



Action Agenda

Board of Commissioners
December 11, 2014
4:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met in an Official Meeting on December 11, 2014 at 4:00 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
Tameca P. White, Chief Deputy County Clerk
Dennis Davenport, County Attorney

Staff Absent:

Floyd L. Jones, County Clerk

Call to Order

Chairman Brown called the December 11, 2014 Board of Commissioners meeting to order at 4:04 p.m. Chairman Brown also asked members of the audience for a show of hands for those planning to go Broadway Diner for Commissioner McCarty's Appreciation Dinner, and twenty-eight people indicated that they would attend the dinner.

Invocation by Commissioner McCarty

Commissioner McCarty introduced Pastor Bruce Black and asked him to offer the Invocation. Pastor Black offered the Invocation.

Pledge of Allegiance

Commissioner McCarty led the audience in the Pledge of Allegiance.

Acceptance of Agenda

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

PROCLAMATION /RECOGNITION:

1. **Recognition of Commissioner Allen McCarty for his years of service on the Fayette County Board of Commissioners.**

Chairman Brown and the Board recognized and honored Commissioner McCarty for his years of service on the Fayette County Board of Commissioners.

2. **Shop Fayette County for the Holidays.**

Commissioner Oddo read a proclamation calling on all citizens to Shop Fayette County for the Holidays.

3. **Recognition and rewarding of the County Department who won Fayette County's Annual Door Decorating Contest.**

County Administrator Steve Rapson recognized and rewarded the Tax Commissioners Office and Public Works Departments who tied for first place, and he recognized and acknowledged the Fayette County Water System for winning second place in the contest.

PUBLIC HEARING:

4. **Public Hearing on staff's request to approve a transfer of license for Sequoia Golf Whitewater, LLC, from Mr. Joseph I. Guerra to Mr. Stephen Soriano for on-premises malt beverage, wine, and distilled spirit sales.**

Code Enforcement Officer Kathy Hobbs informed the Board that all the required paperwork was submitted, that the company would change hands on January 1, 2015, and that this involved a continuing license that was in good standing.

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

Commissioner Oddo moved to accept staff's request to approve a transfer of license for Sequoia Golf Whitewater, LLC, from Mr. Joseph I. Guerra to Mr. Stephen Soriano for on-premises malt beverage, wine, and distilled spirit sales. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

5. **Public Hearing on Petition No. 1238-14, Sohel Dhanani, Owner, request to rezone 34.277 acres from A-R to R-40 to develop a Single-Family Residential Subdivision consisting of 19 lots, with said property being located in Land Lots 222 and 227 of the 13th District and fronting on Westbridge Road. The Applicant has requested to withdraw Petition 1238-14.**

Community Development Director Pete Frisina explained to the Board why the applicant asked to withdraw Petition No. 1238-14. He stated that he thought this petition would return to the Board at a later date.

No one spoke in favor of or in opposition to Petition 1238-14.

Commissioner Ognio moved to approve the withdrawal of Petition No. 1238-14. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

6. **Public Hearing of Petition No. 1240-14, Davis, LLC, Owner, and Rick Halbert, Agent, request to rezone 63.89 acres from A-R and R-40 to A-R to develop Single-Family Residential, with said property being located in Land Lots 5 and 6 of the 7th District and fronting on Davis Road.**

Community Development Director Pete Frisina briefed the Board on Petition 1240-14.

No one spoke in favor of or in opposition to Petition 1240-14.

Commissioner Oddo moved to accept Petition No. 1240-14, Davis, LLC., Owner, and Rick Halbert, Agent, request to rezone 63.89 acres from A-R and R-40 to A-R to develop Single-Family Residential, with said property being located in Land Lots 5 and 6 of the 7th District and fronting on Davis Road. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

7. **Public Hearing on proposed Ordinance 2014-19, amending the Fayette County Code of Ordinances, Chapter 110. Zoning Ordinance, regarding Greenhouses in Section 110-3. Definitions, Section 110-79. Accessory Structures And Uses, Section 110-125. A-R Agricultural-Residential District, and Section 110-169 Conditional Use Approval.**

Community Development Director Pete Frisina briefed the Board on the proposed amendments and answered questions from the Board.

No one spoke in favor of or in opposition to the proposed amendments.

Commissioner Ognio moved to adopt Ordinance 2014-19, amending the Fayette County Code of Ordinances, Chapter 110. Zoning Ordinance, regarding Greenhouses in Section 110-3. Definitions, Section 110-79. Accessory Structures and Uses, Section 110-125. A-R Agricultural-Residential District, and Section 110-169 Conditional Use Approval. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

CONSENT AGENDA:

Commissioner Barlow moved to approve Consent Agenda Items 8-16. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously

8. **Approval of Chairman Brown's recommendation to declare Friday, December 26, 2014 as an additional paid holiday for Fayette County's employees.**
9. **Approval of staff's recommendation to enter into a contract with The Carl Vinson Institute of Government at the University of Georgia to conduct a classification and compensation study of the Information Technology Department and up to six positions, beginning January 21, 2015, with a cost estimate submitted for review in May 2015 and a final report submitted in June 2015 at a cost of \$3,500.**

10. **Approval of staff's recommendation to adopt Ordinance 2014-20 amending the Code of Ordinances for Fayette County, Georgia, by deleting the last sentence of Section 8-230, pertaining to "Disposal of Articles," of Division 2 of Article VI of Chapter 8, in its entirety, and replacing it with a new last sentence in Section 8-230 of Division 2 of Article VI of Chapter 8.**
11. **Approval of staff's recommendation to award a contract to New South Construction Company, Inc., to serve as General Contractor for the old jail's renovation (RFP #915), in the amount of \$159,540.00 for General Conditions, and to authorize staff to negotiate remaining costs with the General Contractor to arrive at the total Guaranteed Maximum Price.**
12. **Approval of two Intergovernmental Agreements with Clayton County to perform maintenance and repairs on the McDonough Road bridge and Helmer Road bridge, both being at the Fayette / Clayton County line, at an aggregate cost of \$173,558.55, with \$11,305.55 utilized from contingency funds, and for all project funds to be moved to the Road Department's Maintenance and Operations budget.**
13. **Approval of staff's recommendation to enter into an agreement with the Fayette County Board of Education for the stockpiling and use of structural fill.**
14. **Approval of the disposition of tax refunds, in an aggregate amount of \$486.09, as recommended by the Tax Assessor's Office.**
15. **Approval of the County Clerk's request to adopt the 2015 County Commission Meeting Schedule.**
16. **Approval of the November 13, 2014 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

There were no items of Old Business for consideration.

NEW BUSINESS:

17. **Consideration of the reappointment of Marie Washburn as the City of Peachtree City's representative on the Fayette County Library Board for a four-year term beginning on January 1, 2015 and expiring on December 31, 2018.**

Commissioner McCarty moved to approve the reappointment of Marie Washburn as the City of Peachtree City's representative on the Fayette County Library Board for a four-year term beginning on January 1, 2015 and expiring on December 31, 2018. Commissioner Oddo seconded the motion. No discussion followed. The motion passed unanimously.

- 18. Consideration of the reappointment of Lisa Richardson as the Town of Tyrone's representative on the Fayette County Library Board for a four-year term beginning on January 1, 2015 and expiring on December 31, 2018.**

Commissioner Barlow moved to accept the reappointment of Lisa Richardson as the Town of Tyrone's representative on the Fayette County Library Board for a four-year term beginning on January 1, 2015 and expiring on December 31, 2018. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

- 19. Consideration of the reappointment of Kim Bradley as the Town of Brooks' representative on the Fayette County Library Board for a four-year term beginning on January 1, 2015 and expiring on December 31, 2018.**

Commissioner Ognio moved to accept the reappointment of Kim Bradley as the Town of Brook's representative on the Fayette County Library Board for a four-year term beginning on January 1, 2015 and expiring on December 31, 2018. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously.

- 20. Consideration of the Selection Committee's recommendation to appoint Mr. Darryl Paul to the Fayette County Ethics Board for a three-year term beginning November 8, 2014 and expiring November 7, 2017.**

Commissioner Oddo moved to accept the appointment of Mr. Darryl Paul to the Fayette County Ethics Board for a three-year term beginning November 8, 2014 and expiring November 7, 2017. Commissioner Ognio seconded the motion. No discussion followed. The motion passed unanimously.

- 21. Consideration of Commissioner Ognio's recommendation to adopt Resolution 2014-19 requesting the Fayette County Legislative Delegation to consider offering changes to the statute governing the use of fluoride in drinking water.**

Chairman Brown read Resolution 2014-19 into the record. Commissioner Ognio stated that this resolution was a first step toward enabling citizens to vote whether or not they want fluoride in the water system.

Chairman Brown moved to approve the adoption of Resolution 2014-19 requesting the Fayette County Legislative Delegation to consider offering changes to the statute governing the use of fluoride in drinking water. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

- 22. Consideration of Commissioner McCarty's recommendation to prominently display the national motto, "In God We Trust," in the Board of Commissioners' Public Meeting Room.**

Commissioner McCarty explained his request to the Board and he recommended that "In God We Trust" be prominently displayed in the Board of Commissioners' Public Meeting Room.

Commissioner Ognio moved to approve Commissioner McCarty's recommendation to prominently display the national motto, "In God We Trust," in the Board of Commissioners' Public Meeting Room. Commissioner McCarty seconded the motion. Discussion followed. The motion passed unanimously.

PUBLIC COMMENT:

Alice Jones: Mrs. Jones thanked Commissioner McCarty for his service and working with the citizens in North Fayette County. She hoped that Commissioner-elect Coston would serve the citizens well and would be respected. She stated she was hurt to hear the racist overtones and racial remarks at the last County Commission meeting. She asked for people to be treated equally and be treated with equal respect. She stated that when former Commissioners ran for the office, they ran as Republicans and she supported them. She said it did not matter to her whether or not her commissioners were Democrats or Republicans, and that it was hurtful to hear Democrats referred to as "demoncrats." Mrs. Jones stated that everyone needs to work together with the same opportunities to be served and be respected. She explained that she does not look at people based on color. Mrs. Jones stated that the young people are coming together, but they will not come to Fayette County if it is unwilling to change.

Roy Bishop: Mr. Bishop asked Chairman Brown how the district voting became legal. He added that whoever drew the district map must have been in the first grade. He added that the County Commissioners and its administration have done well for the past two years and he congratulated everyone for their work. Mr. Bishop stated that he was sorry to see Commissioner McCarty leave office.

Mayor Greg Clifton: Mr. Greg Clifton, mayor of the City of Fayetteville, wished the Board a Merry Christmas. He thanked the Board for allowing the city to use the fountain at Heritage Park for the parade and tree lighting ceremony. He said the city enjoyed working with the county this year. He wished Commissioner McCarty well and stated that he looked forward to working with Commissioner-elect Coston and the new Board next year. He concluded saying that the city and county have a great working relationship and he did not anticipate any changes in the relationship.

Frank Gardner: Mr. Gardner said it did not "give me any privilege to recommend what I'm going to say." He stated that every day since the last meeting, he has been trying to put into words what to say without putting himself into the same category of talking down to people who do not agree with him. Mr. Gardner stated: "My Commissioner made it plain that he didn't represent me, and with those words I will have to ask for him to resign." He thought that Commissioner Barlow knew what he was responding to. Mr. Gardner then read a quote from the newspaper and commented on their application.

Darryl Paul: Mr. Darryl Paul thanked the Commissioners for his appointment to the Fayette County Ethics Board.

ADMINISTRATOR'S REPORTS:

Swearing-in Ceremony for Commissioner-elect Pota Coston: County Administrator Steve Rapson reminded everyone that Commissioner-elect Pota Coston would be sworn into office on Friday, January 2, 2015 at 4:00 p.m.

County Offices Closed for the Christmas Holiday: County Administrator Steve Rapson stated that, based on the Board's vote earlier in the meeting, the County's Administrative Offices would be closed from Wednesday, December 24, 2014 through Friday, December 26, 2014. He stated notices would be posted to regarding the closures.

Dinner at Broadway Diner: County Administrator Steve Rapson stated that there would be a dinner at Broadway Diner at 6:00 p.m. in recognition of Commissioner McCarty's service to Fayette County.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated that he two items for discussion in Executive Session. He said the first item involved Threatened Litigation and the second item involved Pending Litigation.

COMMISSIONERS' REPORTS:

Commissioner Barlow: Commissioner Barlow stated he had spoken extensively with Mr. Bloom who was sitting in the audience, and that he told Mr. Bloom that he would read publically read the apology that he sent to the paper. He stated that Mr. Bloom had informed him during the conversation that he might not come to the meeting since he was satisfied with the conversation that was had by phone. Commissioner Barlow then read his apology concerning his comments on November 13, 2014 into the record. He also thanked Attorney Wayne Kendall for the encouraging words that he said to him. Commissioner Barlow thanked the County's staff and County Administrator Steve Rapson for a wonderful year in 2014.

Commissioner Oddo: Commissioner Oddo remembered those who are defending our nation. He said the nation is a great nation since it has overcome obstacles that other nations have not been able to do. He wished everyone, especially those in the military, a Merry Christmas and a Happy New Year. Commissioner Oddo also thanked Commissioner McCarty for his years of service on the Board of Commissioners, and he asked Commissioner McCarty to come back to the meetings. He also congratulated Commissioner-elect Coston and stated that she would "put a bright light in one of the seats."

Commissioner Ognio: Commissioner Ognio stated that he could not believe that he had been on the Board for two years and noted that "time flies." He said it had been an honor to serve the citizens for two years, and he thanked Commissioner McCarty for his years of service on the Board of Commissioners. Commissioner Ognio reminded everyone that this was the season of giving, and he asked people to reach out to those in need and give them a boost.

Commissioner McCarty: Commissioner McCarty stated that he wanted everyone to know that the past four years as Commissioner has been one of the best and most exciting things he has ever done in his life. He said it was one of the "funnest and most fulfilling things" he has done. He stated that every citizen of Fayette County is a great person. He stated that Fayette County is the best county in Georgia and in the nation. Commissioner McCarty stated that the County has the best staff that he has ever worked with anywhere, and that he cannot do anything but complement everyone he has worked with including the Commissioners that he has worked with during the last two years. He thanked everyone for what he has done.

Commissioner McCarty stated that there was one item of business that had not been done that should have been done, and that it involved the opening of the new county fire station. He stated that Fire Chief David Scarbrough had stated that there was one thing that he really needed. Commissioner McCarty said he agreed with the Chief and that the County was short of one fire engine.

Commissioner McCarty then moved to present to the Fire Chief with his new fire station a brand new fire engine, because that was really needed. Chairman Brown asked Commissioner McCarty if he was adding to the agenda by asking for the provision of a new fire truck and Commissioner McCarty stated that was what he was doing. Commissioner Oddo seconded the motion to present the Fire Chief with a new fire engine.

Commissioner Oddo asked if the fire engine could be worked into the budget. Commissioner McCarty stated he still pays taxes and that his taxes could be applied to the fire engine. Commissioner Barlow asked if this fire truck was a scale model or if it was the real thing. County Administrator Steve Rapson replied that it was real, and Commissioner Barlow replied that he would vote in favor of the motion.

The motion to present the Fire Chief with his new fire engine passed unanimously. Commissioner McCarty then produced a toy, plastic fire engine and presented it to Fire Chief David Scarbrough.

Chairman Brown: Chairman Brown stated that it had been an honor and privilege to work with Commissioner McCarty. He thought Commissioner Ognio was right since the last two years seem to have flown by, even though their first two years felt more like ten years. He stated that Commissioner McCarty was a good guy who has a story or experience with nearly everything. He said he loved Commissioner McCarty's country charm that expands over different states and careers. Chairman Brown said it was a privilege to work with Commissioner McCarty. Commissioner McCarty thanked the Board saying if it were not for the Board he would not be able to get anything done. Chairman Brown then thanked Mrs. Lana McCarty for coming to the meetings and supporting her husband, and he extended thanks to Mrs. McCarty on behalf of the Board.

EXECUTIVE SESSION:

Threatened Litigation and Pending Litigation: Chairman Brown moved to recess into Executive Session to discuss one item of Threatened Litigation and one item of Pending Litigation. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

The Board recessed into Executive Session at 5:07 p.m. and returned to Official Session at 5:31 p.m.

Executive Session Affidavit: Commissioner Ognio moved to exit Executive Session and to authorize the Chairman to sign an Executive Session Affidavit. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

ADJOURNMENT:

Chairman Brown moved to adjourn the December 11, 2014 Board of Commissioners Meeting. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

The December 11, 2014 Board of Commissioners Meeting was adjourned at 5:31 p.m.

Floyd L. Jones, County Clerk