



Action Agenda

Board of Commissioners
September 25, 2014
7:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met in an Official Meeting on September 25, 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 September 25, 2014 Board of Commissioners meeting to order at 6:59 p.m.

Acceptance of Agenda

Chairman Brown stated that he wanted to move the Acceptance of the Agenda toward the beginning of the meeting so that the singing of the National Anthem would immediately follow the Pledge of Allegiance. He then moved to accept the Agenda as published. Commissioner Oddo seconded the motion. No discussion followed. The motion passed 4-0-1 with Commissioner McCarty being absent from the vote.

Invocation by Chairman Steve Brown

Chairman Brown offered the Invocation.

Pledge of Allegiance

Chairman Brown led the audience in the Pledge of Allegiance.

PROCLAMATION /RECOGNITION:

1. **Recognition of the 200th Anniversary of the United States' National Anthem: *The Star Spangled Banner*.**

Chairman Brown introduced the McIntosh High School Girls Chorus and asked them to sing the National Anthem immediately after the Pledge of Allegiance. The McIntosh High School Girls Chorus sang the National Anthem.

2. Proclamation of September 26, 2014 as “Tina and Bobby Cannon Day in Fayette County.”

Chairman Brown read the proclamation of September 26, 2014 as “Tina and Bobby Cannon Day in Fayette County.”

3. Recognition of Fayette County’s Emergency Medical Technicians for going above and beyond the call of duty in their service to Fayette County citizens Mark and Becky Smith.

Chairman Brown introduced Mr. Mark Smith and Mrs. Becky Smith to the audience. Deputy Fire Chief Tom Bartlett spoke about the work the first responders did in going above and beyond the call of duty in their service to Fayette County’s citizens.

4. Recognition of Fayette FACTOR for its work with the Faith-based Disaster Network (Team 11) through the Functional Needs Taskforce.

Commissioner Barlow recognized Fayette FACTOR for its work with the Faith-based Disaster Network (Team 11) through the Functional Needs Taskforce.

5. Recognition of the Fayette County Chamber of Commerce and the graduates of Leadership Fayette-Class of 2014.

Commissioner Barlow recognized the Fayette County Chamber of Commerce and the graduates of Leadership Fayette- Class of 2014. Ms. Virginia Gibbs, President of the Fayette County Chamber of Commerce, spoke about the work and contributions of the current and previous Leadership Fayette graduates.

PUBLIC HEARING:

There were no Public Hearing items on the Agenda.

CONSENT AGENDA:

Commissioner Oddo moved to approve Consent Agenda Items 6-8. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

- 6. Approval of staff’s recommendation for a final supplemental budget adjustment for the fiscal year ended June 30, 2014, and approval to close completed Capital Improvement Projects within the Capital Improvement Projects program and to move those funds to contingency.**
- 7. Approval of staff’s recommendation to adopt the Georgia Department of Transportation’s Nondiscrimination Agreement and Title VI Assurance documents that are required for Fayette County’s Public Works’ Title VI Program.**

8. Approval of the September 11, 2014 Board of Commissioners Meeting Minutes.

OLD BUSINESS:

There were no Old Business items on the Agenda.

NEW BUSINESS:

9. Consideration of the Selection Committee's recommendation to reappoint Ms. Irene Cheyne to the Region Six Mental Health, Developmental Disabilities, and Addictive Diseases Regional Planning Board for a three-year term beginning October 1, 2014 and expiring September 30, 2017.

Commissioner Ognio moved to accept the Selection Committee's recommendation to reappoint Ms. Irene Cheyne to the Region Six Mental Health, Developmental Disabilities, and Addictive Diseases Regional Planning Board for a three-year term beginning October 1, 2014 and expiring September 30, 2017. Commissioner McCarty seconded the motion. Discussion followed. The motion passed unanimously.

10. Consideration of staff's recommendation to award Bid #910- Sports Lighting to Donald Camp, Inc., in the amount of \$257,000.00, for lighting at McCurry Park's Soccer Field #4 and Softball Field #6, and approval to utilize \$132,000.00 from the McCurry Park Contingency Fund for this purpose.

Parks and Recreation Director Anita Godbee briefed the Board on her request and she answered questions from the Board.

Commissioner Barlow moved to approve staff's recommendation to award Bid #910- Sports Lighting to Donald Camp, Inc., in the amount of \$257,000.00, for lighting at McCurry Park's Soccer Field #4 and Softball Field #6, and to utilize \$132,000.00 from the McCurry Park Contingency Fund for this purpose. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

11. Consideration of the September 6, 2014 Special Called Board of Commissioners Meeting Minutes. Commissioner Barlow was not present for this meeting.

Commissioner Ognio moved to approve the Board of Commissioners' Republican Party Special Called Meeting Minutes from September 6, 2014. No discussion followed. The motion passed 4-0-1 with Commissioner Barlow abstaining from the vote.

PUBLIC COMMENT:

Roy Bishop: Mr. Bishop mentioned that the problems at his property at West Bridge Road are continuing, and he explained those problems to the Board. He said he had not heard anything from staff since June 26, 2014.

Keenan Anderson: Mr. Anderson of Beverly Manor subdivision spoke about the issue he and his neighbors have had with the removal of trees in the neighborhood. He stated that there was a rash of logging going on in the neighborhood, and that about 2,000 trees have been harvested less than a mile from his house. He explained how the loggers are garnering business, what they are promising homeowners, and the remaining results.

Gail Noren: Ms. Noren spoke for approximately seven minutes, and she asked several questions about what is permitted and what is required with regard to logging in the area around Gingercake Road. She also spoke about the problems with logging in the vicinity of Gingercake Road, and about difficulties enabled by the Georgia Forestry Commission in rectifying the situation.

Mr. and Mrs. Talbert: Mr. and Mrs. Talbert spoke for approximately nine minutes on problems associated with his neighbors cutting trees in the neighborhood. He asked why the problem has been allowed to perpetuate for so long, and he said he was upset with the damage being done to his yard. He pointed out that Fayette County does not have laws in place that are already established in the cities of Fayetteville and Peachtree City. He stated that his property is devaluated due to the logging in his neighborhood, and he asked the Board to investigate the tree harvesting law similar to what Lamar County has in place. Mr. Talbert also stated that the county's taxpayers are not responsible for maintaining private dams and he asked the Board not to maintain private dams.

Elizabeth Gearhart: Mrs. Gearhart spoke about the logging in her neighborhood. She stated that she cut down fourteen dead trees in her neighborhood, and she suggested that the neighbors were allowing the deforesting of their properties because it is cheaper to hire a logging company. She added that the logging has created environmental problems and that it is attracting rats and snakes. She told the Board that this effort is driving the property values down, and she asked the Board to address this matter.

Linda Rosshirt: Mrs. Rosshirt spoke about how several trees fell on her fence due to logging. She said the property owner gave her the number of the loggers, but the loggers have not paid for the damage. She provided information on how to contact the logging company.

Frank Gardner: Mr. Gardner thanked the Board for recognizing his marriage last month, and he spoke about how much it meant to him and his wife. He said it was a great idea that the Board had implemented in recognizing its people. Mr. Gardner also spoke about his concerns with how the rezoning process and vote went at the July 24, 2014 Board of Commissioners meeting. He said he wanted the Board to think about this matter. He said the Board had done a good job in a lot of areas, but he asked the Board to consider how it has taken two-acre lots and reduced them to one-acre lots. He suggested that there was inconsistency on the Board since the Board turned down similar rezoning requests on August 28, 2014. Mr. Gardner also mentioned that Lester Road is dangerous since it has deep shoulders at the edge of the road. He asked the Board to take efforts to enhance the safety on Lester Road. Mr. Gardner then spoke about how he was not able to get additional asphalt from the County for his driveway, and how it would have made everybody happy if he could have had the extra asphalt in his driveway.

Sal Benigno: Mr. Benigno asked if a temporary moratorium could be imposed on logging in his neighborhood until the County could review the matter and adopt an ordinance pertaining to logging.

ADMINISTRATOR'S REPORTS:

Response to Public Comments: County Administrator Steve Rapson responded to some of the comments made during Public Comment. He first addressed Mr. Gardner's comments saying that he would talk to the Public Works Division to see about getting barrels along Lester Road. He also stated that the asphalt Mr. Gardner mentioned was actually an asphalt byproduct, and that while it may have looked like asphalt it was not asphalt. Mr. Rapson then replied to Mr. Bishop's comments by stating there was a lot involved with the project. Mr. Rapson added that the County was aware of the logging problem and that it came to the County's attention on August 11, 2014. He said citations had been issued on this matter. He stated that this was a difficult issue since the County does not have jurisdiction since the jurisdiction falls under the Georgia Forestry Commission, or GFC. He stated that the County

has been in contact with the GFC, and staff would have a meeting on Wednesday, October 1, 2014 on the matter. He added that he had provided the County Attorney with state laws pertaining to the issue of logging, and those laws could be put into place that would give the County some teeth in enforcing the ordinance. He reported that Code Enforcement had been to the site where the logging is occurring and that earlier in the day there was an altercation between Code Enforcement and the loggers. He stated that the Sheriff's Office responded and one of the loggers was actually arrested. He said this matter was hit pretty hard, but it does not solve all the problems. He stated that the individual owners of properties make the decisions on if logging can occur. He stated that if the area that is being timbered is less than an acre, then it does not impact county enforcement. He mentioned that if the area being logged is greater than an acre then the work would be governed by state law. He explained that the county has defined the problem and that it is working on solutions that could be considered. He added that moratoriums cannot be imposed since it is a matter that the County does not regulate, so there was not a whole lot that could be done until ordinances were put into place. Mr. Rapson stated that the County is not working on any dams that are private dams, and that it is working on dams that the County actually has ownership rights into. Mr. Rapson then answered some questions from citizens in the audience pertaining to logging concerns.

Board of Commissioners Meeting to be Held on Tuesday, October 7, 2014: County Administrator Steve Rapson reminded the Board that the next Board of Commissioners meeting would be held on Tuesday, October 7, 2014 at 7:00 p.m. He stated that it was being held on a Tuesday instead of its customary Thursday due to training that the Board would have to attend in Athens, requiring the meeting to be rescheduled.

Selection Committee for the Ethics Board: County Administrator Steve Rapson informed the Board that there was an upcoming vacancy on the Fayette County Ethics Board, and that the vacancy had already been advertised. The Board appointed Chairman Steve Brown and Commissioner Ognio to the Selection Committee for the Ethics Board.

Consent Agenda Item #6: County Administrator Steve Rapson stated that Consent Agenda Item #6 was glossed over earlier in the meeting, but he wanted everyone to know that the County finished the year one million dollars better than what was forecasted at the April 2014 Retreat. He thought it was good that the County praise the efforts of the County, Department Heads, individual employees, and Constitutional Officers when everything is headed in the right direction. He stated the efforts said a lot about how the County was being financially managed.

ATTORNEY'S REPORTS:

There was no Attorney's Report given.

COMMISSIONERS' REPORTS:

Commissioner Barlow: Commissioner Barlow addressed those who spoke about the logging issues in their neighborhood. He suggested that they take videos of the problems, while standing on public property, for law enforcement purposes. Commissioner Barlow also spoke about a newspaper article written by *Fayette County News* reporter Josh Akeman, and he spoke about the Diva Half Marathon was held in Peachtree City several weeks ago, and he spoke about the huge success of the event in Peachtree City. He said some of the people who were recognized with Leadership Fayette contributed to the success of the Diva Half Marathon. Commissioner Barlow stated that after he read the article from Mr. Akeman his memory was jogged about another article he read from *The Citizen* reporter Monroe Roark that read: "County officials are frustrated that they have not been able to come to a reciprocal agreement with Peachtree City concerning the use of golf carts in both jurisdictions." Commissioner Barlow invited Mr. Akeman and Mr. Roark to contact him on these matters since he is not one of the county officials that is frustrated by the City of Peachtree City. He said he was not elected to the Peachtree City Council and has

not been empowered to make decisions for the city. He said he was elected to make decisions for Fayette County. He said that the city leadership would not get criticism from him, and he did not think the County should charge for the Peachtree City citizens having their golf carts coming into unincorporated Fayette County. He stated that Fayette County is the family and it has five siblings: Tyrone, Peachtree City, Fayetteville, Brooks, and Woolsey. He said if Peachtree City has a problem then the family will take care of her whether it agrees all the time or not. He wanted the people of Peachtree City to know that he considers them part of the family and he will help any way he can.

Commissioner Oddo: Commissioner Oddo thanked everyone for coming to the meeting. He thanked the Talbert family for contacting him, and he said the Commissioners were still Commissioners in between the meetings. He mentioned that Fayette County has a great staff, and that the staff has been working on this situation. He stated that this matter had not been ignored, and it was acknowledged that the Talbert's had a lake in their yard. He spoke about how his day started with Commissioner Barlow in Smyrna, Georgia since they both were taking an economics course. He said this course was one of four courses in economics, and he hoped that the lessons learned from the courses would be of benefit to Fayette County.

Commissioner McCarty: Commissioner McCarty stated that he had a meeting with a homeowner's group made up of about seventy people, and he asked those among the group to raise their hand if they had been to a Board of Commissioners meeting. He stated that about four hands went up. Commissioner McCarty said the people were complaining that they did not know what was going on in the County, and he informed them that they have to get involved. He stated that the Board does not know what is going on with the people unless the people interact with the Commissioners and the Board. He said everyone who meets with him gets his phone number and he is available around the clock. Commissioner McCarty stated that once problems are brought to the Board then it has a path and a method to rectify the problems. He thanked everyone in the audience for coming to the meeting.

Commissioner Ognio: Commissioner Ognio stated that anyone who did not go to the tractor show at the Minter Farm missed a tremendous experience. He said it was free to attend although there were some costs for programs and food. He said it was great to have citizens like that in Fayette County who puts on this event.

Chairman Brown: Chairman Brown apologized to Mr. Bishop for the problems that he spoke about and for staff not communicating with him. He spoke about the problems Mr. Bishop raised and he said he would help in any way possible. Chairman Brown added that property owners are liable for problems incurred by those who are brought on the properties who are not licensed or insured. He said property owners needed to be aware of this responsibility and potential liability. He also spoke about the problems with logging, and he spoke about the power of the forestry lobby in the State of Georgia. He suggested that the citizens should contact their local legislative delegation and then tell the delegation of the problems created through logging. He added that the Talbert's needed to notify Fayette County's Environmental Management Department as siting issues are ongoing. He said the department could ensure the property is brought back into compliance. Chairman Brown also spoke about the work on County dams. He appreciated the citizens for coming to the meeting and voicing their opinions. He stated that the Board listens to what is being said, and that more people have come to them after something was acted on, and agreed that the Board did what it said it would do. He hoped the citizens would come back as well and agree that the Board did what it said it would do. He asked the citizens to hold the Board accountable for its actions, and he reminded them of the Resolution that is posted at the back door that made promises to the citizens on the first day the Board took office. He said the Board was obligated to live up to the promises and he asked the citizens to hold the Board accountable for those promises.

EXECUTIVE SESSION:

There was no Executive Session Meeting.

ADJOURNMENT:

Commissioner Oddo moved to adjourn the September 25, 2014 Board of Commissioners meeting. Commissioner Ognio seconded the motion. No discussion followed. The motion passed unanimously.

The September 25, 2014 Board of Commissioners meeting was adjourned at 8:39 p.m.

Floyd L. Jones, County Clerk