Minutes

Board of Commissioners
May 22, 2014
7:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on May 22, 2014 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 Dennis Davenport, County Attorney

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Call to Order, Invocation, and Pledge of Allegiance

Chairman Brown called the May 22, 2014 Board of Commissioners meeting to order at 7:00 p.m.

Commissioner Barlow gave a PowerPoint presentation in honor of the Veterans of the United States and in recognition of Memorial Day. A copy of the PowerPoint presentation, identified as “Attachment 1,” follows these minutes and is made an official part hereof.

Commissioner Barlow introduced Senior Pastor Jim Thomas of Fayetteville First Baptist Church, and asked him to offer the Invocation. Pastor Thomas offered the Invocation.

Commissioner Ognio led the audience in the Pledge of Allegiance.

Acceptance of Agenda

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

PROCLAMATION / RECOGNITION:

1. Recognition of MOMS (Moms Offering Moms Support) Club of Fayetteville, Georgia.

Commissioner Barlow read the recognition of MOMS Club into the record. Ms. Becky Rosenberg and Ms. Sara Van Etten gave a PowerPoint presentation, and they spoke about the founding of MOMS Club and of its current work in Fayette County. Copies of the request and the PowerPoint presentation identified as "Attachment 2," follow these minutes and are made an official part hereof.

2. Recognition of the Southern Crescent Storytellers.

Commissioner Oddo read the recognition of Southern Crescent Storytellers into the record. Ms. Anne Wallace and another representative from the Southern Crescent Storytellers gave a PowerPoint presentation, and they spoke about the work and contributions of the storytellers. Copies of the request and the PowerPoint presentation, identified as "Attachment 3," follow these minutes and are made an official part hereof.

3. Recognition of Chinyere Njoku, Leah Banks and Noelle Parker for their state track championship win.

Chairman Brown recognized Chinyere Njoku, Leah Banks and Noelle Parker for their state track championship win. A copy of the request, identified as "Attachment 4," follows these minutes and is made an official part hereof.

4. Recognition of the Starr's Mill Girl's Tennis Team for winning the AAAAA State Tennis Championship.

Commissioner McCarty recognized the Starr's Mill Girl's Tennis Team for winning the AAAAA State Tennis Championship. Coach Ron Mann spoke on behalf of the Tennis Team and of the team's work toward winning the state championship. A copy of the request, identified as "Attachment 5," follows these minutes and is made an official part hereof.

5. Recognition of the Starr's Mill Economic Challenge Team for its third consecutive state championship win.

The Starr's Mill Economic Challenge Team had a scheduling conflict and was unable to attend the meeting. No action occurred for this item. A copy of the request, identified as "Attachment 6," follows these minutes and is made an official part hereof.

6. Recognition of Distribution Crew Leader Rodney Duncan, of the Fayette County Water System, who has been awarded as the Distribution Top Operator by the Distribution Systems Committee with the Georgia Association of Water Professionals.

Water System Director Lee Pope and Water Distribution Manager James Munster recognized Distribution Crew Leader Rodney Duncan, of the Fayette County Water System, who was awarded as the Distribution Top Operator by the Distribution Systems Committee with the Georgia Association of Water Professionals. A copy of the request, identified as "Attachment 7," follows these minutes and is made an official part hereof.

PUBLIC HEARING:

7. Consideration of Petition No. 1234-14, Victor Clincy, Clincy Enterprises, Owner, request to rezone property from R-20 Single-family Residential District to C-H Highway Commercial District to develop Office, Retail, or Educational Uses, with said property consisting of 0.423 acres, being located in Land Lot 168 of the 5th District, and fronting on Ellis Road.

Community Development Director Pete Frisina read the *Introduction to Public Hearings for the Rezoning of Property* into the record and introduced Petition 1234-14 to the Board. A copy of the *Introduction to Public Hearings for the Rezoning of Property*, identified as "Attachment 8," follows these minutes and is made an official part hereof.

Mr. Victor Clincy spoke to the Board about his request. No one spoke in favor of or in opposition to the request.

Mr. Frisina informed the Board that the Planning Commission voted to approve the petition with one condition and he read the condition into the record. The condition read as follows:

The owner/developer shall provide, at no cost to Fayette County, a quit-claim deed for 40 feet as measured from the centerline of Ellis Road prior to the approval of a Site Plan. (This condition is to ensure the provision of adequate right-of-way for future road improvements.)

Chairman Brown asked Mr. Clincy if he would acknowledge his acceptance of the condition, and Mr. Clincy replied that he accepted the condition.

Commissioner Oddo moved to approve Petition No. 1234-14, Victor Clincy, Clincy Enterprises, Owner, request to rezone property from R-20 Single-family Residential District to C-H Highway Commercial District to develop Office, Retail, or Educational Uses, with said property consisting of 0.423 acres, being located in Land Lot 168 of the 5th District, and fronting on Ellis Road. Commissioners Ognio and McCarty seconded the motion. No discussion followed. The motion passed unanimously. Copies of the request, Ordinance 1234-14, and Resolution 1234-14, identified as "Attachment 9", follow these minutes and are made an official part hereof.

CONSENT AGENDA:

8. Approval of staff's request to adopt proposed fee schedules for Tourist Accommodations and for Pawnshops, Dealers in Precious Metals and Gems, and Flea Market Operators.

Commissioner Ognio moved to approve staff's request to adopt proposed fee schedules for Tourist Accommodations and for Pawnshops, Dealers in Precious Metals and Gems, and Flea Market Operators. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously. A copy of the request, identified as "Attachment 10," follows these minutes and is made an official part hereof.

OLD BUSINESS:

9. Consideration of the April 9, 2014 Joint Meeting Minutes of the Fayette County's Board of Commissioners and the City of Fayetteville's City Council, and consideration of the April 10, 2014 Board of Commissioners Meeting Minutes. Commissioners McCarty and Ognio were not present for these meetings.

Chairman Brown pointed out that there was a scrivener's error on the April 9, 2014 minutes that was corrected and brought to the Board's attention.

Commissioner Oddo moved to approve the April 9, 2014 Joint Meeting Minutes of the Fayette County Board of Commissioners and the City of Fayetteville's City Council, and to approve the April 10, 2014 Board of Commissioners Meeting Minutes. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 3-0-2 with Commissioners McCarty and Ognio abstaining from the vote.

NEW BUSINESS:

10. Consideration of the Selection Committee's recommendation to appoint Major Anthony Rhodes, of the Fayette County Sheriff's Office, to Fayette County's Department of Family and Children Services Board to fill an unexpired term beginning May 15, 2014 and expiring June 30, 2016.

Commissioner Oddo moved to approve the Selection Committee's recommendation to appoint Major Anthony Rhodes, of the Fayette County Sheriff's Office, to Fayette County's Department of Family and Children Services Board to fill an unexpired term beginning May 15, 2014 and expiring June 30, 2016. Commissioner McCarty seconded the motion.

Major Rhodes thanked the Board for the opportunity to serve on Fayette County's Department of Family and Children Services Board.

The motion to approve the Selection Committee's recommendation to appoint Major Anthony Rhodes, of the Fayette County Sheriff's Office, to Fayette County's Department of Family and Children Services Board to fill an unexpired term beginning May 15, 2014 and expiring June 30, 2016 passed unanimously. A copy of the request, identified as "Attachment 11," follows these minutes and is made an official part hereof.

11. Approval of the May 8, 2014 Board of Commissioners Meeting Minutes. Commissioner Oddo was not present for this meeting.

Commissioner McCarty moved to approve the May 8, 2014 Board of Commissioners Meeting Minutes. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 4-0-1 with Commissioner Oddo abstaining from the vote.

PUBLIC COMMENT:

Frank Gardner: Mr. Frank Gardner commented that the Fayetteville Class of 1954 just held a class reunion, and he spoke about the changes in the ensuing sixty years since that time. He spoke about how much Fayette County meant to him. He also asked about Lake Peachtree, and he asked if the County was responsible for its repair. Chairman Brown replied to Mr. Gardner's question about the lake.

Eric Brown: Mr. Eric Brown asked when the County would have information on Lake Peachtree. County Administrator Steve Rapson replied that he would address the matter under Administrator's Reports.

Pastor Wiggins: Pastor Wiggins said he had a church by the bowling alley in Fayette County, and that the church was interested in holding a basketball tournament in order to get the kids involved with something throughout the summer. He asked if there was a way to have a park donated to facilitate the tournament. Chairman Brown suggested that Pastor Wiggins contact County Administrator Steve Rapson and Recreation Director Anita Godbee on the matter.

ADMINISTRATOR'S REPORTS:

Public Facilities Authority: County Administrator Steve Rapson stated that there are more appointments to be made to the Public Facilities Authority and that a Selection Committee needed to be established. Chairman Brown and Commissioner Oddo agreed to be on the Selection Committee with the Public Facilities Authority.

Department of Family and Children Services: County Administrator Steve Rapson informed the Board that another appointment needed to be made to the Department of Family and Children Services Board, since Karen Spangler's appointment is expiring, and he asked for a Selection Committee to be established for that appointment. Chairman Brown and Commissioner Barlow agreed to serve on the Selection Committee for this appointment.

Chairman Brown said there was discussion about adding an additional member and he asked what the verdict was on adding additional members. County Attorney Dennis Davenport reported that there is more to the issue of adding additional members to the Department of Family and Children Services Board. He said he was talking to the Director of the Family and Children Services, reviewing the handbook, and reviewing state law in order to provide an answer to the Board. Chairman Brown asked, since it will take about thirty days, and in the event that two additional members can be added, should it just be made known that the Selection Committee will select the additional two members so that there is not a third called interview process. Mr. Rapson replied that the County would have to re-advertise for the two new positions since it just advertised for the one position whose term is expiring. He recapped that the County needed to research whether the DFCS Board could be expanded to seven members, and that the County Attorney was doing that research. County Attorney Davenport added that even if the numbers of members on the DFCS Board could be expanded that the positions were likely job-specific positions, meaning they must be from law enforcement or other related fields.

Chairman Brown acknowledged that this issue was more complex than he first understood, and he agreed to advertise for one position and to reconsider advertising for the potential two additions to the Board at a later time.

ACCG Internship Grant Awards: County Administrator Steve Rapson informed the Board that the County had won three grants from the Association of County Commissioners Georgia: 1) Environmental Management for a GIS Project, 2) Finance Department for a Financial Analyst, and 3) Board of Commissioners for Public Art. He stated that the total award was nearly $5,000.00. He mentioned that the Chairman would have to sign the paperwork for those internships.

Lake Peachtree: County Administrator Steve Rapson updated the Board saying the county currently has its Engineer of Record, CH2M Hill, working with Golder Associates, who are conducting an analysis. He said the County had a preliminary meeting with the Environmental Protection Division (EPD) and Safe Dams, and they are going to review the work that has already been done by Piedmont Associates and that the review may take about three weeks to complete. He stated that during that three-week period of time, the EPD may be releasing a reclassification letter, and if they do issue the reclassification letter then the County will have a 45-day window to make a final determination. He recapped that the County could have an idea of where it is headed with the work at Lake Peachtree within three weeks but that the effort could take as long as sixty days. He told the Board that he updated Peachtree City Manager Jim Pennington about this matter earlier in the afternoon, and he concluded that the County was continuing to move forward with the dredging work for Lake Peachtree.

Hood Avenue: County Administrator Steve Rapson acknowledged that there was debate on whether Hood Avenue was linked into the recent Fire Consolidation effort, and he wanted to walk through a timeline so everyone would know what occurred. He said the County was asked by the City of Fayetteville to conduct the analysis for fire consolidation, and the county did so. He said during the final hours of completing the fire consolidation analysis, prior to meeting with elected officials, one of the things that came up was that there was $1 million in Fire Impact Fees that were set aside for the City of Fayetteville for its fire services. He stated that if consolidation had occurred, then the city would have to give the County the $1 million. Mr. Rapson said Chairman Brown suggested that if consolidation did occur, and in an effort to make the City of Fayetteville whole from the citizens' perspective, that Fayette County could give the city $1 million for Hood Avenue. He mentioned that the County had received a request from the City of Fayetteville for additional funding for Hood Avenue. Mr. Rapson reminded everyone that Hood Avenue was one of the original Special Purpose Local Option Sales Tax (SPLOST) projects, and that it was made up of two components. He said about $1.8 million was allocated to the Hood Avenue project for its two components, however, in December 2010, the previous County Administration entered into an Intergovernmental Agreement with the City of Fayetteville to increase those funds by approximately $6 million, allocating a little less than $7.8 million to the Hood Avenue project. He stated that the Intergovernmental Agreement clearly delineated that any additional cost overrun would belong to the City of Fayetteville. Mr. Rapson stated that on January 20, 2014, the County received a letter from Fayetteville Mayor Greg Clifton requesting that the County contribute another $952,000.00 for the project, and that is likely how the Chairman thought of the possibility of swapping the fire funds that the County would receive for funding to the Hood Avenue project. He stated that this matter was never linked where, if the fire consolidation effort failed, the money would be withheld from the city for the Hood Avenue project. He stated that it was a comprehensive look at how the County would resolve some other issues the City of Fayetteville would have due to consolidation. Mr. Rapson stated that Hood Avenue is still one of the projects that staff is evaluating in how the remaining $29 million in SPLOST funds are utilized. He mentioned that the County has about $168 million in projects that remain that have not been billed. He added that there were no formal commitments one way or another between the County and the City of Fayetteville concerning Hood Avenue, but that this matter was based off of a comprehensive review. Mr. Rapson then read the following portion of the Intergovernmental Agreement between Fayette County and the City of Fayetteville: *The city agrees that it will complete the entire project that this subject [Hood Avenue] of this agreement should the cost of the acquisition of right-of-way, construction materials, and labor exceed $7,774,344.00, the city shall pay for any of these additional*

costs. Mr. Rapson stated that the mayor's letter requested $627,000 for right-of-way acquisition and another $325,000.00 for construction, but part of the reason the County has not moved forward on Hood Avenue is because it is abiding by the Intergovernmental Agreement.

Chairman Brown added that had the Fire Consolidation effort has passed, meaning the City had to hand approximately $1 million in Fire Impact Fees to the County, then the County's intention was to not leave the City of Fayetteville in a lurch. He said the intention was to make the consolidation proposal as fair as possible. Mr. Rapson replied that the decision would have rested with the Board of Commissioners, meaning it did not matter what the Chairman said at that point.

Memorial Day: County Administrator Steve Rapson informed the Board that the County was going to minimum staffing at 1:00 p.m. in recognition of Memorial Day.

ATTORNEY'S REPORTS:

There was no Attorney's Report.

COMMISSIONERS' REPORTS:

Commissioner Ognio: Commissioner Ognio congratulated Chairman Steve Brown for his reelection to the Fayette County Board of Commissioners. He also congratulated the high school students who are graduating and entering a new part of their lives.

Commissioner Barlow: Commissioner Barlow asked Reporter Ben Nelms of *The Citizen* newspaper if he took copious notes during Mr. Rapson's report on Hood Avenue so that an article could be written that would alleviate recent misunderstandings.

Commissioner McCarty: Commissioner McCarty addressed the Southern Crescent Storytellers by telling of his chance meeting with Jerry Reed and Ray Stevens and the origin of the song *Olds-Mo-Williams*.

Commissioner Oddo: Commissioner Oddo congratulated Chairman Brown and the other candidates who won their elections. He also congratulated the other candidates who did not win since it takes guts to stand for what you believe but come up short. Commissioner Oddo spoke about his mother-in-law's illness and recent passing, and he said that his family greatly appreciated the prayers that were offered on her and his family's behalf. He thanked everyone for their understanding and prayers.

Chairman Brown: Chairman Brown thanked everyone for congratulating him, and he thanked the number of volunteers who helped him with his campaign. He said one of the most humbling experiences he had was seeing three volunteers waiving for three hours in the pouring rain along Highway 74 holding his campaign signs. He said it was very humbling to have people who think that much of you to do something like that, and that it meant a lot to him. He wished the other candidates well and wished them well in their future endeavors. He mentioned that he has worked on the interchange at Highway 74 and Interstate 85 since 2002, and that his reelection meant that he might actually see the project completed. He said he was working on getting the right-of-way money, and he hoped the project would be completed before he left office. He congratulated the graduates and mentioned his daughter was among the graduating class. He asked for prayers for his daughter as she enters the newest phase of her life. He also congratulated the City of Fayetteville and the City of Peachtree City which were recently ranked as among

the top ten places to live in the State of Georgia. He thought it was great to know that the people were living in a county that has continually been recognized as one of the most quality and family-friendly places to live. He said many places talk about quality of life, but that Fayetteville and Peachtree City have the awards to prove it.

EXECUTIVE SESSION:

There was no Executive Session.

ADJOURNMENT:

Commissioner McCarty moved to adjourn the May 22, 2014 Board of Commissioners meeting. Commissioners Barlow and Ognio seconded the motion. No discussion followed. The motion passed unanimously.

The May 22, 2014 Board of Commissioners meeting was adjourned at 8:00 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 12th day of June 2014.

Floyd L. Jones, County Clerk