

BOARD OF COUNTY COMMISSIONERS

Charles W. Oddo, Chairman
Randy Ognio, Vice Chair
David Barlow
Steve Brown
Charles D. Rousseau



FAYETTE COUNTY, GEORGIA

Steve Rapson, County Administrator
Dennis A. 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

September 24, 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 2nd and 4th Thursday of each month at 7:00 p.m.

Call to Order

Chairman Oddo called the September 24, 2015 Board of Commissioners meeting to order at 7:06 p.m.

Invocation by Commissioner Randy Ognio

Commissioner Ognio offered the Invocation.

Pledge of Allegiance

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

Acceptance of Agenda

Commissioner Barlow moved to accept the Agenda. Commissioner Ognio seconded the motion. No discussion followed. The motion passed 5-0.

PROCLAMATION/RECOGNITION:

- 1. Recognition of Drive Phase Track Club athletes who competed and won at the 2015 AAU Junior Olympics in Norfolk, Virginia.**

Chairman Oddo introduced Coach Lamar Grant, and Coach Grant introduced the Drive Phase Track Club athletes to the Board and audience. Chairman Oddo then read and presented the recognition to Coach Grant and the athletes.

- 2. Presentation from Executive Director Scott "Rock" Donahue of the Georgia Military College.**

Chairman Oddo introduced Executive Director Scott "Rock" Donahue of the Georgia Military College to the Board. General Donahue spoke about the great strides taken over the year to successfully open Georgia Military College and he played a promotional video of the college.

3. Presentation of the Georgia Forestry Commission's Annual Report for Fayette County.

County Administrator Steve Rapson informed the Board that Ranger Harold Quigley, who was scheduled to make the presentation, was unable to attend the meeting. He stated that Ranger Quigley's presentation had previously been provided to the Board in the published Agenda package.

4. Presentation of the Government Finance Officers Association Distinguished Budget Award for Fayette County's annual budget document for the fiscal year beginning July 1, 2014 and ending June 30, 2015.

The Board, County Administrator Steve Rapson, and Chief Financial Officer Mary Parrott commended Fayette County's Budget Officer Sergio Acevedo and the Finance staff for their hard work in accomplishing the Government Finance Officers Association Distinguished Budget Award.

PUBLIC HEARING:

Community Development Director Pete Frisina read the *Introduction to Public Hearings for the Rezoning of Property*.

5. Public Hearing of Petition No. 1249-15, Betty S. Allen, Owner, and Vee Jokijphor, Agent, request to rezone 29.491 acres from A- R to R-40 to develop a Single-Family Residential Subdivision, with said property being located in Land Lot 70 of the 7th District and fronting on SR 54 and Dockstreet Alley.

Community Development Director Pete Frisina briefed the Board on the petition. He stated that the petition complies with the Land Use Plan and that owners would have to obtain a preliminary and final plat. He added that both staff and the Planning Commission recommended approval of the petition with no conditions.

Agent Vee Jokijphor asked the Board to approve the petition. She added that she is a homeowner for a property in Phase I of Longboat Subdivision and she supported the petition since it would increase equity in the community.

No one else spoke in favor of the petition.

Mr. Eddie Hill and Mr. Brian Lambert spoke in opposition to the petition.

No one else spoke in opposition to the petition.

Agent Jokijphor replied to those who spoke in opposition.

Commissioner Brown moved to approve Petition No. 1249-15, Betty S. Allen, Owner and Vee Jokijphor, Agent, request to rezone 29.491 acres from A-R to R-40 to develop a Single-Family Residential Subdivision, with said property being located in Land Lot 70 of the 7th District and fronting on State Route 54 and Dockstreet Alley, and to request that the contractor and developer use a temporary easement off State Route 54 for heavy construction traffic as needed. Commissioners Barlow and Ognio seconded the motion. No discussion followed. The motion passed 5-0.

6. Public Hearing of Petition No. RP-057-15, Betty S. Allen, Owner, and Vee Jokijphor, Agent, request to add 24 lots to the Final Plat of Longboat Subdivision. This property is located in Land Lot 70 of the 7th District and fronts on SR 54 and Dockstreet Alley.

Community Development Director Pete Frisina briefed the Board on the petition. He stated that the rezoning properties did not come to staff at the same time and that he worked to get all 29 acres for rezoning. He said that progress resulted in the developers not having a concept plan available but staff estimated there could be 24 lots added to the subdivision.

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

Commissioner Brown moved to approve Petition No. RP-057-15, Betty S. Allen, Owner, and Vee Jokijphor, Agent, request to add no more than 24 lots to the Final Plat of Longboat Subdivision with said property being located in Land Lot 70 of the 7th District and fronting on State Route 54 and Dockstreet Alley. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 5-0.

7. Public Hearing of Ordinance 2015-11- Administrative Variances, amending the Fayette County Code of Ordinances by adding in its entirety Section 110-106. Administrative Variances to Article III. General Provisions.

Community Development Director Pete Frisina briefed the Board on the request.

No one spoke in favor of or in opposition to Ordinance 2015-11.

Commissioner Ognio moved to deny Ordinance 2015-11—Administrative Variances, amending the Fayette County Code of Ordinances by adding in its entirety Section 110-116. Administrative Variances to Article III. General Provisions. Commissioner Barlow seconded the motion. Brief discussion followed. The motion passed 5-0.

CONSENT AGENDA:

Commissioner Brown moved to approve Consent Agenda Items 8, 9 and 10. Commissioner Ognio seconded the motion. No discussion followed. The motion passed 5-0.

- 8. Approval of staff's recommendation to accept the 2015 Georgia Association of EMS (GAEMS) grant in the amount of \$15,811.86, to be used in purchasing emergency medical equipment, and authorization for the Chairman to sign any documentation associated with this grant request.**
- 9. Approval of the disposition of tax refunds, in the aggregate amount of \$15,722.16, as recommended by the Tax Assessor's Office.**
- 10. Approval of the September 10, 2015 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

There were no items of Old Business for consideration.

NEW BUSINESS:

- 11. Consideration of a recommendation from the Selection Committee comprised of Commissioner David Barlow and Commissioner Randy Ognio, to appoint both Sharon White, with a three-year term beginning July 1, 2015 and expiring June 30, 2018, and Margaret Sisson, with an unexpired term beginning immediately and ending on June 30, 2017, to the McIntosh Trail Community Service Board.**

Commissioner Ognio stated the two applicants were outstanding and he was glad Fayette County has these kinds of applicants.

Commissioner Ognio moved to accept the recommendation from the Selection Committee comprised of Commissioner David Barlow and Commissioner Randy Ognio, to appoint both Sharon White, with a three-year term beginning July 1, 2015 and expiring June 30, 2018, and Margaret Sisson, with an unexpired term beginning immediately and ending on June 30, 2017, to the McIntosh Trail Community Service Board. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 5-0.

12. Consideration of a recommendation from the Selection Committee comprised of Chairman Charles W. Oddo and Commissioner Barlow, to appoint Pete Daniel to the Region Six Mental Health, Developmental Disabilities, and Addictive Diseases Regional Planning Board for an unexpired term beginning immediately and expiring on June 30, 2016.

Chairman Oddo stated that the comments just given by Commissioner Ognio could be said about Mr. Daniel. He spoke about Mr. Daniel's qualifications and life-calling. Commissioner Barlow agreed saying Mr. Daniel is very qualified for the position.

Commissioner Brown moved to approve the Selection Committee's recommendation to appoint Pete Daniel to the Region Six Mental Health, Developmental Disabilities, and Addictive Diseases Regional Planning Board for an unexpired term beginning immediately and expiring on June 30, 2016. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 5-0.

13. Consideration of the Public Art Committee recommendation to approve the concept design to prominently display the national motto, "In God We Trust" in the Board of Commissioners Public Meeting Room.

Commissioner Brown briefed the Board on the request.

Commissioner Brown moved to accept the Public Art Committee's recommendation and to go with "Option 2" as posted in the documentation. Commissioner Barlow seconded the motion.

Commissioner Rousseau moved to table the motion until the October 22, 2015 Board of Commissioners meeting.

The motion to table the request to October 22, 2015 passed 5-0.

14. Consideration of Ordinance 2015-09- Ethics, amending Fayette County's Code of Ordinances pertaining to ethical standards.

Chairman Oddo briefed the Board on this request.

Commissioner Ognio moved to adopt Ordinance 2015-09—Ethics, amending Fayette County's Code of Ordinances pertaining to ethical standards. Commissioner Barlow seconded the motion. Discussion followed. The motion passed 5-0.

PUBLIC COMMENT:

No one spoke during Public Comment.

ADMINISTRATOR'S REPORTS:

- A. Notification of the awarding of Bid #1006-B to Remac, Inc. for Crack Sealing Services in an amount not to exceed \$74,030.00; Bid #1012-B to Middle Georgia Outdoor Lighting for lighting Kiwanis Park Athletic Field #9 in an amount not to exceed \$85,885.00; and Bid #1018-P to Peach State Ambulance for the purchase of a Type I Ambulance in an amount not to exceed \$147,090.00.**

County Administrator Steve Rapson briefed the Board on the awarding of Bids 1006-B, 1012-B, and 1018-P. He added that the awarded amount for Bid #1006-B was actually \$74,030.00 instead of \$7,030.00 as printed in the Agenda.

Fayette County's Water System Maintains AA Bond Rating: County Administrator Steve Rapson stated that staff met with representatives from Standard and Poor's who conducted peer-like reviews of the County's bond rating. He said the County's Water System has an AA bond rating, and that just prior to the meeting Standard and Poor's reaffirmed that the Water System's bond rating is still rated AA. He concluded that the AA bond rating is outstanding for any water system.

Board of Commissioners to meet on Tuesday, October 6, 2015 at 2:00 p.m.: County Administrator Steve Rapson reminded the Board that its next scheduled meeting would be held on Tuesday, October 6, 2015 at 2:00 p.m.

Word of Appreciation: County Administrator Steve Rapson said he appreciated all the votes being unanimous at the meeting, even though one item was tabled. He stated it was nice to see "5-0s" again.

ATTORNEY'S REPORTS:

Notification of Executive Session: County Attorney Dennis Davenport informed the Board that he had three items of Pending Litigation and the review of the September 10, 2015 Executive Session Minutes for consideration in Executive Session.

COMMISSIONERS' REPORTS:

Commissioner Barlow:

Congratulations Extended to Commissioner Rousseau: Commissioner Barlow thanked everyone for coming to the meeting. He congratulated Commissioner Rousseau for his recent election saying a 70% vote is considered a landslide. He said he appreciated Commissioner Rousseau's comments during the meeting and he looked forward to working with Commissioner Rousseau as matters move forward. He thought Fayette County would be well-served with Commissioner Rousseau.

Commissioner Brown:

Scarecrow Contest and Pumpkin Carving and Sculpting Contest: Commissioner Brown reminded everyone of a couple of projects coming up. He said the first project was a Scarecrow Contest on October 17-18, 2015. He said the county would provide the stuffing and there would be prizes. He added the scarecrows would be on display for the City of Fayetteville's Trick or Treat Event in October, providing a great time for the artwork to be on display. Commissioner Brown stated that there was also a Pumpkin Carving and Sculpting Contest in Peachtree City at Saville Studios on October 25, 2015. He said the pumpkin contest would cost \$10.00 for the pumpkin and supplies. He concluded that additional information could be obtained from the Public Art Committee's page on the County's website.

Report on the Possibility of Rowing Coming to Fayette County: Commissioner Brown stated that Dr. and Mrs. Graddick live in Peachtree City, that they are very much into rowing, and that Mrs. Graddick represented the United States in the World Rowing Championships. He said they have found an opportunity for the county to start high school rowing teams on Lake McIntosh in Peachtree City. Commissioner Brown stated that this effort has revealed a large number of people living in Fayette County who did rowing either in high school or in college, and he said the college scholarship rate for women in rowing is fifty percent. He explained that the University of Georgia has just established a rowing team and that rowing is a sport of choice for colleges with large bodies of water. He stated that Fayette County may have the first rowing program for public high schools in the State of Georgia even though there are some private schools and clubs that already offer rowing. Commissioner Brown suggested that this effort may bring all of the rowing crews from all levels to Fayette County; increasing tourism to Fayette County. He said the rowing teams have tournaments and championship matches, presenting the possibility of having the NAACP Rowing Championships taking place in Fayette County. Commissioner Brown stated this is the beauty of Fayette County since citizens find opportunities, bring them to the government, and are able to get things done.

Commissioner Ognio:

Congratulations Extended to Commissioner Rousseau and Comments on Events in Fayette County: Commissioner Ognio congratulated Commissioner Rousseau on his recent election. He commented on the Inman Heritage Day and how it is a fun, low-cost event for the family. Commissioner Ognio added that the Dragon Boat Race would take place on Saturday, September 26, 2015 at 9:00 a.m. and he encouraged everyone to attend.

Chairman Oddo:

Events in Fayette County and Establishment of the United States Supreme Court: Chairman Oddo stated that the Inman Heritage Day Event and the Tyrone Founder's Day Parade was a great event. Chairman Oddo added that on September 24, 1789, the United States Judiciary Act was passed by Congress that created the Supreme Court. He said the first case was held by the Supreme Court in January 1790. He mentioned that the Court had six members and he joked if the decisions were split 3-3.

Congratulations Extended to Commissioner Rousseau: Chairman Oddo congratulated Commissioner Rousseau for his recent election.

Commissioner Rousseau:

Words of Thanks from Commissioner Rousseau: Commissioner Rousseau thanked the Board for its warm welcome and he thanked the staff saying he looked forward to working with each and every one. He then thanked the public for overwhelmingly demonstrating their support and for their prayers. He asked for time to continue getting his footing with respect to scheduling all the events. He said he and the Board would continue the good work that the people of Fayette County expect. He concluded by saying he was glad to be on board.

EXECUTIVE SESSION:

Three Items of Pending Litigation and Review of the September 10, 2015 Executive Session Minutes: Commissioner Ognio moved to go into Executive Session. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 5-0.

The Board recessed into Executive Session at 8:51 p.m. and returned to Official Session at 9:26 p.m.

Return to Official Session and Authorization for the Chairman to Sign 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 5-0.

Settlement with Mr. Robert D. Burcher: County Attorney Dennis Davenport stated he had an item to update the Board about pending condemnation along the West Fayetteville Bypass (Case # 2011V-0657.) He said one of the properties belongs to Mr. Robert D. Burcher and that there is a potential settlement with Mr. Burcher. He said when the County filed for condemnation it paid in \$8,200.00 in the Court's Registry and that there has been a request to look at settling the condemnation in the total amount of \$74,812.83. He said that would mean if the settlement is looked at with favorable consideration the County would pay an additional \$66,612.83 into the Court's Registry, which would be the complete settlement amount for the property. He said the settlement would also include statutory interest of 7% for 4 ½ years.

Commissioner Ognio moved to approve the settlement as described by the County Attorney. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 5-0.

Settlement with Don and Carole Galimore: County Attorney Dennis Davenport reported he had a second proposed settlement for condemnation on the West Fayetteville Bypass for property owned by Don and Carole Galimore's (Case #s 2011V-0980 and 2011V-0981.) He said Fayette County has already paid \$206,800.00 into the Court's Registry. Mr. Davenport reported that the attorney for

the Galimore's spoke with his office earlier in the afternoon and there is belief there can be a settlement for the condemnation for an additional \$205,250.00. He said that amount splits the difference between the two appraisers representing the County and the Gallimore's. He said the Galimore's would be willing to waive interest over the last four years and that amount is approximately \$60,000.00. Mr. Davenport concluded that the offer is to settle for an additional \$205,250.00.

Commissioner Ognio moved to approve the settlement as described by the County Attorney. Commissioner Barlow seconded the motion.

Commissioner Brown, who opposed construction of the West Fayetteville Bypass from 2004, said this is a perfect example of getting burned badly and costing the taxpayers a fortune when things are not done the right way. He said the current Board was "bailing out" the previous actions from the previous Board of Commissioners, and while it hurt him to make the vote, he had no choice since the road was built on property before there was ownership of the property. He said that action was absolutely the wrong thing to do and now everyone is paying for it. Commissioner Ognio agreed with Commissioner Brown's comments.

The motion to approve the settlement as described the County Attorney passed 5-0.

Approval of the September 10, 2015 Executive Session Minutes: Commissioner Ognio moved to approve the September 10, 2015 Executive Session Minutes. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 5-0.

ADJOURNMENT:

Commissioner Ognio moved to adjourn the September 24, 2015 Board of Commissioners meeting. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 5-0.

The September 24, 2015 Board of Commissioners Meeting was adjourned at 9:30 p.m.

Floyd L. Jones, County Clerk