



Action Agenda

Board of Commissioners
August 28, 2014
7:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met in an Official Meeting on August 28, 2014 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, County Attorney

Call to Order

Chairman Brown called the August 28, 2014 Board of Commissioners Meeting to order at 7:00 p.m.

Invocation by Commissioner Randy Ognio

Commissioner Ognio introduced his pastor, Chuck Chambers, of Woolsey Baptist Church, and he asked Pastor Chambers to offer the Invocation. Pastor Chambers offered the Invocation.

Pledge of Allegiance

Chairman Brown led the audience in the Pledge of Allegiance.

Acceptance of Agenda

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

PRESENTATION /RECOGNITION:

1. Proclamation of September 2014 as Childhood Cancer Awareness Month in Fayette County.

Chairman Brown read the proclamation of September 2014 as Childhood Cancer Awareness Month in Fayette County.

2. Proclamation of September 2014 as Kappa Kappa Iota Month in Fayette County.

Commissioner Oddo read the proclamation of September 2014 as Kappa Kappa Iota Month in Fayette County.

3. Proclamation of September 2014 as National Preparedness Month in Fayette County.

Chairman Brown read the proclamation of September 2014 as National Preparedness Month in Fayette County.

4. Proclamation of August 29, 2014 as Sigvaris Day in Fayette County.

Fayette County Intern Haider Khan read the proclamation of August 29, 2014 as Sigvaris Day in Fayette County.

5. Recognition of Fayette County 4-H members and their many accomplishments during the past year.

Commissioner Barlow and Extension Director Kim Toal spoke about Fayette County's 4-H members and their accomplishments during the past year.

6. Recognition of the Peachtree City Convention and Visitors Bureau for their efforts in recruiting volunteers for the Divas Half Marathon and 5K in Atlanta-Peachtree City.

Commissioner David Barlow recognized the Peachtree City Convention and Visitors Bureau for their efforts in recruiting volunteers for the Divas Half Marathon and 5K in Atlanta-Peachtree City.

7. Proclamation honoring Bob and Bernadette Carty who are celebrating their 50th Wedding Anniversary.

Chairman Brown gave the proclamation honoring Bob and Bernadette Carty who celebrated their 50th Wedding Anniversary.

PUBLIC HEARING:

8. Consideration of Petition T-019-14, Skyway Towers, Owner, and PM&A, Agent, request for a reduction of the requirements of Section 110-150. Standards for Telecommunications Antennas and Towers to develop a 185-foot Monopole Telecommunication Tower by reducing the 1,000 foot setback from an adjacent municipality to 114 feet.

Ms. Kiersten Lurer from PM&A asked the Board to approve Petition T-019-14.

No one spoke in favor of or in opposition to this petition.

Commissioner Barlow moved to approve Petition T-019-14, Skyway Towers, Owner, and PM&A, Agent, request for a reduction of the requirements of Section 110-150. Standards for Telecommunications Antennas and Towers to develop a 185-foot Monopole Telecommunication Tower by reducing the 1,000 foot setback from an adjacent municipality to 114 feet. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

9. Consideration of Petition No. 1235-14, Max Fuller, Owner, and Moore Bass Consulting, Inc., Agent, request to rezone 10.56 acres from A-R to R-45, with said property being located in Land Lot 87 of the 5th District and fronting on South Jeff Davis Road.

Mr. Steve Moore, representing Moore Bass Consulting, Inc., asked the Board to approve Petition No. 1235-14, and he briefly spoke about his request.

No one else spoke in favor of Petition 1235-14. Mr. Frank Love, Ms. Jacqueline Bennett, Ms. Marlene McCartha and Mr. Tom Waller spoke in opposition to Petition 1235-14.

Mr. Moore returned to the podium and spoke in rebuttal to those who spoke in opposition to the petition. The Board then discussed this petition and asked questions of Mr. Moore and of county staff.

Chairman Brown moved to deny the petition to rezone from A-R to R-45. Commissioner Barlow seconded the motion. Discussion followed. The motion passed 4-1 with Commissioner McCarty voting in opposition.

10. Consideration of Petition No. RP-052-14, Max Fuller, Owner, and Moore Bass Consulting, Inc., Agent, request to add six (6) lots to the Minor Subdivision Plat for Max Fuller, with said property being located in Land Lot 87 of the 5th District and fronting on South Jeff Davis Road.

The Board did not take action on Petition RP-052-14 due to the denial of Petition No. 1235-14.

11. Consideration of Petition No. 1237-14, Kathy S. James, Owner, and Randy Boyd, Agent, request to rezone 1.05 acres from A-R to R-45 for a Single-Family Residential lot, with said property being located in Land Lot 17 of the 9th District and fronting on State Route 92 North.

Mr. Randy Boyd asked the Board to approve Petition 1237-14. Mr. Ceon James spoke in favor of Petition 1237-14. No one spoke in opposition to the petition.

The Board discussed this matter with staff and with Mr. Boyd.

Commissioner Brown moved to deny Petition No. 1237-14 requesting to rezone from A-R to R-45. Commissioner Barlow seconded the motion. The motion passed 4-1 with Commissioner McCarty voting in opposition.

CONSENT AGENDA:

Commissioner Barlow moved to approve Consent Agenda Items 12 and 13. Commissioners Ognio and McCarty seconded the motion. The motion passed unanimously.

12. **Approval of staff's request to adopt the Agreement on Governance of the Fayette County Development Authority.**
13. **Approval of the August 14, 2014 Board of Commissioners Meeting Minutes and the August 19, 2014 Board of Commissioners Special Called Meeting Minutes.**

OLD BUSINESS:

There were no Old Business Items for consideration.

NEW BUSINESS:

14. **Consideration of Resolution 2014-18 adopting the 2014 Property Tax Millage Rates.**

Chief Financial Officer Mary Parrott asked the Board to approve Resolution 2014-18 to establish the 2014 Property Tax Millage Rates, and she briefed the Board on the basis for the millage rate recommendations. The Commissioners then discussed this request.

Commissioner Ognio moved to adopt Resolution 2014-18 adopting the 2014 Property Tax Millage Rate. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously.

15. **Consideration of staff's recommendation to repeal Ordinance 2014-09 and to adopt Ordinance 2014-12, amending the Code of Ordinances for Fayette County, Georgia, and in so doing deleting Chapter 13 in its entirety and incorporating Article VI.- Pawnbrokers, Dealers in Precious Metals, and Flea Markets into Chapter 8- Businesses.**

Code Enforcement Officer Kathy Hobbs asked the Board to repeal Ordinance 2014-09 and to adopt Ordinance 2014-12. Discussion followed.

Commissioner Oddo moved to approve the recommendation to repeal Ordinance 2014-09 and to adopt Ordinance 2014-12, amending the Code of Ordinances for Fayette County, Georgia, and in so doing deleting Chapter 13 in its entirety and incorporating Article VI.- Pawnbrokers, Dealers in Precious Metals, and Flea Markets into Chapter 8- Businesses. Commissioners McCarty seconded the motion. The motion passed unanimously.

16. **Consideration of staff's recommendation to adopt the 2014-2015 Fee Schedule pertaining to Pawnshops, Dealers in Precious Metals and Gems, and Flea Markets.**

Code Enforcement Officer Kathy Hobbs asked the Board to adopt the 2014-2015 Fee Schedule pertaining to Pawnshops, Dealers in Precious Metals and Gems, and Flea Markets, and she briefly discussed her request with the Board.

Commissioner Barlow moved to approve staff's recommendation to adopt the 2014-2015 Fee Schedule pertaining to Pawnshops, Dealers in Precious Metals and Gems, and Flea Markets. Commissioners McCarty and Ognio seconded the motion. The motion passed unanimously.

- 17. Consideration of staff's recommendation to enter into an agreement with Bartlett Fiber, Incorporated, in the amount of \$138,056, for the installation of 7.2 miles of fiber optic cabling that would provide future data/voice connectivity to the E911 Operations Center, the Emergency Operations Center, Fire Station #7, and the South Fayette Water Treatment Plant.**

County Administrator Steve Rapson briefed the Board on staff's recommendation to enter into an agreement with Bartlett Fiber, Incorporated.

Commissioner Barlow moved to approve staff's recommendation to enter into an agreement with Bartlett Fiber, Incorporated, in the amount of \$138,056, for the installation of 7.2 miles of fiber optic cabling along several roads within Fayette County that would provide future data/voice connectivity to the E911 Operations Center, the Emergency Operations Center, Fire Station #7, and the South Fayette Water Treatment Plant. Commissioner McCarty seconded the motion.

County Administrator Steve Rapson asked the Board to amend the motion to include \$43,000.00; the estimated cost associated with the project. He stated that this additional funding would bring the total project cost to \$181,579.00.

Commissioner Barlow amended his motion to include the \$43,523.00 bringing the total project cost to \$181,579.00. Commissioner McCarty seconded the amended motion.

The motion to approve staff's recommendation to enter into an agreement with Bartlett Fiber, Incorporated, in the amount of \$138,056, for the installation of 7.2 miles of fiber optic cabling along several roads within Fayette County that would provide future data/voice connectivity to the E911 Operations Center, the Emergency Operations Center, Fire Station #7, and the South Fayette Water Treatment Plant, and to include \$43,523.00 bringing the total project cost to \$181,579.00 passed unanimously.

- 18. Consideration of staff's recommendation to enter into an Intergovernmental Agreement between Fayette County, the City of Fairburn, the City of Peachtree City, and the Town of Tyrone to create the 74 Gateway Coalition, develop and support initiatives of common interest, to provide updates and information related to public/private funding, and to cultivate new and existing relationships with local stakeholders.**

Chairman Brown briefed the Board on the recommended Intergovernmental Agreement and he answered questions from the Board. Discussion followed.

Commissioner Barlow moved to approve staff's recommendation to enter into an Intergovernmental Agreement between Fayette County, the City of Fairburn, the City of Peachtree City, and the Town of Tyrone, and the South Fulton CID to create the 74 Gateway Coalition, develop and support initiatives of common interest, to provide updates and information related to public/private funding, and to cultivate new and existing relationships with local stakeholders. Commissioner Oddo seconded the motion. The motion passed 4-1 with Commissioner Ognio voting in opposition.

PUBLIC COMMENT:

No one gave public comment.

ADMINISTRATOR'S REPORTS:

Update on the Automatic Aid Agreement: County Administrator Steve Rapson advised the Board that he had sent an email to each Commissioner prior to the meeting. He stated that the email has the draft Automatic Aid Agreement that the Fire Chiefs from Fayette County and the City of Fayetteville have put together over the past month. He stated that the Automatic Aid has been scaled back, that the City of Fayetteville has indicated support for that position, and that the Automatic Aid Agreement will be on the September 4, 2014 Agenda for the Fayetteville City Council to consider. He stated that the Automatic Aid Agreement will come to the Board of Commissioners for consideration at a later date.

September 11, 2014 Board of Commissioners Meeting: County Administrator Steve Rapson reminded the Board that the meeting time for the September 11, 2014 Board of Commissioners meeting had been changed to 2:00 p.m. He stated that this change was made in order to avoid conflicting schedules with Silent Heroes Award Ceremony at Pinewood Studios.

ATTORNEY'S REPORTS:

Executive Session Notification: County Attorney Dennis Davenport stated that there were three items for consideration in Executive Session: Threatened Litigation, Real Estate Acquisition, and review of the August 14, 2014 Executive Session Minutes.

COMMISSIONERS' REPORTS:

Commissioner Barlow: Commissioner Barlow thanked his wife, staff, the media, and those who came to the meeting. He spoke about Fayette County's staff and status sets it apart from other counties.

Commissioner McCarty: Commissioner McCarty said the more he travels around the county and with training opportunities, he remains convinced that Fayette County is the best.

Commissioner Ognio: Commissioner Ognio said he tried to get his parents to be recognized for celebrating their 58th wedding anniversary, but that they did not feel compelled to stand up for recognition. He stated that his oldest son celebrated his 26th birthday this week, so his family had a good couple of weeks celebrating the anniversary and birthday.

Commissioner Oddo: Commissioner Oddo said it bore repeating that this Board of Commissioners came in at the same time with everybody being relatively new in their position. He said two years ago there was a new County Administrator, County Attorney, a new Fire Chief, a new Sheriff, and there was essentially a complete turnover at the county. He said that all of the newness converged at the same time and that everyone has been involved in some remarkable things, and he felt very fortunate to be a part of it. He said it was an excellent feeling to be part of the County and the Board of the Commissioners, and he wanted everyone to not lose sight of all that has been accomplished. He told everyone that he tries to keep from focusing on the immediate and to see where we are going. He thanked everyone for the nearly two years he has had the opportunity to serve and he said he was looking forward to the next two years.

Chairman Brown: Chairman Brown stated that the County received a letter from Peachtree City related to the reciprocal agreement on golf cart registrations, and that, unfortunately, they are not going to recognize Fayette County carts in the agreement. He said the decision was disappointing, but that there would still be a reciprocal

agreement between the County, the City of Fayetteville, and the Town of Tyrone. He mentioned that Peachtree City has a reciprocal agreement with the Town of Tyrone, but that it did not want to have an agreement with the County. He said he did not really know the justification for that, but that it would probably mean the people in Peachtree City would have to pay an out of jurisdiction fee to ride their golf carts in Fayette County since the Board could not have county residents pay an outstanding fee without doing something since it would be shorting the county's citizens. He suggested that County Attorney Dennis Davenport should look at the golf cart ordinance for potential changes at the next meeting, if possible, to denote that there is not a reciprocal agreement with Peachtree City. Chairman Brown updated the Board on the autonomous vehicle effort. He said he had been in contact with the Georgia Department of Transportation (GDOT) who has several people looking into the matter from a legal perspective. He said he spoke with GDOT Board Member Sam Wellborn and that he also just received a letter from Mr. Todd Long who is the Assistant Deputy Commissioner for the GDOT on this matter. He added that he had also received word from State Legislator Trey Kelley who is the Chairman of the Autonomous Vehicle Committee at the Georgia Legislature. He said they were excited to do something with Fayette County and that they would have upcoming committee hearings. Chairman Brown informed the Board that he had been invited to speak at the committee hearing. He said Representative Matt Ramsey is also working with the County on this initiative, as well as Georgia Tech. He reminded the Board that there were other counties in the nation that have also shown similar interest, and he hoped Fayette County could beat them to it.

Commissioner Ognio: Commissioner Ognio wished everyone a happy Labor Day weekend and to be safe.

EXECUTIVE SESSION:

Executive Session: Chairman Brown moved to recess into Executive Session for one Threatened litigation, one Land Acquisition, and the August 14, 2014 Executive Session Minutes. Commissioner Ognio seconded the motion. No discussion followed. The motion passed unanimously.

The Board recessed into Executive Session at 9:32 p.m. and returned to Official Session at 9:42 p.m.

Return to Official Session and Approval of the Executive Session Affidavit: Commissioner Ognio moved to exit Executive Session and for the Chairman to sign an Executive Session Affidavit. Commissioner Barlow seconded the motion. The motion passed unanimously.

August 14, 2014 Executive Session Minutes: Chairman Brown moved to approve the Executive Session Minutes for August 14, 2014 with the change of title for the County Attorney. Commissioner Barlow seconded the motion. The motion passed unanimously.

ADJOURNMENT:

Chairman Brown moved to adjourn the August 28, 2014 Board of Commissioners meeting. Commissioner Ognio seconded the motion. The motion passed unanimously.

The August 28, 2014 Board of Commissioners meeting was adjourned at 9:43 p.m.

