Minutes

Board of Commissioners
September 26, 2013
7:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on September 26, 2013 at 7:00 p.m. in the Public Meeting Room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

Commissioners Present:	Steve Brown, Chairman Charles Oddo, Vice Chairman David Barlow Allen McCarty Randy Ognio
Staff Present:	Steve Rapson, County Administrator Floyd L. Jones, County Clerk Tameca P. White, Deputy Clerk Dennis Davenport, Interim County Attorney

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Call to Order, Invocation, and Pledge of Allegiance

Chairman Brown called the September 26, 2013 Board of Commissioners meeting to order at 7:05 p.m.

Commissioner Barlow gave a brief presentation on United States Constitution. As part of his presentation, Commissioner Barlow explained the precedence of why the Board calls for prayer at the beginning of each meeting. Commissioner Barlow then introduced Bishop Rob Richards of the Church of Jesus Christ of Latter-day Saints, and he told of Bishop Richards' work in the Fayette community. Commissioner Barlow asked Bishop Richards to offer the invocation, and Bishop Richards did so. A copy of Commissioner Barlow's PowerPoint, identified as "Attachment 1", follows these minutes and is made an official part hereof.

Commissioner Allen McCarty led the audience in the Pledge of Allegiance.

Acceptance of Agenda

Chairman Brown moved to accept the Agenda as published. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously.

PRESENTATION / RECOGNITION:

1. **Presentation of a donation from "The Go Two Guys" to the Department of Fire and Emergency Services for the County's Alternative Teaching Methods Program.**

Fire Chief David Scarbrough introduced Mr. Rick Ryckeley and thanked him for a donation that will help further Fire and Emergency Service's Alternative Teaching Methods Program. Chief Scarbrough then introduced two clowns, Biscuit and Butterbean, to the Board as an example of the teaching program and had them participate in the presentation. A copy of the request, identified as "Attachment 2", follows these minutes and is made an official part hereof.

2. Presentation of the Government Finance Officers Association Distinguished Budget Award for Fayette County's annual budget document for the fiscal year beginning July 1, 2012 and ending June 30, 2013.

County Administrator Steve Rapson introduced Chief Financial Officer Mary Parrott and Budget Officer Sergio Acevedo to the Board, commented on their work in earning the award, and he congratulated them on a job well done. A copy of the request, identified as "Attachment 3", follows these minutes and is made an official part hereof.

3. Presentation of two Government Finance Officers Association Certificates of Achievement for Excellence in Financial Reporting for both Fayette County's and the Fayette County's Water System Comprehensive Annual Financial Reports (CAFR) for the fiscal year ended June 30, 2012.

County Administrator Steve Rapson asked for Assistant Chief Financial Officer Sheryl Weinmann to join Mrs. Parrott and Mr. Acevedo, and he spoke about the importance of the two CAFR awards. A copy of this request, identified as "Attachment 4", follows these minutes and is made an official part hereof.

4. Proclamation recognizing Promise Place and their 5k "Run From Domestic Violence" Run.

Commissioner Oddo read the proclamation recognizing Promise Place and their 5k "Run from Domestic Violence" Run. Ms. Catherine Sanderson, who represented Promise Place, gave a PowerPoint presentation on Promise Place's history and service in the Fayette community. Copies of the request and Ms. Sanderson's PowerPoint presentation, identified as "Attachment 5", follow these minutes and are made an official part hereof.

5. Recognition of Fayette County's residents who are celebrating milestone Wedding Anniversaries.

Chairman Brown and the Board recognized the following couples and their milestone Wedding Anniversaries:

- Mr. and Mrs. Claude and Janet Paquin–50th Wedding Anniversary. A copy of Mr. and Mrs. Paquin's recognition, identified as "Attachment 6", follows these minutes and is made an official part hereof.

- Mr. and Mrs. Jim and Lois Richter–50th Wedding Anniversary. A copy of Mr. and Mrs. Richter's recognition, identified as "Attachment 7", follows these minutes and is made an official part hereof.

- Mr. and Mrs. Darrell and Teresa Newby–50th Wedding Anniversary. A copy of Mr. and Mrs. Newby's recognition, identified as "Attachment 8", follows these minutes and is made an official part hereof.

- Mr. and Mrs. Will Rogers– 52nd Wedding Anniversary. A copy of Mr. and Mrs. Roger's recognition, identified as "Attachment 9", follows these minutes and is made an official part hereof.

- Mr. and Mrs. Bill and Nancy Jones–60th Wedding Anniversary. A copy of Mr. and Mrs. Jones' recognition, identified as "Attachment 10", follows these minutes and is made an official part hereof.

- Mr. and Mrs. Russell E. (Bob) and Louise Bennett–65th Wedding Anniversary. A copy of Mr. and Mrs. Bennett's recognition, identified as "Attachment 11", follows these minutes and is made an official part hereof.

Copies of the request and master recognition which was read into the record by Chairman Brown, identified as "Attachment 12", follow these minutes and are made an official part hereof.

PUBLIC HEARING:

6. Consideration of staff's recommendation to adopt Ordinance 2013-13 amending the Fayette County Code of Ordinances, Chapter 20. Zoning Ordinance (2010), as amended, specifically Article IX (Zoning Board of Appeals); to provide for severability; to repeal conflicting laws, ordinances, and resolutions; to provide an effective date; and for other purposes allowed by law.

Community Development Director Pete Frisina reminded the Board that this issue had been talked about many times in previous meetings, that it pertained to the variance procedure that has been developed for illegal lots, and that it was a mechanism to legitimize some of the illegal lots based on certain criteria. He mentioned that the variance procedure would go before the Zoning Board of Appeals. Mr. Frisina explained that this recommendation would replace the "Legal Non-conforming" status that was passed in 2012, and he explained that this recommendation sets additional criteria for lots that have been made illegal. He said that these illegal lots, through many years, have been owned by many individuals and that often the person who finds out that the lot is illegal had nothing to do with its illegal status. He told the Board that this recommendation, in addition to the criteria required by the Zoning Board of Appeals, sets three additional criteria:

1) That the transaction giving the ownership of the property requires that the applicants own the property for at least five (5) years, and that the lot be made illegal at least ten (10) years prior to that. He told the Board that the County did not want to create an avenue for people to create illegal lots and turn them over, and that the time frames were required in order to discourage people from creating illegal lots.

2) If the person who owns the illegal lot acquired the lot from an immediate family member who was the person who created the illegal lot, that would be a criteria against getting a variance.

3) If there is available land around the illegal lot that could bring the illegal lot into compliance that would be another issue to be dealt with and a variance could not be granted.

Chairman Brown clarified that, if someone had devious thoughts and said "I'm going to buy this property and subdivide it, create some lots, and ask for forgiveness right after I do this," they would not qualify for a variance. Mr. Frisina replied that a variance would not be applicable in that case.

Commissioner Barlow acknowledged that this issue had been heard in the Planning Commission meetings, and he asked what the consensus was from the Planning Commission. Mr. Frisina replied that both the Planning Commission and the Zoning Board of Appeals have reviewed all the criteria and both bodies are in favor of the recommendations. Commissioner Barlow asked Mr. Frisina where he personally stood on the issue. Mr. Frisina replied that he was in favor of the recommendations.

Commissioner Oddo commented that Mr. Frisina, the Planning Commission, Planning and Zoning Staff, and Interim County Attorney Dennis Davenport had worked very hard on the recommendations, and that he appreciated all the hard work they did for Fayette County.

Brenda Moody: Mrs. Moody spoke in favor of adopting Ordinance 2013-13. She said she was overwhelmed that this issue was being considered by the Board, and she stated that if the Ordinance was approved that it would give her peace of mind. She said the thought of her house burning down and not being able to rebuild it has been overwhelming, and she was thankful to the Board for "working so hard for my family and this county." She said if the Ordinance passed that it would bring joy to her whole family, and that they were going to have a party, and that the Board was invited. Mrs. Moody told the Board that "it has been a hard road," and that she was thankful that the Board was making it so that others could not put people into bad situations and get away with it. She said the Board was amazing and that people do not give them the respect they deserve. She told the Board that they deserve awards as well, and she thanked the Board from the bottom of her heart for putting so much effort into "our lives and what we've put our life into in this county." She explained that her husband is a firefighter for Fayette County and that she is a special needs bus driver for Fayette County, and that their hearts are for Fayette County. She said she appreciated the work and effort the Board does for all the people, and that she would vote for all of the Board members.

Chairman Brown reminded the Board and the audience that the Moody's purchased property that they did not know was a nonconforming lot. He explained that because the lot is nonconforming, it put them in a position where they could not get homeowners' insurance to safeguard their property and the persons living in the house. He said this endeavor started when the County found out about their situation. He said Mr. and Mrs. Moody are doing a great job, that they both work for the County, and that the Board really appreciates them.

No one else spoke in favor of or in opposition to this recommendation.

Commissioner Ognio moved to approve staff's recommendation to adopt Ordinance 2013-13 amending the Fayette County Code of Ordinances, Chapter 20. Zoning Ordinance (2010), as amended, specifically Article IX (Zoning Board of Appeals); to provide for severability, to repeal conflicting laws, ordinances, and resolutions; to provide an effective date; for other purposes allowed by law. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously. Copies of the request and Ordinance 2013-13, identified as "Attachment 13", follows these minutes and is made an official part hereof.

PUBLIC COMMENT:

No one spoke during the Public Comment portion of the meeting.

CONSENT AGENDA:

Commissioner Barlow moved to approve Consent Agenda Items 7-14. Commissioners Ognio and McCarty seconded the motion. No discussion followed. The motion passed unanimously.

7. Approval of IPN USA's request for approval of a Tax Exempt Industrial Revenue Bond and use of the proceeds as specified by applicable tax code requirements.

Emily Poole: Ms. Poole, representing the Fayette County Development Authority, spoke to the Board about this request and she explained that IPN USA is one of Fayette County's corporate citizens that are located in Peachtree City. She told the Board that IPN USA is a tremendously successful company that makes plastic components for food packaging, and that their products are used across the world. She told the Board that the bond was for material and equipment in the amount of approximately ten million dollars.

Chairman Brown told Ms. Poole and Mr. Paul Edwin van den Hoonaard, representing IPN USA, that he had toured the IPN USA plant, and he acknowledged that they have a magnificent operation that exceeds every standard in the country for doing "that type of production." He said he looked forward to going to the grocery store and other stores and seeing the products. Chairman Brown explained that IPN USA makes the applications for opening the containers for baby food and various drinks. He said it was great to see IPN USA's products on shelves throughout the grocery store. He wished Mr. Hoonaard much success in the future and he asked him to stay in contact with the Board and keep them appraised of how the Board can be of service in the future. Copies of the request and supporting documents, identified as "Attachment 14", follow these minutes and are made an official part hereof.

8. Approval of staff's recommendation to adopt Resolution 2013-19 relating to the issuance of a 2013 General Obligation Bond for the purpose of advance refunding of the School Board's 2005 and 2007 General Obligation Bonds, and to provide a present value of approximately $2,637,000.00 savings for the taxpayers of Fayette County. Copies of the request and Resolution 2013-19, identified as "Attachment 15", follow these minutes and are made an official part hereof.

9. Approval of staff's recommendation for a final supplemental budget adjustment for the fiscal year ended June 30, 2013.

Chairman Brown informed the audience that the Board had additional documents on the dais related to Consent Agenda Item #9, and that the additional information could be obtained from the County Clerk. He further explained that the additional documents included an email from County Administrator Steve Rapson to the Board titled *FY2013 Summary Schedule to Actual Revised*, and that the email included several spreadsheets titled *Preliminary - Unaudited for Fiscal Year Ended June 30, 2013.*

County Administrator Steve Rapson commented that when there is talk about changing things and having things on the dais, it tends to make people a little skittish. He stated that the documents that were published with the Agenda package on last Friday, that the only change to the documents published in the Agenda Package were $2,518.00 for adjustments that were made for the Tax Assessors Office. He explained that everything else had been published and that the rest of the figures remained the same. Copies of the request and additional documents, identified as "Attachment 16", follow these minutes and are made an official part hereof.

10. Approval of staff's recommendation to award the McDonough Road Fiber Optic Cabling Project to the low-bidder, ComTran, in an amount not to exceed $202,300.00, to authorize $43,000.00 in additional funding for the project, and to authorize the County Manager to sign the contract and related documents. A copy of the request, identified as "Attachment 17", follows these minutes and is made an official part hereof.

11. Approval of staff's recommendation to approve requested changes to the list of streets identified for resurfacing in the June 13, 2013 Intergovernmental Agreement between Fayette County and the Town of Tyrone. A copy of the request, identified as "Attachment 18", follows these minutes and is made an official part hereof.

12. Approval of staff's recommendation to enter into an Intergovernmental Agreement with the City of Fairburn for bridge improvements to Bohannon Road over Line Creek (Structure 121-5081-0), and authorization to utilize $57,430.00 from the Road Department Asphalt and Tack (Accounting Line # 10040220-531171) if the bridge improvements begin in Fiscal Year 2014. Copies of the request and Intergovernmental Agreement, identified as "Attachment 19", follow these minutes and are made an official part hereof.

13. Approval of staff's recommendation to award a contract to Gullett Sanitation Services, Inc., in the amount of $165,000, for dredging the two lagoons at Crosstown Water Treatment Plant, to establish a budget for this purpose, to transfer funds from the Renewal and Extension account, and to authorize the Chairman to execute said contract and related documents.

Commissioner Ognio asked County Administrator Steve Rapson to clarify Consent Agenda Item #13. Mr. Rapson replied that the County was moving money from the Renewal and Extension Fund. He explained how the Renewal and Extension account is funded, and he said this request was simply to move the money from the Renewal and Extension account to a Capital Project so that the County can move forward with dredging. A copy of the request, identified as "Attachment 20", follows these minutes and is made an official part hereof.

14. Approval of the Water Committee's recommendation to close McIntosh Lake, McIntosh Park, and the access road to McIntosh Park from Friday, October 11, 2013 at 3:00 p.m. until Sunday, October 13, 2013 at 6:00 p.m. for the upcoming Great Georgia Airshow. A copy of the request, identified as "Attachment 21", follows these minutes and is made an official part hereof.

OLD BUSINESS:

15. Consideration of staff's recommendation to enter into a revised Intergovernmental Agreement for the Use and Distribution of Proceeds from the 2013 Special Purpose Local Option Sales Tax for Capital Outlay Projects.

County Administrator Steve Rapson said this Intergovernmental Agreement was basically the same Intergovernmental Agreement for the Use and Distribution of Proceeds from the 2013 Special Purpose Local Option Sales Tax for Capital Outlay Projects, and he explained that the only amendment was a change to the Intergovernmental Agreement made by the City of Peachtree City. He said this request was simply to ratify the agreement with those amendments in order to ensure that everyone is on the same page.

Interim County Attorney Dennis Davenport added that the projects were changed, but not the agreement itself. Mr. Rapson agreed, saying the substance of the agreement was the same but that the attachment had changed. Chairman Brown clarified that the Board's vote was to acknowledge that there was a new list from Peachtree City that is to be used for the city's SPLOST projects. Both Mr. Rapson and Mr. Davenport agreed with that understanding.

Commissioner Oddo moved to approve staff's recommendation to enter into a revised Intergovernmental Agreement for the Use and Distribution of Proceeds from the 2013 Special Purpose Local Option Sales Tax for Capital Outlay Projects. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously. Copies of the request and revised Intergovernmental Agreement, identified as "Attachment 22", follow these minutes and are made an official part hereof.

16. Discussion of proposed amendments to the Fayette County Code of Ordinances, Chapter 20. Zoning Ordinance, Article VI, Sec. 6-22. M-1 Light Industrial District and Sec. 6-23. M-2 Manufacturing and Heavy Industrial District, regarding Building Height.

Chairman Brown informed the audience that the Board had an additional document on the dais, and that it was a letter dated September 25, 2013 to County Clerk Floyd Jones from Mr. Jim McBride of JMX Services, Incorporated. He said a photograph was attached to the letter.

Community Development Director Pete Frisina reminded the Board that much discussion had recently taken place concerning building height, and that the currently proposed amendments related to the initial discussions. He said staff has worked on building heights for movie studios, for churches, and for vaulted ceilings. He said that during the previous discussions, he had informed the Board that there would likely be other things that staff would be working on in order to address other height issues, and that these proposals were a response to those "other things." He told the Board that staff has talked to the Planning Commission, and that staff believes the proposed amendments are a logical move in an industrial district, to allow a higher building than would be allowed in a residential district. Mr. Frisina explained that staff was proposing raising the height in both the M-1 Light Industrial District and the M-2 Manufacturing and Heavy Industrial District from 35' to 50', and he told the Board that Fayetteville already has a height of 60' in their industrial zonings. He told the Board that Peachtree City does not have a height light limit for industrial zonings. Mr. Frisina explained that currently in Fayette County there are two zoning districts, a Business-Technology Park and an Office-Institutional district, where their heights can be 40 feet. He informed the Board that both the M-1 and M-2 Zoning Districts have the largest buffers of any of the County's nonresidential zoning districts, so any residential zoning that abuts the M-1 and M-2 zoning districts would have a 75-foot buffer with an additional 25-foot setback; meaning that any building in an M-1 or M-2 zoning would be, at a minimum, 100' away from any residential property. Mr. Frisina referred to Mr. McBride's letter, and he said Mr. McBride had brought this issue to the forefront with a building that he is trying to build. He said the County was trying to work with him so that he could go ahead and build his building probably sometime next year.

Mr. Frisina pointed out that in both the months of November and December; the County loses Board of Commissioners meetings due to the holiday schedule. He said he spoke to the County Clerk, and he said if staff could get the Board's permission to advertise the proposed amendments, get them to the Planning Commission for a public hearing, that the proposed amendments could have a quick turnaround and get them on the next Board meeting. Mr. Frisina added that he would have another issue that was unrelated to this matter, pertaining to the redevelopment of a large parcel within the County for a camp, and that parcel

has a cell tower in the middle of the property. He said staff wants to put something in the County Ordinance that allows the County to work with the property owner in an effort to revise the site plan for that property and to move the cell tower to a different location. He said he wanted to set time limits on how long it would take to move the tower to a different location and to take the existing tower down. He explained that this issue would be mainly a housekeeping effort, but it would allow something to be in place that sets a deadline for the work to be completed since, as some point, there will be two cell towers on the property. Mr. Frisina said staff was looking at about a 108-day period of time, or approximately four months, to get all the equipment moved, get the new tower built, and to take down the existing tower. The Board agreed with Mr. Frisina's request to put all of these changes into one amendment and to handle them all quickly. The Board did not object to Mr. Frisina's request.

The Board directed staff to move forward with public hearings for the proposed amendments. The Board took no action on this item. A copy of the request, identified as "Attachment 23", follows these minutes and is made an official part hereof.

NEW BUSINESS:

17. Presentation by the Georgia Department of Transportation concerning the department's project to widen McDonough Road.

Public Works Director Phil Mallon introduced Georgia Department of Transportation (GDOT) Board Member Dana Lemon, who represents the 13th Congressional District, and he introduced Georgia Department of Transportation Project Manager Jeremy Busby to the Board. Mr. Mallon explained that the GDOT project was a very large project, and that it would have substantial impact on many of Fayette County's facilities as well as future transportation projects. He said this presentation was for the Board's information only and that shortly after the meeting he would provide each Commissioner a draft set of comments to be officially submitted to the GDOT. He thanked Ms. Lemon and Mr. Busby for taking their time to come to the meeting, and he told the Board that they have sat through many public meetings concerning this project. He told the Board and audience that there is a drawing showing the proposed project, that the drawing was in back of the room, and that he would stay until after the meeting to talk to the citizens about the project.

Representative Lemon thanked the Board and county staff for always being willing to work with the GDOT. She agreed that this is a significant project, but she pointed out that this is a proposed project–and that part of the process was to get feedback from the Board and the citizens. She emphasized that feedback is critical not only for this project but for all of GDOT's projects and she thanked the Board for allowing them to come and for feedback. She said if the GDOT could do anything to support transportation and economic development in the Fayette County community that the GDOT looked forward to the opportunity to help and serve.

GDOT Project Manager Jeremy Busby gave a PowerPoint presentation concerning the GDOT's proposed project to widen McDonough Road. He said the project was intended to be about six-miles long and that it would stretch from State Route 54 in Fayette County to Tara Boulevard in Clayton County. He said the reasons for the proposed widening of McDonough Road were: 1) safety since the geometry of the current road is substandard for the speed and amount of cars on the road, and 2) due to projection for traffic to increase on McDonough Road and the widening will address both current and future congestion. He told the Board that the GDOT was proposing widening McDonough Road from two lanes to four lanes, and that it would have a concrete, raised median that would be about twenty feet wide, and that it would have

bicycle lanes in both directions with sidewalks, and that it would have three additional traffic signals. He said the work would also replace the bridges at the Flint River and Hurricane Creek. He said the GDOT is in the information gathering process for this proposed project, and that the GDOT was conducting utility studies to determine what utilities are currently on the corridor. He said the GDOT was also making right-of-way determinations and was trying to reduce impact as much as possible. He clarified that although the GDOT is looking at right-of-ways, there have been no requisitions at this point in time. He added that the GDOT is also working through environmental studies, historical studies, and that there are schools and churches that have environmental protections, that there is a historic farm, and that there is a historic cemetery from the Civil War. Mr. Busby said the GDOT held a public meeting in the month of July where the project was presented at a local public high school, and that the GDOT did additional outreach throughout the community. He said 199 people attended the outreach and that the GDOT received 107 comments that are currently being reviewed. He said the GDOT will prepare responses to all of the comments it had received, that right-of-way activities should begin as early as 2016, and that the widening project would potentially begin in 2019.

Chairman Brown said Fayette County always appreciated working with its neighboring districts and counties, and he pointed out that Fayette County is involved with the Interstate 85 and State Route 74. He said the south side of metro Atlanta has realized that "we are all in this together and we've got to pull for each other" since "we're competing with gigantic counties on the north side." Chairman Brown pointed out that Fayette County has a lot of infrastructures near the intersection of State Route 54 and McDonough Road. He explained that the County has a huge recreational complex in the area, and at the County's Public Works facilities and the Water System were located along McDonough Road. He told Mr. Busby that one major concern is that the Public Works facility is near the intersection of State Route 54 and McDonough Road, and that it appeared that the current plans called for making a right-hand turn out of the facility and the U-turn to get back to State Route 54. He told Mr. Busby that the trucks that would have to make the U-turn are dump trucks, large trucks carrying large trailers with large pieces of equipment and machinery, and similar-type vehicles, and he said the Board was really worried about not having the capacity to make a U-turn with that type of equipment. He said the County would like to work with the GDOT in exploring the possibility of having an extension road that could take these vehicles to the next logical intersection so that the vehicles could make a legitimate left-hand turn. He said that would keep the County from damaging equipment and possibly harming someone in the process. Chairman Brown also pointed out the County was concerned about access to the ball fields, and that there should be some type of logical entry to the fields so that the families can get in and out of that recreation area. He asked the GDOT to work with the County to help figure out how to get kids in and out of the recreation area. Chairman Brown informed the GDOT that Fayette County is starting an initiative for multi-use paths, in lieu of sidewalks, and that it this project would be a great potential corridor for multi-use paths since there are recreation facilities in the area. He thought it would be a good idea for GDOT to look into constructing a multi-use path and a box culvert that could be used to access the ball fields. He concluded that those would be some of the top issues Fayette County would like for the GDOT to work with.

Commissioner Barlow acknowledged that he has not been involved with the relocation of a cemetery, and he asked how that issue would be resolved. Mr. Busby replied that the cemetery would not be relocated, but that the GDOT was looking for ways to avoid the cemetery.

Commissioner Ognio said he was really concerned about the parks along McDonough Road and being able to get in and out of the parks. He explained that he saw there were potential problems with the plans as they are currently proposed, and that there could be safety issues with people making U-turns in an effort to get to the park. Mr. Busby recognized Commissioner Ognio's concerns, and briefly spoke about ways the concerns could be addressed.

The Board thanked Mr. Busby and Representative Lemon for coming to them on this proposed project. The Board gave no direction and took no action in this matter. Copies of the request and PowerPoint presentation, identified as "Attachment 24", follow these minutes and are made an official part hereof.

18. Consideration of staff's recommendation to adopt Ordinance 2013-12 amending the Code of Ordinances for Fayette County, Georgia; to enact provisions pertaining to registration of vacant or foreclosed real property; to provide an effective date, to repeal conflicting ordinances; to provide for severability, to promote the public health, safety and welfare, and for other purposes.

Community Service Director Pete Frisina said this recommendation was a procedure that was rectified in State law, and it set standards for how communities set up registries for vacant and foreclosed properties. He reminded the Board that Fayette County has had a lot of vacant and foreclosed properties over the past years, and that they can cause property maintenance issues that are very difficult to resolve. He said many times the County cannot find the owners of the properties. He said this Ordinance would require property owners to register with the County and to maintain a registry, and he said it would give the County the ability to enforce County ordinances much better. Mr. Frisina acknowledged that the hard part would be to get the property owners to register their properties, but that there are penalties involved for those who do not register. He explained that the state has directed that the fee could not be more than $100 per registrant, and he suggested that Fayette County set the fee at the $100 maximum. He explained that staff would have to take the applications, maintain them, check on them, and keep up with the properties when they come out of foreclosure. He concluded that the work would involve a lot of staff time since it would entail creating a database and writing letters to industries telling them to submit their properties.

Commissioner Ognio asked if there were penalties involved if a property was not registered. Mr. Frisina replied that there were penalties, and that the penalties were not to exceed $1,000.00.

Commissioner Barlow moved to accept staff's recommendation to adopt Ordinance 2013-12 amending the Code of Ordinances for Fayette County, Georgia; to enact provisions pertaining to registration of vacant or foreclosed real property; to provide an effective date, to repeal conflicting ordinances; to provide for severability, to promote the public health, safety and welfare, and for other purposes. Commissioners McCarty and Oddo seconded the motion. No discussion followed. The motion passed unanimously.

County Administrator Steve Rapson asked the Board to hold a second vote establishing the fee at $100.00.

Chairman Brown moved to establish a fee at $100.00. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously. Copies of the request and Ordinance 2013-12, identified as "Attachment 25", follow these minutes and are made an official part hereof.

19. Consideration of staff's request to award the bid for Fire Station No. 3 construction to Ward General Contractors, Incorporated.

Fire Chief David Scarbrough asked the Board to consider awarding the bid for Fire Station No. 3. He explained that the current fire station is located at 935 Senoia Road, in Tyrone, and he hoped the station would become an old site. He told the Board that the current station was constructed in 1977, that it has had septic failures, that staff has forced themselves into minimal water usage situations, that staff is not able to wash clothes and uniforms meaning they have to ship the work out to another fire station, and from time to time the septic tank has had to be pumped. Chief Scarbrough continued saying that over the years, there have been response issues due to the proximity of the railroad track to the fire station. He explained that the proposal is to relocate the fire station to Hwy. 74 and Jenkins Road, and he explained that the station would not have to be on a septic tank since it would have a sewer available to it. He told the Board that it would give access to both the northbound and southbound traffic on Highway 74, and that the site was large enough to accommodate a water tower in the future. Chief Scarbrough stated that the Purchasing Department received eleven bids, and that the bids included a base bid and three alternatives which were brick veneer, a metal roof, and a digital message board. He stated that staff's recommendation was to award the contract to Ward General Contractors, Incorporated, who is the low bidder. He explained that their base bid was $1,740,000 with brick veneer being $12,000, and the alternative metal roof was $50,000 for a total of $1,802,000.00. He asked for the Board's approval to move forward with the project. He concluded his request by saying this project has taken years in the making, and it has taken much longer than anyone ever anticipated. He added that the County already has an architect, and that the architect has worked with Ward General Contractors in the past.

Chairman Brown asked if Ward General Contractors had built fire stations in the past. Chief Scarbrough replied that they have built fire stations for other jurisdictions, and that their work appeared to be very good.

Commissioner Barlow moved to approve staff's request to award the bid for Fire Station No. 3 construction to Ward General Contractors, Incorporated, in the amount of $1,802,000 and to fund the project utilizing funding from Project # 0550A in the amount of $1,425,769.40 and $400,000.00 from Project #2930C. Commissioner McCarty seconded the motion.

Michelle Mills: Ms. Mills, representing Aarene Contracting, Incorporated, stated that her company was the low bidder of record at the time the bids were read. She reported that there were no alternates that were read at the time of the bid opening, and that her company was not aware of any requirements for the alternates to be part of the overall recommendation or decision. She said she wanted to voice her concern about that. She continued saying that the bid matrix that is on the County's website only shows the base bids, and that Aarene Contracting is the low bidder as shown.

County Administrator Steve Rapson replied to Ms. Mill's concerns saying that as part of the RFP, the County actually placed the base bid, in addition to the three alternates, which were selected. He explained that the alternates that were outlined within the base document stated that the county would actually look at that as a comprehensive analysis in regards to the base bid as well as which alternates would be picked. He told the Board that the only alternate that was not chosen was Alternate #3, but if it had been picked it would not change the recommendation. Mr. Rapson pointed out that there were significant differences in

the alternate bids, and he explained that the metal roof was bid by Ward General Contractors in the amount of $50,000 and Aarene's bid for the metal roof was $105,000.00. He said that was the primary, determining factor as far as why Aarene Contracting, Incorporated was not selected.

The motion to approve staff's request to award the bid for Fire Station No. 3 construction to Ward General Contractors, Incorporated, in the amount of $1,802,000 and to fund the project utilizing funding from Project # 0550A in the amount of $1,425,769.40 and $400,000.00 from Project #2930C passed unanimously. A copy of the request, identified as "Attachment 26", follows these minutes and is made an official part hereof.

20. Consideration of staff's recommendation to award a contract to CH2M Hill to serve as Engineer of Record for the Water System as specified in RFP #888, for the fiscal year ending June 30, 2014, and with provisions for two one-year renewals, and for the County Manager to execute said contract and related documents.

County Administrator Steve Rapson reported that staff went through a comprehensive analysis with regard to RFP #888 for the Engineer of Record. He explained there was a mandatory pre-proposal conference that twenty-four firms attended. He said the bid opening occurred on August 29, 2013, and an evaluation committee composed of himself, the Purchasing Director, the Human Resources Director, the Chief Financial Officer, Mr. Steve Hogan of the Peachtree City Water and Sewerage Authority, and Mr. Brant Keller from the City of Griffin who is regionally known for water services reviewed the bids. He told the Board that the evaluation committee reviewed and scored nine submitted proposals and created a short-list of three firms: Woodward, Mallett Consulting, and CH2M Hill. He told the Board that the three firms were interviewed on September 12, 2013, and based on everyone's recommendation; the unanimous recommendation was for CH2M Hill to be the Engineer of Record.

Commissioner McCarty moved to approve New Business #20, consideration of staff's recommendation to award a contract to CH2M Hill to serve as Engineer of Record for the Water System as specified in RFP #888, for the fiscal year ending June 30, 2014, and with provisions for two one-year renewals, and for the County Manager to execute said contract and related documents. Commissioner Ognio seconded the motion.

Mr. Rapson clarified that both he and Interim County Attorney Dennis Davenport will be working with CH2M Hill in regards to developing the contract, and he assured the Board that the rates that they currently have in their agreement will be adjusted. He stated that he also requested CH2M Hill to provide him with a first 60-day / 90-day look in regards to helping the County resolve a lot of the issues that have been read about in the papers. He told the Board that the County did not want to pay CH2M Hill the standard rate for the first 90-day period. He said his thought process was that the County would go ahead and approve the contract with the revised early rates and also an addendum for the first 90-days.

The motion to approve New Business #20, consideration of staff's recommendation to award a contract to CH2M Hill to serve as Engineer of Record for the Water System as specified in RFP #888, for the fiscal year ending June 30, 2014, and with provisions for two one-year renewals, and for the County Manager to execute said contract and related documents passed unanimously. A copy of the request, identified as "Attachment 27", follows these minutes and is made an official part hereof.

21. Approval of the September 12, 2013 Board of Commissioners Meeting Minutes. Commissioner McCarty was not present for this meeting.

Commissioner Oddo moved to approve the September 12, 2013 Board of Commissioners Meeting Minutes. Commissioner Ognio seconded the motion. No discussion followed. The motion passed 4-0-1 with Commissioner McCarty abstaining from the vote.

ADMINISTRATOR'S REPORTS:

Introduction of Assistant Chief Financial Officer Sheryl Weinmann: County Administrator Steve Rapson introduced Assistant Chief Financial Officer Sheryl Weinmann to the Board, and he told the Board that he has named her "Firecracker." The Board welcomed her to the Fayette family.

Installation of the Blinds in the Public Meeting Room: County Administrator Steve Rapson reported that the blinds had been installed in the Public Meeting Room, and that the room "just looks normal now." He commented that the blinds give a much more professional appearance

Asset Management Policy: County Administrator Steve Rapson reported that he gave the Board a copy of the Asset Management Policy that staff is ready to enact within the next week or so. Chairman Brown agreed, and he added that a copy of the policy was on the dais and that it is entitled *Fiscal Policy–Asset Management 300.13*. Mr. Rapson gave kudos to Chief Financial Officer Mary Parrott and Assistant Chief Financial Officer Sheryl Weinmann who helped draft the policy, and who did an outstanding job in their work. A copy of the asset management policy, identified as "Attachment 28", follows these minutes and is made an official part hereof.

Legislative Leadership Conference: County Administrator Steve Rapson informed everyone that the Legislative Leadership Conference was going to occur from September 29-October 1, 2013, and that he and the entire Board were going to Athens to attend the conference.

Update on the Sanitary Survey Report: County Administrator Steve Rapson updated the Board on the Sanitary Survey Report by saying that up through today the County has corrected 50% of the items that were identified in the deficiency report. He said he did not want to gloss over that report since staff at the Water System has worked very hard in making the corrections. He stated that, in regards to the Environmental Protection Division's actual final review, he would meet with the Board on October 10, 2013 concerning "our final pass in regards to our final position on the Notice of Violations (NOBS)." He added that the Environmental Protection Division has agreed to receive the County's final report on October 11, 2013.

Support Breast Cancer Research: County Administrator Steve Rapson asked Fire Chief David Scarbrough to address the Board about an effort to support breast cancer research. Chief Scarbrough told the Board that many people are aware that the month of October is "Breast Cancer Awareness Month," and he explained that the fire personnel will be wearing pink shirts in the first weeks of October. He said the Fire Department was requesting the Board to also wear pink shirts in support of breast cancer research. Each member of the Board then put the pink shirts on in support of defeating breast cancer.

ATTORNEY'S REPORTS:

Five Items for Executive Session: Interim County Attorney Dennis Davenport informed the Board that he had two items of threatened litigation, two items of pending litigation, and review of the September 12, 2013 Executive Session Minutes to be considered in Executive Session.

COMMISSIONERS' REPORTS:

Commissioner McCarty: Commissioner McCarty told everyone that he had just returned from Europe, and he wanted everyone to understand what a great privilege it is to live in the United States of America. He said even when he landed at the wrong airport it was still good ground to kiss.

Commissioner Barlow: Commissioner Barlow thanked staff since they have already worked all day and are still with the Board at late meetings. He said he appreciated staff, Chief Financial Officer Mary Parrott, the County Clerk, and Ms. Tameca White. He added that it is always a joy to look to the citizens in the audience, and he remembered how in meetings past there would only be three or four people in the audience. He liked that the citizens were coming to the meetings to learn how the process works.

Commissioner Oddo: Commissioner Oddo thanked Fire Chief David Scarbrough for the pink shirts. He pointed out that the homecoming for the Vietnam Veterans was upcoming and it would be nice if everyone would attend the parade for them. He said he has been thanking the veterans for the past forty years, but this event would be a great way to show pride in them. He also thanked the audience for coming to the meetings.

Commissioner Ognio: Commissioner Ognio said he had the opportunity to attend the Inman Heritage Day weekend, and that it was something that just amazed him. He said Fayette County is considered an oasis, but when someone attends Heritage Day that person is reminded they are really in metro Atlanta. He thought it was really impressive that Fayette County is the way that it is. He pointed out that a person could even see reporters taking hay rides, that many people were there, and that it was very impressive.

Chairman Brown: Chairman Brown reminded everyone that the Board and County Administrator Steve Rapson were going to be in Athens from Sunday until Tuesday, and he asked for prayer for Athens, Georgia.

EXECUTIVE SESSION:

Five Items for Executive Session: Chairman Brown moved to go into Executive Session for two items of pending litigation, two items of threatened litigation, and to review the Executive Session Minutes from September 12, 2013. Commissioners Barlow, Ognio, and Oddo seconded the motion. No discussion followed. The motion passed unanimously.

The Board recessed into Executive Session at 8:37 p.m. and return to Official Session at 9:29 p.m.

Return to Official Session and Approval of an Executive Session Affidavit: Commissioner Ognio moved to exit Executive Session and for the Chairman to sign the Executive Session Affidavit. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously. A copy of the Executive Session Affidavit, identified as "Attachment 29", follows these minutes and is made an official part hereof.

Approval of the September 12, 2013 Executive Session Minutes: Chairman Brown moved to approve the September 12, 2013 Executive Session Minutes. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

ADJOURNMENT:

Additional Comments: Fire Chief David Scarbrough noted that Atlanta Shirts is the provider of the pink T-shirts, and that he neglected to recognize them earlier. He added that "one of his guys has a company and he needed to get credit," and he stated the man's name is Werner Frye.

Adjournment: Commissioner Oddo moved to adjourn the September 26, 2013 Board of Commissioners meeting. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

The Board of Commissioners adjourned the September 26, 2013 Board of Commissioners meeting at 9:30 p.m.

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Floyd L. Jones, County Clerk Steve Brown, 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 October 2013.

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Floyd L. Jones, County Clerk