

## **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**

April 11, 2019

6:30 p.m.

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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 2<sup>nd</sup> and 4<sup>th</sup> Thursday of each month at 6:30 p.m.

### **Call to Order**

Chairman Randy Ognio called the April 11, 2019 Board of Commissioners meeting to order at 6:34 p.m.

### **Invocation and Pledge of Allegiance by Vice Chairman Charles Oddo**

Vice-Chairman Charles Oddo offered the Invocation and led the audience in the Pledge of Allegiance

### **Acceptance of Agenda**

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

### **PROCLAMATION/RECOGNITION:**

### **PUBLIC HEARING:**

### **CONSENT AGENDA:**

Commissioner Gibbons moved to accept the Consent Agenda as written. Vice-Chairman Oddo seconded. The motion passed 5-0.

1. **Approval to award Bid #1536-B, Change Order #2: to Dusty Greer Roofing, Inc., Stonewall Roof Replacement Project (#3565A) in the amount of \$87,540.00.**
2. **Approval of staff's recommended budget amendments to Water Systems Capital Improvement Plan (CIP) projects.**
3. **Approval of the March 28, 2019 Board of Commissioners Meeting Minutes.**

### **OLD BUSINESS:**

### **NEW BUSINESS:**

4. **Consideration of staff's recommendation to amend the 2017 SPLOST Stormwater fund (32240320) reallocating \$191,000 from Category II, Tier I, 215 Brandon Mill Circle South (17SAD) to Morning Dove Drive (17SAJ) and to**

**award Bid #1639-B: 2017 SPLOST; Stormwater Category II; Morning Dove Drive Culvert Replacement to the low bidder, Piedmont Paving, Inc., in the amount of \$379,925.**

Vanessa Birrell Environmental Management Director asked if there were questions regarding this item.

Commissioner Maxwell asked Ms. Birrell to explain the need to transfer or reallocate monies.

Ms. Birrell stated that the \$191,000 was needed to ensure the bid could be awarded. Ms. Birrell stated that funds were being allocated from a project that was over estimated based upon the extent of service being applied to all the projects. She added that the Brandon Mill/Circle South project had a budget that exceeded the project amount.

Commissioner Maxwell asked if this request was moving money from a lower priority project to a higher priority project.

Ms. Birrell stated, "Yes", she specified that both projects are Category II, Tier I.

Commissioner Maxwell stated that as a part of the 2017 SPLOST project list, the Board had flexibility and was not restricted on which projects had to be done. Commissioner Maxwell stated with that in his mind, it looked like we missed the mark in relation to this project. Commissioner Maxwell added that the current balance was \$189,000.

County Administrator Steve Rapson stated that with this particular project there was a reprioritization of the project and with that came significant bank reshaping and culvert stabilization. Mr. Rapson added that majority of this work was done through visual inspection once the work begin. He stated that he had asked Ms. Birrell to isolate the transfers to one project that realigned the SPLOST. He continued that the SPLOST project had not been realigned since its inception but that would change toward the end of the year.

Commissioner Maxwell asked if this would put an end to the Brandon Mill project.

Ms. Birrell stated, "No". The initial design proposed in 2017 was to replace pipe 200 feet out of our right-of-way, which exceeded the extent of service. Ms. Birrell stated that staff consider other options that condensed the project so as not to go outside the right-of-way.

Vice-Chairman Oddo moved to approve staff's recommendation to amend the 2017 SPLOST Stormwater fund (32240320) reallocating \$191,000 from Category II, Tier I, 215 Brandon Mill Circle South (17SAD) to Morning Dove Drive (17SAJ) and to award Bid #1639-B: 2017 SPLOST; Stormwater Category II; Morning Dove Drive Culvert Replacement to the low bidder, Piedmont Paving, Inc., in the amount of \$379,925. Commissioner Gibbons seconded. The motion passed 5-0.

**5. Consideration of the appointment of two elected officials and two staff members to the Transportation Committee with a term beginning April 1, 2019 to expire March 31, 2022.**

Chairman Ognio stated that his recommendation was to re-appoint Phil Mallon and Carlos Christian as the two staff members to the Transportation Committee.

Commissioner Maxwell moved to re-appoint Phil Mallon and Carlos Christian to the Transportation Committee. Commissioner Gibbons seconded. The motion passed 5-0.

Commissioner Maxwell stated that he had concerns with having two Commissioners as part of the Transportation Committee. Commissioner Maxwell stated that he felt that the Transportation Committee should be independent from the Board. He added that the purpose of the Transportation Committee was to get information and input from staff, the public and Fayette municipalities. Commissioner Maxwell stated that when Commissioners were present at a meeting it carried an intended/unintended "oomph". Commissioner Maxwell stated that he would prefer Commissioners not sit on the Transportation Committee, although that was the way it was constituted.

Chairman Ognio stated that by having Commissioners on the Transportation Committee provided the Board the opportunity to give input into the transportation plan. He stated that he did not feel it created a conflict, He added that he did feel that by having Commissioners on the Transportation Committee it helped to create continuity between transportation in the County, Atlanta Regional Commissioner (ARC), and Georgia Department of Transportation (GDOT).

Vice-Chairman Oddo stated that he had similar thoughts as Commissioner Maxwell related to who should be on committees/boards as far as Commissioners go. However the Transportation Committee was formed this way and had worked well. Vice-Chairman stated that Chairman Ognio had been fundamental in the success of the committee along with Phil Mallon, Carlos Christian, and Joe Scarborough, who are instrumental in the progress the Transportation Committee. He stated that he had, in the past, proposed Chairman Ognio not serve as Chairman of the Transportation Committee but no one else stood up to the challenge by volunteering to take the position.

Commissioner Maxwell stated that, although not currently a problem, his concern was that when a proposal, decision, recommendation was presented to the Board of Commissioners from the Transportation Committee with two Commissioners supporting it, it only needed one additional vote to be approved. Commissioner Maxwell reiterated that it could potentially become a concern in the future.

Chairman Ognio stated that even as a Transportation Committee member, there were recommendations that were forwarded to the Board of Commissioners for approval that he was not in agreement with.

Commissioner Gibbons stated that having the Commissioners on the Transportation Committee acted as an "informant" of the Board and relayed to GDOT that the County serious about what the Fayette County transportation Committee did.

Commissioner Maxwell asked the County Attorney Dennis Davenport if it was appropriate to make a motion regarding the structure of the Transportation Committee.

County Attorney Dennis Davenport stated that the item was for the appointment but the item would promote discussion that was reasonably related to this item and the structure was reasonably related. If the discussion took a different direction as it related to the structure, then that would be up to the majority of the Board of Commissioners whether to continue.

Commissioner Maxwell asked if project recommendations from the Transportation Committee went directly to Atlanta Regional Commissioner (ARC). Chairman Ognio stated "No", all recommendation were sent to the Board of Commissioners for approval before being sent out to Atlanta Regional Commissioner (ARC).

Commissioner Rousseau stated that he agreed with Commissioner Maxwell's sentiments, and he had cautioned the Board in the past regarding Commissioners sitting on various committees/board. Commissioner Rousseau stated that he

was prepared to support a motion to reexamine the structure of the Transportation Committee. He added that although it was the way it was constituted, he would be willing to have it re-evaluated for up to two Commissioner, down to one Commissioner, or citizens. Commissioner Rousseau stated that when Commissioners were on bodies and entities it gave out and took on a different "flavor", which was why the Board should re-evaluate the structure. Commissioner Rousseau stated that an additional concern he had was while reading the bylaws. In reference to having an individual removed for "cause", he stated he did not know what "cause" meant. He added that the Board needed to be careful how that was spelled out but needed to ensure "cause" was specifically spelled out and clearly defined.

Commissioner Maxwell moved to re-appoint Chairman Ognio and Vice-Chairman Oddo to the Transportation Committee. Commissioner Gibbons seconded. The motion passed 4-1, with Commissioner Rousseau voting in opposition.

Commissioner Maxwell moved to review whether a commissioner should be on the committee and what "for cause" means. Commissioner Gibbons seconded. The motion was withdrawn.

#### **PUBLIC COMMENT:**

*Speakers will be given a five (5) minute maximum time limit to speak before the Board of Commissioners about various topics, issues, and concerns. Speakers must direct comments to the Board. Responses are reserved at the discretion of the Board.*

#### **Roy Bishop**

Roy Bishop expressed concerns about the need for a stop light at Veterans Parkway. He stated that he felt the County needed to be more proactive instead of reactive. Mr. Bishop also stated that he had noticed tractor trailer truck parking on Westbridge Road and he would like it to be investigated.

#### **Tom Waller**

Tom Waller stated that he had concerns regarding the roundabout on Veterans Parkway and he would like to see speed bumps installed to help slow down the traffic.

#### **ADMINISTRATOR'S REPORTS:**

Mr. Rapson in response to public comments:

#### **Roy Bishop**

Mr. Rapson stated that he has requested the Marshalls Office check on the issue with tractor trailer trucks parking on Westbridge Road.

#### **Tom Waller**

Mr. Rapson stated that Mr. Mallon would look into if installing speed bumps to Westbridge road was feasible.

#### **A. #1638-B; Full Depth Reclamation on Dix-Lee-On**

Mr. Rapson updated the Board regarding this item.

Mr. Rapson stated that there was a need for a selection Committee for the Department of Family and Children Services (DFCS) Board.

Vice-Chairman Oddo moved to nominate Commissioner Rousseau and Commissioner Gibbons to serve on the Selection Committee for the DFCS Board. Commissioner Maxwell seconded. The motion passed 5-0.

#### **ATTORNEY'S REPORTS:**

**Notice of Executive Session:** County Attorney Dennis Davenport stated that there were two items of threatening litigation and the review of the Executive Session minutes for March 28, 2019.

#### **COMMISSIONERS' REPORTS:**

##### **Commissioner Maxwell**

Commissioner Maxwell stated in response to Mr. Bishop that the County had to follow a process via GDOT. Commissioner Maxwell added that in regards to the tractor trailer parking it was a concern which may increase, hopefully not in Fayette County.

##### **Vice Chairman Oddo**

Vice-chairman Oddo stated to the audience that April 15<sup>th</sup> was tax day. He stated that taxes had to be done or an extension filed. He also wished everybody a Happy Easter and wished Mr. Lee Pope much success in his future endeavors. Vice-Chairman happily stated that his wife had been gone but was now back home and was in the audience.

##### **Commissioner Rousseau**

Commissioner Rousseau thanked Commissioner Maxwell for addressing some of the citizen issues regarding Westbridge Road. Commissioner Rousseau stated that it was an on-going problem with abandoned properties and unauthorized parking. He added that he knew the Marshals Office was paying close attention to these concerns and he extended his appreciation for that.

##### **Chairman Ognio**

Chairman Ognio stated in reference to Mr. Wallers concerns, he did not know if speed bumps would help the roundabouts. Chairman Ognio stated that in regards to a stop light on Veterans Parkway, the recommendation was sent to GDOT and it was in their hands. Chairman Ognio reminded citizens that if they have a birthday at the end of May to get their vehicle tags early because the State would be upgrading the tag computer system on May 21-29. Chairman Ognio stated that there would be an event at the Library on Saturday, April 13<sup>th</sup> from 10:00 a.m. – 1:00 p.m. called Andrews Fun and Healthful Community- Healthy Foods and Healthy Goals Food Drive.

Mr. Rapson stated that the county auction will be on Saturday, April 13, 2019 along with an estate sale in the area and a soccer tournament at McCurry Park.

#### **EXECUTIVE SESSION:**

**Notice of Executive Session:** County Attorney Dennis Davenport stated that there two items of threatening litigation and the review of the Executive Session minutes for March 28, 2019.

**Two items of threatening litigation and the review of the Executive Session minutes for March 28, 2019:** Commissioner Rousseau motioned to go into Executive Session. Commissioner Gibbons seconded. The motion passed 5-0.

The Board recessed into Executive Session at 7:32 p.m. and returned to Official Session at 7:56 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. Vice-Chairman Oddo seconded. The motion passed 5-0.

**Approval of the March 28, 2019 Executive Session Minutes:** Chairman Ognio moved to approve the March 28, 2019 Executive Session Minutes. Vice Chairman Oddo seconded. The motion passed 5-0.

**ADJOURNMENT:**

Vice-Chairman Oddo moved to adjourn the April 11, 2019 Board of Commissioners meeting. Commissioner Gibbons seconded. The motion passed 5-0.

The April 11, 2019 Board of Commissioners meeting adjourned at 7:57 p.m.

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Marlena M. Edwards, Deputy County Clerk

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Randy O. Ognio, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 23<sup>rd</sup> day of April 2019. Referenced attachments are available upon request at the County Clerk's Office.

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Marlena M. Edwards, Deputy County Clerk