

BOARD OF COUNTY COMMISSIONERS

Charles W. Oddo, Chairman
Randy Ognio, Vice Chair
David Barlow
Steve Brown
Charles D. Rousseau



FAYETTE COUNTY, GEORGIA

Steve Rapson, County Administrator
Dennis A. Davenport, County Attorney
Floyd L. Jones, County Clerk
Tameca P. White, Chief Deputy County Clerk

140 Stonewall Avenue West
Public Meeting Room
Fayetteville, GA 30214

ACTION AGENDA

November 12, 2015
7:00 p.m.

Welcome to the meeting of your Fayette County Board of Commissioners. Your participation in County government is appreciated. All regularly scheduled Board meetings are open to the public and are held on the 2nd and 4th Thursday of each month at 7:00 p.m.

Call to Order

Chairman Oddo called the November 12, 2015 Board of Commissioners meeting to order at 7:03 p.m.

Invocation by Commissioner David Barlow

Commissioner Barlow asked each of the veterans in the audience to stand and be recognized. He then recited the Lord's Prayer as the Invocation.

Pledge of Allegiance

Commissioner Barlow led the Board and audience in the Pledge of Allegiance.

Acceptance of Agenda

Commissioner Barlow moved to accept the Agenda. Commissioner Ognio seconded the motion. No discussion followed. The motion passed 5-0.

PROCLAMATION/RECOGNITION:

1. Recognition of the winners of the Sixth Annual Pumpkin Carving Contest.

Commissioner Brown and Mrs. Vicki Turner, representing the Public Art Committee, Mr. Blaze Shermom of Saville Studios, and the Board recognized the winners of the Sixth Annual Pumpkin Carving Contest.

2. Recognition of Coach Cepada Cloud of Whitewater High School, Girl Scout Troop #15017, and Blaze Shermom for placing first, second and third place, respectively, and recognition of the Honorable Mention winners in the Fayette County Scarecrow Contest.

Commissioner Brown and the Board recognized the winners and of Fayette County Scarecrow Contest.

3. Recognition of Lina Martin for the Arts Civic Award, Lori Thomas for the Arts Educator Award, and Kathleen Senger for the Performing Arts Award.

Commissioner Barlow recognized Ms. Kathleen Senger for winning the Performing Arts Award. Commissioner Rousseau recognized Ms. Lina Martin for winning the Arts Civic Award. Commissioner Brown recognized Ms. Lori Thomas for winning the Arts Educator Award. The Board collectively recognized each winner.

4. Recognition of the Extension Office's newest graduates of the Wildlife Gardener Program.

County Extension Agent Kim Toal and the Board recognized the newest graduates of the Wildlife Gardener Program.

5. Recognition of winning second place at the State Wildlife Judging Competition by the Fayette County 4H Wildlife Judging Team.

4H Agent April McDaniel and the Board recognized the second place winners of the State Wildlife Judging Competition.

PUBLIC HEARING:

There were no items of Public Hearing on the Agenda.

CONSENT AGENDA:

Commissioner Ognio moved to approve the Consent Agenda. Commissioner Brown seconded the motion. No discussion followed. The motion passed 5-0.

- 6. Approval of staff's recommendation to enter into a three year contract with Georgia Administrative Services to serve as third party workers compensation administrator for the County with said contract becoming effective on January 1, 2016 in an annual amount of \$15,000.00, to authorize \$1,500.00 for a one-time data conversion fee, and to authorize the Chairman to sign all necessary documents.**
- 7. Approval of staff's recommendation to add River Park Phase 1B subdivision to Fayette County's Street Light Program.**
- 8. Approval of the disposition of tax refunds, in the aggregate amount of \$1,595.53, as recommended by the Tax Assessor's Office.**
- 9. Approval of a recommendation from the Selection Committee, comprised of Commissioners David Barlow and Steve Brown, to appoint Charles McCollum to the Fayette County Recreation Commission for a four-year term beginning August 31, 2015 and expiring September 1, 2019.**
- 10. Approval of the October 22, 2015 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

There were no items of Old Business on the Agenda.

NEW BUSINESS:

11. Consideration of Chairman Oddo's recommendation to adopt a Water Franchise Agreement between Fayette County and the City of Peachtree City.

Chairman Oddo asked County Administrator Steve Rapson to brief Board on the recommendation. Mr. Rapson provided a 25-minute PowerPoint presentation on the Water Franchise Agreement. The presentation focused on a historical overview, a work timeline, the present problem with the spillway, the process on how the recommended agreement was negotiated, and highlights of the recommended agreement. It was pointed out that the recommended agreement was based off the 1966 agreement and six existing amendments. During the presentation, it was also pointed out that the recommended agreement did not pertain to the "lagoon" located directly north of Lake Peachtree across from State Route 54.

Chairman Oddo opened the floor to public discussion on this item. Mr. Terry Williamson, Ms. Pamela Kemp, and Mr. Frank Gardner commented on this request and Mr. Rapson answered their questions.

No other citizen commented on this recommendation.

Chairman Oddo moved to adopt the Water Franchise Agreement between Fayette County and the City of Peachtree City. Commissioner Barlow seconded the motion. Lengthy discussion followed. The motion passed 4-1 with Commissioner Brown voting in opposition.

12. Consideration of the Environmental Health's recommendation to amend the Fayette County Code of Ordinances by adopting Ordinance 2015-14, and in so doing creating a new Section 14-1 pertaining to "Payment of Fees," in Article I of Chapter 14.

County Manager of the Fayette County Health Department Robert Kurbes briefed the Board on the recommendation.

Commissioner Brown moved to amend the Fayette County Code of Ordinances by adopting Ordinance 2015-14, and in so doing create a new Section 14-1 pertaining to "Payment of Fees," in Article I of Chapter 14. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 5-0.

13. Consideration of staff's recommendation to approve funding of \$217,937.00 of the Solid Waste Fund; which includes an additional NTE \$13,324.00 to the Jacobs Engineering Group Inc. and authorize the Chairman to sign any necessary documents for the purpose of constructing a new inert landfill.

Environmental Management Director Vanessa Birrell reported that in February 2014 she asked the Board to approve the design and permitting process with the Environmental Protection Division (EPD) for an inert landfill. She stated there was a Public Hearing conducted in 2015 for the landfill and the county received an approved design and operation plan during the summer. She asked for the funding to construct the inert landfill. Discussion followed.

Commissioner Barlow moved to approve funding of \$217,937.00 of the Solid Waste Fund; which includes an additional NTE \$13,324.00 to the Jacobs Engineering Group Inc. and authorize the Chairman to sign any necessary documents for the purpose of constructing a new inert landfill. Commissioner Ognio seconded the motion. No discussion followed. The motion passed 5-0.

14. Consideration of the Public Art Committee's renovation recommendations to the county staff's break room.

Commissioner Brown briefed the Board on the Public Art Committee's recommendation.

Commissioner Brown moved to approve the Committee's renovation recommendations to the county staff's break room at a cost of \$3,787.00. Commissioner Barlow seconded the motion. Lengthy discussion followed.

Commissioner Rousseau amended the motion to authorize the funding for the project and to take it out of the general fund contingency. Commissioner Barlow seconded the amendment.

The motion to approve the Committee's renovation recommendations to the county staff's break room at a cost of \$3,787.00 and for the funding to be utilized from general fund contingency passed 5-0.

The Board took a short recess from 9:58 p.m. until 10:02 p.m.

15. Consideration of the Public Art Committee's recommendation to approve an agreement between Fayette County and various local artists to complete an art project consisting of county staff photos to be used for the Human Resource's Department Mural.

Commissioner Brown briefed the Board on the Public Art Committee's recommendation.

Commissioner Brown moved to approve an agreement between Fayette County and various local artists to complete an art project consisting of county staff photos to be used for the Human Resource's Department Mural. Commissioner Ognio seconded the motion.

Ms. Donna Thompson commented on this recommendation. Lengthy discussion followed.

Commissioner Brown withdrew his motion to approve the agreement.

Commissioner Brown moved to bring the agreement back at a future meeting at which time the language is ready and for the agreement to be changed stating the Public Arts Committee will bring forward a final rendition draft to the Board of Commissioners for approval. Commissioner Ognio seconded the motion. Discussion followed. The motion passed 5-0.

16. Consideration of proposed revisions to Policy No. 210-07 Grant Management.

County Administrator Steve Rapson briefed the Board on the proposed revisions to Policy No. 210-07 Grant Management.

Commissioner Brown moved to approve the revisions to Policy No. 210-07 Grant Management. Commissioner Barlow seconded the motion. Brief discussion followed. The motion passed 5-0.

PUBLIC COMMENT:

Mayor Greg Clifton: Fayetteville Mayor Greg Clifton said there was a lot of discussion of public art at the meeting and he stated that the city was getting a new mural installed at the north end of the city square. He added that he liked the picture that was displayed in the Administration Office and he was glad to see more attention to public art. Commissioner Barlow asked if there was a contract for the mural and Mayor Clifton said he thought was but he was unsure. Chairman Oddo thanked Mayor Clifton for his work and service for the City of Fayetteville.

Bob Ross: Mr. Ross said it was interesting to hear the discussions about public art and of the various permissions required around the world to take pictures. Mr. Ross then spoke for approximately 16 minutes about the voting process in Fayette County and of the ongoing litigation and mediation. He stated that at some point the County may be asked to agree to mediation and he pointed out that the citizens need time to provide input and to hear about the potential mediation settlement. He stated that Mr. John Jones and the Fayette County NAACP is not the enemy although stereotypes are. He thought the lawsuit was the wrong lawsuit at the wrong time for the wrong reason. Mr. Ross then spoke in detail about recent elections that countered the NAACP's contentions. Mr. Ross then gave several recommendations of what should be included in the mediation process as it relates to the Board of Elections and voters in Fayette County. He urged the NAACP to withdraw its lawsuit and save its money and the County's money for legitimate issues.

ADMINISTRATOR'S REPORTS:

Update on Dredging Lake Peachtree: County Administrator Steve Rapson stated the County is in the process of draining Lake Peachtree. He explained that the County working with Peachtree City's Water and Sewer Authority (WASA) to add two 12" lines over the spillway in order to increase the drainage capacity. Commissioner Brown asked if the effort required approval from the Environmental Protection Division and Mr. Rapson replied it did not. He added that he and others went to the spillway and observed there is no movement of water meaning the spillway structure appears to be very much intact.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport notified the Board that he had one item of Pending Litigation and the review of the October 22, 2015 Executive Session Minutes for Executive Session.

COMMISSIONERS' REPORTS:

Commissioner Rousseau

Thanking People and Organizations for their Service: Commissioner Rousseau thanked the citizens for staying through the meeting. He said he was impressed by the research people have done on the issues. He stated that the public arts community should not leave with a belief that the Board undervalues its work and effort; however, there were procedural issues to be discussed. He thanked those who serve and have served in the military. He thanked Mayor Clifton and those who were elected and re-elected to office for their service. He congratulated the Board of Education for having the second highest graduation rate in the state. He thanked Birch Elementary and North Fayette Elementary for inviting him to visit and for the ability to see the fire department and personnel. He thanked the PTOs who serve the schools. He congratulated those who received awards earlier in the evening.

Commissioner Barlow

Rededication of the Veterans Memorial at Patriot's Park: Commissioner Barlow asked if the Veterans Memorial was being rededicated. Mayor Clifton replied that the Veterans Memorial located at Patriot's Park was being rededicated on Saturday, November 14, 2015. He said festivities would start early by reading the names of the fallen and ringing the bell. It was pointed out that 476 Fayette County veterans had been killed in defense of the nation throughout the nation's history.

McIntosh Trail Community Service Board: Commissioner Barlow stated he had been participating with the Sheriff's Academy which meets on Tuesdays and that conflicted with his time with the McIntosh Trail Community Service Board. He provided a packet of information of each Commissioner and said there is an elected official spot for the Board. He said he served on the McIntosh Trail Board for three years but did not want to leave the spot vacant.

Commissioner Brown

Response to Bob Ross: Commissioner Brown said he appreciated Mr. Ross's statistics that he provided during public comment.

Response to Mayor Clifton: Commissioner Brown thanked Mayor Clifton for his service, said he enjoyed working with the mayor, and thanked him for all he has done. He said Mayor Clifton put a lot of his life into his service and he thanked the mayor for his work.

High School Basketball Season: Commissioner Brown stated that high school basketball season was his favorite season and he missed the game between Whitewater and McIntosh High Schools. He predicted that McIntosh High School would win the State Championship since they did not lose a single game all the way up to the third round of the state playoffs when the point guard broke his wrist on a slam dunk. He said the entire team is back this year and he quipped that the other teams should go ahead and forfeit this year.

Whitewater High School Meeting: Commissioner Brown said he met with Whitewater High School Principal Rabold and the PTO staff who were interested in participating in public art programs. He said it was a great discussion and he said the schools do a fabulous job. He said the parents make the Fayette County Schools work.

Water Franchise Agreement and Public Comment: Commissioner Brown stated that there was some disagreement on the Water Franchise Agreement and that there would always be disagreement on something. He said the agreement is much better than the one in 1966, that the vote was held, and it is time to move on to the next issue. He said he was really proud that everyone had the opportunity to speak. He said it was not done that way at the city meeting when many people wanted to speak and he took great pride that when people come to a Fayette County Board of Commissioners meeting they are able to address the Board before the vote occurs. He said Fayette County is one of the only counties throughout Georgia that allows that level of public comment.

Commissioner Ognio

Reflect on Thanksgiving: Commissioner Ognio said everyone needed to reflect on Thanksgiving and to thank those around them. He thanked the veterans and Mayor Clifton.

Public Arts Committee: Commissioner Ognio stated that the Public Art Committee had successful projects including the scarecrow contests and pumpkin carvings. He said people do not realize the amount of time those projects take and he said the citizens seem to really appreciate the effort.

Chairman Oddo

Water Franchise Agreement: Chairman Oddo stated the Water Franchise Agreement entailed a lot of honest and genuine effort on both sides. He said there were a couple of times when there was uncertainty whether or not the agreement would happen and that the process had its ups and downs. He thanked Peachtree City Mayor Vanessa Fleisch, Interim City Administrator Jonathan Rorie, City Attorney Andy Welch, the Peachtree City Council, the various engineers and experts, and to Mr. Steve Rapson and Mr. Dennis Davenport. He said the citizens should be proud of Mr. Rapson and Mr. Davenport as well as Water System Director Lee Pope. He thanked the Board of Commissioners for voting on the agreement.

Thanksgiving Holiday: Chairman Oddo wished everyone a very Happy Thanksgiving and he pointed out that this meeting was the only meeting scheduled for the month of November. He added that there is only one meeting scheduled for the month of December as well.

EXECUTIVE SESSION:

Pending Litigation and October 22, 2015 Executive Session Minutes: Commissioner Brown moved to go into Executive Session. Commissioner Ognio seconded the motion. No discussion followed. The motion passed 5-0.

The Board recessed into Executive Session at 11:15 p.m. and returned to Official Session at 11:26 p.m.

Return to Official Session and Authorization to Sign the Executive Session Affidavit: Commissioner Ognio moved to return to official session and for the Chairman to sign the Executive Session Affidavit. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 5-0.

October 22, 2015 Executive Session Minutes: Commissioner Ognio moved to approve the October 22, 2015 Executive Session Minutes. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 5-0.

ADJOURNMENT:

Commissioner Brown moved to adjourn the November 12, 2015 Board of Commissioners Meeting. Commissioner Ognio seconded the motion. No discussion followed the motion passed 5-0.

The November 12, 2015 Board of Commissioners meeting was adjourned at 11:27 p.m.