

BOARD OF COUNTY COMMISSIONERS

Eric K. Maxwell, Chairman
Randy Ognio, Vice Chairman
Steve Brown
Charles W. Oddo
Charles D. Rousseau



FAYETTE COUNTY, GEORGIA

Steve Rapson, County Administrator
Dennis A. Davenport, County Attorney
Tameca P. White, County Clerk
Marlena Edwards, Deputy County Clerk

140 Stonewall Avenue West
Public Meeting Room
Fayetteville, GA 30214

MINUTES

August 24, 2017

6:30 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 6:30 p.m.

Call to Order

Chairman Eric Maxwell called the August 24, 2017 Board of Commissioners meeting to order at 6:31 p.m. A quorum of the Board was present. Commissioner Charles Rousseau attended training and was not present for the meeting.

Invocation and Pledge of Allegiance by Commissioner Steve Brown

Commissioner Steve Brown offered the Invocation.

Vice Chairman Randy Ognio introduced Boy Scout Troop #212 under the leadership of John Kimble, Committee Chair. Mr. Kimble explained that the troop was working on merit badges for citizenship in the community. The boy scout troop led the Board and audience in the Pledge of Allegiance.

Acceptance of Agenda

Chairman Maxwell requested to have item #3 be removed from the Consent Agenda.

Vice Chairman Ognio moved to accept the Consent Agenda with the exception of item #3 for discussion. Commissioner Brown seconded. The motion passed 4-0-1. Commissioner Rousseau was absent.

PROCLAMATION/RECOGNITION:

1. Recognition of Sam Rumpel as the Equestrian National Champion.

Vice Chairman Ognio, on behalf of the Board of Commissioners, introduced Sam Rumpel and presented a certificate of recognition for her achievements at the Interscholastic Equestrian Association (IEA) Western national Finals in Oklahoma City. A copy of the request, identified as "Attachment 1", follows these minutes and is made an official part thereof.

PUBLIC HEARING:

2. Consideration of Petition No.1268-17, Elizabeth R. Arnold, Owner, and Broderick Arnold, Agent, request to rezone 1.00 acre from A-R to R-40 located in Land Lot 70 of the 5th District and fronting on Price Road.

Planning and Zoning Department's Zoning Administrator Chanelle Blaine read the *Introduction to Public Hearings for the Rezoning of Property*. A copy of the Introduction to Public Hearings for the Rezoning of Property, identified as "Attachment 2", follows these minutes and is made an official part thereof.

Chairman Maxwell stated that the applicant had the right to have all five commissioners present. Commissioner Rousseau was absent. County Attorney Dennis Davenport explained that the rules and procedures of the Board of Commissioners require that any action taken by the Board require three affirmative votes. He continued that when there was less than a full Board, three affirmative votes are still required. He stated that in respect to applicants appearing before the Board with less than a full Board, the applicant had a one-time option to table the item until the next meeting in the presence of a full Board to hear the petition. Mr. Davenport stated that if the petitioner wished to waive the option of having a full Board present and continue with the hearing, that it would need to be done on the record.

Petitioner Broderick Arnold, son of Elizabeth Arnold, stated that he would like to proceed with less than the full Board present.

Ms. Blaine briefed the Board that the lot was a legal non-conforming A-R one acre lot and by rezoning the lot to R-40 it would reduce the non-conformity. The request was in compliance with the Fayette County Comprehensive Plan. Staff and the Planning Commission recommended approval.

Mr. Davenport made a point of clarification. He stated that the map showed apparent frontage on Tributary Way, but that there was no frontage on Tributary Way.

No one spoke in favor of the petition.

No one spoke in opposition of the petition.

Vice Chairman Ognio stated that this was not an illegal lot, but a non-conforming lot. Mr. Davenport stated that was correct and that an illegal lot never conforms to the zoning regulations. He stated that a non-conforming lot, at one time did conform, but due to a change of the zoning regulation or the implementation of the regulations, it no longer conforms at no fault of the property owner.

Chairman Maxwell asked what made it non-conforming. Mr. Davenport stated that the size of the lot and the frontage made it non-conforming. Chairman Maxwell asked where would the access to the property be located. Mr. Davenport stated that it would be along Price Road.

Chairman Maxwell asked Mr. Arnold if he understood that there was no access from Tributary Way. Mr. Arnold stated that he understood.

Commissioner Charles Oddo moved to approve Petition No.1268-17, Elizabeth R. Arnold, Owner, and Broderick Arnold, Agent, request to rezone 1.00 acre from A-R to R-40 located in Land Lot 70 of the 5th District and fronting on Price Road. Vice Chairman Ognio seconded. Discussion followed.

Commissioner Brown stated that the property was surrounded by R-40 and the zoning classification was a "no brainer". He stated that he would like to see the lots remain at a lower density than the R-40 because there was a lot of traffic being placed on the State Route 85 corridor. He stated that for the record, he would like to see the A-R lots maintained in some form of lower density.

Vice Chairman Ognio stated for the record, that this property was non-conforming as A-R and would remain non-conforming for R-40, but that rezoning it to R-40 would be closer to conforming.

Commissioner Charles Oddo moved to approve Petition No.1268-17, Elizabeth R. Arnold, Owner, and Broderick Arnold, Agent, request to rezone 1.00 acre from A-R to R-40 located in Land Lot 70 of the 5th District and fronting on Price Road. Vice Chairman Ognio seconded. The motion passed 4-0-1. Commissioner Rousseau was absent. A copy of the request, identified as "Attachment 3", follows these minutes and is made an official part thereof.

CONSENT AGENDA:

Commissioner Brown moved to approve the Consent Agenda as written. Item #3 was removed at the start of the meeting. Commissioner Oddo seconded. The motion passed 4-0-1. Commissioner Rousseau was absent.

3. Approval of staff's request to accept the donation of a Physio Control Lucas CPR compression device from the Fayette Fire Foundation.

Fire Chief David Scarbrough introduced the Fayette Fire Foundation. He stated that the foundation was presenting the county with a Lucas device.

Fayette Fire Foundation Chair Vicki Turner introduced the Coweta-Fayette EMC who gave the foundation the grant for the Lucas device. He stated that this device would be the first device to be placed on an ambulance. She thanked Grant Writer, Pete Nelms and the Heritage Foundation who assisted with the grants to purchase a second Lucas device through Fayette Fire Foundation.

A brief demonstration was given by Assistant Fire Chief Tom Bartlett of the Physio Control Lucas CPR compression device.

A representative from Coweta-Fayette EMC stated that the grant was made possible through EMC's "Roundup Program". He stated that customers can opt to raise their bill to the next dollar. He stated that for only pennies a month, the company could do things like this in the community. He thanked all the customers who round up and he encouraged others to do the same.

Commissioner Oddo moved to accept the donation of a Physio Control Lucas CPR compression device from the Fayette Fire Foundation. Vice Chairman Ognio seconded. The motion passed 4-0-1. Commissioner Rousseau was absent. A copy of the request, identified as "Attachment 4", follows these minutes and is made an official part thereof.

4. Approval of staff's recommendation to sell 17 Glock weapons on GovDeals to increase the Marshal's Office budget by \$2,592.00 and to purchase six new Glock G17 weapons. A copy of the request, identified as "Attachment 5", follows these minutes and is made an official part thereof.

5. Approval of a grant in the amount of \$300,000 from the State Road and Tollway Authority's, Georgia Transportation Infrastructure Bank (GTIB), for a portion of construction costs associated with Fayette County SPLOST Project R-5F, the intersection of State Route 92 and Westbridge Road/Veteran's Parkway. A copy of the request, identified as "Attachment 6", follows these minutes and is made an official part thereof.

6. Approval of the August 10, 2017 Board of Commissioners Meeting Minutes.

OLD BUSINESS:

NEW BUSINESS:

7. Approval of the July 13, 2017 Board of Commissioners Meeting Minutes. This item was tabled at the August 10, 2017 meeting.

Commissioner Steve Brown moved to table the approval of the July 13, 2017 Board of Commissioners Meeting Minutes to the September 14, 2017 Board of Commissioners meeting to allow the court reporter more time to complete the verbatim portion. Commissioner Oddo seconded. The motion passed 4-0-1. Commissioner Rousseau was absent. A copy of the request, identified as "Attachment 7", follows these minutes and is made an official part thereof.

8. Consideration of staff's recommendation to amend the 2017-SPLOST fund (32240320) reallocating \$67,000 from Old Senoia Rd (6509H) to Rising Star Rd (6509C) and approval of staff's recommendation to award Bid #1207-B: Rising Star Culvert Replacement SPLOST Cat I, for FY18 to the low bidder, Piedmont Paving, Incorporated in the amount of \$384,805.

Public Works Director Phil Mallon stated that this was one of the roads that was damaged during the December 2015 Christmas flood. He stated that it was also eligible for Federal Emergency Management Agency (FEMA) reimbursement. The design and right-of-way was complete and the County had received bids for construction. The project cost was higher than what was originally budgeted. Staff requested approval of the award to Piedmont Paving and to have the \$67,000 reallocated from the Old Senoia Road to the Rising Star Road project.

Commissioner Brown asked if staff would apply for FEMA after the project was executed. Mr. Mallon stated that staff applied prior to the project. He stated that because it was a large project a certain amount was reimbursed upfront and the majority would come after the project was complete.

Chairman Maxwell stated that he did not understand the reference to Goza and Antioch Road on the vendor evaluation form. Mr. Mallon stated that this company completed work on Antioch and Goza in 2010. He stated that the performance evaluation was based on that work at the time.

Commissioner Brown moved to approve staff's recommendation to amend the 2017-SPLOST fund (32240320) reallocating \$67,000 from Old Senoia Rd (6509H) to Rising Star Rd (6509C) and approval of staff's recommendation to award Bid #1207-B: Rising Star Culvert Replacement SPLOST Cat I, for FY18 to the low bidder, Piedmont Paving, Incorporated in the amount of \$384,805. Commissioner Oddo seconded. The motion passed 4-0-1. Commissioner Rousseau was absent. A copy of the request, identified as "Attachment 8", follows these minutes and is made an official part thereof.

9. Consideration of Resolution 2017-14 adopting the 2017 Property Tax Millage Rates.

Chief Finance Officer Mary Parrott stated that the request was for the adoption of Resolution 2017-14 to set the 2017 property tax millage rate to be billed from the Tax Commissioner office. She gave a brief presentation on the changes in the digest over the years. She stated that the total reduction in the digest was approximately \$232,000,000. She stated that the overall change in the digest was 11.7% with an additional \$587,613,571. She stated that for 2017 the digest was at a high of \$5,621,000,000. She stated that the rollback equated to a decrease in the millage rate of .408 which was a

new millage rate of 4.509 compared to last year's 4.917. The request was for the existing rate for fire services to remain the same at 3.07, emergency medical was 0.456 and 0.210 for 911 services. She presented a chart that showed the components of a citizen's tax bill and how the taxes are distributed for unincorporated Fayette County, Peachtree City, Fayetteville, and Brooks. She stated that the rollback for unincorporated Fayette County represented a savings of \$2.3 million to citizens. She stated that the cumulative over four years totaled \$13.9 million to the citizens.

Vice Chairman Ognio moved to approve Resolution 2017-14 adopting the 2017 Property Tax Millage Rates. Commissioner Brown seconded. Discussion followed.

Commissioner Brown stated that the state legislator created the Title Ad Valorem Tax (TAVT) and said "that it would be the best thing since sliced bread", however the county had a negative \$43 million. He asked if the negative amount was taking into account the money received from the TAVT and deducting the money from the old plan.

Mrs. Parrott stated that with the TAVT the money that was collected had to be taken to true up the motor vehicle tax from the base year. Therefore, there was no loss from that year, but there was also no growth.

Commissioner Brown asked if there was a positive increase for fire services and 911 because the millage rate had not been rollback for the special funds. Mrs. Parrott stated that was correct because the digest had an increase.

Mr. Rapson stated that because the county rolled back the taxes, the county would only see a growth of just under 2%. He stated that the county rolled back the tax increase of \$2.3 million that citizens would have received on their tax bills.

Vice Chairman Ognio stated that it was important to mention the last sentence of the slide: "However, this increase will be offset by a rollback of the County's Maintenance and Operations Millage Rate."

Commissioner Oddo stated that this was the result of staff working hard to keep taxes down. He stated that there was a great group working for the county.

Vice Chairman Ognio moved to approve Resolution 2017-14 adopting the 2017 Property Tax Millage Rates. Commissioner Brown seconded. The motion passed 4-0-1. Commissioner Rousseau was absent. A copy of the request, identified as "Attachment 9", follows these minutes and is made an official part thereof.

10. Consideration of the Public Arts Committee's request for Concept Approval for the Five Senses PopUp Event and authorization to have the County Attorney review related documents; and consideration of the revisions to the Concept Approval to develop and host PopUp events.

Public Art Chair Donna Thompson stated that this request was slightly different from the previous concept approval for PopUp Events. She stated that there was a committee member who had the idea of a Five Senses PopUp event where each of five events would be focused on one of the five senses with an artist to focus on that sense and have the art centered around it. She stated that Committee Member Kate LaFoy presented the idea. She stated that both the Five Senses PopUp and the general PopUp event application would need the county attorney's review. She stated that the committee could either use the generic liability agreement or the application for the events. She stated that it would be best to hold off on the review of the funding for the Five Senses project however, because Kate LaFoy turned in her resignation due to accepting a new job. She stated that the committee needed to revisit the Five Senses PopUp to ensure that someone from the committee can volunteer to take the lead.

Commissioner Brown moved to approve to have staff and the county attorney review documents from the Public Arts Committee in relation to the PopUp Events; artist applications. Vice Chairman Ognio seconded. Comments followed.

Laura Line of Fayetteville. Ms. Line asked if the attorney review was part of his salary or would he be paid extra to review that document. Vice Chairman Ognio stated that for clarification, the county attorney was not a salary employee. Commissioner Brown stated that it would come from the budget line item for legal services.

Commissioner Brown moved to approve to have staff and the county attorney review documents from the Public Arts Committee in relation to the PopUp Events; artist applications. Vice Chairman Ognio seconded. The motion passed 4-0-1. Commissioner Rousseau was absent. A copy of the request, identified as "Attachment 10", follows these minutes and is made an official part thereof.

11. Consideration of staff's recommendation for the Board of Commissioners to approve the bid from Blount Construction Company, Inc. for Bid # 1362-B HA-5, High Density Mineral Bond in the amount of \$132,533.89.

Road Department Director Steve Hoffman gave the Board a brief background of the projects. He stated that there were two approved projects, one for the Sheriff's office and one for Kwanis Park. He stated that this was a pavement preservation product that was used throughout the county with great success.

Commissioner Brown moved to approve the bid from Blount Construction Company, Inc. for Bid # 1362-B HA-5, High Density Mineral Bond in the amount of \$132,533.89. Commissioner Oddo seconded. Discussion followed.

Chairman Maxwell asked if there were three bidders. Mr. Hoffman stated that this was a single bid. He stated that staff was limited to Blount Construction.

Commissioner Brown moved to approve the bid from Blount Construction Company, Inc. for Bid # 1362-B HA-5, High Density Mineral Bond in the amount of \$132,533.89. Commissioner Oddo seconded. The motion passed 4-0-1. Commissioner Rousseau was absent. A copy of the request, identified as "Attachment 11", follows these minutes and is made an official part thereof.

12. Consideration of staff recommendation to implement a multi-way stop at Antioch Road and Goza Road intersection.

Commissioner Brown stated that there was a lot of citizen interest in the Antioch Road and Goza Road intersection. He stated that the county had a project previously related to the area and there was some debate as to whether that project exacerbated the accident scenario at the intersection. He stated that there was a fatality a while ago and at that time he was reached by people stating their experiences at that intersection. He stated that the Transportation Committee had stated at one time that this project was not a priority based on data collected. He stated that he had a problem with that because of the citizen outcry. He stated that he asked to have the item added to the agenda because of the number of complaints and concerns he received regarding this intersection. He stated that there are a lot of projects that were passed in the SPLOST referendum. He stated that there are some assumptions on whether this project will take place. He stated that movement only happens when the Board says that it will happen. He stated that he would like for this project to be a priority and not delayed.

Mr. Mallon gave a presentation regarding this intersection. He stated that the crash data that staff received in May did not match the feedback from the citizens so staff went back and it was discovered that the data received was not accurate. He stated this project has a request for proposal that was about 90% complete and with Board direction he would like to follow Commissioner Brown's suggestion and put a total of five projects in the bundle when awarded. He continued the presentation. He stated that the information showed that stop signs were warranted. He stated that it was his recommendation to convert the intersection to a four-way stop. He stated that he was recommending to do it as an interim measure and to have the cost associated be considered a SPLOST project or have it be paid out of the Road Department's Maintenance and Operations budget. He stated that he would like to proceed with the RFP for this intersection and others by bringing a consultant on board to do a more thorough traffic study and to use them to model the intersection as a four-way stop and roundabout to determine which was a better long-term solution. He stated that once that was done the design would come before the Board for approval.

Commissioner Brown commented that the data showed how many people crashed and not how many people almost crashed. He stated that must be considered. He stated that he would like to have the time of day for the crashes. Mr. Mallon stated that staff looked at the position of the sun and did not see a correlation. Commissioner Brown suggested having a hidden camera in the area to observe the intersection.

Mr. Mallon stated that Antioch Road was patched a while back and he was recommending that the resurfacing for the intersection portion be delayed until staff has a permanent solution for the intersection.

The following made public comments regarding this intersection:

Philip Doolittle spoke of the fatalities and crashes that have occurred at the intersection. He stated that he personally felt the intersection had been dangerous since the realignment. He stated that the problem had escalated due to a larger volume of thru traffic. He asked the Board to approve for something to be done at this intersection.

Unknown speaker shared some photos of accidents at the intersection. She shared some of her experiences and experiences of those who have had accidents at this intersection. She stated that she agreed that there are more accidents since the realignment. She stated that she did not believe a four-way stop would solve the problem. She stated that a roundabout may solve the problem.

Merci Forsyth stated that she agreed with the previous speakers. She gave accounts of a friend that had a tragic accident at the intersection. She stated that a traffic circle would be a great resolution to this intersection. She stated that she would like to see something done immediately.

Bill Ballard stated that this intersection had been a problem for a long time. He spoke about numerous accidents at the intersection. He urged the Board to do something soon. He stated that he did not believe a four-way stop would solve anything. He stated that he could not believe the county was waiting this long to do something. He urged the Board to do something soon.

Adam Helmbolt stated that his family had several personal experiences over the past 30 years of living in the area. He stated that a school had been added at both ends and a lot of the traffic was school traffic. He stated that a four-way stop would make it worse. He stated that the realignment may have prevented some injuries. He continued to give

experiences regarding accidents at this intersection. He suggested putting larger reduced speed signs as drivers approach the intersection.

Nancy Holland provided the Board with information from social media. She read through the comments and concerns provided on social media by various people. She stated that she personally felt a roundabout would be better at this intersection. She gave a testament of Natalie Davis, who was killed in an accident while traveling on Goza Road. She stated that she did not see the four-way stop as an answer to the problem.

Doug (inaudible last name) stated that the trees and bushes at the corner were placed there for protection so people would stop to look beyond the bushes before entering traffic.

Cherri Burton stated that she was the grandmother that had the near miss eight weeks ago, with her grandsons in the car. She asked if there was funding in the SPLOST for a roundabout at this intersection. Mr. Rapson stated that there was \$19 million allocated toward transportation projects. Antioch and Goza Road was allocated \$1,000,070 toward the project. He continued that \$80,250 to the design of future improvements.

Chairman Maxwell stated that the funding for the SPLOST started July 1 and the actual receipt of the funds would be the end of the month. He stated that he was hopeful that the Board would come to a consensus on some temporary solutions for this problem.

Commissioner Brown moved to ask staff to proceed with the engineering study immediately through the RFP process, to have staff look at the immediate implementation of cautionary signage, if deemed appropriate by the engineering department, to request that the Sheriff run speed surveillance to enforce the speed limit or at least provide a presence if the road geometry does not allow for speed surveillance and that the Board of Commissioners designate the Antioch and Goza Road intersection as a top priority project for implementation and if necessary, to look at funding the project out of reserve funds and reimburse the funds with SPLOST funds as they become available.

Chairman Maxwell asked if this was a proper motion. Mr. Davenport stated that it was possible, but when that much was tied into one motion, the interpretation of the motion after the fact, gets unwieldy. He stated that if it was possible to put them in separate motions. That would be the preferably way to proceed with clear direction.

Commissioner Brown withdrew the previous motion.

Commissioner Brown moved to have staff to proceed with the engineering study and begin the RFP process as soon as possible. Chairman Maxwell seconded. Discussion followed.

Commissioner Brown stated that if his counting was correct there were 24 accidents that were near misses and that could have been just as severe as the 11 accidents that have occurred in the last eight months.

Vice Chairman Ognio stated that the Transportation Committee agreed with that. He stated that the committee discussed that a four-way stop would make it worse. He stated that the study needed to move forward.

Chairman Maxwell asked how long it would take to move forward with the study. Mr. Mallon stated that one way to accelerate the project was if the Board was comfortable with him calling a good consultant and negotiate a fee as a sole

source so that the work could begin as early as next week. He stated that to finish the RFP, put it out for three to four weeks minimum, take two weeks to review the proposals, have interviews and negotiate a price, then bring the proposal before the Board, execute a contract and then issue the notice to proceed would take approximately three to four months before the notice to proceed would be issued.

Vice Chairman Ognio stated that the problem was that the county did not have an engineer of record for this type project. Mr. Rapson stated that staff was currently working on an engineer of records for transportation.

Commissioner Brown stated that he had no problem fast-tracking this project and that he would amend the motion.

Commissioner Brown amended the motion to have staff to proceed with the engineering study and to fast-track the project by having staff contact a consultant to negotiate a price for the project. Chairman Maxwell amended seconded. Further discussion followed.

Chairman Maxwell asked if all the options mentioned would be considered. Mr. Mallon stated yes. He stated that he would suggest to the consultant to view this meeting to hear the testimonies.

Commissioner Oddo asked if staff would move ahead with the four-way stop. Mr. Mallon stated that he was looking for feedback from the Board.

Commissioner Brown stated that we should move toward a long-term solution.

Commissioner Oddo asked about the timeline for putting something in place. Mr. Rapson stated that they could expedite getting the design and engineering done, but that the project would still have a construction period. He stated that it was not unusual for the construction period to be about nine months. He suggested having the consultant give both a long-term and a short-term solution.

Chairman Maxwell stated that if there was information that needed to be addressed immediately, the Board could hold a Special Called meeting.

Commissioner Brown suggested letting the contractor know that this was a priority project that the county wanted to have happen sooner than later. Mr. Mallon stated that that there would be a schedule included and consequences if they fail. Mr. Rapson stated that he would let the Board know when the contract was executed so that the project could be expedited.

Commissioner Brown amended the motion to have staff to proceed with the engineering study and to fast-track the project by having staff contact a consultant to negotiate a price for the project. Chairman Maxwell amended seconded. The motion passed 4-0-1. Commissioner Rousseau was absent.

Commissioner Brown moved to authorize staff to look at some immediate implementation of cautionary signage in the area, if they deem it necessary. Chairman Maxwell seconded. Discussion followed.

Vice Chairman Ognio stated that signs were placed at the location recently. Mr. Mallon stated that there were signs put out, but that they were smaller signs and that he will have larger signs replace those.

Commissioner Brown moved to authorize staff to look at some immediate implementation of cautionary signage in the area, if they deem it necessary. Chairman Maxwell seconded. The motion passed 4-0-1. Commissioner Rousseau was absent.

Commissioner Brown moved to make a formal written request to the Sheriff to run speed surveillance in the area to enforce the speed limit and if surveillance is not applicable because of the geometry of the street and/or not allowed by GDOT standards, that he would consider police presence in the area to possibly keep people alert. Chairman Maxwell seconded. Discussion followed.

Chairman Maxwell stated that he and Mr. Rapson would be out of town. He asked staff to get the letter written so that he could sign it.

Vice Chairman Ognio stated that this concern was discussed in the Transportation Committee and the Sheriff's office and citizens have said that the Sheriff had been patrolling that area and that did not help.

Commissioner Brown stated that he thinks they will have to write tickets to get people's attention, unfortunately.

Commissioner Brown amended the motion to make a formal written request to the Sheriff to run speed surveillance in the area to enforce the speed limit and if surveillance is not applicable because of the geometry of the street and/or not allowed by GDOT standards, that he would consider police presence in the area to possibly keep people alert and to put a speed detector out at the location. Chairman Maxwell amended the second. The motion passed 4-0-1. Commissioner Rousseau was absent.

Commissioner Brown moved that the Board designate the Antioch and Goza Road intersection as a top priority project for implementation and if necessary, if the engineering is ready in time, to look at using funds designated by Finance, and reimburse funds with SPLOST funds when available. Chairman Maxwell seconded. Discussion followed.

Mr. Rapson asked that the Board put in a reimbursement resolution in place. The Board agreed.

Commissioner Brown moved that the Board designate the Antioch and Goza Road intersection as a top priority project for implementation and if necessary, if the engineering is ready in time, to look at using funds designated by Finance, and reimburse funds with SPLOST funds when available. Chairman Maxwell seconded. The motion passed 4-0-1. Commissioner Rousseau was absent. A copy of this request, identified as "Attachment 12", follows these minutes and is made an official part thereof.

13. Discussion regarding the Transportation Committee.

Commissioner Brown stated that since the fatal accident at Antioch and Goza he had been pushing to have something done at that intersection which he had been communicating through email to the Board. He stated that one of the things that was getting confused with the Transportation Committee. He stated that he was in favor of the Transportation Committee and he supported the committee. He stated that it was a good idea for the committee to do what it says to do and that he had no problems with having the committee, but that he wanted the committee to adhere to the bylaws. He stated that in the bylaws there are several action items that the committee was responsible for including; identify traffic and explore problems in the county, provide recommendations to the Board on possible short and long term priorities,

provide input on alignments and alternatives, assist in identifying funding sources with all funding being approved by the appropriate governmental entity, provide recommendations to the Board on short and long term traffic goals, identify and support safety initiatives and put together information in a form that would help communicate Fayette County's views and concerns to the Georgia Department of Transportation (GDOT) and the Atlanta Regional Commission. He stated that the committee was established in April 2016 and there needed to be a priority list from that committee to be presented to the Board and to start having public discussions. He stated that the committee did not have a project list or priorities, the Board did. He stated that the suggestions come from the committee and the Board had the authority for action. He stated that was all he wanted to see as required by the bylaws. He stated that there needed to be more public communication. He stated that the committee must move through the Board channels.

Vice Chairman Ognio stated that the committee had not done anything outside of the bylaws. He stated that when the committee did bring projects and priorities it was approved in the budget. He stated that the Transportation Committee meetings are open to the public and that the public was welcome and encouraged to attend. He stated that the committee meets the first Tuesday of the month at 4:00 p.m. He stated that some exceptions have been made to the time to accommodate GDOT because the committee tried to meet quarterly with them. At those times, it was 2:00 p.m. He stated that when the accident report was provided in May, the five accidents did not show up. He stated that the committee was trying to determine how to evaluate accident reports and how to prioritize them. He stated that Mr. Doolittle had a good idea on how to monitor the accidents. He stated that the committee will continue to look at ways to prioritize and get recommendations to the Board as quickly as possible.

Commissioner Brown stated that the Transportation Committee had bylaws for a year and four months and that it was time to get a draft of priorities to the Board. He stated that SPLOST dollars are starting to fall and the priorities need to be set so that everyone knows and so that the citizens can have discussions. He stated that the priorities may have to be changed due to citizen's comments.

Vice Chairman Ognio stated that there was a PowerPoint presentation of the priority list presented at the Board retreat that showed the priorities and what would be funded this year and the following year. He stated that there were no questions brought up at that time, so the Transportation Committee assumed that everything was good.

Commissioner Brown stated that the committee did not set priorities, the Board did and that the committee did not direct staff to expedite a project or implement a project...the Board did and that was his point.

Vice Chairman Ognio responded that it was part of the budget process and the priorities were listed and approved as part of the process.

Commissioner Oddo stated that since the inception of the Transportation Committee it had drawn together the county and the municipalities to talk about projects. He stated that it was an excellent vehicle for discussing county led projects and concerns. He stated that the committee was doing what it was supposed to be doing and as time goes by it will do more. He continued that GDOT attended meetings and the public did attend meetings. He stated that the committee was functioning well.

Philip Doolittle stated that the information presented by Mr. Mallon showed that there had not been less than five in four years. He asked what happened to the reporting.

Vice Chairman Ognio stated that he was not sure what happened. He stated that the report was submitted from the Sheriff's office.

Denise Ognio thanked everyone for attending. She stated that it was a hard job to know so many needs in the community, especially when dealing with death. She stated that when looking at the roads, the commissioners put in a lot of time and effort. She stated that it was imperative that the community step up and call the commissioners when there are problems because it does help the commissioners and it was greatly appreciated.

Adam Helmbolt stated that a call to the public was one thing, but a knock at the door would get more feedback. He stated that he would recommend interviewing a representative sample of residents who live closest to the top priority locations.

Commissioner Brown cautioned the Board that an intersection could be over engineered and cause more problems. He stated that the McDonough Road project was going to cause problems and so would Highway 54 widening.

A copy of the request, identified as "Attachment 13", follows these minutes and is made an official part thereof.

PUBLIC COMMENT:

Yvonne Smith stated that she had been before the Board several times to address some issues. She stated that at the beginning of the year she discovered that there were no fire hydrants in her community and her house burned in 2007. She stated that she had not heard anything else from the Board regarding her concern of no hydrants. She stated that she had meet with the Commissioners and the owner of the well system, Senator Jeffries. She stated that he admitted that he would like to sell the well, but that she had not heard if that had taken place. She stated that she had a visit from Colin Campbell, Environmental Specialist from Environmental Protection Division (EPD). She continued that he met her at the tower and stated that there were a lot of citations. She stated that she asked for documentation of the citations, but had not received it. She continued to brief the Board about EPD's visit. She stated that she spoke with the fire marshal to see if he could come to check the pressure on the hydrants and he told her that he was not allowed to come check the pressure anymore and that direction would have to come from the commissioners because they pay his salary. He suggested that she speak to Senator Jeffries. She asked what does the community do about this issue. She stated that there was no one else to help them with this problem. She stated that the insurance was impossible because they need fire hydrants and that there was no safety there. She stated that she was frustrated that no one had gotten back with her. She stated that she had also been before the Board regarding the amendment to keeping the cars off the lawn and that she had not heard anything back from that. She stated that she felt that she was being publicly ignored. She asked the Board to let her know if something was going to be done. She stated that she didn't think any of the commissioners had been to her subdivision to look at the tower. She added that no one was cleaning Kenwood Park. She asked who was to clean the park?

Sandra Wilson asked when this issue would be placed on an agenda. She stated that she wanted the Board to consider something to be done for her community regarding the fire hydrants.

Stephanie Cohran thanked the Board for listening to the public comments. She stated that the Humane Society was disappointed with not getting progression on the ordinance and was not happy with the 30-day limit on the euthanasia policy. She stated that they would be putting an item on a future agenda for the Commissioners to redirect and finish the TNR ordinance that was directed by the Board in 2014. She referenced a resolution from the American Bar Association to urge local agencies to interpret existing laws and policies and adopt laws and policies to allow the implementation and administration of trap, neuter, vaccinate,

return programs. She asked the Board to review the email that was sent regarding this information. She stated that until the program was approved, the volunteers do not want to continue to help at the shelter and taking care of the animals.

ADMINISTRATOR'S REPORTS:

Response to Ms. Yvonne Smith's comments:

Mr. Rapson stated that Newton Plantation was a private system. He stated that the Water System Director had been in touch with EPD and there were no existing citations. He stated that the fire hydrants are also a part of that private system. He stated that the Water Committee would meet on the 13th to discuss the private system and the Water Committee will make a recommendation to the Board.

Commissioner Rousseau's comments:

Mr. Rapson stated that Commissioner Rousseau wanted him to let the Board know that he was watching the meeting and that he had met with Ms. Smith several times to address concerns and that he had introduced the lawn ordinance, but that he was not ready to bring that forward. He also wanted the Board to know that Kenwood Phase II was progressing well. Mr. Rapson stated that the park was cleaned every Monday and Friday by Public Works.

Response to Ms. Stephanie Cohran's comments:

Mr. Rapson stated that Ms. Cohran was correct that there was a place holder for the TNR agenda item. He stated that Ms. Lasher had also sent a request to have the comprehensive revisions of the animal control ordinance be placed on an agenda.

Selection Committee Public Arts Committee:

There are two open positions. The Board agreed to use the current Selection Committee to make a selection from the two applicants that applied from the current open Public Arts Committee position based on the policy.

Inman Farm Heritage Day:

September 15-17, 2017

Clothes Less Traveled-Correction from last meeting:

Mr. Rapson stated that during the discussion of funding Fayette Care Clinic, Clothes Less Traveled asked that he clarify that the clinic had requested a \$60,000 grant, but that Clothes Less Traveled awarded them \$16,000 and that they had awarded them \$35,000, \$40,000 and \$30,000 consecutively over the past three years. He stated that the Kwanis Club had stepped up to fund the clinic's shortfall.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated that there were four items involving pending litigation, three items involving threatening litigation, two items involving real estate acquisition and the review of the Executive Session minutes for August 10, 2017.

COMMISSIONERS' REPORTS:

Commissioner Brown:

TNR draft document: Commissioner Brown stated that he did read through the TNR draft document. He stated that it was one of the most well researched documents that he had seen on any issue. He stated that he hoped it was something that the County would use and to use the document to impact state legislation.

In accordance with the Americans With Disabilities Act, accommodations are available for those who are hearing impaired and/or in need of a wheelchair. The Board of Commissioners Agenda and supporting material for each item is available on-line through the County's website at www.fayettecountyga.gov. This meeting will be telecast on Comcast Cable Channel 23 and on the internet at www.livestream.com.

Response to Ms. Smith's comments: Commissioner Brown addressed Ms. Smith and stated that the last time he tried to work with her that she told him that she could only work with her district commissioner, Commissioner Rousseau. He stated that he set up the meetings and then had to formally write a letter to her neighbors that she had "called him off". He stated that she could not play it both ways. He addressed her and stated for her not to come and complain after he had cleared his schedule to help and then she told him that she would only work with her district commissioner.

Ms. Smith's comments from the audience were inaudible.

Commissioner Brown stated that he tried to do somethings at Kenwood Park and the local representation told him that they did not want to do it. He stated that Commissioner Barlow went to the Little League Association and got a grant and there were no parents to step forward to run the program.

Ms. Smith's comments from the audience were inaudible.

Commissioner Brown stated that he had never told anyone not to check the water pressure in her neighborhood and he doubt any of the other Board members had either.

Water Guardians: Commissioner Brown stated that the Water Guardian event was to be held at Lake Horton on September 9 at 7:45 a.m. He stated that would be the last one of the warm months and that it would start back up in the spring.

Vice Chairman Ognio:

Inman Heritage Day: Vice Chairman Ognio encouraged everyone to attend Inman Heritage Day. He stated that it was fun for the whole family.

Commissioner Oddo:

Anniversary of Mt. Vesuvius: Commissioner Oddo stated that it was the anniversary of Mt. Vesuvius volcano eruption.

Labor Day: He wished everyone a safe Labor Day and thanked everyone for attending.

EXECUTIVE SESSION:

Four Items of Pending Litigation, Three Items of Threatening Litigation, Two Items of Real Estate Acquisition and Review of the August 10, 2017 Executive Session Minutes: Commissioner Brown moved to go into Executive Session. Vice Chairman Ognio seconded. The motion passed 4-0-1. Commissioner Rousseau was absent.

The Board recessed into Executive Session at 10:31 p.m. and returned to Official Session at 11:50 p.m.

Return to Official Session and Approval to Sign the Executive Session Affidavit: Vice Chairman Ognio moved to return to Official Session and for the Chairman to sign the Executive Session Affidavit. Commissioner Brown seconded the motion. The motion passed 4-0-1. Commissioner Rousseau was absent. A copy of the affidavit, identified as "Attachment 14", follows these minutes and is made an official part thereof.

Mr. Davenport stated that he had been in discussion with Tracy Glanton of Elarbee Thompson employment firm in coordination with the Equal Opportunity Employment Commission. He stated that she was the one who looked at the county revising the Harassment and Equal Opportunity Employment policies, which were revised at the last meeting. He stated that there was also In accordance with the Americans With Disabilities Act, accommodations are available for those who are hearing impaired and/or in need of a wheelchair. The Board of Commissioners Agenda and supporting material for each item is available on-line through the County's website at www.fayettecountyga.gov. This meeting will be telecast on Comcast Cable Channel 23 and on the internet at www.livestream.com.

an agreement requesting the update of the policies and the Board did so per their request. He stated that he was bringing before the Board a Bilateral Agreement to revise the policies.

Vice Chairman Ognio moved to approve the Bilateral Agreement. Commissioner Brown seconded. The motion passed 4-0-1. Commissioner Rousseau was absent.

Approval of the August 10, 2017 Executive Session Minutes: Vice Chairman Ognio moved to approve the August 10, 2017 Executive Session Minutes. Commissioner Brown seconded. The motion passed 4-0-1. Commissioner Rousseau was absent.

ADJOURNMENT:

Commissioner Brown moved to adjourn the August 24, 2017 Board of Commissioners meeting. Vice Chairman Ognio seconded. The motion passed 4-0-1. Commissioner Rousseau was absent.

The August 24, 2017 Board of Commissioners meeting adjourned at 11:52 p.m.

Tameca P. White, County Clerk

Eric K. Maxwell, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 14th day of September 2017. Referenced attachments are available upon request at the County Clerk's Office.

Tameca P. White, County Clerk