Minutes

Board of Commissioners
April 9, 2015
7:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met in an Official Meeting on April 9, 2015 at 7:00 p.m. in the Public Meeting Room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

Commissioners Present:	Charles Oddo, Chairman Pota Coston, Vice Chair David Barlow Steve Brown Randy Ognio
Staff Present:	Steve Rapson, County Administrator Floyd L. Jones, County Clerk Tameca P. White, Chief Deputy County Clerk Dennis Davenport, County Attorney

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Call to Order

Chairman Oddo called the April 9, 2015 Board of Commissioners meeting to order at 7:01 p.m.

Invocation by Commissioner Barlow

Commissioner Barlow asked Major Kenneth Koon, who is assigned to the 4th Brigade 94th Training Division, in the Army National Guard, to offer the Invocation. Commissioner Barlow stated that he met Major Coon through his involvement with the McIntosh Trail Community Service Board, and he stated that Major Koon is tasked with helping to prevent soldiers' suicides. Major Koon offered the Invocation.

Pledge of Allegiance

Chairman Oddo led the 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 unanimously.

PROCLAMATION /RECOGNITION:

1. Recognition of Andrew Fleming, a local 8-year-old, who will host an event to Fight Hunger on Global Youth Service Day 2015.

Chairman Oddo and the Board recognized Mr. Andrew Fleming and his work in hosting an event to Fight Hunger on Global Youth Service Day 2015. A copy of the request, identified as "Attachment 1," follows these minutes and is made an official part hereof.

2. Recognition of Fayette County's Master Gardener Extension Volunteers' work in 2014.

Chairman Oddo and the Board recognized Fayette County's Master Gardener Extension Volunteers. Extension Services Director Kim Toal and Ms. Sandra Edwards of Extension Services briefly spoke on the Master Gardener's contributions. A copy of the request, identified as "Attachment 2," follows these minutes and is made an official part hereof.

3. Proclamation of Earth Day and Fayette County's Earth Day Celebration on April 18, 2015.

Commissioner Barlow and the Board proclaimed Earth Day and Fayette County's Earth Day Celebration on April 18, 2015. A copy of the request, identified as "Attachment 3," follows these minutes and is made an official part hereof.

PUBLIC HEARING:

There were no Public Hearing items on the Agenda.

CONSENT AGENDA:

Commissioner Brown asked to remove Consent Agenda item #6.

Commissioner Brown moved to approve Consent Agenda items #4 and #5. Commissioners Barlow and Coston seconded the motion. No discussion followed. The motion passed unanimously.

4. Approval of a request from Clerk of Court Sheila Studdard for an additional $32,300.00, for jury scripts, with said funding to be utilized from the fund balance. A copy of the request, identified as "Attachment 4," follows these minutes and is made an official part hereof.

5. Approval of the disposition of tax refunds, in the amount of $123.56, as recommended by the Tax Assessor's Office. A copy of the request, identified as "Attachment 5," follows these minutes and is made an official part hereof.

6. Approval of the March 26, 2015 Board of Commissioners Meeting Minutes.

Commissioner Brown stated that he would like to have some adjustments to the minutes under the Commissioners Comments portion of the minutes.

Commissioner Brown moved to table the approval of the March 26, 2015 Board of Commissioners Meeting Minutes until the April 23, 2015 Board of Commissioners meeting. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously.

OLD BUSINESS:

7. Consideration of Commissioner Brown's request for the Board of Commissioners to approve all policy and procedure changes by official votes during Board of Commissioner's meetings. This item was tabled at the March 26, 2015 Board of Commissioners meeting.

Commissioner Barlow moved to deny Commissioner Brown's request. Commissioner Ognio seconded the motion.

Commissioner Brown read the following letter (provided in italics) into the record:

When I emailed this agenda request on accountability and transparency for county policies and procedures back on March 6, the only piece of back-up information that I asked staff to place in the packet was a copy of 2013 Board of Commissioners Retreat Minutes. Unfortunately, the retreat minutes were excluded from our meeting packets, and I am a little frustrated because of that.

The April 5, 2013 Retreat minutes clearly state, ***"Administrator Rapson suggested that these types of policy and procedure amendments would not have to come to the Board in the future, and he recommended that these types of changes could be implemented when both the County Administrator and the Human Resources Director agree on a policy change. He suggested that the practice would be that the proposed changes would be emailed to the Board, and if any one Commissioner had a problem with the proposed changes then the issue would be placed on the next available agenda for consideration."***

This is an important statement that gives the citizens the context of the vote taken at the meeting following on April 25, 2013 which was nothing more than a consent agenda item. You can see why I wanted the retreat minutes included.

With great hesitation, I agreed to the new scheme of allowing the staff to make adjustments to policy and procedures given the accountability requirements provided by the County Administrator.

This new arrangement caused problems almost immediately and I began complaining to the County Administrator and my colleagues on the Board, but the issues were never resolved. I also let Commissioner Coston know my concerns after she was elected.

The Board of Commissioners is ultimately responsible for the policies and procedures as well as keeping county staff accountable. The Board was truly working in the dark, as I had been four years in office and never had a copy of the county's Policy and Procedures Manual.

The Board was not voluntarily given copies of proposed policy and procedure changes as promised. On two occasions, I asked for copies of changes that were referenced in a weekly County Administrator email. One was red-lined and I was told there was not a red-lined version of the second one.

We were promised if ***"one Commissioner had a problem with the proposed changes then the issue would be placed on the next available meeting agenda for consideration."*** *On several occasions, I asked for changes to be placed on a meeting agenda, but was told by the County Administrator that the items would intentionally be kept off a public agenda because he had three commissioners behind the scenes telling him he could leave it off. Obviously, this is not what we agreed to and the backdoor polling gave me great heartburn.*

Sometimes, actions were taken where there was no policy or procedure allowing the act. Granting across-the-board additional paid holiday time-off for employees has always been the domain of the Board of Commissioners.

When the County Administrator began granting additional paid holiday time-off without an official vote from the Board of Commissioners and without budgeted approval, two of us on the Board began complaining bitterly. Again, the response back from the County Administrator was he had determinations from three Commissioners behind the scenes saying he did not have to put the matter on an agenda and the additional paid holiday time continued for two years.

In late 2014, after much badgering, the County Administrator gave me a draft policy on additional paid holiday time that essentially said that he could do whatever he wanted to do. I rejected the draft and I asked that additional paid holiday time be on public meeting agenda.

Fees for entering the parks at our lakes, again, always the domain of the Board of Commissioners, were changed without a public vote. I do not like the plan that was put forth.

The backdoor polling needs to be stopped once and for all and the Board of Commissioners should always vote on, via their fiduciary responsibility to the taxpayers, paid holiday time, park fees and other financial matters in a regularly scheduled public meeting.

The county's auditors, Nichols, Cauley and Associates, made it clear in the December 23, 2014 advisory letter that internal accounting control objectives are vitally important. The auditors say, ***"It is generally recognized that the Chairman, Commissioners, County Administrator, and department heads have the primary responsibility of creating, implementing and policing the system of internal control."*** *The auditors go on to say,* ***"Since the majority of Commissioners are not experienced in the day to day operations of a county, it is management's responsibility to recommend specific internal controls or procedures <u>for their review and approval</u>."*** *Again, this is the experts saying the Board needs to be in control of policies and procedures.*

In conclusion, we need to ask ourselves why would we would engage in a process that keeps vital document changes from public exposure. What do we have to hide? The Policies and Procedures Manual is subject to the Open Records Act, so why behave in a manner that keeps the citizens in the dark on changes?

The effort required to put such changes on an agenda is minuscule.

I have already publicly apologized in the newspaper for my approving the slanted process in the first place, and I apologize now. I am truly disappointed at how promises were not kept on accountability.

The staff must provide accountability to the citizens and the Board of Commissioners. I support transparency on changes made to our policies and our budget. And I hope, for the good of the county, we approve a change back to accountability and transparency. Thank you, Mr. Chairman.

Commissioner Ognio replied that the Board hired a County Administrator and gave him the tools to do his job, including the ability to make changes to policies and procedures. He said there was nothing to say the Board cannot review the policies and procedures since the Board has copies of the policies and procedures. He said if the Board did not like the policies or procedures then it could make a change. He added that if the citizens wanted to see the policies and procedures then they are available through the Open Records process. Commissioner Ognio said the Board was trying to make the policies and procedures process more efficient, and he recommended that if anyone looked at the last budget they would find the County is more efficient and is doing a better job for the citizens by saving taxpayers' dollars while being more responsible with the dollars. Commissioner Ognio said he understood Commissioner Brown's issues and he has made an offer to meet with Commissioner Brown to review all the policies to determine if there are changes they might like to see. He said he did not see the need for the County to go backward to how things were done a couple of years ago. Commissioner Ognio added that he has received emails on this matter but he had not received one email in support of Commissioner Brown's recommendation so he would vote no.

County Administrator Steve Rapson stated this issue started two years ago during the 2013 Board of Commissioners Retreat. He agreed with Commissioner Brown's reading of the April 5, 2013 Retreat Minutes, but he added that if one read further in the same Retreat minutes there is a statement that predicated where the authority was delegated. He read the following into the record from the April 5, 2013 Retreat Minutes:

The Board agreed to the proposed policy amendments and directed that the proposals be placed on the next available agenda for formal consideration. County Administrator Rapson suggested a delegation of authority to the County Administrator and Human Resources Director and Chief Financial Officer for these types of policy revisions, and said he would place such an item for the Board's consideration and approval at the April 25 meeting.

Mr. Rapson clarified that there was not a delegation of authority at the Retreat meeting as alluded to by Commissioner Brown, but rather the recommendation was forwarded to the subsequent agenda meeting held on April 25, 2013. He read that the agenda item read as follows:

Approval of staff's request to delegate the authority to amend Human Resources policies and procedures to the County Administrator and the Human Resources Director, and to delegate the authority to amend Finance policies and procedures to the County Administrator and the Chief Financial Officer.

Mr. Rapson said this was exactly what was talked about at the retreat, and he further pointed out that the Agenda Request Form included the following phrase:

Any policy and procedures will be sent via e-mail to all Board of Commissioners for their input prior to being implemented.

He emphasized that the procedure was approved by Board action and that Commissioner Brown did not like it at the time or now.

Mr. Rapson explained how the process works today the inference of shady practices implied against him and also his Human Resources Director and to his Chief Financial Officer that he did not want hanging out there. Mr. Rapson stressed that the Board unanimously approved these practices at the April 25, 2013 Board of Commissioners meeting. He explained that the Board's direction gave him and the Human Resources Director the ability to breathe life into a policy, and similarly, the Board's direction gives him and the Chief Financial Officer the ability to breathe life into a policy. Mr. Rapson explained that he has included another step, since policies are as good as the people who understand and follow the policy. He explained that as policies are reviewed they are red-lined, agreed upon by either the Chief Financial Officer or the Human Resources Director, and then discussed with the County Commission Chairman. Mr. Rapson pointed out that he had actually had a discussion earlier in the day with the Commission Chairman on a policy and that he had done the same with Commissioner Brown for the two years he was Chairman. Mr. Rapson continued explaining that any changes suggested by the Chairman are incorporated back into the document and are provided to his twenty-six department heads that batter the policy around, typically causing additional changes. He said the changes are then routed back through the process and that it is not until everyone is in agreement from a department head perspective that those policies are breathed into life. He stated that once they are breathed into life, the policies are reflected in the weekly update provided to the Board. Mr. Rapson added that the weekly updates he provides will reflect which policies are under review and once it is approved the weekly update reflects the approval. Mr. Rapson stated that when the approval reads that policy changes will be sent via email to the Board that the provision of the weekly updates is the vehicle of how the Board is notified by email. He said the process is still currently in place and that he took offense with some of the inferences made that things are intentionally left off or that there is collusion going on with three commissioners. Mr. Rapson said he does not operate that way, his department heads do not operate that way, and that the County does not operate that way. Mr. Rapson stated that he wanted to give a snapshot of how big the environment is that was being talked about stating there are a total of 106 policies that have been formally adopted. He said the policies are in policy books that have been provided to each Commissioner. He agreed with Commissioner Brown in that when they came to the County there was not a policy book that could be referenced. He said the polices were spread out throughout the County, they were inconsistent, and they contradicted each other internally between departments and contradicted the law. Mr. Rapson reiterated that when there is talk about approving a policy, it is not just about him and a department head getting together and approving a policy. He added that each policy is vetted through legal prior to approval, and that all the personnel policies are vetted through the legal experts who do nothing but employment law. Mr. Rapson said 106 polices were reviewed of which seven were brand new policies. Of the seven new policies, five were Information Technology related policies, one was a weapons policy and the remaining one was a parks policy that resulted from Board action. He mentioned that one policy was deleted pertaining to Health Benefits that went through the budget process and was eliminated after the budget process. Mr. Rapson replied that there are 42 other policies that have been revised. He said there were only two policies that Commissioner Brown had informed him of that he did not like. The first policy that Commissioner Brown told Mr. Rapson he did not like was the Board Appointments policy, which ironically enough, Commissioner Brown drafted. The second policy that Commissioner Brown stated he did not like was allowing employees to leave early. Mr. Rapson stated that the employees who are leaving early are wage-earning employees, not hourly

employees, and when employees leave the Department Head already has the authority to ratchet back wage-based staff. He explained that this measure allows the County to go to "skeleton staffing," and due to Commissioner Brown's insistence this was put into policy format. Mr. Rapson addressed the park fees concern saying it pertains to Water System's parks. Mr. Rapson stated that Commissioner Brown was the Chairman at the time the policy was approved, and he validated that it was the best approach at the time. Mr. Rapson stated he did not mind changes to policies or suggestions to change policies, but he wanted to make sure people understand that there is a logical and rational way to approve policies so that everyone is aware of the policy and everyone is on the same page with the policy.

Commissioner Brown stated that the Board did not approve the park policies but rather they were mentioned during Administrator's Reports during an October 2014 Board of Commissioners meeting. Mr. Rapson replied that he had mentioned it during the October 2014 Board of Commissioners meeting since he was taking the policy to the November 23, 2014 Water Committee meeting at which time it was ratified at the Water Committee meeting. Commissioner Brown pointed out that the policy was not voted on by the Board of Commissioners. Mr. Rapson replied that he understood what Commissioner Brown was saying, but that it was a compromise what was reached in Commissioner Brown's office. Commissioner Brown said he did not agree with it and that he had another proposal for the upcoming Board of Commissioners meeting to change the policy.

Commissioner Brown said he was not accusing anyone of ill intent since he would have to be inside of someone's head to know their intent. He said all he was saying was that there needed to be a process that is accountable. He said there needed to be an oversight process. He stated that a citizen in the audience would not know that policies and procedures could be changing on an almost daily basis and the citizen would have no idea since it does not happen in a public forum. He thought that was a problem, and he said that in many cases he does not know about the changes until after it has passed. He said there is a difference in how to approach things, and he said his approach is to err on the side of openness and transparency since everyone will be better off at the end of the day. Commissioner Brown stated that he has butted heads on this issue for more than a year and a half, and it is not the only thing he has butted heads on. He repeated that there needed to be more transparency and oversight, and that the citizens needed to see what is going on in their government.

Commissioner Barlow suggested that the Chairman needed to call the vote. Chairman Oddo replied that he had a motion to call the vote but that he had not had a chance to say anything. Commissioner Barlow withdrew his motion.

Commissioner Ognio stated that there was never a whole packet of policies and procedures, but now the Board has one thanks to Commissioner Brown who was Chairman at the time. He said it was a good thing now that there is a packet. He indicated that the Board can make changes to the policies if it wants to, but he added that he thought some of the personnel policies should not be deliberated in public since it could be bad for moral. He said the County has a Human Resources Department to keep things going right with personnel with proper policies. He added that the polices are available through the Open Records process, that the citizens are welcome to look at the polices, and he was unsure how to be more transparent on these matters. Commissioner Ognio again offered to sit down with any Commissioner and go over the policies to determine what changes might be made.

Mr. Rapson stated that there is a copy of the Policies and Procedures Manual available in the County Clerk's Office available for review just like there is for budget document.

Commissioner Ognio stated he was still not in favor of Commissioner Brown's recommendation.

Chairman Oddo stated that for the past two years he has been under the impression that if there were questions or issues that could easily be brought forward that he had never had a problem. He stated that Mr. Rapson has mentioned from time to time that it takes three Commissioners to pass something, but he has not seen a time where he has not asked all five Commissioners for their opinions. He said he did not think it could get better than that. Chairman Oddo stated he had not seen Mr. Rapson take sides in any issue even though he has not always agreed with the Board's decision. Chairman Oddo agreed that three Commissioners can make a final decision and that while the vote often is better than only three Commissioners agreeing, it does only take three to agree and there is nothing wrong with saying that. Chairman Oddo stated that there were suggestions of impropriety made no matter how it was phrased. He stated that nothing has changed from the previous two years to this year, and that he has never felt there was any transparency issue since he has never asked for anything or seen anyone ask for anything that was not provided immediately. Chairman Oddo agreed with Commissioner Ognio that if there are concerns with policies then the Commissioners can go through them similarly to how they review ordinances and other issues, and that the Board can change them if necessary. Chairman Oddo stated that this discussion really was on what degree the Board wants to manage staff. He said the Board had hired a professional group of people and they are performing admirably. He saw no reason for making the change recommended by Commissioner Brown since the way the County is functioning right now with the staff that it has, headed by Mr. Rapson, should make people proud. He repeated that there have not been any problems with transparency and if there are issues they can be brought up and discussed. He said he failed to see why the Board would have to take the step recommended by Commissioner Brown and he said he would vote in favor to deny Commissioner Brown's recommendation.

Chairman Oddo opened the discussion to the members of the public.

Frank Gardner: Mr. Gardner stated that two weeks ago a gentleman came to the Board meeting and bad-mouth personnel in the County for an extended length of time. He thought that it was unbecoming for people to stand in a public meeting and bad-mouth employees of the County, but if they wanted to get onto the elected officers of the County then he was all for it. Mr. Gardner said he was not up to date on the policies and he did not plan to do research on it, but he thought all five Commissioners should be responsible for anything in the procedures. He thought that it was not right to poll only three Commissioners while ignoring the other two since all five Commissioners are responsible for anything as far as procedures are concerned. He also asked the Board to back the employees as they follow the procedures that are set up.

Alice Jones: Mrs. Jones said she wanted to say, admirably, that she had the opportunity for the first time in her 17 years of living in Fayette County to go through the budget. She said she is a budget person and knows budgets, and she found it was very thorough, very detailed, and very professionally organized. She added that she saw some things she was going to get with Mr. Rapson about, but it took about four days to go through the budget. She said she called Chief Deputy County Clerk Tameca White to talk about something that was out of order, and she admired what the County has done. She said it was the first time she has requested a budget and received the entire package. She said she appreciated that. Mrs. Jones stated that as far as three votes or five votes, in any democracy majority vote rules and there should not be any griping over the process. She said she has been attending Commissioners meetings ever since Harold Bost and Greg Dunn were Commissioners, and there have been three-two votes for whatever reason. She said people have to learn to appreciate the process and learn to work together.

Angela Bean: Ms. Bean said she appreciated each of the Commissioners and that she respected their opinions, but she supported Commissioner Brown on transparency, accountability, and public oversight. She said if the Commissioners vote to deny Commissioner Brown's recommendation, then she would take that into consideration as a citizen. She said there should be complete transparency and accountability when there is a policy change since she did not know how citizens would know if there are changes, and she did not know how to even request Open Records. She stated that having a Policy and Procedures Manual in the County Clerk's Office was a good thing and that all citizens should get a copy of the manual. She hoped that the Commissioners would recognize that the citizens need to be made aware of major policy changes so that the people can have input on the changes. She thought it was important for the Commissioners to know when a policy is changed so that the Commissioners can let the people know. She thought transparency and accountability were a good thing to have.

Darwin Edwards: Mr. Edwards said he agreed with Ms. Bean and he saw it as a good thing to have more transparency and accountability for the citizens. He said that it was his approach that the more transparency and accountability the better.

Danette Corcorum: Ms. Corcorum said she was curious if the Commissioners decided on a policy and procedure and, if the policies and procedures are approved before the Commissioners or public is aware, what kind of voice do the people have to change the policies and procedures. She asked if the people do not get any input in the process then how does the process work.

Commissioner Brown clarified that he has no problems with 3-2 votes in public meetings and that he will take his lumps with the best of them. He said he did not want a vote for a polling that does not allow him to have the public option for the 3-2 vote, and that is what he objects to. He said he just wanted to have the 3-2 votes in a public meeting.

Commissioner Ognio clarified that the policies and procedures are internal policies on how the County operates and they are not ordinances or similar documents. He said he thought the citizens need to know that prior to the current Board and Administrator there was no Policies and Procedures manual so the policies could have been changed without anyone knowing. He thought the very fact that there is a manual that is available to the citizens speaks to transparency and he hoped the citizens would see that.

Chairman Oddo reiterated that these are internal policies, and when a County Administrator is hired his obligation is to run the County in the most efficient way possible. Chairman Oddo said when he ran for election he said he would treat the position similar to a business. He said in private business the Board of Directors will give their direction to the President or, in this case the County Administrator, and it is the President's job to carry out the wishes. He said if the President, or County Administrator, does not do his job properly then the consequences are on him and he will be replaced. Chairman Oddo stated that the County has not had that issue with the County Administrator. Chairman Oddo added that anything that is desired is available. Chairman Oddo agreed that everybody has the right to know what is going on at the County, but he added that some things are just daily routines that have to be performed in order for the County to function. He said there is nothing ominous about them but rather they are rather "vanilla" parts of the job. Chairman Oddo stated that the County Administrator has never asked only three Commissioners what they would like to see, but rather has asked every single one what they think about whatever he is working on. He said he wanted that point to be made clear. Chairman Oddo stated that this discussion involved transparency and that he has never seen transparency like there is in Fayette County. He added that while things can always be made better, Fayette County is running a very tight ship right now. He said

the County needs to recognize that and be proud of that.

Commissioner Brown said there were fundamental differences on how it is perceived how government functions. He stated that government is not a business and in certain ways it should not be run like a business since it should be open and accountable to the citizens since it is the citizens' government. He said the citizens pay the freight and they should know what is going on. Commissioner Brown stated that he was not saying the County Administrator was showing favoritism when he asks if items can be put on an Agenda or not, but rather, he stated that the question should not be asked of the Commissioners outside of a public forum. He said if a Commissioner, as an elected representative of the people of Fayette County, wants to put something on the Agenda it should go on an Agenda since an elected representative of the people asked for something to go on the Agenda. He said that is the way it has been traditionally done, and there should not be a dual system where, in some cases, if three people decide they do not want an item on the Agenda that it does not go on the Agenda. Commissioner Brown closed his remarks clarifying he did not say the County Administrator was showing favoritism, but rather that there was a fundamental disagreement on how the process should work. Chairman Oddo replied that they would agree to disagree.

The motion to deny Commissioner Brown's request passed 4-1 with Commissioner Brown voting in opposition. A copy of the request, identified as "Attachment 6," follows these minutes and is made an official part hereof.

8. Consideration of Commissioner Brown's request to revise the County Administrator's spending limit to $50,000.00, with said revision to include the sum total of any multi-year contracts, contingencies and possible options that create a scenario where more than $50,000.00 could be spent on a particular purchase or multi-year contractual arrangement. This item was tabled at the March 26, 2015 Board of Commissioners meeting.

Commissioner Ognio moved to deny Commissioner Brown's request to revise the County Administrator's spending limit to $50,000.00, with said revision to include the sum total of any multi-year contracts, contingencies and possible options that create a scenario where more than $50,000.00 could be spent on a particular purchase or multi-year contractual arrangement. Commissioner Barlow seconded the motion.

Commissioner Brown read the following letter (provided in italics) into the record:

The recent Board of Commissioners Retreat solidified my position on demanding, for the sake of honest and transparent government, that we revise the spending limit conditions of the County Administrator.

Over a quarter of a million dollars' worth of new recreational amenities were on the verge of being implemented without a vote of the Recreation Commission or the Board of Commissioners and the new projects do not appear on any recreational plan in existence.

We were also shown a schematic drawing on a Public Safety Training Center facility that was moving forward without a vote of approval from the Board of Commissioners.

I also felt it ironic that a vote was being called for at the retreat on these and other items when the Board had not been given a single page of the meeting packet until the start of the retreat. This was from the same people who complained they did not have time to read some AJC articles I put on the dais and did

not want me to give the opportunity to do a Powerpoint presentation on an agenda item; thus, tabling my agenda item.

I am hoping that we can pull this current Board off the ledge because the same things we complained about with the previous Boards of Commissioners are happening now.

With a previous Board, I personally complained that they were voting on things that were not on the agenda. At this point, I can say at least they voted on it in a public meeting. This Board has items that are not made public to our citizens and are not voted on by the Board. In some cases, certain Commissioners are not aware of the new projects until they are about to be implemented.

What started with good intentions has turned into a disastrous scenario where objectivity and accountability cannot be guaranteed. I have been complaining about this for 1 ½ years, once I began seeing what I thought was abuse of the process. I have tried to bring change in-house and have been consistently rebuffed. I informed Commissioner Coston of the situation after her election.

In addition to new unapproved projects, multi-year contracts and contracts with contingencies where the sum total of the deals were well over $200,000 were not coming to Board of Commissioners.

Our own purchasing policy (250.01) says we are to partner with stakeholders, defined as ***"including the Board of Commissioners, the County Administrator and the taxpayers"*** *and the government must meet the* ***"business <u>transparency</u> they require."***

A Commissioner like me has to find out about a new, unapproved project in the government back channel, so how in the world is this transparent to the taxpayers?

We also find ourselves in a situation where the County Administrator has a hand in creating the bid requests and he also makes the final decision on purchases between $50,000 and $200,000. There is no oversight accountability in the system as, many times, the Commissioners do not even know the purchases were made, especially if they are new and unbudgeted.

The county's auditors, Nichols, Cauley and Associates (December 23, 2014 advisory letter), highlight "Segregation of Duties" and write, ***"No one individual should be permitted to originate and complete all phases of a transaction. All handling of County assets, recording of transactions, and supervisory responsibilities, to the extent practicable, should be segregated."***

Basic accounting tells you there is inherent danger in having an individual conceive an idea, meet with product or service providers, craft bid requests and have final approval on bids without some kind of oversight or transparency. In the past, the oversight has been the Board of Commissioners and the taxpayers, in public meetings, but not anymore.

I have complained about the lack of oversight and transparency and the response is always a question, "Are you saying you don't trust me?" from the County Administrator. My response has always been I don't trust anyone in government which is why we are supposed to have oversight and accountability measures

in place. No one in county government is above a standard of accountability.

The previous County Administrator, along with the previous Human Resources Director, created their own top-tier early retirement package and did not disclose they were taking the plan themselves. He also erased his hard drive before he left in addition to other things. A lot of people trusted him.

In the meeting packet, I included an article on rising young GOP star Rep. Aaron Schock. He recently resigned in disgrace because there was weak oversight on mileage reimbursements and he decided to take advantage of the gap in accountability. A reporter, not the government, uncovered the fraud after Rep. Schock had made some other blunders, or else fraud would have continued in perpetuity.

Also in the packet are articles on DeKalb Commissioner Elaine Boyer and Gwinnett Commissioner Shirley Lasseter, both long-time representatives of the people, both respected and trusted and both doing time in federal prison. I knew both of them personally. They had supporters who thought they could do no wrong. People in governments are convicted of wrong-doing all the time. Accountability measures are an absolute necessity. It is one of the chief duties of the Board of Commissioners.

I hope we will do the right thing and demand transparency and accountability. And if we fail, let the citizen voters bring their resentment to the polls.

Commissioner Ognio stated that the Commissioners gets weekly reports from the County Administrator that has charts that lists budgeted items, such as how much was budgeted for Kenwood Park, tells how much has been spent at Kenwood Park including the percentage spent, and a description of what has been done or is being worked on. He said the report goes into detail telling about the Public Safety Facility and how much was budgeted. Commissioner Ognio stated that the key concept is that the projects are budgeted, and that the authority is given through the budget. Commissioner Ognio added that the County Administrator and the Commission Chairman have to sign off on expenditures, and that the expenditures are vetted by the Finance Department, the Purchasing Department, and often has to go through the bid process if it is for a certain amount of money. He stated that there are a lot of checks and balances in place. Commissioner Ognio rhetorically asked if the reduction in the County Administrator's ability would stop him from committing fraud, and he answered his own rhetorical question by saying it would not. He also stated that if he was on the Board of a business and this kind of authority was given to the business administrator, and if the business received the same results that have been achieved by the County's current Administrator there would not be this kind of discussion since the results are outstanding. Commissioner Ognio conceded that there is always the worry of corruption or transparency, but these records are open and the citizens are always able to request them. He said it was amazing if you look at the detail supplied weekly to the Board. He said the amount of communication that the County Administrator does with the Board is amazing and that he has never been on a Board with this kind of communication. He said he was thankful to have the person the County has in the position of County Administrator. Commissioner Ognio said he understood Commissioner Brown's concerns about the possibilities, but he said in business there has to be a level of trust or else it makes everyone's job so much harder. He added that if there is no trust in the County Administrator then the lack of trust rolls down to the people working for the Administrator causing nothing to be done. Commissioner Ognio pointed out that there has been an amazing amount of stuff done for the County, and he said if a person looked at the accomplishments that have been made over issues that have been neglected while still "being on the positive side" then he did not know what more could be asked. Commissioner Ognio said he hoped the citizens see it that way. Commissioner Ognio continued saying that he had received emails on this

recommendation and each email asked him to not approve the Commissioner Brown's recommendation. He closed saying if anyone wanted to work on transparency then the County Administrator would help work on that matter. He agreed that material was brought to the Board at the Retreat concerning Kenwood Park and the Training Facility that most of the Commissioners had not seen. He said staff was working on those issues, but that was recorded in the County Administrator's weekly report. Commissioner Ognio said the Training Facility will come to the Board for a vote, and that there is money in the Kenwood budget that staff showed the Board at Retreat. He said when the Commissioners left the Retreat the Board was under the impression that the recommendations would come to the Board of Commissioners at a regular meeting.

Commissioner Coston commented on Kenwood Park saying after she was elected she met with Mrs. Anita Godbee, Director of Parks and Recreation, who gave a tour of Kenwood Park. Commissioner Coston said Kenwood Park was an issue that she heard about from a number of constituents since the park had been neglected and that there were a number of things that had to be addressed. She said she had a tour of the park and found a big cement wall with nothing on it and erosion problems and other issues that had to be dealt with at the park. Commissioner Coston said she had a conversation with the County Administrator who stated there are funds available for the park. She said they agreed to address some of the low hanging fruit that could be dealt with quickly like the signage and landscaping and other issues. She said other issues that need to be addressed are the pavilion since it is the most used pavilion in the entire county; requiring the need for an additional pavilion or gazebo. Commissioner Coston said staff put together a list of maintenance items and of enhancements, and that the list was provided at the Retreat. She stated that after the Retreat she looked at the Kenwood Master Plan and that a number of items shown as enhancements were in the Master Plan's Phase II. Commissioner Coston stated that the County was very transparent with regard to Kenwood Park, that the County is continuing to talk to the citizens on the north side of Fayette County to learn what they want in the park, and to make sure Kenwood Park is on par with all the parks in Fayette County.

Commissioner Brown said this was a fundamental disagreement on how to handle government. He said he would err on the side of too much information, transparency, and too much openness. He said it was the citizens' tax dollars and the citizens need to know what is going on with their tax dollars. Commissioner Brown stated that, as a compromise, he had asked for a report to be generated and presented at one Board meeting a month that showed all the expenditures made between $50,000 and $200,000, and that he was told "no." He asked why the information would not be provided since it would only be about fifteen expenses per month, and he asked why they would not be put on a report so people could see where their money is going. Commissioner Brown said he had one other problem that really got him started on this issue; namely, contracts for services. He said his interpretation was that if there is a $150,000 contract that is for three years then it is no longer a contract below $200,000. He said he and Mr. Rapson have butted heads on this matter and that they would agree to disagree.

County Administrator Steve Rapson said he wanted to correct a couple of things before the vote was taken, and Chairman Oddo agreed to let Mr. Rapson speak. Mr. Rapson agreed this issue was about transparency, but that staff was a little frustrated about how transparent it can possibly be with the Board. He stated that Commissioner Brown made statements, such as there are new recreational amenities that the Board has never received or approved, that are not true. Mr. Rapson stated that if the Commissioners looked at Kenwood Park's Phase II and at the amenities submitted at the Retreat then they would see every single amenity that was presented at the Retreat is listed Kenwood Park's Phase II. Mr. Rapson stated that as a compromise reached at the Retreat, staff agreed to take the issues to the Recreation Commission and to wipe Phase II and Phase III completely off the board and to have a reduced Phase II. Mr. Rapson

said he wanted to talk about fiscal policies and procedures since there seemed to be an underlining thread that somehow contracts are not being vetted, that they are not being properly worked through the process, or that there is somehow a different process based on who is approving contracts, and he said those concepts were an extreme misinterpretation of what is happening. He said if there is a purchase that someone wants to make in the County today that is over $500 then there has to be three documented verbal quotes or three written quotes. He said if there is a purchase above $5,000 then those purchases must go through the Purchasing Department. He said if the purchase is between $5,000 to $50,000 then there must be three verbal quotes and three written quotes unless there is a state contract being applies. Mr. Rapson stated that if the purchase is above $50,000 to $200,000 it requires a minimal of three quotes unless there is a prevailing state contract. Mr. Rapson then read the Purchasing Policy Section H: Contracts. It reads as follows:

> *The Purchasing Department will obtain approval of the Board of Commissioners prior to executing contracts in the following situation:*
>
> - *If the total price of the contract is over $200,000*
> - *If funds to pay the contractor are not budgeted*

Mr. Rapson emphasized that if the contract is over $200,000 or if the funds are not budgeted then the contract comes before the Board of Commissioners. He said if the County has a $10,000 contract for services that is not budgeted then it goes before the Board. He stated that Mrs. Jones spoke about her review of the budget and was sure she saw all of the line items for the contracts, and he said when a contract is approved, whether the approval comes from the County Administrator or the Board of Commissioners, then the contract is driven back to a line item in the budget; which is what the County and staff does. Mr. Rapson continued reading the Purchasing Policy which states: *The Chairman or County Administrator is authorized to sign properly procured contracts that are less than $200,000 and budgeted, without obtaining prior Board approval. All purchases follow above guidelines regardless of approval authority.* Mr. Rapson emphasized that the contracts must be budgeted and cannot be entered into without Board approval. Mr. Rapson told the Board that it is important to understand how checks are processed that are over $5,000. He said those checks come to his desk after his Finance staff, Budget staff, and Purchasing staff have gone over the checks. He said staff vets the checks and then he reviews the checks. Mr. Rapson stated that once the checks have been vetted they are sent to the Commission Chairman who then needs to sign the documents. Mr. Rapson reminded Commissioner Brown that for the past two years, when he was Chairman, he would have seen any contract over $50,000 since they required the Chairman's signature. Mr. Rapson said Commissioner Brown mentioned he was unaware of the Public Training Facility, so he reminded the Board that the County has a rolling five-year Capital Plan that the Board approves every single year. He said the first year is incorporated into the operating budget and the remaining four years are approved, meaning the Board is approving a rolling five-year capital budget. Mr. Rapson stated that with the Fiscal Year 2015 budget, the Board approved a line item that was called the Public Safety Training Facility. He said the first year was budgeted for $300,000 with $500,000 budgeted for the second year and $600,000 budgeted for the third year. Mr. Rapson stated that with the Board's approval of the budget in July 2014, staff met with the Sheriff's Department and the Fire Department and they worked toward having a presentation at the Retreat. He said the County is doing the design for the facility, but he added that this is a big-ticket item that may be well above what was budgeted, so then the issue would go to the Board for clarification. He wondered how anyone could say they were unaware this budgeted project existed. Similarly, Mr. Rapson said there was$350,000 budgeted for Kenwood Park last year followed by another approval of $250,000 this year. Mr. Rapson stated that staff has a sense of

direction based on the Kenwood Site Master Plan that was developed. He said the Board at the time had directed him to wait until it was determined who the Commissioner for District Five would be. He said Commissioner Board had further directed him to work with Commissioner Coston and the residents in the area and to come back with a plan. Mr. Rapson agreed with Commissioner Brown's point at the Retreat where he said the aggregate cost of the proposed amenities could cost approximately $300,000, and he emphasized that since the Board had delegated authority up to $200,000 to the County Administrator and since the Board had approved the capital budget for $300,000 then he could have just approved the amenities. He stated that the reason a County Administrator would not make the approval is that is how to lose such authority. He said a County Administrator has to exercise sound judgment regarding what to put in front of a Board. He said he knew Kenwood Park was a sensitive topic and that was why it was brought up at Retreat. Mr. Rapson said that not only does he exercise judgment but that he has a Chief Financial Officer and a Purchasing Director and there are a bunch of folks standing behind him making sure he is approaching things correctly. Mr. Rapson stated that when Commissioner Brown speaks about accountability and complaining for a 1 ½ years that he simply did not see that. He said he does not ignore Board members or an email or a phone call. He said he is very responsive to what Commissioners want. He said he does not always have to like what Commissioners have to say, but that he always listens and embraces what is said. He said he certainly does not poll three Commissioners and ignore the other remaining Commissioners. Mr. Rapson reminded the Board that Commissioner Brown brought up the need for segregation of duties, and he said he agreed with Commissioner Brown. He said that he is not typically a part of a Selection Team unless it is over $200,000 because he signs and approves the budgets. He said if he did something like that he would lose his Certified Public Accountant (CPA) license since it is a bad segregation of duty. He said he is rarely on a Selection Team and if he is it is way over the $200,000 threshold. Mr. Rapson said one thing that has been accomplished with this level of authority is that it allows the Purchasing Department to be focused on the twenty percent of the bids and Requests for Proposals that the County does where the big procurements are instead of focusing on eighty percent of what the County does where there are not the big procurements. He said in the past administration the large procurements were reviewed by consultants, but now his staff has become very knowledgeable with regards to how water plants operate, how bids are done for roads, and how things are done for right-of-way. He said it has made the Purchasing Department more knowledgeable and that the Purchasing staff stands a little taller as they walk around. Mr. Rapson said he was concerned that there was a lingering sense of something being shady or not being done appropriately. He said he was okay if someone did not like him or his work and he could handle that, but for him to be able to be shady it would require the County Attorney, the Chief Financial Officer, the Purchasing Director, and Department Heads to be in sync to do something shady while hoping that the Commission Chairman would not notice it while signing the checks. He thought it was ludicrous to think he or staff would do something like that and it was a little offensive.

Commissioner Brown replied that if he thought the County Administrator was doing anything shady, that anyone who knows him knows that he would come right out and say it. He said that he had never said the County Administrator was shady, but that he was worried about accountability and that a system has to be in place. Commissioner Brown stated that the policy read: *For recommendations over $50,000 and up to $200,000 the Director of Purchasing will present recommendations to the County Administrator for a final decision.* Commissioner Brown stated that the policy reads that the County Administrator does have the final decision.

Mr. Rapson said he did not disagree with policy Commissioner Brown read, and he said that is the reason he is not a part of the procurement process since the procurement process is handled by the department heads or the selection team that the Purchasing Director puts together for that purpose. He said he is

rarely in the room for those discussions and that the only time procurements are handled by one person is if it is a commodity purchase.

Commissioner Brown replied that there is a fundamental disconnect on how they are looking at things. He wanted the Board and the County Administrator to get behind presenting a monthly report on contracts between $50,000 and $200,000 a year. He said it would create good and honest government.

Chairman Oddo asked members of the public if they wanted to speak on the matter but no citizen spoke.

Chairman Oddo said he had comments but they may not be in any general order. He said one thing the County Administrator pointed out that he has done since being Chairman is handle the signing of checks at least once or twice a week. He said he looks at each check and looks at the supporting material. He sees that the responsible parties have signed the invoices, and he sees Chief Financial Officer's signature and County Administrator's signature. He stated that once he has the ability to look at the material then he signs the checks. He said the system is working the way it is supposed to work. Chairman Oddo said there is a back and forth on transparency, but that he is provided a weekly update. He said he brought his update with him to the dais, and he asked staff if previous administrations gave weekly updates like the current County Administrator does. Several Board members and staff answered "no" to Chairman Oddo's question. Chairman Oddo stated that the weekly updates provide transparency and that the Commissioners know what is going on. He said the work is massive and that is why the County has hired professional people to do the work, although it is the Board of Commissioners responsibility to keep up with the work and come to the public if need be. Chairman Oddo stated that the information provided to the Board provides the tools for the Board to do its work. Chairman Oddo then asked, rhetorically, how lowering the County Administrator's spending limit to $50,000 would get rid of collusion. He stated that if the Board is trying to achieve a result then the recommendation by Commissioner Brown would not achieve the result since collusion can be done with a $50,000 limit or a $200,000 limit. Chairman Oddo asked why there is a need for the recommendation especially since there is transparency. He said although this is his first experience with government and he has a wonderful taste in his mouth for government because what the County Administrator has done is kept the Board "in the loop" on everything. He said the Board has a responsibility to stay on top of things, but that the County Administrator is doing all he can do. Chairman Oddo agreed with Commissioner Ognio saying this discussion would not be taking place in private industry, and he said if the County was a business and it had been turned around to the degree that the County has been turned around, there would not be the current discussion but rather how much of a bonus to give to the County Administrator and his staff. He said the County is not doing that because this is government but he did not want to leave the impression that there is anything going on that is untoward in Fayette County. He said the government is as open as it can get, and he said he took a bit of offense at the implied suggestion that there is something untoward in Fayette County's operations. Chairman Oddo stated that if the Board has questions it can ask them but that he does not see the problems.

Commissioner Brown stated that he did not say something was not above board and that he did not imply that. He stated that what he said was that we are all fallible human beings and you see things happening in government all the time. He said a lot of the people were very trusted people and that is the reason why there is oversight built into government policies and procedures. He said the weekly update provided to the Board is only transparent to the extent that the citizens can see it and it is not transmitted to the citizens since it is an internal document. Commissioner Brown said he made the suggestion to put the County Administrator's updates in the Agenda package so the citizens can look at it, and he was told "no." He said that answer was "reverse transparency." Commissioner Brown said he remembered there was a time when

a citizen named Randy Ognio went to the public comment podium around the year 2012 and complained about one of expenses that the Board was going to vote on. It was a piece of Caterpillar equipment that the Board was about to vote on and Mr. Ognio stated that there was a better and cheaper way to meet the need and in so doing he saved the County a fortune because he saw the Board was committing a grievous error. Commissioner Brown said that was what he was proposing so that the citizens could percolate on these types of things while giving them exposure to what the County is doing. He said if the citizens see something then the Board needs to listen to them since there is a bright group of people in Fayette County who come up with fabulous ideas.

Mr. Rapson stated that one of the points Commissioner Brown brought up was about multi-year contracts. He said they had talked about that issue. He stated that there is no $150,000 three-year contract, but there are some $100,000 that would breach the $200,000 authority. He said he had conceded the concern to Commissioner Brown and that those multi-year contracts come before the Board. He agreed that he did not think it was appropriate to put the weekly Administrator's update on the Agenda since it is an internal document, and he pointed out that Commissioner Brown can forward the Administrator's update to whoever he wants to. He said the document is not private or personal, but it is a form of communication and that where he has worked before that is exactly how the elected officials used that document. Mr. Rapson said he tells staff that emails can end up in the newspaper so he cautions them not to hit "send" unless they are sure of what they have written. He added that Commissioner Brown can send his emails to whoever he wants and he can drill down the information as much as he wants, and Mr. Rapson said that he can tell who reads the reports because those who read the reports usually call him.

Commissioner Brown said he would vote with his colleagues since, while he does not support the motion, by doing so it would allow him to bring the issue up at a later date.

Commissioner Coston moved to call the question. The motion passed unanimously.

Chairman Oddo stated that the Board would take a vote on the motion and restated the motion into the record.

The motion to deny Commissioner Brown's request to revise the County Administrator's spending limit to $50,000.00, with said revision to include the sum total of any multi-year contracts, contingencies and possible options that create a scenario where more than $50,000.00 could be spent on a particular purchase or multi-year contractual arrangement passed unanimously. A copy of the request, identified as "Attachment 7," follows these minutes and is made an official part hereof.

NEW BUSINESS:

9. Consideration of Commissioner Brown's recommendation to adopt Resolution 2015-04- A Resolution on Fayette County Development Authority Tax Abatement Policy.

Commissioner Brown moved to adopt Resolution 2015-04 as written. Commissioner Barlow seconded the motion.

Commissioner Ognio said he agreed with the Resolution and he agreed that the Fayette County Development Authority has moved forward in establishing policies that are meeting the requirements. He said the current Development Authority is a breath of fresh air as far as meeting the needs the Board of

Commissioners has. He did not want anyone to construe that the Board of Commissioners approved the resolution because there is something it does not like about the Fayette County Development Authority. He said this resolution would confirm what the Fayette County Board of Commissioners felt the Development Authority ought to be.

Commissioner Brown recognized that Chairman Darryl Hicks and staff from the Fayette County Development Authority were in the audience. He thought they were doing a fabulous job and that the County had appointed the right people into the right positions, and that the right people were hired. He commended the Fayette County Development Authority for their work and their recently enacted policies. He further commended the Development Authority for stepping up their communication with the Board of Commissioners. He agreed with Commissioner Ognio that the Development Authority was doing a good job, but he thought it was important for the County and the cities to make a statement on what is expected.

Commissioner Coston said she met with Development Authority staff after she was elected, and she said they have put together a nice document on new project procedures. She did not see where the resolution was necessary, but she thought they were doing an excellent job and they were looking out for Fayette County.

Chairman Oddo briefly spoke about the recent history the Board of Commissioners has had with the Fayette County Development Authority in 2014 concerning Pinewood Studios. He said the appropriate time for the resolution was a year ago, but that the current members of the Fayette County Development Authority were doing a very good job.

The motion to adopt Resolution 2015-04 passed unanimously. Copies of the request and Resolution 2015-04, identified as "Attachment 8," follow these minutes and are made an official part hereof.

10. Consideration of Chairman Oddo's recommendation to disband the Justice Center Park Committee.

Commissioner Ognio moved to approve the recommendation to disband the Justice Center Park Committee. Commissioner Brown seconded the motion.

Commissioner Brown thanked the members of the Justice Center Park Committee for their service.

The motion to approve the recommendation to disband the Justice Center Park passed unanimously. A copy of the request, identified as "Attachment 9," follows these minutes and is made an official part hereof.

PUBLIC COMMENT:

Gary McBride: Mr. McBride stated that the Board had been given a picture of the proposed East Fayetteville Bypass and a petition signed by one hundred percent of the homeowners on the road. He said that the people were looking for the Board's help and support in putting a cul-de-sac at the intersection of County Line Road and the proposed East Fayetteville Bypass. Mr. McBride said the homeowners felt their request would increase safety, would cost less money, and would help with Emergency Services. He said when the Georgia Department of

Transportation (GDOT) was originally involved with the East Fayetteville Bypass; GDOT's representative suggested the cul-de-sac was a good idea so long as it had the local people's support. He emphasized that one hundred percent of the people were in support.

ADMINISTRATOR'S REPORTS:

Response to Gary McBride: County Administrator Steve Rapson stated that he had spoken to Mr. McBride earlier, that he had the information Mr. McBride provided, and the Public Works Director Phil Mallon would be in contact with Mr. McBride concerning the East Fayetteville Bypass.

Selection Committee Established for the Ethics Board: County Administrator Steve Rapson stated that there was one alternate position available on the Ethics Board and he asked for a Selection Committee to be formed for that vacancy. Commissioners Coston and Brown were appointed to the Ethics Board's Selection Committee.

Selection Committee Established for the Hospital Authority: Count Administrator Steve Rapson stated that there was one position available on the Hospital Authority and asked for a Selection Committee to be formed for that vacancy. Commissioners Barlow and Ognio were appointed to the Hospital Authority's Selection Committee.

ACCG Grant Program: County Administrator Steve Rapson reported that this is the time of the year to for the ACCG Grant Program- Civic Affairs Internship Program to begin and that the State Court has expressed interest in obtaining an intern. He reminded the Board that other departments applied for interns as well since last year the County had three or four interns provided through this program.

ACCG Training- Savannah: County Administrator Steve Rapson reminded the Board that it would be at the ACCG Training Event in Savannah from April 17-20, 2015.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated that he had two items for Executive Session. The first item involved Pending Litigation and the second item was a review of the March 10, 2015 Executive Session Minutes.

COMMISSIONERS' REPORTS:

Commissioner Brown: Commissioner Brown stated that the Kiwanis Beer Festival, which was held at the Historic County Courthouse over the weekend, worked out well. He said so many people came that some had to be turned away. He said all the artisan craft beer makers showed up and said they would come back. He said another similar event would happen in the fall and he said all the proceeds go to local charities. He said Fayette County Kiwanis sponsored the event, and he thanked Fayetteville Main Street for the use of the Historic Courthouse Grounds. Commissioner Brown stated that he understood that there were fundamental differences in the way things are viewed or interpreted, but he did not mean to insinuate that anyone was doing anything wrong. He hoped no one would have hard feelings about what he said, but that he wanted to bring some things forward that had "been in his craw" for some time.

Commissioner Ognio: Commissioner Ognio wondered if everyone was as "enthused" as he was about the upcoming tax day. He stated that the lighting at the Historic County Courthouse was improved and that it the work at the Historic Courthouse was starting to look good. He thought it would be great to have a good looking Fayette

County Historic Courthouse.

Commissioner Coston: Commissioner Coston stated that she thought the County Administrator, the Department Heads, and staff do a tremendous job. She wanted to make sure that the people understood that the Board supports them in their hard work and she thanked them for the work they do. Commissioner Coston announced that AVPride would present a 5k / one-mile run at Heritage Christian Church. She said the run would be held on Saturday, April 11 beginning at 4:30 p.m.

Commissioner Barlow: Commissioner Barlow thanked everyone for coming to the Board meeting. He further quoted John 8:32 and asked the people to call him if they have questions. He said the success of the County is due to County Administrator Steve Rapson and the staff he has put together. Commissioner Barlow stated that he has attended the Department Head meetings and that the synergy and connectivity is felt in the room. He said that was not the case in the first several months he was here, and that it is due to the leadership Mr. Rapson has given to his staff. Commissioner Barlow then spoke about his recent adoption of a puppy and the fun challenge it has presented. He closed speaking about how his shoes can outshine Councilman Paul Oddo's shoes.

Chairman Oddo: Chairman Oddo mentioned that Commissioner Ognio had stolen his thunder with his comments about tax day and the Historic County Courthouse. Chairman Oddo mentioned that the fountain had some repairs so someone could maybe sit on it without the granite falling off. He also reminded everyone that the Georgia Department of Transportation would be at Harps Crossing Baptist Church from 4 p.m. until 7 p.m. to get input from the public at the intersection of Antioch Road and State Route 92.

EXECUTIVE SESSION:

Pending Litigation and Review of the March 10, 2015 Executive Session: Commissioner Brown moved to enter into Executive Session. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously.

The Board recessed into Executive Session at 9:07 p.m. and returned to Official Session at 10:02 p.m.

Return to Official Session and Authorization to Sign the Executive Session Affidavit: Commissioner Ognio moved to exit Executive Session and for the Chairman to sign the Executive Session Affidavit. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously. A copy of the Executive Session Affidavit, identified as "Attachment 10," follows these minutes and is made an official part hereof.

Settlement between Russell Prince and Fayette County, et al.: County Attorney Dennis Davenport said it had been brought to his attention of a potential to settle ongoing litigation. He said the case involved is Prince vs. Fayette County, et al., and that it is an employment issue with a current employee. He said it was believed that the parties had come to some terms and conditions that both sides could agree on. He said the proposed terms for settlement were that when employment action was taken against Mr. Prince, during that time to the present day, what Mr. Prince feels he belongs in paygrade Grade 19 Step 16. Mr. Davenport stated that Mr. Prince is currently in paygrade Grade 19 Step 13. He explained that there is a differential of about $5,000.00 Mr. Prince would have been paid had he been placed in the higher paygrade. Mr. Davenport stated that the first component of the settlement is the $5,000.00 payment amount. Mr. Davenport stated that the second settlement is that Mr. Prince be moved from Grade 19 Step 13 to Grade 19 Step 16, and that the movement was consistent with County policy. Mr. Davenport stated that in exchange for those two items, Mr. Prince would dismiss the pending lawsuit with prejudice and he will also agree to sign a release on behalf of and in favor of Fayette County for all claims that he could have had,

currently has, or does have up to the date of signing the release which will be in the very near future, should the Board give considerable favor.

Commissioner Ognio moved to approve the settlement as outlined by the County Attorney. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously.

Approval of the March 10, 2015 Executive Session Minutes: Commissioner Ognio moved to approve the March 10, 2015 Executive Session Minutes. Commissioner Coston seconded the motion. No discussion followed. The motion passed unanimously.

ADJOURNMENT:

Commissioner Brown moved to adjourn the April 9, 2015 Board of Commissioners meeting. Commissioners Ognio and Barlow seconded the motion. No discussion followed. The motion passed unanimously.

The April 9, 2015 Board of Commissioners meeting was adjourned at 10:05 p.m.

Floyd L. Jones, County Clerk

Charles W. Oddo, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 23rd day of April 2015. Referenced attachments are available upon request at the County Clerk's Office.

Floyd L. Jones, County Clerk