

BOARD OF COUNTY COMMISSIONERS

Randy Ognio, Chairman
Charles W. Oddo, Vice Chairman
Edward Gibbons
Eric K. Maxwell
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

January 10, 2019

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.

SWEARING-IN:

Probate Court Judge Ann S. Jackson to administer the Loyalty Oath and Official Oath of County Commissioner of the State of Georgia to Commissioner-Elect Edward "Edge" Gibbons Jr.

Probate Court Judge Ann S. Jackson administered the Official Oath and the Loyalty Oath to Commissioner-Elect Edward "Edge" Gibbons Jr. He was successfully sworn-in to the Board of Commissioners.

Commissioner Gibbons thanked all those who helped him along the way and were key in helping him get elected. He thanked his wife for always supporting him.

Probate Court Judge Ann S. Jackson to administer the Loyalty Oath and Official Oath of County Commissioner of the State of Georgia to Commissioner-Elect Charles D. Rousseau.

Probate Court Judge Ann S. Jackson administered the Official Oath and the Loyalty Oath to Commissioner-Elect Charles D. Rousseau. He was successfully sworn-in to the Board of Commissioners.

Commissioner Rousseau thanked everyone for the support from the community. He made comments and thanked the Board and staff. He thanked his wife for her support and concluded by thanking Judge Jackson.

Call to Order by County Attorney Dennis Davenport

County Attorney Dennis Davenport called the January 10, 2019 Organizational Meeting of the Board of Commissioners to order at 6:37 p.m.

ORGANIZATIONAL SESSION:

1. Election of Board Chairman for the year 2019.

Commissioner Charles Oddo nominated Commissioner Randy Ognio as Chairman.

Commissioner Edward Gibbons nominated Commissioner Eric Maxwell as Chairman.

Commissioner Ognio moved to close the floor for nominations. Commissioner Gibbons seconded. The motion passed 5-0.

Commissioner Oddo moved to elect Commissioner Ognio as Chairman. Commissioner Rousseau seconded. The motion passed 5-0.

2. Election of Board Vice-Chairman for the year 2019.

Commissioner Rousseau nominated Commissioner Oddo as Vice Chairman.

Commissioner Rousseau moved to close the floor for nominations. Commissioner Gibbons seconded. The motion passed 5-0.

Commissioner Rousseau moved to elect Commissioner Oddo as Vice Chairman. Commissioner Gibbons seconded. The motion passed 5-0.

OFFICIAL SESSION:

3. Invocation and Pledge of Allegiance by Commissioner Eric Maxwell

Commissioner Maxwell offered the Invocation and led the Pledge of Allegiance.

4. Acceptance of Agenda

Vice Chairman Oddo moved to accept the agenda. Commissioner Rousseau seconded. The motion passed 5-0.

PROCLAMATION/RECOGNITION:

5. Recognition of the Fayette County 6th Annual Merry Door Decorating Contest winners.

County Administrator Steve Rapson recognized the Tax Assessor's Office for winning third place. He presented the Human Resource Department as the second-place winners and the 911 Center as the first-place winners with trophies.

PUBLIC HEARING: None

CONSENT AGENDA:

Commissioner Rousseau requested to remove items #6, #7 and #11 for discussion.

Vice Chairman Oddo moved to approve the Consent Agenda with the exception of items #6, #7 and #11 for discussion. Commissioner Gibbons seconded. The motion passed 5-0.

6. Approval of authorization to sign checks combining any of the following two signatures for transactions at or above \$5,000.00: Chairman, Vice-Chairman, County Administrator.

Commissioner Rousseau stated that he would like to have the language from #8 added to items #6 and #7; "other documents approved by and on behalf of the Board of Commissioners".

Commissioner Rousseau moved to add the language "other documents approved by and on behalf of the Board of Commissioners" to items #6 and #7. Commissioner Gibbons seconded.

Commissioner Maxwell asked if Commissioner Rousseau was asking that the "by and on behalf of the Board of Commissioners" be added to the language. Commissioner Rousseau stated correct. He continued that since all monies and expenditures had to be approved by the Board, that he felt that language should be included in #6 and #7 as stated in item #8.

Commissioner Maxwell asked if that language had been added in the past. Mr. Davenport stated that he could not recall. He stated that the language was used from the last agenda that included this request in 2018, so it may not have been included in the past.

Commissioner Maxwell stated that he had no problem with the request as long as the Board did not have to vote on each individual check. He asked if the motion was narrow enough so that the Board would not have to vote on each of them.

Mr. Rapson stated that the language would not substantially change the items. He stated that if the language stated, "approved by the Board" that would be substantially different than "on behalf of the Board". He stated that there were policies in place and internal procedures in place to ensure that the expenditures are from a budget that had been approved by the Board.

Commissioner Rousseau moved to add the language "other documents approved by and on behalf of the Board of Commissioners" to items #6 and #7. Commissioner Gibbons seconded. The motion passed 5-0.

7. **Approval of authorization to sign checks for transactions in the amount of \$4,999.99 or less: Chairman, Vice-Chairman, County Administrator.**
8. **Approval of the Chairman, Vice-Chairman, and the County Administrator to execute contracts, resolutions, agreements, or other documents approved by and on behalf of the Board of Commissioners.**
9. **Approval of a request from the Fayette County DUI Court to accept a supplemental grant award for 2018 from the Criminal Justice Coordinating Council (CJCC) of \$14,030 and to authorize the expenditure of 10% local matching funds in the amount of \$1,558.89.**
10. **Approval of staff's request to accept the quote from Donaldson Electric Company Inc. for Quote #1591-A in the amount of \$45,207.85 for purchase and installation of a replacement back-up generator at Fire Station No.6.**
11. **Approval of the December 13, 2018 Board of Commissioners Meeting Minutes.**

Commissioner Rousseau noted changes to the minutes. The first change was the word "form" to "forum" on page 14 of 37 of the agenda package and the word "starling" to "startling" on page 29 of 37 of the agenda package.

Commissioner Rousseau moved to approve the December 13, 2019 Board of Commissioners Meeting Minutes with the noted changes. Vice Chairman Oddo seconded. The motion passed 5-0.

OLD BUSINESS: None

NEW BUSINESS:

12. **Consideration of the County Attorney's recommendation to approve the disposition of tax refunds, as requested by Judith Freeman for tax years 2015, 2016 and 2017 in the aggregate amount of \$928.86.**

Mr. Davenport stated that the memo explained the basis for the request. He stated that there was an assessed value of a finished basement, but Ms. Freeman did not have a finished basement. He stated that there was no adjustment for 2018 because this was corrected in 2018. The recommendation was for the approval of \$928.86.

Commissioner Rousseau moved to approve the disposition of tax refunds, as requested by Judith Freeman for tax years 2015, 2016 and 2017 in the aggregate amount of \$928.86. Vice Chairman Oddo seconded. The motion passed 5-0.

13. **Consideration of the County Attorney's recommendation to approve the disposition of tax refunds, as requested by Mark and Marie Schwartz for tax year 2017 in the aggregate amount of \$60.17.**

Mr. Davenport stated that this request was made due to the property card in 2017 that showed one more acre than the Schwartz's owned and the county recognized it as an error on the county's part. The recommendation was for the approval of \$60.17.

Commissioner Rousseau moved to approve the disposition of tax refunds, as requested by Mark and Marie Schwartz for tax year 2017 in the aggregate amount of \$60.17. Vice Chairman Oddo seconded. The motion passed 5-0.

PUBLIC COMMENT:

Roy Bishop stated that he would like to have Public Works Director Phil Mallon give an update on a traffic light at Veterans Parkway and Highway 92 and he asked if there was anything that could be done about the mud due to all the rain.

ADMINISTRATOR'S REPORTS:

Mr. Rapson stated that he would have Mr. Mallon contact Mr. Bishop with a response.

- A. **Contract #1163-B: Cal-Flo Lime Slurry – Amendment 2**

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated that there were four items involving property acquisition, two items involving pending litigation and the review of the Executive Session minutes for December 13, 2018.

COMMISSIONERS' REPORTS:

Commissioner Maxwell:

Congratulations: Commissioner Maxwell congratulated Chairman Ognio and offered his assistance if needed. He extended that offer to Vice Chairman Oddo as well.

Commissioner Maxwell welcomed Commissioner Rousseau "back" for another term and congratulated him and Commissioner Gibbons for winning their elections.

Commissioner Rousseau:

Congratulations: Commissioner Rousseau stated that he joined in congratulating Chairman Ognio and Commissioner Gibbons. He welcomed Commissioner Gibbons aboard and offered his assistance if needed. He thanked Commissioner Maxwell for his two-years of leadership and thanked those that re-elected him and for putting their trust in him. He stated that he would continue to work hard to be an advocate, voice and servant leader on the Board.

Vice Chairman Oddo:

Thank you: Vice Chairman Oddo stated that he wanted to thank Commissioner Maxwell. He stated that when the Board changed chairman, it was not a reflection of the person. He stated that there were five individuals that would like to be in the seat of chairman. He stated that he appreciated the job that Commissioner Maxwell had done, and he felt Chairman Ognio would do a fine job.

He welcomed Commissioner Gibbons and congratulated Chairman Ognio and Commissioner Rousseau.

Chairman Ognio:

Thank you: Chairman Ognio thanked the Board for having faith in him as chairman. He thanked Commissioner Maxwell for the last two years. He reiterated that it was not an issue of whether the job was done good or bad. He stated that they all felt that they would like to be chairman for at least one year.

EXECUTIVE SESSION:

Four items involving property acquisition, two items involving pending litigation, and the review of the Executive Session minutes for December 13, 2018: Vice Chairman Oddo moved to go into Executive Session. Commissioner Rousseau seconded. The motion passed 5-0.

The Board recessed into Executive Session at 7:01 p.m. and returned to Official Session at 8:02 p.m.

Return to Official Session and Approval to Sign the Executive Session Affidavit: Chairman Ognio moved to return to Official Session and for the Chairman to sign the Executive Session Affidavit. Commissioner Rousseau seconded. The motion passed 5-0.

Mr. Davenport updated the Board on a worker's compensation settlement. This settlement was with Joseph Waldrop from the Sheriff's Office. The proposed settlement totaled \$95,000 with his execution of a general release, confidentially clause, non-disparagement and separate from employment with no return.

Commissioner Rousseau moved to approve the settlement agreement as describe by County Attorney. Vice Chairman Oddo seconded. The motion passed 5-0.

Approval of the December 13, 2018 Executive Session Minutes: Chairman Ognio moved to approve the December 13, 2018 Executive Session Minutes. Vice Chairman Oddo seconded. The motion passed 5-0.

ADJOURNMENT:

Chairman Ognio moved to adjourn the January 10, 2019 Board of Commissioners meeting. Vice Chairman Oddo seconded. The motion passed 5-0.

The January 10, 2019 Board of Commissioners meeting adjourned at 8:03 p.m.

Tameca P. White, County Clerk

Randy C. Ognio, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 24th day of January 2019. Referenced attachments are available upon request at the County Clerk's Office.

Tameca P. White, County Clerk