

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

February 9, 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 February 9, 2017 Board of Commissioners meeting to order at approximately 7:03 p.m.

All members of the Board was present.

Invocation by Commissioner Charles Oddo

Commissioner Oddo gave the Invocation.

Pledge of Allegiance

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

Acceptance of Agenda

Commissioner Oddo asked that agenda item #10 be moved to the first item on the agenda. Commissioner Steve Brown moved to accept the agenda with the change. Vice Chairman Randy Ognio seconded. The motion passed 5-0.

1a. Consideration of the approval of the wording for the monument at the Kenwood Park Monument and Memorial Garden Honoring Commissioner Pota Estel Coston.

Parks and Recreation Director Anita Godbee stated that at the July 14, 2016 Board of Commissioners meeting, the Board approved a donation from a group of private citizens, businesses and community leaders for the installation of a Kenwood Park Monument and Memorial Garden in honor of the late Commissioner Pota Estel Coston. She stated that as part of the approval the Board requested that the wording for the monument be brought back to the Board for final approval. She read the wording into the record:

"The Honorable Pota Estel Coston, Fayette County Board of Commissioners. 'A life well lived leaves behind a beautiful bouquet of memories.' Dedicated to the loving memory of Pota Estel Coston as a symbol of our gratitude for her enduring service to Fayette County, Georgia as a devoted member of the Fayette County Board of Commissioners. Her service to the Fayette County community, though short lived, was unparalleled. She was a true leader – a visionary, trailblazer, change agent, history maker – a leader who visualized opportunities for all Fayette County citizens. She was always optimistic and recognized the need to be inclusive in her desire to make the community better. We are truly blessed to be inspired by her generosity and her spirit of giving and serving."

Mrs. Godbee stated that the hyphen in "well-lived" would be removed.

Mr. Bernie Coston thanked the Board of Commissioners and the citizens for remembering the memory of his wife. He stated that her vision for Fayette County continues to move on. He stated that he knows she was smiling down from heaven at seeing all the advancement that the County was making and how the county was moving forward in growth and individually. He thanked everyone for all the hard work and effort put into making this possible.

Commissioner Rousseau moved to accept the wording for the monument at the Kenwood Park Monument and Memorial Garden Honoring Commissioner Pota Estel Coston as present with the change. Commissioner Brown seconded.

Commissioner Oddo stated that he had some suggested changes. He read the following:

“Dedicated to the loving memory of Pota Estel Coston as a symbol of our gratitude for her enduring service to Fayette County, Georgia (added a period). As (capitalize the word ‘As’) a devoted member of the Fayette County Board of Commissioners, and Civic Organizations (added Civic Organizations), her service to the Fayette County community, though short-lived, (added the hyphen) was unsurpassed (to replace unparalleled). She was a true leader – a visionary, trailblazer, change agent, history maker – a leader who visualized opportunities for all Fayette County citizens. She was always optimistic and recognized the need to be inclusive in her desire to make the community better. We are truly blessed to be inspired by her generosity and her spirit of giving and serving.”

Commissioner Rousseau amended his motion to accept the wording for the monument at the Kenwood Park Monument and Memorial Garden Honoring Commissioner Pota Estel Coston as present with the change as presented by Commissioner Oddo. Commissioner Brown amended his second. The motion passed 5-0.

PROCLAMATION/RECOGNITION:

1. Proclamation honoring the 50th wedding anniversary of John and Brenda Lynch.

Vice Chairman Ognio read the proclamation honoring the 50th wedding anniversary for Mr. and Mrs. John and Brenda Lynch. He and the Board congratulated the Lynch’s on their fifty years of marriage. Mr. Lynch thanked the Board for the recognition.

2. Proclamations in appreciation of the service of elected officials from Fayette County in honor of Black History Month.

Commissioner Rousseau stated that he stood in recognition of what has come to be known as Black History Month. He stated that in 1926, Dr. Carter G. Woodson, the second African American to graduate from Harvard University, felt it important to include the accomplishments of African Americans in the history books. He stated that he felt it important to recognize individuals who have dedicated themselves to the proposition of public service. Commissioner Rousseau and the Board presented the following elected officials with proclamations in honor of Black History Month and their service and contributions to Fayette County citizens: Commissioner Pota Coston (posthumously), Judge Charles “Chuck” Floyd (posthumously), retired State Representative Ronnie Mabra, retired State Representative Virgil Fludd, State Representative Derrick Jackson, State Representative Debra Bazemore, City of Fayetteville Mayor Edward “Ed” Johnson, and State Senator Valencia Seay. Each honoree gave comments. Representative Bazemore was not present for the presentations but arrived later in the meeting.

3. Proclamations in appreciation of Georgia House Representatives John Yates and Matt Ramsey for their service and dedication to Fayette County.

Commissioner Brown made comments about his interactions with Senator Seay and Judge Floyd. Representative Yates and Representative Ramsey were not present for the presentation. Commissioner Brown read the proclamations in their honor for their contributions and service to Fayette County citizens.

4. Recognition of employees from 911/ Fire & Emergency Services for their efforts in the successful resuscitation of Mr. Lewis Harper from cardiac arrest.

Fayette County 911 Director Bernard Brown, Fire Chief David Scarbrough, Assistant Fire Chief Tom Bartlett, Sheriff Major Brian Eubanks and the Board of Commissioners recognized staff members who played a role in the resuscitation of Mr. Lewis Harper who suffered a cardiac arrest on December 18, 2016. Mr. and Mrs. Harper were present. Mrs. Jane Harper was also recognized with the "Citizen Life Saving Award". Staff that was recognized included: 911 Operator Heather Brown, Battalion Chief Mark McCall, Lieutenant Harold Mathis, Fire Fighter EMT Joseph Beshers, Fire Fighter FAO Rudolph Wilson, Fire Fighter FAO Jeffery Ramsey, Fire Fighter EMT Richard Johnson, Deputy Sheriff Eric Richards and Deputy Sheriff Josh Aikin.

PUBLIC HEARING:

CONSENT AGENDA:

Commissioner Oddo moved to accept the Consent Agenda with the exception of items #6 and #9 to be removed for discussion. Vice Chairman Ognio seconded. The motion passed 5-0.

5. **Approval of staff recommendation to accept a settlement in the amount of \$1,027.00 for property damage resulting from a motor vehicle collision that occurred on October 26, 2016 and to execute property damage release claim #16-31-05812.**
6. **Approval of a Memorandum of Understanding (MOU) between the Georgia Department of Transportation (GDOT) and Fayette County for the right-of-way (ROW) acquisition phase of the Redwine Road Multi-Use Path Project (GDOT PI 0012624, ARC FA-352, County 5220B).**

Commissioner Oddo asked County Administrator Steve Rapson to give clarification on this item. Mr. Rapson stated that the Memorandum of Understanding makes reference that this project would be included as a project on the 2017 Special Purpose Local Option Sales Tax (SPLOST) project list and that the local portion would be funded from the SPLOST. He stated that the memo was dated August 2016 and this project was approved in the transportation SPLOST and it was funded at the level that was reflected in the agreement.

Commissioner Oddo moved to approve the Memorandum of Understanding (MOU) between the Georgia Department of Transportation (GDOT) and Fayette County for the right-of-way (ROW) acquisition phase of the Redwine Road Multi-Use Path Project (GDOT PI 0012624, ARC FA-352, County 5220B). Commissioner Brown seconded. The motion passed 5-0.

7. **Approval of staff's recommendation to add River Park Phase II subdivision to Fayette County's Street Light Program.**
8. **Approval of staff's recommendation to award Contract #1221-P to CH2M Hill Engineers, Inc., to serve as Engineer of Record for the Water System for the period ending June 30, 2018, and with provisions for two one-year renewals, in amounts to be determined by each task order as assigned.**
9. **Approval of the January 26, 2017 Board of Commissioners Meeting Minutes.**

Commissioner Oddo made correction to the minutes on page 67 of the agenda package under his comments in the minutes, to add the words "a happy anniversary" to the end of his comment.

Commissioner Oddo moved to approve the January 26, 2017 Board of Commissioners Meeting Minutes as amended. Commissioner Brown seconded. The motion passed 5-0.

OLD BUSINESS:

10. **Consideration of the approval of the wording for the monument at the Kenwood Park Monument and Memorial Garden Honoring Commissioner Pota Estel Coston.**

This item was moved to item #1a.

11. **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). This item was tabled at the January 12, 2017 Board of Commissioners meeting.**

Mayor Vanessa Fleisch spoke on behalf of the City of Peachtree Council in support of this contract.

Vice Chairman Ognio moved to approve 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) contingent on South Fulton CID paying their portion and that if South Fulton CID does not approve their portion that Fayette County moves forward with the project as a Fayette County project only. Commissioner Brown seconded. Discussion followed.

Vice Chairman Ognio moved to amend the motion to approve 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) contingent on South Fulton CID and/or the City of Fairburn paying their portion and that if South Fulton CID and/or the City of Fairburn does not approve their portion that Fayette County moves forward with the project as a Fayette County project only. Commissioner Brown seconded. Discussion followed.

Vice Chairman Ognio moved to amend the motion to approve 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) contingent on South Fulton CID and/or the City of Fairburn paying their portion and that if South Fulton CID and/or the City of Fairburn does not approve their portion that Fayette County moves forward with the project as a Fayette County project only. Commissioner Brown seconded. The motion passed 5-0.

12. **Consideration of Commissioner Brown's request to allow a van pool to be utilized in a county parking lot for physical disabled Fayette County residents. This item was tabled at the December 8, 2016 Board of Commissioners meeting.**

Commissioner Brown briefed the Board on the nature of this request. He stated that the county would only allow someone to use the county parks if it was closer to the van pool location and if they had been turned down by other entities. He stated that that he was concerned that with the way the agenda request was worded it does not specifically address the use for those with disability, which was his intent. He stated that he does not want to use park capacity unless necessary. He stated that he would like to table this item. Discussion followed.

Commissioner Brown moved to approve the request to allow a van pool to be utilized in a county parking lot for physical disabled Fayette County residents as written. The motion died for a lack of a second.

Commissioner Brown moved to table the request to allow a van pool to be utilized in a county parking lot for physical disabled Fayette County residents to the February 23, 2017 Board of Commissioners meeting. Chairman Maxwell seconded. Discussion followed.

Commissioner Brown moved to table the request to allow a van pool to be utilized in a county parking lot for physical disabled Fayette County residents to the February 23, 2017 Board of Commissioners meeting. Chairman Maxwell seconded. The motion passed 3-2 with Commissioner Oddo and Commissioner Rousseau in opposition.

NEW BUSINESS:

13. Consideration of approval of Resolution 2017-04; to call for a referendum regarding the imposition of a Special Purpose Local Option Sales Tax (SPLOST) within the special district encompassing Fayette County.

Mr. Davenport stated that this item was based upon the Special Purpose Local Option Sales Tax referendum for March 21, 2017. He stated that the way the SPLOST laws are structured this item cannot come before the Board any sooner than 30 days from the meeting that the County had with the Municipalities to discuss the SPLOST referendum. He stated that if approved by the Board it would be forwarded to the Board of Elections and they would take the necessary actions for the referendum to go forward. He stated that the projects are also included as part of the resolution.

Vice Chairman Ognio moved to approve Resolution 2017-04; to call for a referendum regarding the imposition of a Special Purpose Local Option Sales Tax (SPLOST) within the special district encompassing Fayette County. Commissioner Brown seconded. The motion passed 5-0.

14. Presentation by Brandy Crawford, representing Mobilitie, concerning the placement of small cell facility towers in the County's right-of-way.

Brandy Crawford and Christopher Brown representatives from Mobilitie, LLC made a presentation to the Board regarding the technology available to offer to Fayette County. Mr. Brown and Ms. Crawford answered questions from the Board. No vote was made on this item.

15. Consideration of a request to pave a gravel section of Swanson Road (approximately 3,200 ft), located between Ellison Road and Adams Road.

Public Works Director Phil Mallon briefed the Board regarding this item. Several citizens spoke in favor and in opposition of this item.

Commissioner Brown moved to approve the request to pave a gravel section of Swanson Road (approximately 3,200 ft), located between Ellison Road and Adams Road. Commissioner Rousseau seconded. Discussion followed.

Commissioner Brown moved to approve the request to pave a gravel section of Swanson Road (approximately 3,200 ft), located between Ellison Road and Adams Road. Commissioner Rousseau seconded. The motion passed 5-0.

16. Consideration of Commissioner Brown's request to approve Resolution 2017-05 to appeal on behalf of the people of Fayette County to preserve the historical integrity of Starr's Mill in relation to bridge construction on State Route 85.

Commissioner Brown read Resolution 2017-05 into the record. He briefed the Board that the bridge at State Route 85 was scheduled to be redone for multiple reasons. He stated that the County may have an opportunity to take advantage of the bridge being replaced. He gave a PowerPoint presentation of photos with some ideas of how the bridge could be constructed.

Commissioner Brown moved to approve Resolution 2017-05 to appeal on behalf of the people of Fayette County to preserve the historical integrity of Starr's Mill in relation to bridge construction on State Route 85 and to move forward with discussions with the Georgia Department of Transportation in terms of creating a conceptual design that would enhance the Starr's Mill historical site. Vice Chairman Ognio seconded. Discussion followed.

Chairman Maxwell stated that he would like to add the Commissioner of the Department of Transportation to the Resolution before sending.

Commissioner Brown amended his motion to approve Resolution 2017-05 to appeal on behalf of the people of Fayette County to preserve the historical integrity of Starr's Mill in relation to bridge construction on State Route 85 and to move forward with discussions with the Georgia Department of Transportation in terms of creating a conceptual design that would enhance the Starr's Mill historical site and to add the Commissioner of the Department of Transportation to the Resolution. Vice Chairman Ognio amended the second. Discussion followed.

Commissioner Brown amended his motion to approve Resolution 2017-05 to appeal on behalf of the people of Fayette County to preserve the historical integrity of Starr's Mill in relation to bridge construction on State Route 85 and to move forward with discussions with the Georgia Department of Transportation in terms of creating a conceptual design that would enhance the Starr's Mill historical site and to add the Commissioner of the Department of Transportation to the Resolution. Vice Chairman Ognio amended the second. The motion passed 4-1 with Chairman Oddo in opposition.

PUBLIC COMMENT:

No public comments.

ADMINISTRATOR'S REPORTS:

A. Contract #1247-N: Security Cameras for McCurry Park

Mr. Rapson stated that there is a vacancy on the Public Arts Committee. He asked for a Selection Committee to appoint someone to the open position for the unexpired one year term. He stated that if the Board wanted to extend the term that could be done.

Vice Chairman Ognio moved to appoint Commissioner Brown and Commissioner Oddo to the Public Arts Committee Selection Committee. Commissioner Rousseau seconded. The motion passed 5-0.

Mr. Rapson stated that staff has been working with GDOT in regards to the rain and flood issues and received notification that the county would receive the \$185,000 of Local Maintenance Improvement Grant funds for that weather event.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated there were five items for Executive Session, two items involving Pending Litigation, one item involving Threaten Litigation, one item for Real Estate Acquisition and the Review of the January 26, 2017 Executive Session Minutes for consideration in Executive Session.

COMMISSIONERS' REPORTS:

Commissioner Rousseau, Vice Chairman Ognio, Commissioner Oddo, Commissioner Brown and Chairman Maxwell gave comments.

EXECUTIVE SESSION:

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. This meeting will be telecast on Comcast Cable Channel 23 and on the internet at www.livestream.com.

Two Items of Pending Litigation, One Item of Threaten Litigation, One Item of Real Estate Acquisition and Review of the January 26, 2017 Executive Session Minutes: Commissioner Brown moved to go into Executive Session. Vice Chairman Ognio seconded. The motion passed 5-0.

The Board recessed into Executive Session at 10:52 p.m. and returned to Official Session at 11:44 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 January 26, 2017 Executive Session Minutes: Vice Chairman Ognio moved to approve the January 26, 2017 Executive Session Minutes. Commissioner Brown seconded the motion. The motion passed 5-0.

ADJOURNMENT:

Vice Chairman Ognio moved to adjourn the February 9, 2017 Board of Commissioners meeting. Commissioner Brown seconded the motion. The motion passed 5-0.

The February 9, 2017 Board of Commissioners meeting adjourned at 11:44 p.m.

Tameca P. White, County Clerk