

## 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

## AGENDA

October 6, 2015  
2:00 p.m.

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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 October 6, 2015 Board of Commissioners meeting to order at 2:00 p.m.

### Invocation by Commissioner Charles D. Rousseau

Commissioner Rousseau offered the Invocation.

### Pledge of Allegiance

Chairman Oddo 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:

- Recognition of the 125th Anniversary of the Founding of the National Society Daughters of the American Revolution and proclamation of Sunday, October 11, 2015 as "National Daughters of the American Revolution Day of Service" in Fayette County.**

Commissioner Oddo asked representatives from the National Society Daughters of the American Revolution (DAR) to come forth. Commissioner Oddo then read and presented the recognition to Phyllis King, a representative of the James Walker Chapter of the Daughters of the American Revolution. Ms. King thanked the commissioners and spoke briefly about the organization.

**PUBLIC HEARING:** There were no public hearings.

### CONSENT AGENDA:

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

**2. Approval of the September 24, 2015 Board of Commissioners Meeting Minutes.**

**OLD BUSINESS:** There was no old business.

**NEW BUSINESS:**

**3. Consideration of staff's recommendation to extend a Site Lease Agreement with Crown Castle, also known as Pinnacle Towers, for two additional five-year terms expiring on December 31, 2025, for the leasing of the county's wireless tower located at 110 Volunteer Way.**

County Administrator, Steve Rapson gave the board some history regarding the current contract with Crown Castle, which is now Pinnacle Towers.

Commissioner Brown stated that the previous contract was approved in August 2010 at a Board of Commissioner meeting where the board approved the item and it was not on the agenda. He stated that he would like to see if there is another company that is willing to pay more money. He stated that he would like for the purchasing department to look at this and inquire of other companies that are in this similar line of work and see if we can obtain a better deal for the citizens.

Mr. Rapson, Commissioner Ognio, Commissioner Barlow, Commissioner Rousseau and Chairman Oddo also commented on this item.

There were no public comments on this matter.

Commissioner Brown moved to deny the recommendation and have this item either bid out or researched to see what the market rates are and to see if there are any other companies that would like to participate. Commissioner Ognio seconded the motion. Discussion followed. The motion failed 4-1 with Commissioner Steve Brown voting in favor of the motion.

Chairman Oddo moved to approve the recommendation to extend a Site Lease Agreement with Crown Castle, also known as Pinnacle Towers, for two additional five-year terms expiring on December 21, 2015 for the leasing of the county's wireless tower located at 110 Volunteer Way with an amendment to make the General Fund whole. Commissioner Barlow seconded the motion and the amendment. There was no further discussion. The motion passed 4-1 with Commissioner Steve Brown voting in opposition.

**PUBLIC COMMENT:**

Chairman Oddo opened the floor for public comments.

Fire Chief David Scarbrough provided the Board with Breast Cancer Awareness t-shirts for them to wear. Chief Scarbrough shared that the Fire Department did a fund raiser and the proceeds will go to the Breast Cancer Survivors Network, Inc. in Peachtree City.

The following individuals spoke regarding the district voting lawsuit:

Don Fowler  
Ginga Smithfield  
Derrick Jackson  
Terrance Williamson  
Linda Conley

In accordance with the Americans With Disabilities Act, accommodations are available for those who are hearing impaired and in need of a wheelchair. The Board of Commissioners Agenda and written material for each item is available on-line through the County's website at [www.fayettecountyga.gov](http://www.fayettecountyga.gov). This meeting will be telecast on Comcast Cable Channel 23 and on the internet at [www.livestream.com](http://www.livestream.com).

Angela Bean  
Harold Bost  
Rick Halbert  
Charles Bennett  
Steve Smithfield  
Jane Trammell  
Jim Sehirn  
Walter Trichz  
Varner Holmes  
Bonnie Williamson

**ADMINISTRATOR'S REPORTS:** None

**ATTORNEY'S REPORTS:**

**Notification of Executive Session:** County Attorney Dennis Davenport reported that he had one item concerning real estate, one item of pending litigation, one item of threaten litigation and review of the September 24, 2015 Executive Session minutes to be considered in Executive Session.

**COMMISSIONERS' REPORTS:**

Chairman Oddo cautioned care in replying to the public comments due to the comments being related to pending litigation.

**Commissioner Brown**

**New definition of racism:** Commissioner Brown addressed Ms. Smithfield and stated that the video with the commentary on it that was shown at the Board of Elections meeting was disgraceful. He stated that she was holding a campaign sign for a candidate with American flags and she was accused of carrying the Confederate flag and being a racist. He stated that it seems the new definition of racism is that if you do not agree with me then you are a racist. He stated that he really hopes the county does not go there.

**Lawsuit:** Commissioner Brown read a statement he prepared for the record. He stated that he is doing exactly what he said he would do when he was voted at-large and he is doing exactly what he said he would do when he was voted by district vote. He stated that if anyone knows of a settlement plan to please let him know what is in it because he does not.

**Commissioner Ognio**

**Thank you:** Commissioner Ognio thanked the citizens for attending the meeting in the middle of the day.

**Congratulations:** Commissioner Ognio congratulated County Administrator on his 30<sup>th</sup> wedding anniversary. He stated that is a milestone worth noting.

**Lawsuit:** Commissioner Ognio stated that he does not know of any back room deals. He stated that he is at a point that the county cannot continue to go in the way that it is going. He stated that the county needs to look at one another as citizens and not as black and white. He stated that district voting will divide the county.

## **Commissioner Rousseau**

**Congratulations:** Commissioner Rousseau commended the County Administrator on reaching his 30<sup>th</sup> year wedding anniversary.

**Lawsuit:** Commissioner Rousseau stated that he has received emails regarding the district versus at-large voting and that he will not comment directly or specifically pertaining to this issue because the Board is still in discussions about what to do. He stated that he appreciates the comments from the citizens. He stated that when speaking to a citizens he recalled a Mark Twain quote that he would paraphrase, "It is easier to fool people than to convince them that they have been fooled." He stated that we are to be healers in this situation as oppose to dividers.

**Commended staff:** Commissioner Rousseau stated that he commends staff for the work that they are doing. He stated that he met with many of them over the last few days.

## **Commissioner Barlow**

**Fayette County ranked number one in health care:** Commissioner Barlow commended Carlotta Ungaro, CEO of Fayette Chamber of Commerce for her work with the *Fayette Community Source Magazine*. He stated that in the magazine it reports that Fayette County ranks number one in clinical care in Georgia. He stated that we don't hear enough good things about Fayette County but as a member of the Fayette County Board of Health, he appreciates that report.

**District or At-large voting:** Commissioner Barlow stated that in 2011 there was a Fayette County forum at the county library and everyone that was running for office that year was on the stage. He stated that Dawn Oparah, who was the moderator, asked all the candidates if they supported district or at-large voting. He stated that his response was "What did Jesus say was the number one commandment that we are to follow? And Jesus said, 'That to love the Lord thy God with all thy heart, soul, mind and strength and the second was like unto it. Love thy neighbor as thyself.'" He stated that until we learn to love each other, district or at-large doesn't solve anything.

## **Chairman Oddo**

**South Carolina flooding:** Chairman Oddo asked everyone to remember those in South Carolina. He stated that they had up to two feet of rain. He asked everyone to keep them in their prayers.

**Thank you:** Chairman Oddo thanked Chief Scarbrough for the Breast Cancer t-shirts and for the cause.

**Lawsuit:** Chairman Oddo stated that the lawsuit is an ongoing litigation. He stated that it is a difficult subject for all. He stated that the Board is doing their best as a group. He stated that he has the deepest respect for the citizens of the county, for the rules of this organization and for his colleagues. He stated that at no time has he or will he ever do anything unethical or out-of-bounds. He stated that he is not perfect, but that he is working for the betterment of the county. He stated that we don't know where this will end, but that he is asking that everyone has tolerance and understand that we are all trying to get to a common end that will unify the county.

## **EXECUTIVE SESSION:**

**One item concerning real estate, one item of pending litigation, one item of threaten litigation and review of the September 24, 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 3:21 p.m. and returned to Official Session at 5:17 p.m.

**Return to Official Session and Approval 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 4-0.

**Approval of the September 24, 2015 Executive Session Minutes:** Commissioner Ognio moved to approve the September 24, 2015 minutes. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 4-0.

**ADJOURNMENT:**

Commissioner Ognio moved to adjourn the October 6, 2015 Board of Commissioners meeting. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 4-0.

The October 6, 2015 Board of Commissioners meeting was adjourned at 5:18 p.m.

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Tameca P. White, Chief Deputy County Clerk