

BOARD OF COUNTY COMMISSIONERS

Eric Maxwell, Chairman
Randy Ognio, Vice Chairman
Steve Brown
Charles W. Oddo
Charles D. Rousseau

FAYETTE COUNTY, GEORGIA

Steve Rapson, County Administrator
Dennis A. Davenport, County Attorney
Tameca P. White, County Clerk



140 Stonewall Avenue West
Public Meeting Room
Fayetteville, GA 30214

ACTION AGENDA

January 12, 2017
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 Eric Maxwell called the January 12, 2017 Board of Commissioner meeting to order. A quorum of the board was present.

Invocation by Commissioner Steve Brown

Commissioner Brown offered the Invocation.

Pledge of Allegiance

Commissioner Brown introduced Boy Scout Troop #201 who led the Board and audience in the Pledge of Allegiance.

Acceptance of Agenda

Commissioner Brown moved to accept the agenda as written. Vice Chairman Ognio seconded. The motion passed 5-0.

PROCLAMATION/RECOGNITION:

1. **Proclamation honoring the 50th Anniversary of the Fayette Chamber of Commerce.**

Commissioner Brown and the Board presented the Fayette Chamber of Commerce with a proclamation honoring their 50th Anniversary. The Chamber members present introduced themselves. Fayette Chamber of Commerce Director Carlotta Ungaro thanked the Board and gave brief comments about the Chamber.

PUBLIC HEARING:

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

2. **Consideration of Petition TA-001-16, Rebecca Tate, Petitioner, to amend Article V, Section 110-169 (d), Animal hospital, kennel, and/or veterinary clinic to reduce the 300 foot setback for all structures, pens, runs, or enclosures from any A-R or residential zoning district to 100 feet.**

Mr. Frisina briefed the Board that the petitioner withdrew their request. An email from the petitioner was provided on the dais of the request to withdraw the petition.

Commissioner Brown moved to acknowledge the withdrawal by the petitioner of Petition TA-001-16, Rebecca Tate, Petitioner, to amend Article V, Section 110-169 (d), Animal hospital, kennel, and/or veterinary clinic to reduce the 300 foot setback for all structures, pens, runs, or enclosures from any A-R or residential zoning district to 100 feet. Commissioner Rousseau seconded. The motion passed 5-0.

CONSENT AGENDA:

Commissioner Brown moved to approve the Consent Agenda with the exception of Items #3, #6, and #7 for discussion. Vice Chairman Ognio seconded. The motion passed 5-0.

- 3. Approval of authorization to sign checks combining any of the following two signatures for transactions at or above \$5,000.00: Chairman, Vice-Chairman, County Administrator.**

Commissioner Rousseau stated that he was asking a procedural question. He asked if this was a policy revision or just a house keeping measure. County Administrator Steve Rapson confirmed that it was just a house keeping measure.

Commissioner Rousseau stated that as long as policy was not being changed and that it first requires Board approval, then the authorization to sign would occur. He stated that he wanted that to be clear.

Mr. Rapson stated that it was an internal control because it requires two signatures before being released.

Commissioner Rousseau moved to approve authorization to sign checks combining any of the following two signatures for transactions at or above \$5,000.00: Chairman, Vice-Chairman, County Administrator. Commissioner Brown seconded. The motion passed 5-0.

- 4. Approval of authorization to sign checks for transactions in the amount of \$4,999.99 or less: Chairman, Vice-Chairman, County Administrator.**
- 5. Approval of the Chairman, Vice-Chairman, and the County Administrator to execute contracts, resolutions, agreements, or other documents approved by and on behalf of the Board of Commissioners.**
- 6. Approval of the Public Arts Committee's request for Concept Approval to develop art for the Fayette County Animal Shelter exterior and interior spaces in addition to developing art programs and events to showcase art while increasing awareness and visitors to the Shelter.**

Commissioner Oddo asked the Chairwoman of the Public Arts Committee Donna Thompson, if this project was carried forward from the previous committee. He stated that because the project was in the City of Peachtree City that they would be involved with this project if approved by the Board. Mrs. Thompson stated that was correct.

Commissioner Oddo moved to approve the Public Arts Committee's request for Concept Approval to develop art for the Fayette County Animal Shelter exterior and interior spaces in addition to developing art programs and events to showcase art while increasing awareness and visitors to the Shelter. Vice Chairman Ognio seconded. The motion passed 5-0.

- 7. Approval of the draft contract between the Georgia Department of Transportation and Fayette County for the SR 74 Corridor Study (GDOT PI # 0015076 / ARC Project No. FA-357).**

Commissioner Brown stated that this item is concerning a contract between the Georgia Department of Transportation and Fayette County for the SR 74 corridor study. He stated that he has worked on the State Route 74 Corridor since 2002. He stated that when this collaborative effort was originally discussed, the object was to bring Fairburn into the fold and get a collaborative approach in terms of the design and the flow of traffic, similar to what the City of Peachtree City and the Town of Tyrone were doing. He read a section from the scope of the project. Commissioner Brown stated that before he would vote to pass the contract he would like to see a commitment from Fairburn saying that they would do something toward the goal of the

study and that they would stop with the fast food franchises and look at rezoning some of the “big box” zoned property. He stated that otherwise it was not worth spending the \$80,000 on the project.

Town of Tyrone Mayor Eric Dial spoke regarding this issue.

After further discussion.

Commissioner Brown moved to table the draft contract between the Georgia Department of Transportation and Fayette County for the SR 74 Corridor Study (GDOT PI # 0015076 / ARC Project No. FA-357) with a letter to be sent to the City of Fairburn asking them “what are their future development plans for the tracks along Highway 74, what are their intentions related to potential zoning changes on State Route 74 and what is their commitment to adhering to the plan once it is finalized.” Discussion followed.

Commissioner Brown moved to table the draft contract between the Georgia Department of Transportation and Fayette County for the SR 74 Corridor Study (GDOT PI # 0015076 / ARC Project No. FA-357) until February 9, 2017 with a letter from the Chairman to be sent to the City of Fairburn asking them “what are their future development plans for the tracks along Highway 74, what are their intentions related to potential zoning changes on State Route 74 and what is their commitment to adhering to the plan once it is finalized” and to request a response in writing from the City of Fairburn. The motion passed 3-2 with Commissioner Oddo and Commissioner Rousseau in opposition.

8. **Approval of the 2017 Water Committee’s meeting schedule.**
9. **Approval of the January 5, 2017 Special Called Organizational Meeting Minutes.**
10. **Approval of the January 6, 2017 Special Called 2017 Special Purpose Local Option Sales Tax (SPLOST) Meeting Minutes.**

OLD BUSINESS:

NEW BUSINESS:

11. **Consideration of a recommendation of the Selection Committee comprised of Commissioner David Barlow and Commissioner Charles Rousseau to re-appoint Sam Burch to the Board of Assessor position to serve a term beginning January 1, 2017 and expiring December 31, 2022.**

Commissioner Rousseau moved to approve the recommendation of the Selection Committee comprised of Commissioner David Barlow and Commissioner Charles Rousseau to re-appoint Sam Burch to the Board of Assessor position to serve a term beginning January 1, 2017 and expiring December 31, 2022. Commissioner Brown seconded. The motion passed 5-0.

12. **General information and discussion of the proposed 2017 Special Purpose Local Option Sales Tax projects in the unincorporated county including information on the education and outreach plans.**

Environmental Management Director Vanessa Birrell updated the Board regarding the 2017 Special Purpose Local Option Sales Tax (SPLOST) that is coming up on the March 21 special election. She stated that staff was committed to educating anyone who wanted to know about the SPLOST. She then introduced the Environmental Management Assistant Director Bryan Keller who gave a brief overview of the SPLOST projects. Discussion followed.

Mr. Dennis Chase made comments regarding this item.

There was no vote on this item.

13. Consideration of staff's recommendation to approve Contract #1232-N with AT&T for MegaLink telecommunication circuits, totaling \$131,196.00 over the next 29 months.

Mr. Rapson stated that this was the communication hub for the 911 telecommunication center and the six radio towers. He stated that AT&T mandates that there should be a 36 month contract and staff negotiated the contract down to 29 months in an effort to realign the contract with the County's fiscal year budget.

Commissioner Brown moved to approve Contract #1232-N with AT&T for MegaLink telecommunication circuits, totaling \$131,196.00 over the next 29 months. Commissioner Oddo seconded. The motion passed 5-0.

14. Consideration of the Water Systems' request to upgrade its water bill remittance processor system by issuance of a sole source contract with the single provider of the complete system, Creditron, in the amount of \$91,090.00 and to issue an annual maintenance agreement with Opex after the 30-day equipment warranty period in the amount of \$9,480.90 for a total of \$100,570.90.

Water System Director Lee Pope stated that this request is to replace the bill remittance processor. He stated that the goal is to put the three processors into one machine which would make the Water System more efficient.

Further discussion followed.

Commissioner Oddo moved to approve the Water Systems' request to upgrade its water bill remittance processor system by issuance of a sole source contract with the single provider of the complete system, Creditron, in the amount of \$91,090.00 and to issue an annual maintenance agreement with Opex after the 30-day equipment warranty period in the amount of \$9,480.90 for a total of \$100,570.90. Commissioner Brown seconded. The motion passed 5-0.

15. Consideration of the County Attorney's recommendation to approve an amended agreement between Fayette County and the Town of Woolsey for municipal court services.

County Attorney Dennis Davenport briefed the Board regarding the amendment of the agreement. He stated that this agreement would allow the state court to sit as the municipal court for the Town of Woolsey to adjudicate any citations that were issued and any fines that would be levied would go to the County for providing the service. He corrected a typo of the agreement.

Commissioner Oddo moved to approve the County Attorney's recommendation to approve an amended agreement between Fayette County and the Town of Woolsey for municipal court services with the corrections as stated. Commissioner Rousseau seconded. Commissioner Brown added an amendment to accept the noted changes to Separability Clause as stated by the County Attorney. Commissioner Oddo amended the motion. Commissioner Rousseau amended the second. The motion passed 5-0.

16. Consideration of the County Attorney's recommendation to approve the disposition of tax refunds, as requested by Mercedes Perera, in the aggregate amount of \$1,765.34 for years 2015 and 2016.

Mr. Davenport briefed the Board regarding this request.

Vice Chairman Ognio moved to approve the disposition of tax refunds, as requested by Mercedes Perera, in the aggregate amount of \$1,765.34 for years 2015 and 2016. Commissioner Oddo seconded. The motion passed 5-0.

17. Consideration of Resolution 2017-01: Resolution of the Fayette County Commissioners Pledge to Citizens and County Staff on Core Values and Beliefs.

Commissioner Oddo read Resolution 2017-01 into the record.

Commissioner Brown moved to approve Resolution 2017-01: Resolution of the Fayette County Commissioners Pledge to Citizens and County Staff on Core Values and Beliefs and to have the Resolution added verbatim to the official minutes. Vice Chairman Ognio seconded. Discussion followed.

Commissioner Brown moved to approve Resolution 2017-01: Resolution of the Fayette County Commissioners Pledge to Citizens and County Staff on Core Values and Beliefs and to have the Resolution added verbatim to the official minutes. Vice Chairman Ognio seconded. The motion passed 5-0.

18. Consideration of Commissioner Steve Brown's recommendation to approve Resolution 2017-02 to request that the General Assembly amend O.C.G.A. 52-7-8.3 to permit a person 10 through 12 years of age to operate a personal watercraft or Class A vessel on any of the waters of this state provided that such person is accompanied by, and under the direct supervision of, a certified instructor.

Commissioner Brown briefed the Board regarding Resolution 2017-02. He stated that the Resolution would be sent to the Fayette County delegation to see if they can move this forward for approval.

Further discussion followed.

Commissioner Brown moved to approve Resolution 2017-02 to request that the General Assembly amend O.C.G.A. 52-7-8.3 to permit a person 10 through 12 years of age to operate a personal watercraft or Class A vessel on any of the waters of this state provided that such person is accompanied by, and under the direct supervision of, a certified instructor. Vice Chairman Ognio seconded. The motion passed 5-0.

PUBLIC COMMENT:

Mr. Ted Kirk, Board Member of the Region Six Mental Health Board, gave the Board a brief update of the Region Six Mental Health Board.

Mr. Greg Clifton offered comments regarding Resolution 2017-02.

ADMINISTRATOR'S REPORTS:

Mr. Rapson stated that he needs a Selection Committee for the Recreation Commission and the Department of Family and Children Services to appoint one open position to each.

Vice Chairman Ognio moved to approve Commissioner Brown and Commissioner Rousseau to the Selection Committee for the Recreation Committee. Commissioner Brown seconded. The motion passed 5-0.

Commissioner Brown moved to approve Commissioner Oddo and Vice Chairman Ognio to the Selection Committee for the Department of Family and Children Services Board. Commissioner Rousseau seconded. The motion passed 5-0.

Mr. Rapson stated that he Comprehensive Annual Financial Report (CAFR) is available for the Board to review.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated that he had one item involving Threaten Litigation and the Review of the December 8, 2016 Executive Session Minutes for consideration in Executive Session.

COMMISSIONERS' REPORTS:

Commissioners Rousseau, Vice Chairman Ognio, Commissioner Brown and Commissioner Oddo made comments.

EXECUTIVE SESSION:

One Item of Threaten Litigation and Review of the December 8, 2016 Executive Session Minutes: Commissioner Rousseau moved to go into Executive Session. Commissioner Brown seconded. The motion passed 5-0.

The Board recessed into Executive Session at 9:52 p.m. and returned to Official Session at 10:03 p.m.

Return to Official Session and Approval to Sign the Executive Session Affidavit: Vice Chairman Ognio moved to return to Official Session and for the Chairman to sign the Executive Session Affidavit. Commissioner Brown seconded the motion. The motion passed 5-0.

Approval of the December 8, 2016 Executive Session Minutes: Commissioner Brown moved to approve the December 8, 2016 Executive Session Minutes. Commissioner Oddo seconded the motion. The motion passed 3-2. Chairman Maxwell and Vice Chairman Ognio was not present at the December 8, 2016 meeting.

ADJOURNMENT:

Commissioner Brown moved to adjourn the January 12, 2017 Board of Commissioners meeting. Vice Chairman Ognio seconded the motion. The motion passed 5-0.

The January 12, 2017 Board of Commissioners meeting adjourned at 10:04 p.m.

Tameca P. White, County Clerk