

## **BOARD OF COUNTY COMMISSIONERS**

Charles W. Oddo, Chairman  
Randy Ognio, Vice Chairman  
David Barlow  
Steve Brown  
District 5, Vacant



## **FAYETTE COUNTY, GEORGIA**

Steve Rapson, County Administrator  
Dennis Davenport, County Attorney  
Floyd L. Jones, County Clerk  
Tameca P. White, Chief Deputy County Clerk

140 Stonewall Avenue West  
Public Meeting Room  
Fayetteville, GA 30214

## **ACTION AGENDA**

August 13, 2015  
7:00 p.m.

---

Welcome to the meeting of your Fayette County Board of Commissioners. Your participation in County government is appreciated. All regularly scheduled Board meetings are open to the public and are held on the 2<sup>nd</sup> and 4<sup>th</sup> Thursday of each month at 7:00 p.m.

### **Call to Order**

Chairman Oddo called the August 13, 2015 Board of Commissioners meeting to order at 7:02 p.m.

### **Invocation by Commissioner Steve Brown**

Commissioner Brown offered the Invocation.

### **Pledge of Allegiance**

Commissioner Barlow led the Board and audience in the Pledge of Allegiance.

### **Acceptance of Agenda**

Commissioner Brown moved to accept the Agenda as published. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 4-0.

### **ORGANIZATIONAL SESSION:**

#### **1. Election of the Board Vice-Chairman for the duration of Calendar Year 2015.**

Commissioner Barlow moved to nominate Commissioner Randy Ognio as Vice Chair. Commissioner Brown seconded the motion. No discussion followed. The motion passed 4-0.

**PROCLAMATION/RECOGNITION:**

2. **Recognition of Battalion Chief Jeff Hill for completing the Executive Fire Officer program at the National Fire Academy.**

Fire Chief David Barlow and the Board recognized Battalion Chief Jeff Hill for completing the Executive Fire Officer program.

**PUBLIC HEARING:**

There was no Public Hearing item on the Agenda.

**CONSENT AGENDA:**

Commissioner Brown asked to remove Consent Agenda Items 8 and 10 for discussion.

Commissioner Brown moved to approve the Consent Agenda excluding Items 8 and 10. Commissioner Ognio seconded the motion. No discussion followed. The motion passed 4-0.

3. **Approval of staff's recommendation to continue the maintenance agreement (Contract #977-S) between Fayette County and Motorola for the 800 MHz ASTRO Simulcast System and to authorize the Chairman to sign the renewal contract, in the amount of \$496,015.36 for the term of July 1, 2015 through June 30, 2016.**
4. **Approval of Fire & Emergency Services' request to accelerate replacement of a 2006 General Motors MedTec Medic Unit, which is currently scheduled for replacement in Fiscal Year 2017, into Fiscal Year 2016, authorize staff to obtain proposals for replacement, and authorize purchase of a replacement vehicle in an amount not-to-exceed \$158,100.00 utilizing the Vehicle Replacement Fund.**
5. **Approval of staff's recommendation to accept the 2014 Assistance to Firefighters Grant in the amount of \$136,355.00, authorize a 10% local match in the amount of \$13,635.00, amend the Fiscal Year 2016 budget to increase both revenues and expenditures by \$136,355.00 for the purpose of purchasing additional portable radios, and authorize the Chairman to sign any related documents.**
6. **Approval of the Sheriff's request to authorize the Chairman to sign the annual Equitable Sharing Agreement and Certification document, as required by the United States Department of Justice and the United States Department of Treasury.**
7. **Approval of the Sheriff's decision to dispose of vehicle that was purchased utilizing Federal Seizure Funds by trading said vehicle for the purchase of a new comparable replacement vehicle that will also be purchased using Federal Seizure Funds.**
8. **Approval of the State Court Judge's request for authorization to accept a grant award from the Criminal Justice Coordinating Council up to the federal funds award amount of \$66,950.00, to authorize the expenditure of 10% local matching funds up to the amount of \$7,439.00, and authorization for the Chairman to sign grant-related documentation.**

Commissioner Brown mentioned that once a program is stated it is rarely ended and he asked County Administrator Steve Rapson who would pay for the program on a long-term basis. Mr. Rapson replied that the program being enacted by the State Court would last for about three or four years and that the position would remain so long as there is grant funding available. He added that additional funding of the position would have to be approved by the Board of Commissioners during the annual budget process.

Commissioner Brown moved to approve Consent Agenda #8 as written. Commissioner Ognio seconded the motion. No discussion followed. The motion passed 4-0.

9. **Approval of staff's recommendation to award Bid #961-B Annual Contract for Waterline Extensions for Fiscal Year 2016 to the low bidder Shockley Plumbing in an amount not to exceed \$579,362.50, and authorization for the County Manager to execute the contract and related documents. Copies of the request and annual contract, identified as "Attachment 8," follow these minutes and are made an official part hereof.**
10. **Approval of the July 23, 2015 Board of Commissioners Meeting Minutes and the August 5, 2015 Special Called Meeting Minutes.**

Commissioner Brown suggested that minutes should be listed separately on the Agenda on a go-forward basis. County Administrator Steve Rapson agreed with the request.

Commissioner Brown stated that Item #10 on July 23, 2015 Minutes began by stating Commissioner Brown read Resolution 2015-11 into the record, but he mentioned that the resolution did not appear in the record and was not in the minutes. Mr. Rapson replied that resolutions that are typically adopted by the Board are incorporated into the minutes as an attachment. He referred to Page 9 of the July 23 Minutes and stated that "Attachment 10", as written in the minutes, includes Resolution 2015-11. He said attachments follow minutes and are official parts of the minutes even though the verbiage is not actually incorporated into the minutes. Commissioner Brown stated that previously what was read into the record has been incorporated into the minutes themselves since, when someone looks up the electronic versions of the minutes, the attachments are not located with the minutes. He said he would like to have the resolution in the minutes since that it has occurred previously. Mr. Rapson stated that he had seen resolutions placed into the minutes as well and he asked the County Clerk to provide an explanation.

County Clerk Floyd Jones replied that typical practice is when there is a resolution, ordinance or similar document that document is not placed verbatimly in the minutes. He stated that there have been exceptions when a Commissioner has asked for that to occur but he reported that he was not asked by a Commissioner to include the verbatim Resolution 2015-11 into the minutes. He reported that the minutes were written as typically done and the Resolution was referenced in the minutes. Commissioner Brown stated he read the resolution in the record, and Mr. Rapson agreed that while the resolution was read it was not interpreted as direction to include the verbatim resolution into the minutes.

Commissioner Brown moved to approve Agenda Item #10 with the addition of Resolution 2015-11 written into the July 23, 2015 Minutes. Commissioner Ognio seconded the motion. No discussion followed. The motion passed 4-0.

## **OLD BUSINESS:**

There was no Old Business item on the Agenda.

## **NEW BUSINESS:**

11. **Consideration of the City of Peachtree City's annexation of 28.3 acres (Bradshaw Family LLP Tract), and the rezoning of said property from A-R (Agricultural-Residential) to 10.5 acres of Limited Use residential (LUR), 8.0 acres of Office-Institutional (O-I), 5.2 acres of General Commercial (G-C), 3.6 acres of Open Space (OS), and 1.0 acre for roads.**

Chairman Oddo stated that the Bradshaw Company had withdrawn the annexation request and he read the withdrawal letter from Mr. R. Scott Bradshaw into the record. He asked County Attorney Dennis Davenport if there was anything for the Board to vote on. Mr. Davenport stated there was no need for the Board to take a vote since the annexation request has been withdrawn by the petitioner. Discussion followed concerning annexation procedures and requirements between the county and requesting jurisdictions and parties.

## **PUBLIC COMMENT:**

**Wanda Clark:** Ms. Clark, an educator in Fulton County, stated that for the last eight years she has been picking up trash on White Road and State Route 314. She stated she emailed the Commissioners about the trash on State Route 314 and was at wit's end about the matter. She acknowledged that the Georgia Department of Transportation (GDOT) was responsible to keep the road clean from trash and that the last time she called GDOT the grass was cut. She said the area an eye-sore that was lowering property values and peoples' perceptions of Fayetteville and Fayette County. She explained that the fastest route from the airport to Pinewood Studios is State Route 314 and the road is not giving a good first impression. She stated that her fellow instructors say, "Oh, you live in Nasty-ville" when they learn she lives in Fayetteville. She acknowledged that the County's funds are limited and she reported that her partner is helping with a clean-city initiative for Fayetteville. She mentioned that the Fayette Pavilion is one of the top tax-paying locations in Fayette County, and she asked why the Cities of Fayetteville and Peachtree City are kept up while the area around north Fayette County is not cleaned up. She suggested using the Pavilion's taxes to clean up the area. Ms. Clark implored the Board to consider ways to clean up north Fayette County, particularly around State Route 314. She asked, if the citizens do their part to clean up the city, if the public officials would do their part too. Ms. Clark included in her remarks that it is a problem when Clayton County looks cleaner than north Fayette County.

**Frank Gardner:** Mr. Gardner stated that during the July 23, 2015 Board meeting there was quite a discussion about the thoroughfare in Fayette County with safety being the top concern. He thought about the discussion and he looked on the internet for additional information. He stated that roundabouts will make Fayette County safer based on numerous State of Georgia studies, and he spoke about the safety and efficiency of the roundabout at Grady Avenue. Mr. Gardner then spoke about a letter written to *Fayette News* by Chairman Oddo entitled "*The Sky is Not Falling*." He said as he read the letter he was confused about whether or not the county had actually approved a 2% Cost of Living Adjustment (COLA) increase for the "blue-collar workers." He said he was at the June 25, 2015 Board meeting and knew the COLA had not been approved. He asked if a COLA had been approved. Chairman Oddo replied that no COLA had been approved and that he would take more care in reviewing his letters.

## **ADMINISTRATOR'S REPORTS:**

**Re-establishment of the Selection Committee for the Region Six Mental Health Planning Board:** County Administrator Steve Rapson requested the Board to re-establish the Selection Committee for the Region Six Mental Health Planning Board. He stated that the Planning Board has one vacancy and that three citizens have applied, and he explained that the original Selection Committee was comprised of Commissioners Barlow and Coston. Chairman Oddo and Commissioner Barlow were appointed to the Selection Committee.

**Update to the West Fayetteville Bypass / Veterans Parkway:** County Administrator Steve Rapson stated that the update for the West Fayetteville Bypass / Veterans Parkway would be provided during the August 27, 2015 Board of Commissioners meeting.

**Upcoming Criminal Justice Coordinating Council Grant:** County Administrator Steve Rapson stated that another Criminal Justice Coordinating Council (CJCC) grant request would be placed on the August 27, 2015 Agenda. He explained it was for the Juvenile Justice Delinquent Prevention and Treatment Facility, that the grant was for \$99,000.00, and that it was a grant that the Juvenile Court gets every year. He said the Juvenile Court is always given very short notice when the grants awards are available and that is why the grant request would be on the next Agenda.

**Municode Supplement #1:** County Administrator Steve Brown stated that County Clerk Floyd Jones has reported that Municipal Code Supplement #1 has been forwarded for codification. He stated that since the County Code was adopted in April 2014 the Fayette County Board of Commissioners has adopted 27 ordinances.

**Fayette County's Transfer Station Closed on August 29, 2015:** County Administrator Steve Rapson reported that the Fayette County Transfer Station will be closed on Saturday, August 29, 2015 for maintenance purposes.

**Report on Two Contracts:** County Administrator Steve Rapson reported that recently approved two contracts. The first contract was with Whitaker Contracting Corporation for high-density material; a solvent that is put on roads to extend a road's life. He said the contract was for \$92,753.00 and the approved budget for the contract was \$120,000.00. He said the contract would be posted on-line. Mr. Rapson stated the second contract was to four-bidders for water distribution parts. He stated that these were "stand-by contracts" that would enable the county to purchase parts if needed. He said the contract was for \$173,283 and the approved budget for the contract was \$300,000.00. He stated that the second contract would also be posted on-line.

## **ATTORNEY'S REPORTS:**

**Notification of Executive Session:** County Attorney Dennis Davenport reported that he had two items of Pending Litigation for Executive Session as well as review of the July 23, 2015 Executive Session Minutes and the August 5, 2015 Special Called Meeting Executive Session Minutes.

## **COMMISSIONERS' REPORTS:**

### **Commissioner Barlow**

**Response to Ms. Clark:** Commissioner Barlow asked if there was a volunteer organization in the City of Peachtree City that picks up trash in the city. Commissioner Brown replied that there was a volunteer organization called the "Clean and

Beautiful Committee,” and he added that they receive government funds and use people who are working off their “fines” through the State Court. Commissioner Barlow said he had seen the volunteers and he thought it was a wonderful thing. He asked Ms. Clark to contact him when the citizens’ initiative “kicked off” since he would be glad to help pick up trash in north Fayette County.

**County Leadership:** Commissioner Barlow spoke about his recent attendance at the Global Leadership Conference and of some of the national leaders involved in the conference. He said as he sat at the conference it struck him that when he goes to the Department Head meetings he sees leaders and he thought it was a shame that most people do not get to see how County Administrator Steve Rapson conducts the meeting. He stated that Mr. Rapson is an excellent leader and that the Department Heads have all “stepped up” because of his leadership. He said there was a synergy in the room due to Mr. Rapson’s leadership. Commissioner Barlow said he takes it personally when anyone “attacks” Mr. Rapson when they do not know what they are talking about. He said he gets to see what staff is doing and how they are soaring based due to Mr. Rapson. He asked the citizens to do their diligence and learn about the county’s day-to-day operations.

### **Commissioner Brown**

**Response to Ms. Clark:** Commissioner Brown said he appreciated Ms. Clark’s comments. He said staff could probably say he is the “number one pain in the butt” on getting grass cut and working on trash. He said, in fairness to the staff, it is the responsibility of trash pickup along the state routes belonged to the Georgia Department of Transportation (GDOT.) He said it was unfortunate that GDOT has shirked from its responsibility and has left many cities and counties trying to find money to do the job. He said the Georgia Legislature just gave the GDOT a \$1 billion annual revenue increase so it would help if the citizens contacted GDOT and compelled them to mow their grass and do their jobs. He said he once met with people who wanted to put an expensive business in the county but he had to take an alternate route into Fayette County since the grass was so high. Commissioner Brown said he has suggested that Public Works Director Phil Mallon consider ground covers as opposed to grass in an effort to get out of the “grass-cutting business.” He stated that both the City of Peachtree City and the City of Fayetteville have already begun working with ground cover and that the County should consider similar measures. He said GDOT owed it to Fayette County to maintain the county, and he agreed that the City of Riverdale does look better than Fayette County and is doing a fabulous job.

**Fayette County Art Awards:** Commissioner Brown stated that Fayette County is going to give out Art Awards to people who have been promoting, teaching, or participating in the arts. He said the County’s website has a link that allows for nominations for various arts in Fayette County, and he asked the people to make the nominations.

**2<sup>nd</sup> Annual Scarecrow Competition:** Commissioner Brown reminded everyone that the 1<sup>st</sup> Annual Scarecrow Competition was held last year and that it was a lot of fun. He asked for churches and organizations to participate in the scarecrow competition this year and he said it would coincide with the City of Fayetteville’s Halloween competition.

**Floating Dock at Lake Horton:** Commissioner Brown mentioned that a long time ago Mr. Frank Gardner had brought up the idea of having a dock at Lake Horton, and he asked for a report on the issue. County Administrator Steve Rapson replied that the County had received quotes for a floating dock but that the quotes have to be coordinated with the Environmental Protection Division. Commissioner Brown mentioned that senior citizens need help loading and unloading their boats into the water. Mr. Rapson replied that the floating dock would be compatible with the Americans with Disabilities Act.

**Request for Contracts approved by the County Administrator Placed on Agendas:** Commissioner Brown stated that he still wanted to see the approved contracts that are between \$50,000.00 to \$200,000.00 provided in the Agenda packet. He said it would give the citizens a chance to look at the contracts and comment on them publically. Mr. Rapson replied that all of the supporting documents for the contracts are posted on the county website and that more material provided on the website than is typically made available. He stated that citizens who have concerns about the contracts can come to the Board meetings or call him to discuss. Commissioner Brown replied that he had not changed his position on the subject.

**Commissioner Ognio:**

**Response to Ms. Clark:** Commissioner Ognio stated that there were multiple areas in Fayette County where grass was not being cut on state routes. He said the county has much more mileage to cut than the cities but that it is the responsibility of the Georgia Department of Transportation (GDOT) to cut the grass along state routes. He said he had been looking into how Clayton County uses prisoners to cut the grass, but he added that it would require the purchase of equipment. He stated that Coweta County has a lot of citizens who have adopted sections of roads to pick up trash, but he added that there would have to be approval for citizens to pick up the garbage.

**School Back in Session:** Commissioner Ognio reminded everyone that school is back in session. He asked everyone to be aware of the school zones and to take appropriate pre-cautions in the school zones.

**Chairman Oddo:**

**Congratulations to Vice Chairman Randy Ognio:** Chairman Oddo congratulated Commissioner Ognio for being appointed as Vice Chairman to the Board of Commissioners. He said Vice Chairman Ognio would do a very good job in his capacity. He further added that Fayette County has very capable people on the Board.

**Response to Mr. Gardner:** Chairman Oddo replied to Mr. Gardner saying his letter was intended to show the level of character and loyalty among Fayette County's staff. He said that level of character is not seen in many places when each Department Head was willing to give up, voluntarily, one-by-one, any Cost of Living Adjustment (COLA) increase that would have helped the Board make a decision to give a COLA. He said everyone who lives in and pays taxes in Fayette County needs to appreciate the employees of Fayette County since it is an incredible and rare thing they did.

**Review of Draft Ethics Revision:** Chairman Oddo stated that the Ethics Ordinance has been under revision for a long time and that essentially a new product had been drafted. He explained how the revisions were made and that the Commissioners have had the material since April 2015. He gave each Commissioner a copy of the draft revisions and he asked each of the Commissioners to review the document and provide any suggestions to County Attorney Dennis Davenport by the end of August. He said the changes would be incorporated into a final product and presented to the Board on the September 24, 2015 Agenda. The Commissioners agreed to provide their suggestions as requested.

**Discussion of Ethics:** An extensive discussion ensued about the "true meaning of ethics" based on a blog written by Commissioner Steve Brown. The discussion lasted for approximately twenty-five minutes.

## **EXECUTIVE SESSION:**

**Two Items of Pending Litigation and Review of the July 23, 2015 Executive Session Minutes and the August 5, 2015 Executive Session Minutes:** Commissioner Brown moved to recess into Executive Session. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 4-0.

The Board recessed into Executive Session at 8:18 p.m. and returned to Official Session at 8:34 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 the Executive Session Affidavit. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 4-0.

**Settlement Agreement with Darryl Henry:** County Attorney Dennis Davenport reported that the County has recently received an opportunity to settle a pending Workers Compensation claim involving former employee Darryl Henry. He said the attorney representing the county conferred with Mr. Henry's attorney and both sides have come to terms on a settlement in the amount of \$20,000.00. He said the settlement would include all future medical bills "be shut off" as of the date of approval by the State Board of Workers Compensation. He reported that this would be a settlement of all claims within the actual injury claim itself and a general release that Mr. Henry would sign in favor of the county to cut off any potential claims that about which the County is unaware. Mr. Davenport asked for the Board to let him know if the Board was favorable with the settlement and he added that the Board's approval would still have to go to the State Board of Workers Compensation for final approval.

Commissioner Ognio moved to approve the settlement as stated by the County Attorney. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 4-0.

**Approval of the July 23, 2015 Executive Session Minutes:** Commissioner Ognio moved to approve the July 23, 2015 Executive Session Minutes. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 4-0.

**Approval of the August 5, 2015 Executive Session Minutes:** Commissioner Ognio moved to approve the August 5, 2015 Executive Session Minutes. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 4-0.

## **ADJOURNMENT:**

Commissioner Ognio moved to adjourn the August 13, 2015 Board of Commissioners meeting. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 4-0.

The meeting was adjourned at 8:36 p.m.

---

Floyd L. Jones, County Clerk