

BOARD OF COUNTY COMMISSIONERS

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



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

Minutes

September 10, 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 10, 2015 Board of Commissioners meeting to order at 7:02 p.m.

Invocation by Chairman Charles W. Oddo

Chairman Oddo stated that Lisbon Baptist Church had recently donated eight indigent burial plots to Fayette County. He then introduced Lisbon Baptist Church's Minister of Worship Jeff Durham to the Board and audience and asked him to offer the Invocation. Minister Durham then offered the Invocation.

Pledge of Allegiance

Chairman Oddo asked Minister Durham to lead the Board and audience in the Pledge of Allegiance and Minister Durham did so.

Acceptance of Agenda

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

PROCLAMATION/RECOGNITION:

1. Proclamation of September 2015 as "National Preparedness Month in Fayette County."

Division Chief- EMA Director Pete Nelms spoke briefly about the need to be prepared for emergencies. Chairman Oddo read the proclamation and presented it on behalf of the Board. A copy of the request and proclamation, identified as "Attachment 1," follow these minutes and are made an official part hereof.

2. Recognition of Ms. Hailey Moore for her production of the award-winning short film "True Colors."

Commissioner Brown introduced Ms. Moore and spoke of her many accomplishments and awards in filming "True Colors." A trailer of the film was played for the audience. Commissioner Brown read and presented a Certificate of Recognition to Ms. Moore on behalf of the Board. A copy of the request, identified as "Attachment 2," follows these minutes and is made an official part hereof.

PUBLIC HEARING:

There were no items for Public Hearing.

CONSENT AGENDA:

Commissioner Ognio moved to approve the Consent Agenda. Commissioner Barlow seconded the motion. Discussion followed as written for Consent Agenda Items 6 and 8. The motion passed unanimously.

- 3. Approval to enter into two three-year contractual agreements (Contract #943-S) with Siemens, in an aggregate amount of \$263,832.00, for the maintenance of Building Automation equipment and Mechanical Equipment within the Courthouse, Jail, Jail Annex, Sheriff's Office and the Library, and authorization for the County Administrator to sign the agreements and any related documentation. Copies of the requests and agreements, identified as "Attachment 3," follow these minutes and are made an official part hereof.**
- 4. Approval of staff's recommendation to adopt a final supplemental budget adjustment for the fiscal year ended June 30, 2015, and authorization to adjust and close completed Capital Improvement Projects within the Capital Improvement Projects program moving those remaining funds to project contingency. A copy of the request, identified as "Attachment 4," follows these minutes and is made an official part hereof.**
- 5. Approval of staff's recommendation to declare thirty-one (31) county vehicles as unserviceable, to sell the assets utilizing the GovDeals internet website, and for all proceeds to be returned to the Vehicle Replacement fund. A copy of the request, identified as "Attachment 5," follows these minutes and is made an official part hereof.**
- 6. Approval of staff's recommendation to increase Bid Award #922- Lake Peachtree Dredging with Massana Construction from \$1,449,140.00 to \$1,670,223.06; Change Order increase of \$231,483.06; and to authorize the County Administrator to sign any associated documents related to this request.**

County Administrator Steve Rapson stated that the Change Order increase was not \$231,483.06 as written in the Agenda but rather \$221,083.06. He stated the corrected amount was based on a \$10,400.00 credit that was not reflected. The Board consented to the corrected Change Order increase amount of \$221,083.06.

Commissioner Brown stated that this was the 52nd day of rain that has occurred since the Lake Peachtree dredging project begun. He said there are many anxious people concerned about this long-term project but that 52 days of rain was extraordinary for any outdoor project. He clarified that it is not necessarily the rainfall that is causing the problem but it is the rising water table that causes the problem. He said when the contractors get into the silt they are hitting water due to the collective flow of all the rain into the basin; creating significant problems. He explained that problems require work to stop until the water table reduces. He further explained that even though it may not rain tomorrow the work will be stopped because of the water table. He stated the problem was so bad that Consent #6 was paying for additional gravel to be delivered since that is the only way to get vehicles on and off the basin without sinking. He concluded that the County is doing the best it can provided the given circumstances.

Mr. Rapson stated that since the completion dates were revised to October 15, 2015 there have been four major rain events. He suggested that the completion date would likely move to the first days of November and that the Peachtree City Council would be informed. Copies of the request and Change Order, identified as "Attachment 6," follow these minutes and are made an official part hereof.

7. **Approval of staff's recommendation to enter into a Joint Funding Agreement with the United States Geological Survey, beginning October 1, 2015 and expiring September 30, 2016, in the amount of \$288,100.00 and to utilize \$40,800.00 from the Water System's Renewal and Extension fund, for water flow, stream data, and CFS flow monitoring. Copies of the request and Joint Funding Agreement, identified as "Attachment 7," follow these minutes and are made an official part hereof.**

8. **Approval of staff's recommendation to enter into an agreement with Lisbon Baptist Church for a donation by the church of eight (8) indigent burial plots, and authorization for the Chairman to sign said agreement.**

Commissioner Ognio thanked Lisbon Baptist Church for its donation of the eight indigent burial plots. Copies of the request and agreement, identified as Attachment 8," follows these minutes and are made an official part hereof.

9. **Approval of the August 27, 2015 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

There were no items of Old Business.

NEW BUSINESS:

10. **Consideration of a recommendation from the Selection Committee, comprised of Commissioner David Barlow and Dr. Olungbenga Obasanjo, to appoint Dr. Loida Bonney to the Fayette County Board of Health to fill an unexpired term that will end on December 31, 2017.**

Commissioner Barlow welcomed Dr. Bonney to the Board of Health and he asked Dr. Obasanjo if he had any comments. Dr. Obasanjo spoke about the time when he met Dr. Bonney and discussed the possibility of her serving on the Health Department. He said Dr. Bonney was a health director in one of the districts, but with this appointment Dr. Bonney would transition from working for him to being one of his bosses.

Dr. Bonney said she has lived in Fayette County for eight years and has a private practice in Fayette County. She added that she is also the medical director of the Fayette Care Clinic. She stated that her work with Fayette Care Clinic involves collaboration with the Department of Health and she thought it would be a great opportunity to be on the Board of Health in order to serve the residents of Fayette County. She thanked the Board for considering her for the position.

Commissioner Barlow moved to accept the Selection Committee's selection of Dr. Loida Bonney to the Fayette County Board of Health to fill an unexpired term that will end on December 31, 2017. Commissioner Ognio seconded the motion. No discussion followed. The motion passed 4-0. A copy of the request, identified as "Attachment 9," follows these minutes and is made an official part hereof.

11. Consideration of a recommendation from the Selection Committee, comprised of Commissioners David Barlow and Randy Ognio, to nominate Jelunder W. Clark, Timothy Etson, and Lavonia Stepherson to the Fayette County Hospital Authority for appointment.

Commissioner Ognio said it was incredible about the amount of talent in Fayette County and the talent that applied for the position. He said it was difficult to have someone apply who is very talented and willing to serve and to tell that person there is no position available. He said the nominees were excellent candidates. He explained that the three nominees would be sent to the Hospital Authority but only one would be selected by the Hospital Authority. He said only one of the nominees would be appointed by the Hospital Authority and that the Board did not know which one would receive the appointment.

Commissioner Brown moved to send the recommendations from the Selection Committee as written. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 4-0. A copy of the request, identified as "Attachment 10," follows these minutes and is made an official part hereof.

12. Consideration of Ordinance 2015-10 amending Fayette County's Code of Ordinances by deleting Section 16-10 pertaining to "Social hosts," from Article I of Chapter 16 in its entirety and by enacting a new Section 16-10 pertaining to Social Hosts.

County Attorney Dennis Davenport stated that the Board passed a Social Host ordinance in 2014 and recently, Fayette FACTOR worked on the issue of alcohol and young people in Fayette County. He said Fayette FACTOR provided a document to the county, based on their study, which would amend Fayette County's Social Host ordinance. Mr. Davenport reported that Fayette FACTOR took measures to ensure the recommended changes were vetted with members of the community, and the Solicitor's Office.

Becky Smith: Mrs. Smith stated that this effort originated with AVPride and that Fayette FACTOR tagged along with AVPride in this effort.

Dawn Oparah: Mrs. Oparah, representing AVPride, said this was an exciting time for her since this effort has taken about 25 years to accomplish. She stated that this effort was based off of a survey that concluded that the number one issue among Fayette County's youth was substance abuse. She said that despite the knowledge that there was substance abuse and underage drinking in Fayette County, the problem was that there was no money to address the problem. She reported that in 2011 the State of Georgia put out for bid an opportunity for people to provide services in the area of substance abuse. She stated that AVPride submitted a competitive bid and received funding for a five-year period to work on substance abuse and underage drinking. She said partners like Fayette FACTOR were then brought in to work on the problem. She stated that social norms, including parties, contribute to substance and alcohol abuse by the youth, and the proposed ordinance was intended to address the early onset of abuse by underage people.

Michael Mumper: Mr. Mumper, representing AVPride, said that when it was found that underage drinking was a particular issue in Fayette County, a group of community stakeholder got together over a period of four years to address the problems on a number of fronts. He said they worked within the Fayette County school system to implement alcohol education curriculum in all five middle schools beginning this year. He said another finding was that the youth do not typically get alcohol from retail establishments, but rather they get alcohol from their homes or their friends' homes. He said most parents know where the youth are getting alcohol and when parents allow youth to drink on their property that is known as social hosting. He said the proposed Social Host ordinance was intended to address the parents who are allowing underage drinking and substance abuse to happen. He said the law would also curtail other parents from being pressured into social hosting. He thanked the many community leaders who helped the ordinance take shape over the years including health officials, judges, business and non-profit leaders, elected officials including the County Commissioners, and many others. He said they attended the coalition meetings to discuss statistics and strategies to develop action plans that are appropriate for Fayette County. Mr. Mumper stated that Sheriff Babb was a driving force in the effort and he drew from law enforcement from

every municipality who looked at enforceability, constitutionality, and appropriate penalties that will go to the root of the problem. He said a Social Host ordinance drafting team that was led by local attorney Catherine Sanderson studied other Social Host ordinances from other jurisdictions throughout Georgia to ensure the proposed ordinance would work.

Commissioner Barlow said one thing that stuck out to him from the survey was that only 30% of the adults who were surveyed reported there was a problem with underage drinking but that 65% to 70% of the teens who were surveyed replied that there was a problem with underage drinking. Mr. Mumper affirmed Commissioner Barlow's statement. Commissioner Barlow stated that another question on the survey dealt with perception and the answer to the question was that Fayette County did not have a problem with underage drinking. He stated that the statistics are counter to the perception. He stated that he saw the teenagers who were standing before Judge Miller and that it was a serious problem for them. He thanked Mr. Mumper, Mrs. Oparah, Mrs. Smith and all the others who have worked on the proposed ordinance.

County Administrator Steve Rapson added that Fayette County's Marshal's Department, Code Enforcement Department, and Judge Thompson with the State Court have been involved in this effort.

Commissioner Barlow moved to adopt Ordinance 2015-10 amending Fayette County's Code of Ordinances by deleting Section 16-10 pertaining to "Social hosts," from Article I of Chapter 16 in its entirety and by enacting a new Section 16-10 pertaining to Social Hosts. Commissioner Ognio seconded the motion. No discussion followed. The motion passed 4-0. Copies of the request and Ordinance 2015-10, identified as "Attachment 11," follow these minutes and are made an official part hereof.

13. Consideration of staff's request to change protocol on creating and amending county policies and procedures.

County Administrator Steve Rapson stated this request began at the 2013 Retreat when he, the Chief Financial Officer, and the Human Resources Director were delegated authority to create and amend county policies and procedures. He said the authority was ratified in April 2013 and again in May 2015. He said all of the policies have been reviewed and all of the intended policies have been changed during the last two years. He said the recommendation was to turn the authority back to the Board for consideration and approval.

Commissioner Ognio moved to table New Business #13 to the October 22, 2015 Board of Commissioners meeting. Commissioner Brown seconded the motion. No discussion followed. The motion passed 4-0. A copy of the request, identified as "Attachment 12," follows these minutes and is made an official part hereof.

14. Consideration of proposed revisions to Policy No. 210-07 Grant Management.

County Administrator Steve Rapson stated that the assumption was that New Business #13 would be approved and, therefore, New Business #14 was added to the Agenda. He said until the policy is ratified, the present policy would be enacted. He did not foresee any grant applications needing signatures within the next 30 days. He stated that this policy was based on the Board's direction given at the August 27, 2015 Board of Commissioners meeting.

Commissioner Brown moved to table New Business #14 to the October 22, 2015 Board of Commissioners Meeting. Commissioner Ognio seconded the motion.

Commissioner Brown stated that if a grant application became available within the next thirty days then he would be open to having a Special Called Meeting to grant authority to sign the application. Mr. Rapson agreed to the suggestion.

The motion to table New Business #14 to the October 22, 2015 Board of Commissioners Meeting passed unanimously. A copy of the request, identified as "Attachment 13," follows these minutes and is made an official part hereof.

PUBLIC COMMENT:

Carlotta Ungaro: Ms. Ungaro, representing the Fayette County Chamber of Commerce, presented the Board and staff with copies of *Fayette Community Source*. *Fayette Community Source* is a source-guide that is published once a year that showcases Fayette County. She said one section, located on page 96, highlights all of Fayette County's parks for citizens to use. It was pointed out that the magazine had a section in remembrance of former Commissioner Pota Coston. Ms. Ungaro stated that the Chamber contracted with *The Citizen* newspaper for printing the magazine.

Robert Mudrinich: Mr. Mudrinich thanked the Board for its efforts to reduce the speed limit in the area of the Starr's Mill school complex to 25 miles-per-hour during school zone hours. He stressed the importance of safety particularly with teenage drivers, told of a vehicular accident at the intersection at State Route 74 and Redwine Road that involved a teenage driver, and he asked the Board to consider lowering the speed limits of the school zones for both Whitewater High School and Starr's Mill High School to 35 miles-per-hour.

Larry Mapp: Mr. Mapp gave kudos to Commissioner Ognio, the Board, and staff. He asked the Board to consider changing the County's buildings ordinances and minimums on street width. He explained that he was at a neighborhood that has very narrow streets that would hinder emergency vehicles from traveling on the road. He said children were playing between cars parked on the road and there was only room for one vehicle to pass. He said many people live in neighborhoods do not have covenants and they have to rely on themselves and neighbors to keep off-street parking at a minimum. He said his community does not have covenants and so the residents work amongst themselves to limit parking on the street. He stated that at one time Fayette County had an ordinance that prohibited parking on grass or gravel, but now parking on grass or gravel is allowed. He asked the Board to revisit the issue since parking on the front lawn "is not the way to go." Mr. Mapp stated that housing and building code enforcement seemed to be lax. He said there is already on the books an ordinance that says if someone adds to the front of the house it has to match the existing structure. He said there is a neighbor on his street who has built a deck across his front porch and that he has tried to get the Code Enforcement Department to help him address that situation. County Administrator Steve Rapson asked Mr. Mapp to remain after the meeting so he could get additional information on the concerns.

ADMINISTRATOR'S REPORTS:

15. **Award Quote #1015-A to Blount Construction Company, Inc. for milling and full-depth reclamation of Phase 1A in the River Park Subdivision, in a not-to-exceed amount of \$85,650.00.**

County Administrator Steve Rapson briefed the Board on Award Quote #1015-A.

Revised Closing of Lake McIntosh: County Administrator Steve Rapson stated that a request had come from the City of Peachtree City to close Lake McIntosh all day from October 30, 2015 until November 1, 2015 to accommodate the Great Georgia Air Show. He reminded the Board that he had briefed them on this closure at the August 27, 2015 Board of Commissioners meeting, but the revised closure was for a full-day closure on October 30, 2015. He stated the closures would be posted to the county's website.

Tuesday, October 6, 2015 Board of Commissioners Meeting to be held at 2:00 p.m.: County Administrator Steve Rapson stated that staff was requesting that the meeting time for the Tuesday, October 6, 2015 Board of Commissioners meeting be changed from 7:00 p.m. to 2:00 p.m. He said the Commissioners would be attending the Legislative Leadership Conference in Jekyll Island the following day, and since it is a long drive to Jekyll Island the intent was to hold an earlier meeting so that the Board and staff could travel to Jekyll Island.

ATTORNEY'S REPORTS:

Notification of Executive Session: County Attorney Dennis Davenport reported that he had one item of Real Estate Acquisition and review of the August 27, 2015 Executive Session Minutes for consideration in Executive Session.

COMMISSIONERS' REPORTS:

Commissioner Ognio

Inman Heritage Event: Commissioner Ognio stated that the Inman Heritage event would be held on the weekend of September 19, 2015. He said it was a great place for family and kids to see old tractors, trucks, and sawmills. He encouraged everyone to go to the event. He said the people putting on the event work hard for the event and he hoped people would go for a good time.

Commissioner Barlow

Remembrance of September 11, 2001: Commissioner Barlow thanked everyone for coming to the meeting. He pointed out that the next day is September 11 and he remembered the attacks on the United States on September 11, 2001. He said every time he thinks of September 11, 2001 he thinks about the picture taken of a picture of a man who appeared to dive out of the Twin Towers toward his death. He said he was thankful for emergency services personnel and citizens who gave their lives. He asked for the families who suffered loss to be remembered in prayer.

Commissioner Brown

Upcoming Public Art Committee Competitions and Contests: Commissioner Brown stated that the Public Art Committee is holding its 2nd Annual Scarecrow Competition. He said the scarecrows would be on display at Heritage Park and he encouraged any and all people, families, groups and organizations to participate. He said the competition would be held on the weekend of the 17th and 18th. He said many people enjoyed the competition last year since it was so fun, and he mentioned that some people even took selfies and pictures with the scarecrows. He asked for the people to be creative and have fun. He added that the scarecrows would be in place for the City of Fayetteville's annual Halloween festivities. Commissioner Brown also mentioned that there would be a pumpkin carving and sculpting contest in conjunction with Seville Studios in Peachtree City. He said the contest would be held on September 25 and it costs \$10.00 for the entry fee. He stated there would be a press release issued on these competitions and contests.

Response to Larry Mapp: Commissioner Brown said he appreciated Mr. Mapp's remarks. He asked Mr. Mapp to remember that it is possible to have too wide of streets just as it is possible to have streets that are too narrow. He said wider streets encourage people to travel at higher rates of speed. He thought streets needed to be wide enough to allow access for emergency vehicles. Concerning off-street parking, Commissioner Brown said he was not necessarily opposed to off-street parking in some instances. He said where he lives in Peachtree City he encourages people to do off-street parking since his street has a lot of cut-through traffic where people are traveling from Coweta County to industrial areas in Peachtree City. He said having cars parking in the street during certain hours forces vehicles to slow down to a parking lot. He stated that off-street parking can enhance safety in some instances. Commissioner Brown also mentioned that sometimes people have to park in the street because there is nowhere else to park.

Underage Golf Cart Drivers: Commissioner Brown said he had received several complaints about underage golf cart drivers. He asked the public to not allow children to drive underage. He said every jurisdiction allows for ages 12 to 15 years old with a learners permit to drive a golf cart so long as an adult is with the driver. He said if an adult is not present then the drivers are breaking the law. He asked the citizens to take down the cart's decal number and call the local law enforcement and tell them what they are observing.

Remembrance of September 11, 2001: Commissioner Brown recalled that despite the tragedy of September 11, 2001 it was also one of the biggest times that he could recall where the county rallied together and united and worked together. He told about how he was in Boston when the attacks took place and how a complete stranger who was on the way to Houston heard about his difficulties in getting to Atlanta for a wedding. He said the stranger kindly drove him to Chattanooga, Tennessee before she had to proceed west toward Texas, but that her kindness allowed him to attend the wedding. He said in times of tragedy there is also time of civic greatness where differences are put aside in order to pull together.

Chairman Oddo:

Remembrance of September 11, 2001: Chairman Oddo remembered September 11, 2001 and he said it was this generation's Pearl Harbor. He hoped this generation would treat September 11 as his parent's generation treated Pearl Harbor. He said people should not forget but move forward and do what has to be done.

District Five Election: Chairman Oddo stated that this meeting may be the last meeting with a four-member Commission. He encouraged everyone who lives in District Five to vote.

EXECUTIVE SESSION:

Real Estate Acquisition and August 27, 2015 Executive Session Minutes: Commissioner Brown moved to recess into Executive Session. Commissioner Ognio seconded the motion. No discussion followed. The motion passed 4-0.

The Board recessed into Executive Session at 8:11 p.m. and returned to Official Session at 8:22 p.m.

Return to Official Session and Authorization 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. A copy of the Executive Session Affidavit, identified as "Attachment 14," follows these minutes and is made an official part hereof.

August 27, 2015 Executive Session Minutes: Commissioner Ognio moved to approve the August 27, 2015 Executive Session Minutes. Commissioner Barlow seconded the motion. No discussion followed. The motion passed 4-0.

ADJOURNMENT:

Commissioner Ognio moved to adjourn the September 10, 2015 Board of Commissioners Meeting. Commissioner Brown seconded the motion. No discussion followed. The motion passed 4-0.

The meeting adjourned at 8:22 p.m.

Floyd L. Jones, County Clerk

Charles W. Oddo, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 24th day of September 2015. Referenced attachments are available upon request at the County Clerk's Office.

Floyd L. Jones, County Clerk