

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

June 13, 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.

Call to Order

Chairman Randy Ognio called the June 13, 2019 Board of Commissioners meeting to order at 6:31 p.m. A quorum of the Board was present. Commissioner Eric Maxwell was absent from the meeting.

Invocation and Pledge of Allegiance by Chairman Ognio

Chairman Ognio offered the Invocation and led the Board and audience in the Pledge of Allegiance.

Acceptance of Agenda

Vice-Chairman Charles Oddo moved to accept the agenda and to move item #4 from the consent agenda, to the beginning of the meeting. Commissioner Charles Rousseau seconded. The motion passed 4-0. Commissioner Maxwell was absent.

PROCLAMATION/RECOGNITION:

PUBLIC HEARING:

1. **First of two Public Hearings on Fayette County's proposed annual budget for Fiscal Year 2020 which begins on July 1, 2019 and ends June 30, 2020.**

Mary Parrott, Fayette County Chief Financial Officer provided the Board with a PowerPoint presentation which was an overview of the proposed annual budget for Fiscal Year 2020.

Mrs. Parrott stated that the estimated Financial Projection for FY2020 was \$28,602,618 fund balance which was presented at the Special Called Meeting on May 30, 2019. She added that of that amount, almost \$3.1M was unreserved which would be available for the Board to direct staff to use at its discretion.

Mrs. Parrott pointed out in review of the FY2020 Budget Summary from the Special Called Meeting on May 30, 2019, that the \$416,000 in the General Fund was the fund used to maintain daily operations throughout the County. She also highlighted Special Revenue Funds, stating that these are called Special Revenue because those are dedicated funds for a specific purpose, project and development.

Accountability Court Grant Revisions

Mrs. Parrott stated that as in past years, this year the County applied for various grants via the State to assist with funding the court system. She added that the Criminal Justice Coordinating Council had responded to the grant

applications being awarded to Fayette County. Mrs. Parrot stated that the County requested \$324,936 for DUI Court but was awarded \$75,308 which was a 77% reduction. Mrs. Parrott stated that of the monies the County did receive, the DUI Court would "true-up" the account through the DATE fund to maintain the program at 35 participants. She added that although the grant award was less than anticipated and that this would cause a negative effect to the Fund Balance in the amount of \$67,845, there still was enough funding within that Special Revenue Fund to maintain the program.

Mrs. Parrott stated that the Veterans Treatment Court was being established, and that a grant was applied for in reference to that Court. The County requested \$105,039 for Veteran's Treatment Court but was awarded \$56,324 which was a 48% reduction. Mrs. Parrott stated that as a result of Veteran's Treatment Court being a new court the recommendation was to decrease the number of participants from 10 to 5 and utilize the funding received from the State grant to proceed with the program. Mrs. Parrott stated that the revenue reduction represents the Veterans Treatment Court fees reduction as a result of the recommendation to reduce the number of participant. The effect to the Fund Balance would be an increase of \$3,168.

Mrs. Parrott stated that the overall impact of the existing fund balance was a negative \$64,677, however there was a strong fund balance of \$305,462.

Commissioner Rousseau asked what fund was the \$305,462.

Mrs. Parrott stated the Special Revenue fund for Accountability Court and these funds can only be used for that purpose.

Commissioner Rousseau followed up asking what the total amount was for the DATE fund.

Mrs. Parrott stated that there were actually two DATE funds comprised of the Drug and DUI courts' funds. She added that the DATE funds were the 10% fee added to an individual's fine received through State and Superior Courts. She added that there was enough funding for 3 ½ years to maintain the DUI Court and the Veterans Treatment Court.

Mr. Rapson stated that this was a worse-case scenario and that the Courts would continue to request grant funding to sure the fund up over the course of the upcoming year. Mr. Rapson stated that he was confident that additional funding would be available for the Courts to take advantage of.

Mrs. Parrott stated that the grants applied for had two part-time case manager positions that would facilitate having a part-time manager in the DUI Court and to have one in the Veterans Treatment Court but the grant only funded the Veterans Treatment Court position but not the other position.

Drug Court Grant Revisions

Mrs. Parrott stated that the County requested \$630,902 for Drug Court via State grants but was awarded \$359,274, which was a 43% reduction. She added that Drug Court currently has 80 participants and their existing fund balance was \$798,873. Mrs. Parrott stated that the recommendation would be to fund this program utilizing the fund balance and to maintain the program at 80 participants. She added that this program could be maintained for six years utilizing the fund balance.

State Mandated COLA

The state mandated a 2% COLA (cost of living adjustment) increase for state employees effective July 1, 2019. The salary impacted included the Superior Court Judges, State Court Judge, State Court Solicitor, Magistrate Judges, and County Commissioners. The 2% COLA impact totaled, \$9,791 which had been included in the budget. She added that \$10,000 had been added for equipment needed for two Sheriff vehicles and this would be an adjustment to the vehicle replacement fund.

Mrs. Parrott noted the differences in the Budget Summary presented at the Special Called Meeting on May 30, 2019 specially the General Fund, Drug Abuse and Treatment Fund, and Vehicle/Equipment Fund balances had been adjusted based on grant award revisions and the 2% state mandated COLA increase.

Mrs. Parrott stated that there were various items that would require direction from the Board on how to proceed and that had not been included in the Budget.

Supplements Discussions

Mrs. Parrott stated that the following had not been funded in the budget and would require Board direction if desired to be included. The Superior Court Judges supplement of \$7,000 would be an increase from \$43,000 to \$50,000. This increase would also have a trickledown effect on the salaries of the Griffin Judicial Circuit Court Judge, State Court Judge, the State Court Solicitor and to Constitutional Officers which included Clerk Superior Court, Sheriff, Tax Commissioner, and the Probate Judge. The total impact would be \$47,899.

She continued that there had been requests from the District Attorney for a supplement (\$4,400), Juvenile Court Judges' Supplement (\$8,982), and Magistrate Court Judges (\$3,637). The total supplement increase impact for 17.5 affected positions would be \$64,918.

FY2020 Budget Highlights

Mrs. Parrott stated that the Budget was built on maintaining the current Millage Rate which would be a minimum property tax increase only for resident who had an increase in their assessments. She added that the budget provided significant salary and retention enhancement for Public Safety positions. The General Fund Balance had a positive impact at \$406,645, along with funding a 5-year Capital Improvement Program of over \$6M. She reminded the Board that the budget incorporated Defined Benefit Plan funding over required levels, as well as incorporated changes in Personnel levels to protect the existing outstanding service delivery to the citizens. The budget continued to maintain the commitment to balance current year revenues with current year expenses..

Upcoming public hearings for the budget:

Mrs. Parrott reminded the Board of the Second Public Hearing – Budget Adoption- Thursday, June 27, 2019 at 6:30 p.m.

Mr. Rapson stated that Peachtree City had increased their Public Safety Staff across the board by \$2,500. He also stated that the Retirement Committee had ratified the budget recommendation to increase the Defined Benefit (DB) retirement multiplier from 1.50 to 2.00.

Vice-Chairman Oddo extended his appreciation to staff for their hard work.

Commissioner Rousseau asked for clarification regarding the supplement and what direction was needed from the Board.

Mrs. Parrott stated that staff needed direction from the Board on whether to include the supplement in the budget. The supplement was currently not included.

Commissioner Rousseau motioned to have staff draft the final budget that included the supplements. Commissioner Gibbons seconded.

Mr. Rapson stated that a draft proposal could be comprised to package the supplement on an individual basis.

Commissioner Rousseau amended his motion to have staff draft the final budget that include the supplement packaged separately. Commissioner Gibbons amended his second.

Commissioner Rousseau asked to see the supplement comparison of what was approved two years ago verses the proposal for the FY2020 Budget.

Vice-Chairman Oddo stated that the Board would have the opportunity to vote on the supplements at the Second Public Hearing in two weeks without making any changes to the proposed budget. He stated that he did not see the need to include the supplement figures into the proposed budget.

Chairman Ognio stated that he agreed with Vice-Chairman Oddo and did not feel the need to include the supplement figures into the proposed budget. He added that the judges had already been given a raise via the state mandated COLA as of July 1, 2019. Chairman Ognio stated that the Board had increased the supplement in previous years but he did not see the need for the increase this year and added that the Board had focused on the County's Public Safety personnel and provided significant salary and retention enhancement to those positions.

Commissioner Gibbons stated that he was not expecting the 2% COLA increase and that it was not something he wanted or asked for. He added however, that he felt the County's Constitutional Officers deserved a raise seeing that the Board of Commissioners was receiving one. Commissioner Gibbons stated that he felt it would be hypocritical to take the 2% increase but have the four other Constitutional Officers not receive anything. He added that he also felt that the County not paying its fair share of the 22% District Attorney supplement was wrong.

Vice-Chairman Oddo stated that the supplement could be discussed and voted upon at the Second Public Hearing in two weeks without making any changes to the proposed budget.

Commissioner Gibbons stated that he agreed with Commissioner Rousseau's approach to look at the total budget impact and from there "line item veto" items the Board would vote not to include.

Commissioner Rousseau amended his motion to have staff draft the final budget that include the supplement packaged separately. Commissioner Gibbons amended the second. The motion failed 2-2, with Vice-Chairman Oddo and Chairman Ognio voting in opposition. Commissioner Maxwell was absent.

CONSENT AGENDA:

Vice-Chairman Oddo moved to accept the Consent Agenda with the exception of item #8. Commissioner Rousseau seconded. The motion passed 4-0. Commissioner Maxwell was absent.

- 2. Approval of a request from the Fayette County DUI Court to accept a supplemental subgrant award for 2019 from the Criminal Justice Coordinating Council (CJCC) of \$984.**
- 3. Approval of an Intergovernmental Agreement for AEMT Training for Fayette County Fire & Emergency Service to train the City of Fayetteville Fire Department's personnel to the required specified level of certification.**
- 4. Approval to accept the donation of \$17,700 for the purchase of thermal image cameras from the Fayette Fire Foundation.**

Fire Chief David Scarbrough stated that he requested this item be moved to the beginning of the meeting to ensure he had the opportunity to express his appreciation and gratitude to Ms. Vicki Turner with Fayette Fire Foundation for their generous donation of \$17,700. Chief Scarbrough stated that the funds would go towards the purchase of thermal image cameras.

5. **Approval of the renewal of the contract with Midwest Employers Casualty Company as outlined under Option 2 of the two year rate options, for a period of one year from July 1, 2019 to July 1, 2021.**
6. **Approval to authorization for staff to acquire all fee simple right-of-way, easements and appraisals for the proposed roundabout at the intersection of New Hope and Brogdon Roads (2017 SPLOST 17TAM).**
7. **Approval of the May 23, 2019 Board of Commissioners Meeting Minutes.**
8. **Approval of the May 30, 2019 Board of Commissioners Special Called Meeting Minutes.**

Chairman Ognio stated that a correction was made changing "Mrs." Rapson to "Mr." Rapson on page 8 of the May 30, 2019 Board of Commissioners Special Called Meeting Minutes.

Chairman Ognio moved to approve the May 30, 2019 Board of Commissioners Special Called Meeting Minutes with the noted change. Commissioner Gibbons seconded. The motion passed 4-0. Commissioner Maxwell was absent.

Sheriff Babb extended his appreciation to the Board for their guidance and support of the County's Public Safety personnel. He added that although the budget was not approved and a decision had not been finalized he could see the direction the Board was headed.

OLD BUSINESS:

NEW BUSINESS:

9. **Consideration of amendments to Chapter 4 – Alcoholic Beverages regarding event facilities.**

Community Development Director Pete Frisina stated that he and Chief Harold Myers request was for amendment to the Alcoholic Beverages regulations. Mr. Frisina state that the County was seeing the development of event facilities where special events take place. The purpose of these amendments was to specify that a Banquet hall/event facility, as defined in the alcohol regulations in a non-residential zoning district, may apply for an annual retail consumption license and all other event facilities may operate as a Permitted Location and each event would require an individual Special Use Permit to serve alcoholic beverages. Mr. Frisina stated that the substantive change could be found in Sec. 4-117. - Banquet hall/event facility of the County Ordinances. He added that, staff was also recommending some "housekeeping" amendments to the alcohol regulation code.

Vice- Chairman Oddo motioned to approve amendments to Chapter 4 – Alcoholic Beverages regarding event facilities. Commissioner Gibbons seconded. The motion passed 4-0. Commissioner Maxwell was absent.

PUBLIC COMMENT:

Tom Waller: Mr. Waller expressed frustration and concern regarding the culvert replacement on Graves Road.

ADMINISTRATOR'S REPORTS:

In response to Mr. Waller, Mr. Rapson stated that the culverts were ready to be installed and the project was waiting for utilities to be updated.

- A. Contract #1221-P: Water System Engineer of Record Task Order FC-19-16: Private Water System Analysis**
- B. Contract #1504-P: Public works Engineer of Record: Task Order 12-315 Dogwood Trail Culvert Replacement – Construction Assistance Support Services**

Mr. Rapson informed the Board that on June 18th at 5:00 p.m., there would be an Elected Official Appreciation Dinner at Falcon Field. He added that on June 19th at 3:30 p.m., the Chamber of Commerce was hosting a Town Attraction & Retention Taskforce meeting, and on June 21st at 8:00 a.m., the Chamber of Commerce would present a Governmental Affairs/Legislative update and if available, the Board was invited to attend. Mr. Rapson stated that the Fayette County 911 Center received the Technology Leadership, which was a huge accomplishment and he wanted to extend congratulation to 911 Director Katye Vogt and staff, along with the Information Technology Director Phil Frieder.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated that there were two items of threatening litigation, two items of pending litigation, two items of real estate acquisition and the review of the Executive Session minutes for May 23, 2019.

COMMISSIONERS' REPORTS:

Commissioner Gibbons motioned to give non-essential County employees, Friday, July 5, 2019, the day off following the Fourth of July holiday. Commissioner Rousseau seconded. The motion failed 2-2, with Vice-Chairman Oddo and Chairman Ognio voting in opposition. Commissioner Maxwell was absent.

Commissioner Rousseau stated for clarification, regarding the document related to possible evaluation of acquisition of private water systems handed to the Board by the County Administrator, that Newton Plantation was not listed because an evaluation had previously been performed. Mr. Rapson stated that was correct. Commissioner Rousseau encouraged staff working on the North Fayette Elementary project to be mindful of the quickly approaching school year.

Vice-Chairman Oddo stated that he wasn't prepared to vote on extending the Fourth of July holiday. He added that he liked to know all the information on a decision before voting on it. Vice-Chairman stated that Becky Smith with Fayette Factor was retiring and he wanted to extend his appreciation and congratulation to her for her years of hard work and dedication. He also reminded citizens that June 14th was Flag Day. An important day when the United States adopted the Flag.

Chairman Ognio stated that Friday, June 14, 2019 there would be a free Fayetteville Mainstreet event at the Old Court house from 6:00-10:00pm.

EXECUTIVE SESSION:

Two items of threatening litigation, two items of pending litigation, two items of real estate acquisition and the review of the Executive Session minutes for May 23, 2019. Vice-Chairman Oddo moved to go into Executive Session. Commissioner Gibbons seconded. The motion passed 4-0. Commissioner Maxwell was absent.

The Board recessed into Executive Session at 7:35 p.m. and returned to Official Session at 8:33 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. The motion passed 4-0. Commissioner Maxwell was absent.

Approval of the May 23, 2019 Executive Session Minutes: Chairman Ognio moved to approve the May 23, 2019 Executive Session Minutes. Vice-Chairman Oddo seconded the motion. The motion passed 4-0. Commissioner Maxwell was absent.

ADJOURNMENT:

Vice-Chairman Oddo moved to adjourn the June 13, 2019 Board of Commissioners meeting. Commissioner Gibbons seconded the motion. The motion passed 4-0. Commissioner Maxwell was absent.

The June 13, 2019 Board of Commissioners meeting adjourned at 8:33 p.m.

Marlena M. Edwards, Deputy 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 27th day of June 2019. Documents are available upon request at the County Clerk's Office.

Marlena M. Edwards, Deputy County Clerk