proclamation. A copy of the proclamation, identified as "Attachment 1", follows these minutes and is made an official part hereof.

**2. Recognition of the promotion of Fire Chief David Scarbrough and Deputy Fire Chief Tom Bartlett.**

Chairman Brown announced that the County had a couple of gentlemen who were serving in interim positions, and those positions were "becoming final." He first introduced Fire Chief David Scarbrough and spoke of Chief Scarbrough's qualifications. Chief Scarbrough was then presented and pinned with his Fire Chief badge. Chairman Brown next introduced Deputy Fire Chief Tom Bartlett and spoke of Deputy Fire Chief Bartlett's qualifications. Deputy Chief Bartlett was then presented and pinned with his Deputy Fire Chief badge. A copy of the request, identified as "Attachment 2", follows these minutes and is made an official part hereof.

**PUBLIC HEARING:**

**3. Public Hearing on the County's proposed annual budget for Fiscal Year 2014 which begins July 1, 2013 and ends June 30, 2014, and consideration of Resolution 2013-14 adopting the Fiscal Year 2014 budget.**

County Administrator Steve Rapson explained that this was the final public hearing with regard to the adoption of the Fiscal Year 2014 budget. He told the Board that there were no changes from the June 13, 2013 public hearing, and so there was no presentation to be given.

**Lee Hearn:** Mr. Hearn spoke for twenty minutes expressing his concerns about the "fiscal cliff that looms ahead for Fayette County." Mr. Hearn's comments included concerns about:

A) Changes to the Defined Benefit Pension Plan, including not funding the plan for Fiscal Year 2014.

B) Inequitable Local Option Sales Tax (LOST) negotiations.

C) Operating transfers from Special Revenue Funds to the General Fund.

D) Lack of funding for the Recreation Department.

E) Continuation of Stormwater Utility Fees and budgeting for a Stormwater Special Purpose Local Option Sales Tax (SPLOST).

F) Effects on Public Safety with the "dismantling" of the Marshal's Department and the small number of Sheriff's vehicles being replaced.

G) Lack of funding for the Road Department for vehicles and heavy equipment.

Mr. Hearn also expressed concerns about the Capital Improvement Plan, including:

A) The location of $2.38 million of Criminal Justice Center 2000 bond issue "that the County didn't even know it had", and questions about how the money would be spent.

B) No new technology improvements being proposed except those that the previous Board funded for the Technology Strategic Plan.

C) Questions about where future funding for Capital Improvement Projects would come from.

D) The removal of funding from the "recreation function."

Mr. Hearn asked Chairman Brown to explain how the County had deficit budgets when the undesignated cash reserve increased during three of the four years he was in office; two of those years serving with Mr. Brown. He stated that the current Board inherited "over $300 million in undesignated cash reserves during declining revenues", and that meant "great budgeting" not deficit budgeting. He recalled that County Administrator Steve Rapson said firefighters and Sheriff's deputies could retire at age fifty-five, but that he failed to mention that the Board removed their health insurance coverage if they had twenty years of service and had reached age fifty-five. He closed saying that his family has been paying taxes in Fayette County for five generations, and to expect to see him often. A copy of Mr. Hearn's manuscript that he read, identified as "Attachment 3", follows these minutes and is made an official part hereof.

**Emory McHugh:** Mr. McHugh spoke for about 28 minutes about his concerns with the proposed Fiscal Year 2014 budget. Mr. McHugh's spoke about his personal and professional qualifications. He also spoke about the impossible task given to former County Administrator Jack Krakeel and current County Administrator Steve Rapson before he commented on why he could not be a "team player" with the current Board for the following reasons:

A) Concerns that reductions to health insurance expenditures essentially balanced a large part of the budget on the backs of employees.

B) Fayette County is no longer competitive with other jurisdictions in the area of benefits, and that this will lead to an exodus of all good, trained employees.

C) Changes are hurting workers financially, killing employee morale, and taking away incentives to do a good job.

D) The Board is providing the necessary ingredients for the "Fraud Triangle". Essentially, the Board is providing employees with opportunity, pressure, and rationalization to commit fraud. He mentioned that he thought "that you can basically make any employee dishonest" and that if he were a dishonest employee he could have "easily taken the $2.38 million that your CFO and auditors didn't even know existed."

E) Concerns that the financial pain inflicted upon employees was entirely unnecessary.

F) Concerns about the Board's failure to negotiate a fair Local Option Sales Tax (LOST) agreement, and the financial ramifications of the negotiated LOST agreement. He spoke about the amount of rollback he received on his County M&O property taxes as compared to Chairman Steve Brown and Chief Financial Officer Mary Parrott, who live in Peachtree City and Fayetteville, respectively. He suggested that the Board's agreement with the cities was a worse deal for him and a better deal for Chairman Brown. He mentioned that if the Board members felt compelled to send money to help pay taxes for the poor Delta pilots in Peachtree City, that they use their own checkbooks and leave his tax money alone.

G) Angst about the $1 million that the Board decided to withhold in terms of contributions to the Defined Benefit Plan, the results of not funding the plan, and how Georgia law requires local governments to fund their pension plans.

H) Concerns about how the actuary determines the liability of the pension fund and the assumptions that are used in making the determinations.

I) Concerns over "Other Financing Sources" that are not really revenues but represent transfers or the movement of monies from other budgeted funds. He suggested that the Board decided to transfer or "steal" $571,000 from the Fire, E-911, EMS and Street Lights Special Tax District Funds to balance the budget.

J) Concerns with "Appropriated Fund Balance" which is the reassignment or re-designation of funds that have been budgeted in previous years for other projects.

K) Questioning whether the Clerk of Superior Court, Sheila Studdard, gave up $71,428.00 in jury script fees, and asking how many people believed she would refuse to pay jurors who have performed their jury duty as required by law.

L) Questioning why the Board thought it was a good idea to lose $7.8 million in this next year in economic value alone.

M) Concerns about the length of time it would take to replace the County's fleet, including Public Safety vehicles and necessary equipment.

N) Intrigue about the Stormwater Utility, how it is still around after six months of the Tea Party being in total control, and how the Fiscal Year 2014 budget actually contains funding for an election this fall for the voters to approve a Special Purpose Local Option Sales Tax (SPLOST) to fix Stormwater infrastructure. He suggested the real reason for the SPLOST vote was to keep the Tea Party in power.

O) His belief that money currently exists to make needed Stormwater Infrastructure Improvements, but instead of spending the money on those purposes, the Board intends to pay for other projects on their list.

P) Concerns that the future of Fayette County will reflect what has already occurred in Fayetteville and Peachtree City, both of which have had economic problems, and that the Tea Party's philosophy is one that would have the citizens in the right frame of mind to vote a tax increase upon themselves.

Mr. McHugh closed his statements saying the Tea Party has attacked the messenger as a "disgruntled employee", "name caller" and "not a team player" because they do not have any answers when the right questions are asked or the true facts are presented. A copy of the manuscript Mr. McHugh read, identified as "Attachment 4", follows these minutes and is made an official part hereof.

**Bob Ross:** Mr. Ross commented on the length of time the previous speakers took with their comments, and he pointed out that no member of the current Board is a member of the Fayette County Issues Tea Party. He said he knew that fact since he is the co-founder of the Fayette County Issues Tea Party, that he knows it better than anybody, and that he maintains the roster and website. Mr. Ross also spoke of his support for the proposed Fiscal Year 2014 budget before he thanked County staff and leadership for their work on the budget.

**Frank Gardner:** Mr. Gardner spoke about the comments given by Mr. Hearn and Mr. McHugh, and he reminded everyone that it was the previous Board that implemented the Stormwater Utility Fee that charged everyone in rural Fayette County. He was amazed that, even though Mr. Hearn and Mr. McHugh did not attend the three Stormwater Town Hall meetings they "bash" the Commissioners who are listening to the people. He thanked the Board for working on behalf of the citizens of Fayette County.

**County Administrator Steve Rapson:** County Administrator Rapson replied to the concerns expressed by Mr. Hearn and Mr. McHugh. Specifically, Mr. Rapson replied to the concerns expressed about:

A) The Defined Benefits Pension Program

B) Local Option Sales Tax (LOST) renegotiations.

C) Operating Transfers.

D) Allocations made to Peachtree City and Tyrone so that Fayette County citizens can participate in city recreation programs without having to pay surcharges.

E) Stormwater Utility and the proposed Stormwater SPLOST ballot issue.

F) Public Safety and the Marshal's Office.

G) Sheriff's vehicle replacements.

H) The $2.3 million associated with the Criminal Justice Center, and how a portion of the money would fund the Justice Center and the other part of the funds would be used to renovate the old jail.

I) The reasoning behind why the Recreation Department and the Technology Plan was not funded as requested.

J) The Five Year Capital Improvement Plan and the Vehicle Equipment Replacement Plan.

K) Public Integrity and Trust, and the importance the Board, staff and he places on integrity and trust. He said he has an open door policy, and that Mr. McHugh could have come to him at any time from January to May discuss the issues he raised.

L) The employee Health Plan.

M) Employee morale.

N) How Mr. McHugh was trying to do linear math with pension plans, when pension plans are actuarial based. He agreed with Mr. McHugh that the ACCG Actuarial Tables and the assumptions the ACCG Defined Benefit Plan used were bad, but that he had not met a plan that would let him change their assumptions.

O) The "Transfer Interfund Operations".

P) That Clerk of Court Sheila Studdard did lower her jury witness fees, and she did so in conjunction with working with the Superior Court judges.

Q) The aging Public Works equipment and fleet, but while the County may have $12 million worth of expense that is vehicles and equipment, the county also has $5 million funded to pay for it.

Mr. Rapson closed his reply saying that in Fiscal Year 2013, Fayette County spent $6 million in fund balance just so its checks would clear, and that when $6 million is used out of fund balance there is a problem. He said the option is to either raise property taxes or reduce spending, and the Board chose to make some hard decisions. He said it is the same type of decisions Fayette's residents have been making for the past five or six years, and the decision was to reduce spending. He explained the reductions were a collaborative effort made up of elected officials, Constitutional Officers, the Justice System and County management. He said everyone came together and made hard decisions, and that the decisions were made publically and with complete transparency. He explained that the changes that were put into place for Human Resources, financial policies, the retirement plan, and the medical plan will impact all future years. He told the Board that his focus was to do what was in the best interest of Fayette County by using a three-to-four year outlook and by focusing on implementing best practices. He said this approach made making those hard decisions a lot easier. Mr. Rapson reported that the Fiscal Year 2014 budget was balanced, and it was done so without using fund balance, without a property tax increase, and without reductions in service delivery. He added that the budget was also balanced including the one-time incentive salary adjustment. He thanked Chief Financial Officer Mary Parrott, Budget Officer Sergio Acevedo, the Finance staff, and the Constitutional Officers. He said the management team had accomplished this budget over the last five months, and that while there was still work to be done, it was a good start. A copy of a transcript detailing Mr. Rapson's comments, identified as "Attachment 5", follows these minutes and is made an official part hereof.

**Chief Financial Officer Mary Parrott:** Chief Financial Officer Mary Parrott replied to a concern that Mr. McHugh addressed during his comments. She said she understood Mr. McHugh to say that the County did not know that it had $2.38 million and that he could have taken the money and left. She said she begged to differ since the $2.38 million was in the County's bank account. She said the issue is that it was in a different fund since it is associated with the Bond Issue of the Criminal Justice Fund. She said it was not in that fund, but it was a fixed asset fund. She concluded that the funds were moved to the right place, that they were not lost, and that the County actually reconciles its cash every day.

**County Administrator Steve Rapson:** County Administrator Rapson added that the county would issue a press release after the meeting, since Moody's in New York City had indicated that they wanted to review the County's bond rating in order to reaffirm the bond rating. He reported that Moody's actually had reaffirmed the County at an Aa Bond Rating with a positive outlook. He read a portion of the letter to the Board, and explained Moody's rational for why Fayette County was rated the way it is rated. He concluded that the County had missed an Aaa Bond Rating based on the deficit budgeting that has occurred in the last

few years. He stated the letter from Moody's would be shared with the press at the end of the meeting as well. Copies of the consulting letter, research document, and press release, identified as "Attachment 6", follow these minutes and are made an official part hereof.

**Commissioner Oddo:** Commissioner Oddo commented that there were some concerns expressed about the lack of transparency from this Board. He pointed out that there had been almost two hours of talking about what was going on in Fayette County, and that it signified that the County was pretty transparent.

Commissioner Ognio moved to approve the Fiscal Year 2014 budget as it stands. Commissioner Barlow and Commissioner McCarty seconded the budget.

**Commissioner Ognio:** Commissioner Ognio pointed out that Mr. McHugh made a great point to do away with the Defined Benefit Program toward the end of his speech, and that he basically made the case that a Defined Benefit Pension Program was unsustainable no matter how much money was thrown at it. He said he did not know how Mr. McHugh could be complaining about what the Board did to the plan, and that it was his opinion that the Defined Benefit Plan "needed to go". He explained that Mr. Rapson made changes that may save the Defined Benefit Plan; although that is yet to be seen. He said he wanted everyone to know that Defined Benefit Plans across the municipalities have gone bankrupt leaving no retirement plan for retirees.

**Commissioner McCarty:** Commissioner McCarty said that if a person retired on the Defined Benefits Plan, then the County would lose that person while paying a goodly portion of what he was making. And then that retired employee has to be replaced with someone else, and the County would have to pay that person as well. So there are two salaries going out while there is only one working person left. He said he was against the Defined Benefit Pension Plan from the beginning, and that the County Administrator had done an excellent job of resolving the issue the Board had with it.

**Chairman Brown:** Chairman Brown stated that if an entity got into intense deficit spending and into a retirement plan that Mr. McHugh indicated could not be afforded, that there was a name for it: the State of California and the City of Detroit. He said both entities have been run into the ground, and other entities across the United States are also running into the ground since they are bankrupt. He implied that Fayette County was different since it has created a balanced budget. Chairman Brown then spoke about the Stormwater Utility saying that he opposed "the wretched piece of ordinance". He reminded everyone that the Board held three Town Hall Meetings, and that several people recommended a Stormwater Special Purpose Local Option Sales Tax (SPLOST). He said the County was looking at the issue and that the SPLOST was proposed for two years in order to raise money to fix the problems. Chairman Brown commented on how previous Boards did not replace vehicles unless they fell apart or crashed. He thought it was hypocritical for someone to criticize the Board for saying "We're making vehicles go a little longer on mileage" when the previous Boards did not replace any vehicles to the point that there were sixty vehicles requested to be replaced in one year. He said that practice was bad and negligent. Chairman Brown invited Mr. Hearn to look at previous budgets to see what deficit spending looked like. He also commented on how the recent Local Option Sales Tax (LOST) renegotiations unified the county and made everyone believe they had done something right, but that Mr. Hearn and Mr. McHugh were complaining about that. Chairman Brown responded to Mr. McHugh's comments by telling about how his wife attended the finest medical school in the world, and how those bills were paid for another ten to fifteen years. Concerning the Delta pilots, Chairman Brown thanked God for them saying many of them had served in the Air Force, Army, Marines, and the Navy, and many had flown combat missions. He said he was grateful for the Delta

pilots that Mr. McHugh did not like, and he thought they were wonderful people. Chairman Brown thought Mr. McHugh's point that Mr. Hearn and Mr. Horgan could not raise taxes like they wanted to in order to pay for deficit spending was foolish. He pointed out that the current Board made a promise to balance the budget, and the Board kept that promise. He agreed that County Administrator Rapson had asked to make the changes in a two year time span, but that the Board limited him to one year. He said the Board wanted to get the issue over with, and then move forward in a positive direction in future years. Chairman Brown closed his comments saying he appreciated people like Mr. Gardner who make their complaints, but who also contribute to the resolution of those complaints.

**Commissioner McCarty:** Commissioner McCarty said he was still "against the Stormwater", but it is a situation that was inherited and that has to be fixed. He stated that he was stuck with it, but the Board would devise the best way it could, with the public's help, on how to fix the problem.

County Administrator Rapson asked for the dollar amount of the budget to be read into the record before the Board made their vote.

**Commissioner Barlow:** Commissioner Barlow commented on the issues raised by Mr. Hearn and Mr. McHugh. He pointed out that Mr. Pat Hinchey, who was sitting in the audience, and Mr. Bob Ross had opposed the Defined Benefit Pension Plan for years. He recalled when Ms. Mary Holland made the comment that the county would spend millions of dollars more than an insurance plan was estimated to cost. He thought it was interesting that Mr. Hearn and Mr. McHugh kept complaining about how the County was not transparent, although it is the current Board who exposed what the previous Boards were doing. He continued that he videotaped the February 2013 budget meeting, and that the video is loaded onto YouTube for people to watch. He suggested that the video would show Mr. Krakeel "who staged one of the greatest financial frauds in my memory" when he set up the Early Retirement Initiative Program (ERIP) and stated "If you do what I suggest you do, we're going to save the County two million dollars." Commissioner Barlow said that was the biggest lie perpetrated on the citizens, and that was when he started campaigning to become a County Commissioner. He said he volunteered and was elected to listen to the people, but to listen to lies is not acceptable. He reminded everyone that he informed Mr. Hearn on the record, "God is not mocked. For whatsoever a man soweth, so shall he reap." He said he never heard Mr. Hearn discuss the budget in the three years that he videotaped the Commission meetings. He found it interesting that Mr. Hearn was coming up with "all this fine, wonderful, intellectual reasoning about the budget when I never, ever heard him say anything for the three years that I sat in these meetings and videotaped the meetings."

Commissioner Ognio amended his motion to approve Resolution 2013-14 adopting the Fiscal Year 2014 budget of $76,392,796. Commissioner Barlow seconded the amended motion. No discussion followed. The motion passed unanimously. A copy of the request and Resolution 2013-14, identified as "Attachment 7", follows these minutes and is made an official part hereof.

**PUBLIC COMMENT:**

**Roy Bishop:** Mr. Bishop said he lived on Westbridge Road and that he was glad that Public Works Director Phil Mallon was in attendance. He asked why the citizens were not given a progress report or perhaps a completion date on the work occurring on Westbridge Road. He asked if Mr. Mallon could put an end date on the project. He also asked why a 44-foot wide bridge was being built on a 24-foot road. Mr. Bishop continued that while he understood

the current Board's hands were tied with respect to some on-going construction projects; he did not think that someone who has already been voted out of office should be able to sign a long-term contract that is going to tie the next Board's hands.

County Administrator Rapson replied that he would provide Mr. Bishop the information he requested via email.

**Donald Fowler:** Mr. Fowler, a resident on Hood Road, asked for the Board's help concerning zoning issues. He briefly spoke about when the Board rezoned property for Pinewood Studios in March 2013, and how the Board said it did not want Pinewood Studios to develop into a small city. He then told of how the City of Fayetteville was trying to annex the property and surrounding areas, and how the City of Fayetteville wanted to rezone the annexed properties. Mr. Fowler explained that signs that were posted along the roads advertising the potential annexation and that the signs indicated that the properties would be rezoned from an R-70 classification to a C-70 classification. He continued saying that he attended two public hearings, and learned that the property was really going to be rezoned to a PCD classification. He said the City of Fayetteville has acknowledged the mistake, and that the city would have to re-advertise the rezoning issue and would have to correct its signs. Mr. Fowler then asked the Board to convey to the city that it opposes rezoning property near Hood Road to the PCD classification, and he asked the Board to try to provide relief for the homeowners along Hood Road. On a second concern, Mr. Fowler asked the County to look into the issue of heavy trucks using Sandy Creek Road as a "through-road" even though there were posted signs disallowing that use.

**Bob Ross:** Mr. Ross corrected his comments made during the Public Hearing portion of the meeting. He said he may have referred to a roster for the Fayette County Issues Tea Party, but that there is no roster. He said there is simply an email list that goes out, and that there are Democrats on the list, there are members of the Fayette County NAACP on the list, and that the roster is open to anybody and that he is happy to have everybody on the list. He repeated that there is no formal membership to the Fayette County Issues Tea Party. He also asked the Board if the County Administrator could give an analysis of the comments made about the "flight of all of our people because of all of the evils of the DP plan."

County Administrator Steve Rapson replied that the County has had maybe less than ten people who have left in the last five months that he has been at the County. He explained half of those who left wanted to go and work in the South Dakota oilfields, and about half of those people have come back to the County. He said the County has not seen a huge exodus in regards to positions, nor does the County have a problem filling vacancies. He repeated that he has not seen an exodus, and that he has approved every position that has been hired since he has been at the County, and that he thought there had been less than eight.

**Gene Key:** Mr. Key said he was a neighbor of Donald Fowler. He said there were fifteen families on Hood Road, and, if they knew what Mr. Fowler found out today, they would have been at the meeting to beg the Board to try to get some relief from the city. He said Mr. Fowler represented all fifteen families on Hood Road, and he wanted the Board to know that it was not just one man making a case. He said he appreciated the Board very much as it relates to the budget and that the Board had done a fine job. He said he had lived in Fayette County for forty years, and this was the first time in forty years that he really felt good about the group of Commissioners that Fayette County has. He said it was good that they were working together and working with the cities, and that is what was needed all this time. He said the Board had done what no other commission had done since he came to Fayette County forty years ago.

## CONSENT AGENDA:

Commissioner Ognio asked to table Consent Agenda Item 6 until the July 9, 2013 Board of Commissioners meeting. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously.

Chairman Brown asked to remove Consent Agenda Item 7.

Commissioner Oddo moved to approve the remaining items on the Consent Agenda, specifically Item Numbers 4 and 5. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously.

**4. Approval of the County Administrator's recommendation to enter into a Memorandum of Understanding between Fayette County and the City of Fayetteville for the Co-Location of Fayette County Ambulance at Fayetteville Fire Station 91. A copy of the request, identified as "Attachment 8", follows these minutes and is made an official part hereof.**

**5. Approval of staff's request to authorize Enviroprobe, LLC. to perform asbestos cleanup at 395 Oak Hill Drive, Fayetteville, in the amount of $6,787.00, to recover said funds by attaching a lien on the property, and to approve a Right of Entry Agreement which allows the County to access the property, assume responsibility for the cleanup, and to attach the lien for all associated costs. A copy of the request, identified as "Attachment 9", follows these minutes and is made an official part hereof.**

**6. Approval of staff's recommendation to award Bid #859 and Alternative Bid #2 to Tractor and Equipment Company, in the amount of $342,712.85, for the purchase of a Gradall XL4100 Wheeled Excavator with a 60" ditching bucket, 48" excavating bucket, and a tree limb shear, and authorization for the Chairman to sign any contract or related documents pertaining to this request.**

This item was tabled until the July 9, 2013 Board of Commissioners meeting. A copy of this request, identified as "Attachment 10", follows these minutes and is made an official part hereof.

**7. Approval of the May 23, 2013 Board of Commissioners Special Called Meeting Minutes, and the June 13, 2013 Board of Commissioners Meeting Minutes.**

Chairman Brown noted that some suggested changes were made by the Board for the June 13, 2013 Minutes, and that the suggested changes were not made prior to the minutes being distributed to the public. Chairman Brown then read the suggested changes into the record. Chairman Brown then made a motion to approve the May 23, 2013 Board of Commissioners Special Called Meeting Minutes and the June 13, 2013 Board of Commissioners Meeting Minutes as amended. Multiple seconds, including Commissioners Oddo and Ognio, were received. No discussion followed. The motion passed unanimously.

## OLD BUSINESS:

## NEW BUSINESS:

**8. Consideration of staff's recommendation to adopt Ordinance 2013-14 amending the Code of Ordinances for Fayette County, Georgia by establishing provisions pertaining to enforcement of County Ordinances, providing an effective date, repealing conflicting ordinances, providing for severability, and by promoting the public health, safety and welfare.**

Interim County Attorney Dennis Davenport pointed out that the Ordinance Number should read 2013-04 instead of 2013-14 as indicated on the Agenda.

Mr. Davenport explained that an oath had been written that was not in the draft ordinance presented to the Board, and he asked the Board's permission to amend the draft ordinance in order to include the oath. Mr. Davenport said the oath would be placed in the ordinance after Section 2-23; meaning there will be a Section 2-24 on the ordinance that contains the oath. Mr. Davenport then read the oath into the record.

Chairman Brown moved to approve staff's recommendation to adopt Ordinance 2013-04 and to include Section 2-24 as read by the Interim County Attorney. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously. A copy of the request, identified as "Attachment 11", follows these minutes and is made an official part hereof.

**9. Consideration of Commissioner David Barlow's recommendation of Ms. Cathy Berggren to fill an unexpired term on the Fayette County Board of Family and Children Services, with said term beginning June 27, 2013 and ending January 23, 2017.**

Commissioner Barlow thanked Ms. Berggren for sitting through such a long meeting. He then introduced Ms. Berggren to the Board saying she is the Executive Director of Real Life Center, an organization that has been serving the community for many years. He said the Real Life Center takes care of people that are often not heard of who struggle with physical or mental health, and who struggle with financial well-being. She recalled that Real Life Center serves about 420 families a month, and that the service was done out of charitable kindness and out of the good hearts of the citizens of Fayette County. He concluded by thanking God for people like Captain Pete Nelms and Ms. Berggren, and he invited Captain Nelms to say a few words about Ms. Berggren.

Captain Pete Nelms, who serves as Chairman of the Family and Children Service's (DFACS) Board, spoke how Ms. Berggren was a natural fit for the Board and how she brought a wealth of community resources with her that could be utilized by DFACS.

Ms. Berggren said it was her pleasure to serve on the Department of Family and Children Services Board. She told the Board that she has been a resident of Fayette County for many years, and it was an honor to help families. She informed the Board that she has an undergraduate degree in social work and a Masters in Public Administration. She stated, however, that what qualified her was growing up on a dairy farm, being the youngest of five girls, and learning to help each other. She said that is what the Real Life Center is all about; neighbor helping neighbor. She said she has had the privilege to help families who are going through hard times by offering a hand up, not a hand out. She concluded that she looked forward to working with DFACS Director Susan Boggs and the team at DFACS.

Commissioner Barlow moved to accept his recommendation to have Cathy Berggren fill an unexpired term on the Fayette County Board of Family and Children Services with said term beginning June 27, 2013 and ending January 23, 2017. Commissioner Ognio seconded the motion. No discussion followed. The motion passed unanimously. A copy of the request, identified as "Attachment 12", follows these minutes and is made an official part hereof.

**10. Consideration of Commissioner Allen McCarty's recommendation to reinstate County Employee Appreciation Picnics, on a bi-annual basis, beginning in 2013.**

Commissioner McCarty said one of the first things that he remembered well when he became a Commissioner was going to a picnic that was held for the County employees, and getting to talk with them, meeting with them, and getting their reactions. He said that he also remembered how down through the years in places where he has worked, that those employers would do things for their employees; and that everybody appreciated it. Commissioner McCarty said Fayette County has a fantastic staff, and the fact that the County discontinued showing appreciation to them is unacceptable to him. He proposed that the County reinstate this process, and to do it on a bi-annual basis.

Chairman Brown asked County Administrator Rapson how did the County stand on this issue from a budgetary perspective. Mr. Rapson replied that the proposal would be funded from the money set aside for this type of project in the budget. He added that a sub-committee would be formed in regards to how to go about doing the Employee Appreciation days. He concluded that he had already received some input from staff on the issue, and that the events were recommended to take place during cooler days rather than hotter days.

Commissioner McCarty moved to approve his recommendation to reinstate County Employee Appreciation Picnics, on a bi-annual basis, beginning in 2013. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously. A copy of the request, identified as "Attachment 13", follows these minutes and is made an official part hereof.

**11. Consideration of a request from the Fayette County Republican Party to authorize the County Clerk to recognize and certify the removal of Ms. Marilyn Watts as the Republican Representative on the Fayette County Board of Elections, and to recognize and certify the appointment of Ms. Claudia Eisenburg as the Republican Party's replacement on the Fayette County Board of Elections.**

This item was removed from the Agenda during the acceptance of the Agenda. A copy of the request, identified as "Attachment 14", follows these minutes and is made an official part hereof.

**12. Approval of the June 19, 2013 Board of Commissioners Special Called Meeting Minutes. Chairman Brown was not present for this meeting.**

Commissioner Oddo moved to approve the June 19, 2013 Board of Commissioners Special Called Meeting Minutes. Commissioner Ognio seconded the motion. No discussion followed. The motion passed 4-0-1 with Chairman Brown abstaining from the vote.

## ADMINISTRATOR'S REPORTS:

**Grand Opening of Lake McIntosh:** County Administrator Steve Rapson reminded the Board that June 28, 2013 was the grand opening for Lake McIntosh at 10:00 a.m. He invited those who could make it to go to the opening.

**Rescheduling of the July 11, 2013 Board of Commissioners Meeting:** County Administrator Steve Rapson reported that the July 11, 2013 Board of Commissioners Meeting had to be cancelled, and has instead been rescheduled to July 9, 2013. He explained that on July 9, 2013 there would be a meeting held at 5:30 p.m., which is a Joint Meeting between the City of Fayetteville and Fayette County, to discuss the Pinewood Annexation. He said following the 5:30 p.m. meeting, the Board of Commissioners would hold a second Official Meeting at 7:30 p.m.

## ATTORNEY'S REPORTS:

**Three Items for Executive Session:** Interim County Attorney Dennis Davenport reported that he had three items for Executive Session: two items involving Pending Litigation and two items to approve Executive Session Minutes from June 13 and June 19, 2013.

## COMMISSIONERS' REPORTS:

**Commissioner Barlow:** Commissioner Barlow apologized to Mrs. Mary Parrott for referring to her as Mary Holland during his previous comments. He said when he was videotaping those budget meetings, she was Mary Holland. He said it was an innocent error because he does know who Mrs. Parrott is. He said the Board was tickled pink to have her with the County.

**Commissioner McCarty:** Commissioner McCarty introduced his granddaughter who, despite her grandfather and mother and father being involved in television, was not encouraged to be in television--even though she was born in front of a television camera. He said she chose on her own to go to the Atlanta Art Institute where she is taking film production, editing and related courses. He pointed out that she brought her video camera and filmed tonight's meeting, and that her name is Jennifer.

**Commissioner Ognio:** Commissioner Ognio wished everyone a safe and happy 4th of July. He asked everyone to be careful since there may be drinking going on, and asked for everyone to be aware of what was around them.

**Commissioner Oddo:** Commissioner Oddo pointed out that he was married on July 4, 2013, and he wished his wife, Pily, a happy anniversary.

## EXECUTIVE SESSION:

**Three Items for Executive Session:** Chairman Brown moved to leave the regularly scheduled meeting and go into Executive Session. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

The Board of Commissioners recessed into Executive Session at 9:36 p.m. and returned to Official Session at 9:57 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 Affidavit. Commissioners McCarty and Barlow seconded the motion. No discussion followed. The motion passed unanimously. A copy of the Executive Session Affidavit, identified as "Attachment 15", follows these minutes and is made an official part hereof.

**Approval of the June 13, 2013 Executive Session Minutes:** Chairman Brown moved to approve the June 13, 2013 Executive Session Minutes. Commissioners Oddo and Ognio seconded the motion. No discussion followed. The motion passed unanimously.

**Approval of the June 19, 2013 Executive Session Minutes:** Chairman Brown moved to approve the Executive Session Minutes from June 19, 2013. Commissioner Ognio seconded the motion. No discussion followed. The motion passed 4-0-1 with Chairman Brown abstaining from the vote since he was absent from the June 19, 2013 Executive Session meeting.

**ADJOURNMENT:**

Commissioner Oddo moved to adjourn the June 27, 2013 Board of Commissioners meeting. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously.

The Board of Commissioners adjourned the June 27, 2013 Meeting at 9:58 p.m.

Floyd L. Jones, County Clerk

Steve Brown, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 9th day of July 2013.

Floyd L. Jones, County Clerk