

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. Smith, County Clerk
Marlena Edwards, Chief Deputy County Clerk



140 Stonewall Avenue West
Public Meeting Room
Fayetteville, GA 30214

MINUTES

November 12, 2020
2:00 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 November 12, 2020, Board of Commissioners meeting to order at 2:00 p.m. A quorum of the Board was present. Commissioner Charles Rousseau attended the meeting virtually via Microsoft Teams as allowed during the pandemic.

Invocation and Pledge of Allegiance by Chairman Randy 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 as written. Commissioner Edward Gibbons seconded. The motion passed 5-0.

PROCLAMATION/RECOGNITION:

- 1. Recognition of Government Finance Officers' Association Certificates of Achievement for Excellence in Financial Reporting for Fayette County's Comprehensive Annual Financial Report (CAFR) for the fiscal year ended June 30, 2019.**

On behalf of the Board, County Administrator Steve Rapson, recognized Fayette County Finance department for the Government Finance Officers' Association Certificates of Achievement for Excellence in Financial Reporting for Fayette County's Comprehensive Annual Financial Report (CAFR) for the fiscal year ended June 30, 2019. County Chief Financial Officer Sheryl Weinmann stated that receiving this commendation was an accomplishment that was a team effort requiring hard work and dedication. Ms. Weinmann, along with Assistant Chief Financial Officer Lee Ann Bartlett, and Accounting Manager Amanda Schoonover accepted the Certificate of Achievement on behalf of the Finance department.

- 2. Recognition of Government Finance Officers' Association Certificates of Achievement for Excellence in Financial Reporting for Fayette County Water System Comprehensive Annual Financial Report (CAFR) for the fiscal year ended June 30, 2019.**

On behalf of the Board, County Administrator Steve Rapson, recognized Fayette County Finance department and the Fayette County Water System for the Government Finance Officers' Association Certificates of Achievement for Excellence in Financial Reporting for Fayette County Water System Comprehensive Annual Financial Report (CAFR) for the fiscal year ended June 30, 2019. Ms. Weinmann, Assistant Chief Financial Officer Lee Ann Bartlett, Accounting Manager Amanda Schoonover and Water

Systems Director Vanessa Tigert accepted the Certificate of Achievement on behalf of the Finance department and the Water System.

3. Recognition of Building Safety Director Steve Tafoya for receiving the International Code Council (ICC) award for Excellence in Public Safety.

On behalf of the Board, Community Development Director Pete Frisina, recognized Building Safety Director Steve Tafoya for receiving the International Code Council (ICC) award for Excellence in Public Safety. Mr. Frisina stated that the International Code Council (ICC) Excellence in Public Safety Award was presented to a member of the building industry who consistently demonstrates the qualities of integrity, professionalism and dedication in his or her services to the profession and whose personal standards represent the spirit of public service to the development of codes and standards in the interest of public safety. Mr. Frisina stated that the award was given to one selected member of the International Code Council (ICC) after going through a selection process narrowed down to the most elite members of the ICC community which included thousands of members.

PUBLIC HEARING: None.

PUBLIC COMMENT: None.

CONSENT AGENDA:

Commissioner Gibbons moved to remove item #7 for discussion and to accept the Consent Agenda items #4 - #6. Vice Chairman Oddo seconded. The motion passed 5-0.

- 4. Approval of staff's recommendation to adopt Resolution 2020-11; Updated 2020 Fayette County Hazard Mitigation Plan as required by the Federal Emergency Management Agency's Disaster Mitigation Act of 2000 and to allocate \$1,800 to project from General Fund Balance to cover FY2021 expenses.**
- 5. Approval of staff's recommendation to amend Contract #1861-S to Sound Principles for change orders #1 and #2 in the amount of \$20,916.03 to provide and install A/V equipment in the courtrooms, and to reallocate \$21,000 from General Fund Project Contingency to the A/V Upgrades Judicial & Jail project to meet the funding needs for these change orders.**
- 6. Approval of the County Clerk's recommendation to adopt the 2021 County Commissioner Meeting Schedule.**
- 7. Approval of the October 22, 2020 Board of Commissioners Meeting Minutes.**

Chairman Ognio stated that the October 22, 2020 Board of Commissioners Meeting Minutes stated that the public was asked for input regarding Petition No. 1295-20, but because this item had been requested to be withdrawn there was no request for public input. Chairman Ognio stated that that language needed to be removed.

Commissioner Rousseau stated that as a part of Commissioners Comments in the October 22, 2020 Board of Commissioners Meeting Minutes he made remarks regarding "Grierwood" subdivision, however the minutes stated "Brierwood" subdivision. Commissioner Rousseau stated that the minutes should be revised to include the correct subdivision name.

OLD BUSINESS:

NEW BUSINESS:

- 8. Consideration of staff's recommendation to purchase the 4.7 acre site adjacent to the Peachtree City Water and Sewerage Authority location for \$71,400 which includes the \$3,575 earnest money to be paid within five days after the execution of the agreement.**

County Administrator Steve Rapson stated that this item was a recommendation for approval to purchase the 4.7 acre site adjacent to the Peachtree City Water and Sewerage Authority. Mr. Rapson stated that initially the land swap was for 4.2 acres but was increased to 4.7 acres to account for wetlands on the property. Mr. Rapson stated that this request had been reviewed by staff and that a draft Memorandum of Understanding was provided regarding the purchase of the property. Mr. Rapson stated that at the December 10th Board of Commissioners Meeting the Board would receive a completed agreement from Peachtree City finalizing the transactions. Mr. Rapson stated as a reminder that this project was dealing with two separate entities Peachtree City and Peachtree City Water and Sewer Authority (WASA). Mr. Rapson stated that this request was with Peachtree City Water and Sewer Authority (WASA) for the purchase of the land.

Commissioner Maxwell asked for an overview of why the County was purchasing this property, for member of the public who may be unaware. Commissioner Maxwell stated that this was a very good project for the County.

Mr. Rapson stated that Fayette County would be relocating the Animal Shelter to the 4.7 acre site adjacent to the Peachtree City Water and Sewerage Authority. He stated that the new Animal Shelter would be a \$1M building and would carry the County for the next 10-15 years. The building of the new facility had been approved, however had been delayed until all the agreements from each entity was finalized. He stated that Peachtree City had graciously entered into a \$1 lease for the current Animal Shelter until the new Animal Shelter Building construction was completed. Once the new Animal Shelter was completed Peachtree City would be using the property to enhance their public safety and converting it into an Emergency Management Operation facility. Mr. Rapson stated that this was a great opportunity for both the County and Peachtree City and benefited the citizens.

Vice Chairman Oddo moved to approve staff's recommendation to purchase the 4.7 acre site adjacent to the Peachtree City Water and Sewerage Authority location for \$71,400 which includes the \$3,575 earnest money to be paid within five days after the execution of the agreement. Commissioner Gibbons seconded. The motion passed 5-0.

9. Consideration of staff's recommendation to approve the bid from Blount Construction Company, Inc. for Bid #1873-B HA 5, High Density Mineral Bond in the amount of \$255,078.84.

Chairman Ognio stated that although this contract amount sounded like a lot of money it actually saved the County a lot of money in the long run.

Vice Chairman Oddo moved to approve staff's recommendation to approve the bid from Blount Construction Company, Inc. for Bid #1873-B HA 5, High Density Mineral Bond in the amount of \$255,078.84. Commissioner Gibbons seconded. The motion passed 5-0.

10. Consideration of staff's recommendation to approve the bid from Asphalt Paving Systems, Inc. for Bid #1870-B Micro Surfacing in the amount of \$457,577.08.

Road Director Steve Hoffman stated that micro surfacing was an alternative to resurfacing road conventionally. He stated that this request was to approve the bid from Asphalt Paving Systems, Inc. for Bid #1870-B Micro Surfacing in the amount of \$457,577.08.

Commissioner Gibbons stated for clarification that the objective for both items #9 and #10 was to take roadways that were in decent condition and extend the life of the road. He stated that by using these processes and not allowing the roadways to deteriorate, the County would be saving money by avoiding a complete resurfacing.

Mr. Hoffman agreed stating that these processes would be binding life to the existing roadway, saving about half of what conventional surfacing costs.

Commissioner Gibbons moved to approve staff's recommendation to approve the bid from Asphalt Paving Systems, Inc. for Bid #1870-B Micro Surfacing in the amount of \$457,577.08. Vice Chairman Oddo seconded. The motion passed 5-0.

11. Consideration of staff's recommendation to approve Change Order #1 request from contractor, C.W. Matthews Contracting Co., in the amount of \$259,682.50 for the Sandy Creek Road portion of the Fayette County Resurfacing FY 2019 Project (2017 SPLOST 19TAF and GDOT PI 0016058).

Public Works Director Phil Mallon stated that the purpose of this item was to increase the contract amount for C.W. Matthews Contracting Co., the prime contractor doing the 11.5-mile resurfacing project. He stated that as of November 12, Robinson Road, as well as the County portion of Peachtree Parkway, was completed with the exception of clean-up and punch list items. Mr. Mallon continued that work down Hampton Road was about 40% complete, and work along Grady Road had commenced and being performed in the evenings. Mr. Mallon stated that once work was completed on Hampton Road, work would begin on Sandy Creek, which would be the last road that was part of this contract. Mr. Mallon stated that the change order was needed because it was determined that from the time the scope of work was prepared, about two years ago, until the time the contractor began working, the roadways had further deteriorated, substantially. Mr. Mallon stated that getting through the federal aid permitting and approval process was extremely cumbersome and changing a scope of work would set a project back significantly. He stated that the decision was made to proceed as outlined and to make a construction adjustment in the future. Mr. Mallon stated that the \$259,682.50 would be to add an extra layer of asphalt for the roadways to cover-up cracks. This was a solution agreed upon by the engineer, the contractor, and the Road Department. If approved by the Board, Mr. Mallon asked if additionally, the Board would approve staff to seek additional federal aid to cover up to 80% of the cost from the Atlanta Regional Commission (ARC). Mr. Mallon stated that there was no guarantees that additional aid would be granted but he stated that he would like to put the request in.

Commissioner Maxwell asked for clarification if this request was for Veterans parkway west to Highway 74 or out of City of Fayetteville city limits west.

Mr. Mallon confirmed that it would be at the city of Fayetteville city limits.

Commissioner Maxwell asked what the roads looked like from the city limits coming back east to Veterans Parkway. He asked if the County would be fixing its portion of the roadway and the City of Fayetteville not addressing theirs.

Mr. Mallon stated that that was correct. He stated that at the time this project was being established the County did reach out to the City of Fayetteville and they declined to be a part of the project.

Commissioner Maxwell stated that it was disheartening that the County was going to spend this amount of money to fix its portion of the road, but the City of Fayetteville was not. He stated that he recently attended a meeting where a City of Fayetteville official stated that there was no cooperation between Fayette County and the City of Fayetteville. He noted that he did not challenge the comments because it was not the appropriate forum to do so. Commissioner Maxwell stated that this project could have been a collaborative effort for Fayette County and the City of Fayetteville. He suggested that Chairman Ognio or Mr. Rapson write a letter to the City of Fayetteville regarding this resurfacing project.

Mr. Mallon did acknowledge that the City of Fayetteville was a part of the resurfacing project overall with other roadway being resurfaced, however Sandy Creek was not one of their roads selected.

Commissioner Gibbons asked when the last communication was made to the City of Fayetteville regarding the resurfacing of their portion of Sandy Creek.

Mr. Mallon stated that it was at the establishment of the project over two years ago. Mr. Mallon added that at this point even if the City of Fayetteville agreed to add their portion of Sandy Creek Road to the resurfacing project, it was too late. It could be done but it would be a separate project. He also noted that because of the Pinewood Forrest development there had been some road work done and the City of Fayetteville determined it to be in an acceptable condition that did not justify resurfacing at the time.

Commissioner Rousseau added that due to continuous construction in the area the City of Fayetteville may be waiting to perform the road work to avoid the roads being damaged and tore up prematurely.

Commissioner Gibbons moved to approve staff's recommendation to approve Change Order #1 request from contractor, C.W. Matthews Contracting Co., in the amount of \$259,682.50 for the Sandy Creek Road portion of the Fayette County Resurfacing FY 2019 Project (2017 SPLOST 19TAF and GDOT PI 0016058). Commissioner Maxwell seconded. The motion passed 5-0.

Commissioner Gibbons moved to approve staff to seek additional federal aid to cover up to 80% of the cost from the Atlanta Regional Commission (ARC) in the amount of \$207K as outlined by Public Works Director Phil Mallon. Vice Chairman Oddo seconded. The motion passed 5-0.

12. Consideration of staff's recommendation to award Bid #1844-B, Redwine Road & Starrs Mill School Complex Multi-Use Path project (SPLOST 17TAH) to A1 Contracting, LLC. in the amount of \$1,460,196.00 and approval for the Chairman to execute related agreements, as needed, with the Georgia Department of Transportation (GDOT) to issue a Notice to Proceed.

Mr. Mallon stated that this item was to award Bid #1844-B, Redwine Road & Starrs Mill School Complex Multi-Use Path project (SPLOST 17TAH). She added that this project had been in the works for many years and he was proud to be bringing it before the Board for approval. He stated that if the project were approved, he had a press release that would be issued advising the public of the upcoming project. This project would provide a continuous path along one or both sides of Redwine Road, from Starrs Mill School Complex to Quarters Road. Mr. Mallon stated that a portion of the proposed project was in the City of Peachtree City, and an Intergovernmental Agreement (IGA) had been established outlining how the project would be handled by each entity. He stated that the project would provide one at-grade signalized crossing, identical to the crossing on Rockaway Road heading into Senoia from Peachtree City. Mr. Mallon stated that this project was opened for bid in accordance to all federal rules and that the recommendation was to award Bid #1844-B, Redwine Road & Starrs Mill School Complex Multi-Use Path project (SPLOST 17TAH) to A1 Contracting, LLC. in the amount of \$1,460,196.00.

Commissioner Maxwell asked how pedestrians would cross over Redwine Road.

Mr. Mallon stated that an at-grade signalized crossing would be added, south of White Water. He stated that crossing was intentionally moved away from the intersection so pedestrians would not have to navigate turning vehicles. He stated that about 200 ft. south of the intersection the path would be tied into the road, striped, and either poles or mast arm signals added to ensure pedestrians can cross the roadway safely.

Commissioner Maxwell stated that pedestrian safety was a big concern for him, especially considering the golf course along that same roadway. He also asked how the Starrs Mill students were crossing Redwine Road.

Mr. Mallon stated that currently students cross at Foreston Place with an at-grade crossing with not signal. He added that at peak hours an officer was present to assist with traffic. He stated that this was an area of concern and stated that there was a tunnel project being designed that would create a permanent crossing for students to utilize.

Commissioner Maxwell asked what was the status of the project.

Mr. Mallon stated that the tunnel project design was about 50% complete, with the consultant optimistic that the project could be in the construction phase by summer 2021 which was a targeted non-school timeframe.

Commissioner Maxwell congratulated Mr. Mallon on getting the project to this point. He acknowledged that this was an expensive project but a highly anticipated one. Commissioner Maxwell stated that his goal was to create functionality and ensure safety between pedestrians, students, and the golf carts that utilize the paths and roadways.

Commissioner Gibbons asked if the 80% of the construction cost programed through the Atlanta Regional Commission (ARC) project was guaranteed funding.

Mr. Mallon confirmed that it would be guaranteed funding.

Commissioner Gibbons asked for clarification and to truly highlight how diligently the County worked to acquire federal aid. He asked if the total amount provided was the final cost or would the County receive 80% of the cost provided back.

Mr. Mallon confirmed that the \$1,460,196.00 was the total cost for construction and the County would receive 80% back from the Atlanta Regional Commission (ARC).

Chairman Ognio stated that this project had been priced out several times and always came back over budget. Chairman Ognio commended Mr. Mallon for his efforts in getting the cost down within budget.

Mr. Mallon humbly accepted the commendation and acknowledge that it was a team effort.

Commissioner Gibbons moved to approve staff's recommendation to award Bid #1844-B, Redwine Road & Starrs Mill School Complex Multi-Use Path project (SPLOST 17TAH) to A1 Contracting, LLC. in the amount of \$1,460,196.00 and approval for the Chairman to execute related agreements, as needed, with the Georgia Department of Transportation (GDOT) to issue a Notice to Proceed. Vice Chairman Oddo seconded. The motion passed 5-0.

13. Consideration of the approval to direct the county attorney to prepare resolutions for the purpose stated to be presented in the 2020 Legislative Package to the Georgia General Assembly for consideration at its upcoming session:

County Attorney Dennis Davenport stated that at the last Board of Commissioners meeting he received general direction from the Board to assemble the Legislative Package to send to the General Assemble in 2021. Mr. Davenport continued stating that not a lot of direction was provide besides the topic that the Board wanted included. Mr. Davenport stated that he needed further direction to flush out the topics.

A. Support of the 2021 Policy Agenda of the Association County Commissioners of Georgia (ACCG)

Mr. Rapson stated that this item was in support of the Association County Commissioners of Georgia (ACCG) 2021 Policy Agenda. He stated that on September 15th the Board was sent an email that identified the Policy Objectives eligible to become 2021 Legislative Priorities. Mr. Rapson stated that the Policy Objectives were: the Georgia Broadband Deployment Initiative, Election Law Revisions, Increase Reimbursement for EMS Services, Authorize Public Hearings via Teleconference, Business and Redevelopment Initiative, Redirect of Environmental Trust Fund Fees, Authorize Judicial Proceedings Via Videoconference, Public Notification of Tax Increase, Short-term Rentals, Federal Medicaid and Medicare-Federal Benefit Inmate Exclusion, Federal Infrastructure Investment Truck Weight Increases and Federal Broadband and Telecommunications. Mr. Rapson stated that staff had done an analysis on all twelve objectives and was in support.

Mr. Davenport stated that he could assemble a resolution adopting the aforementioned topics as pushed forward by ACCG, if directed by the Board.

Commissioner Maxwell stated that he and Vice Chairman Oddo had the opportunity to participate in the ACCG Virtual Legislative Roundtable and these were analyzed and discussed at length by members of ACCG as well as state Senators and Representative. He stated that the ACCG was our union and this item was a 'no-brainer' for Board support.

Commissioner Maxwell moved to approve to direct the county attorney to prepare a resolution in support of the 2021 Policy Agenda of the Association County Commissioners of Georgia (ACCG), to be presented to the Board at the December 10th BOC Meeting. Commissioner Gibbons seconded. The motion passed 5-0.

B. Objection to Reducing the State's Health Care Budget During a National Pandemic or State of Emergency

Commissioner Rousseau stated that because of the current national pandemic and statewide state of emergency he offered this item for consideration, stating that the State health care budget should not be susceptible to budget cuts at such a critical time. He stated that it does not make sense that in the midst of a State of Emergency declaration the State health care budget would experience cuts. He stated that he was aware that budget restraints were necessary, however, over the years the State had been able to move funds for important items. He stated that he felt it was important that the State's public health care workers not be put in a predicament as a result of budget reductions.

Commissioner Maxwell asked if any documentation or backup email had been provided that outlined the details of this item.

Mr. Rapson stated that initially the State recommended a 15% cut across the board, which included State Healthcare/ Public Health. Mr. Rapson stated that this item subsequently would dictate that if the State declared a State of Emergency due to a pandemic, it probably would not be the ideal time to require budgetary cuts. Mr. Rapson stated that a resolution to that affect would be drafted and sent for them to take that factor into consideration.

Commissioner Rousseau reiterated his previous comments stating that once a State of Emergency is declared, state legislature would provide guidance to the Governor not to touch that budget.

Commissioner Gibbons stated that across the board budget cuts do not sufficiently work.

Commissioner Maxwell asked what this item does for Fayette County.

Commissioner Rousseau stated that he was not thinking as myopically and microscopically as Fayette. Commissioner Rousseau stated that he was thinking of the total health care system. The State health care system was a statewide agency, Georgia citizens can visit neighboring health departments to receive services, as a result, this would have a larger statewide impact than just in our backyard.

Commissioner Maxwell asked if this was something Legislators did in the Special Session.

Commissioner Rousseau stated that when the Governor established guidelines for his statewide budget, he initiated an across the board 15% budget cut. Commissioner Rousseau stated that shortly after that a statewide state of emergency was declared because of COVID-19; yet the requirement for a budgetary reduction still loomed. Commissioner Rousseau stated that those cuts if required equated to the potential loss of funding for Personal Protective Equipment (PPE) or potential loss of funding for COVID testing sites and other unintended consequences. He stated that he did not feel it was prudent that in the midst of a State of Emergency declaration the State health care budget would experience cuts.

Mr. Rapson stated that the Governor recommended a 15% cut across the board, which included State Public Health. Mr. Rapson continued stated that after about 60 days agencies began to outline the ramification of a 15% reduction, specifically during a pandemic. He stated that at that point, the Governor reversed his position and began excluding various agencies from the budgetary restraints which included public health.

Commissioner Maxwell stated that to him it felt like we were trying to avoid something that did not happen.

Commissioner Rousseau stated that the goal was to prevent something happening in the future by provide guidance and restraints.

Mr. Rapson stated that the County was a function of the State just like the Health Department. Mr. Rapson stated that the County provides a facility for the Health Department and pay their utilities and coordinated hand-in-hand with the Health Department. He stated that had the budget reductions gone through it would have meant less nurses being available to perform various services and facilitating the Health Department programs.

Vice Chairman Oddo asked if we knew our delegations' position on this item. He asked if the delegation had an opinion on this or even considered it an issue, because it seemingly is a State issue.

Commissioner Rousseau stated yes members of our delegation do see this as a potential problem.

Vice Chairman Oddo stated that he had some concerns. He expressed his need to appropriately vet a topic before giving his approval and stated that he had apprehension about this topic although seemingly noble he had not had an opportunity to thoroughly review and analyze the information. Vice Chairman Oddo additionally stated that he had not had an opportunity to discuss and gain input from our delegation beforehand. He stated that he personally felt this may be a more appropriate item sent for discussion during a legislative session further into 2021.

Chairman Ognio asked if the goal of this item was to create legislation or to send a message not to cut the health care system budget during a state of emergency.

Commissioner Rousseau stated as an example that a few years ago he offered to the Board an item dealing with Veterans who were waiting for their military benefit declaration and could not receive a homestead exemption over a certain number of years. He stated that this item was sent as a part of the County's Legislative Package to the State Legislature and as a result state law was created for veterans in that situation. He stated that this item, in his humble opinion, was similar. He stated that cutting services for individuals in great need was an issue. He stated that although COVID-19 was the current focus, the public health system provides a wide range of services and programs. Commissioner Rousseau stated that he would leave the decision to create legislature up to the legislators, in response to Chairman Ognio's question regarding whether the goal of the item was to create legislature.

Mr. Davenport stated that he could assemble a resolution adopting the aforementioned item to be voting at the December 10 Board of Commissioners Meeting.

Vice Chairman Oddo reiterated his hesitations, stating he needed to appropriately vet a topic before giving his approval. He stated that he was seeing the item for the first time and had an opportunity to thoroughly analyze and review the information.

Commissioner Rousseau stated that this was not the first time the Board was seeing this item. He stated that Mr. Rapson read out a listing of topics being offered for consideration in the Legislative Package at the October 22nd Board of Commissioners Meeting. Commissioner Rousseau stated that he was open to a dialogue if any member of the Board had questions or concerns and received neither.

Commissioner Gibbons moved to approve to direct the county attorney to prepare a resolution in objection to reducing the State's Health Care Budget during a National Pandemic or State of Emergency to be presented to the Board at the December 10th BOC Meeting. Commissioner Rousseau seconded. The motion passed 4-1, with Vice Chairman Oddo voting in opposition.

C. Statewide Review/Revision of Citizen's Arrest Laws in the State of Georgia.

Commissioner Rousseau stated that this item was simple the goal is to have State Legislature review and/or revise the Citizen's Arrest Laws in the State of Georgia to mitigate some of the issues that have been occurring across the state.

Mr. Davenport stated that if no additional language, information, or guidance is provided the resolution would simple say that the Board is urging State Legislature to review and/or revise the Citizen's Arrest Laws.

Commissioner Maxwell stated that he needed more information that he could review and understand in order to authorize approval of an item. Commissioner Maxwell stated that he would vote to have the County Attorney draft the resolution, however, if no additional information is provided he could not vote to approve it.

Chairman Ognio stated that from the information provided it cannot be determined if the Board was in favor of the current citizen's arrest laws or wanting them more stringent. He stated that from what was presented he was not in favor of paying the County Attorney to draft a resolution they would not be approved.

No motion was made.

D. Fluoride resolution to provide that communities may impose or remove fluoridation by referendum under certain circumstances.

Chairman Ognio stated that the Board had included a Fluoride resolution in the Legislative Package in the past. Chairman Ognio stated that the request of this item was to have the Legislature remove the petition requirement which would allow Fayette County citizens the opportunity to decide to impose or remove fluoridation.

Chairman Ognio moved to approve direct the county attorney to prepare a Fluoride resolution to provide that communities may impose or remove fluoridation by referendum under certain circumstances to be presented to the Board at the December 10th BOC Meeting. Commissioner Maxwell seconded. The motion passed 5-0.

ADMINISTRATOR'S REPORTS:

A. Contract #1504-P; Public Works Engineer of Record – Task Order 3: 130 Darren Drive Culvert Replacement – Change Order 2: GDOT Bridge Foundation Investigation

Hot Projects

County Administrator Steve Rapson advised that an updated "Hot Projects" listing was sent out via email to the Board to keep them abreast of the status of various projects throughout the county. He highlighted the Kenwood Road culvert replacement, Mercedes Trail culvert replacement, and Fire Station #2. Mr. Rapson stated that he would also begin providing updates on the Starrs Mill tunnel project.

Elections

Mr. Rapson stated that the County Elections Office would be conducting a ballot recount. He added that he had received clarification from the Secretary of State Office regarding the ballot recount process. He stated that the official start of the recount would be no later than 9:00 a.m. November 13, with the recount having to be completed by midnight on Wednesday November 18. He added that the runoff had been postponed until January 5, 2021. The Secretary of State suggested that the Board may want to Livestream the recount.

Commissioner Gibbons moved to approve that the County comply with state law as it related to a ballot recount and forego the suggestion from the Secretary of State Office to Livestream the recount. Chairman Ognio seconded. The motion passed 5-0.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated there were nine items for executive session. There were four items of Real Estate acquisition, two items of Pending Litigation, 2 items of Threatened Litigation and the review of the Executive Minutes from October 22, 2020 for consideration in Executive Session.

COMMISSIONERS' REPORTS:

Commissioner Gibbons

Commissioner Gibbons extended his appreciation for all military service men and service women. Commissioner Gibbons stated that he was proud to have served with some amazing Veterans. He stated that he wanted to remember those who had been lost, those who had served and those who were currently serving.

Commissioner Maxwell

Commissioner Maxwell stated that he looked forward to next four years serving with the Board. He stated that he was happy to have been re-elected. He stated that he would do the best he could to address the issues of the County and this would be his third term and he was excited about serving. He stated that he would continue to put forth the effort to be available to the community in addressing concerns. He congratulated Vice Chairman Oddo on his re-election and stated that he was sorry to see Chairman Ognio go. He expressed his appreciation for his service and hard work.

Vice Chairman Oddo

Vice Chairman Oddo congratulated Commissioner Maxwell on his re-election. Vice Chairman Oddo thanked Fayette County citizens for giving him the opportunity to return as a Commissioner. He stated that his goal was to service everybody. Vice Chairman Oddo congratulated all the candidates, because it took a lot to run a campaign and want to serve your community. Vice Chairman stated that Chairman Ognio would be missed. He wished a Happy Veterans Day to all the Veterans.

Commissioner Rousseau

Commissioner Rousseau expressed his appreciation to all Veterans. He extended commendation to county staff who were presented before the Board with awards and certifications, for a job well done. He congratulated his colleagues on their re-election. Commissioner Rousseau stated that he agreed with sentiments expressed regarding those who desire to be public servants, although rewarding it does come with ridicule and challenges. He also reiterated Commissioner Maxwell's thoughts regarding the challenges of responding to residents and citizen's request and concerns it was a grind and can be time consuming but it's a part of the job. He stated that he too would miss the working relationship that he had developed with Chairman Ognio.

Chairman Ognio

Chairman Ognio thanked all Veterans and wished them a happy belated Veterans Day. Chairman Ognio asked staff to add name plates to past Board of Commissioners pictures displayed in the back of the Commissioners Chambers. Chairman Ognio congratulated Commissioner Maxwell and Vice chairman Oddo on their re-election as well as all other candidates that were re-elected. Chairman Ognio advised the public that there was a new traffic light being installed at Sandy Creek and Highway 74 and wanted everyone to be aware of the change. He stated that with Thanksgiving approaching we should all remember all the things we are grateful for. Chairman Ognio stated that Atlanta Regional Commission (ARC) State of the Region Breakfast would be held virtually, with the theme "Finding Our Courage".

EXECUTIVE SESSION:

Four items of Real Estate acquisition, two items of Pending Litigation, Two items of Threatened Litigation and the review of the Executive Minutes from October 22, 2020 for consideration in Executive Session. Vice Chairman Oddo moved to go into Executive Session. Commissioner Gibbons seconded. The motion passed 5-0.

The Board recessed into Executive Session at 3:18 p.m. and returned to Official Session at 3:44 p.m.

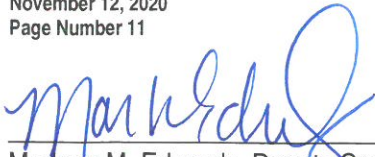
Return to Official Session and Approval to Sign the Executive Session Affidavit: Chairman Ognio moved to return to Official Session and for the Chairman to sign the Executive Session Affidavit. Vice Chairman Oddo seconded the motion. The motion passed 5-0.

Approval of the October 22, 2020 Executive Session Minutes: Chairman Ognio moved to approve the October 22, 2020 Executive Session Minutes. Vice Chairman Oddo seconded the motion. The motion passed 5-0.

ADJOURNMENT:


Chairman Ognio moved to adjourn the November 12, 2020 Board of Commissioners meeting. Vice Chairman Oddo seconded the motion. The motion passed 4-0. Commissioner Rousseau lost video connection.

The November 12, 2020 Board of Commissioners meeting adjourned at 3:45 p.m.



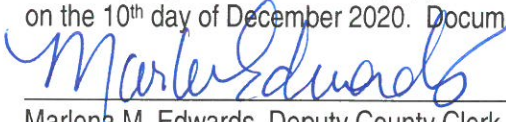
Marlena M. Edwards, Deputy County Clerk





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 10th day of December 2020. Documents are available upon request at the County Clerk's Office.



Marlena M. Edwards, Deputy County Clerk