

## **BOARD OF COUNTY COMMISSIONERS**

Eric K. 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**

April 13, 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 2<sup>nd</sup> and 4<sup>th</sup> Thursday of each month at 7:00 p.m.

### **Call to Order**

Chairman Eric Maxwell called the April 13, 2017 Board of Commissioners meeting to order at 7:01 p.m. A quorum of the board was present.

### **Invocation by Commissioner Charles Oddo**

Commissioner Charles Oddo offered the Invocation.

### **Pledge of Allegiance**

Boy Scout Walter Reeves led the audience in the Pledge of Allegiance.

### **Acceptance of Agenda**

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

### **PROCLAMATION/RECOGNITION:**

The Board recognized the following proclamations and recognitions. There was no vote on these items.

1. Recognition of the promotion of Jeffery Jarrard and Daniel Lewis to the position of Lieutenant.
2. Proclamation recognizing April 9-15, 2017 as "National Telecommunicators Week".
3. Proclamation recognizing April as "National Alcohol Awareness Month" in Fayette County.
4. Proclamation recognizing April 22, 2017 as "Earth Day" and Fayette County's celebration of Earth Day.
5. Proclamation recognizing April 2017 as "Safe Digging Month in Fayette County".
6. Proclamation recognizing April 2017 as "Confederate History and Heritage Month" and April 26, 2017 as "Confederate Memorial Day."

**PUBLIC HEARING:** None.

**CONSENT AGENDA:**

**Commissioner Rousseau requested to move items #7 and #8 for discussion.**

**Commissioner Steve Brown moved to accept the Consent Agenda with the exception of items #7 and #8 for discussion. Vice Chairman Ognio seconded. The motion passed 5-0.**

7. Approval of staff's recommendation to award Bid #1206-B Lee's Mill Culvert Replacement for Fiscal Year 2017 to the low bidder, Georgia Bridge & Concrete, LLC and authorization for the Chairman to execute the contract and related documents.

**Commissioner Rousseau moved to award Bid #1206-B Lee's Mill Culvert Replacement for Fiscal Year 2017 to the low bidder, Georgia Bridge & Concrete, LLC and authorization for the Chairman to execute the contract and related documents. Commissioner Charles Oddo seconded. The motion passed 5-0.**

8. Approval of staff's recommendation for Board of Commissioners to approve the bid from Blount Construction Company, Inc. for Bid #1273-B HA 5, High Density Mineral Bond in the amount of \$157,098.72.

**Commissioner Rousseau moved to approve the bid from Blount Construction Company, Inc. for Bid #1273-B HA 5, High Density Mineral Bond in the amount of \$157,098.72. Commissioner Brown seconded. The motion passed 5-0.**

9. Approval of staff's request to execute the Georgia Department of Transportation's Contract for Acquisition of Right-of-Way for the pedestrian bridge project over SR 54 near Piedmont Fayette Hospital (PI No. 0012878).
10. Approval of staff's request to execute the Design Build Memorandum of Understanding (MOU) between the Georgia Department of Transportation and Fayette County Water System and authorization for the Chairman to execute the contract and related documents.
11. Approval of the Public Arts Committee's request for Concept Approval to develop Lantern Parade educational events and host Lantern Parades in partnership with other community events.
12. Approval of the Final Project and Budget for the expanded 4th Annual Scarecrow Competition.
13. Approval of the Water Committee's recommendation to approve the request for the Dragon Boat Races to be held at Lake McIntosh on September 22, 23, and 24, 2017.
14. Approval of the March 23, 2017 Board of Commissioners Meeting Minutes.
15. Approval of the March 29, 2017 Special Called Meeting Minutes.

**OLD BUSINESS:**

16. 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 March 23, 2017 Board of Commissioners meeting.

**Commissioner Brown moved to approve to allow a van pool to be utilized in a county parking lot for physical disabled Fayette County residents. Chairman Maxwell seconded. The motion failed 2-3 with Commissioners Rousseau, Ognio and Oddo voting in opposition.**

**NEW BUSINESS:**

17. Consideration of staff's recommendation to increase the level of service on right-of-way mowing on State Routes and local roads and to purchase \$255,879 of equipment for proposed new crew.

**Commissioner Rousseau moved to have the County Administrator to terminate the agreement and to send notice to Coweta County to terminate. Commissioner Brown seconded. The motion passed 5-0.**

**Commissioner Brown moved to purchase \$255,879 for equipment as stated in the documents. Vice Chairman Ognio seconded. The motion passed 5-0.**

**Commissioner Rousseau moved to address this issue and to have it come back to the Board at the April 25 Board of Commissioners meeting. Commissioner Brown seconded. The motion was rescinded.**

**This item will be placed on the May Board of Commissioners agenda.**

18. Consideration of staff's recommendation to amend the 2017 Stormwater CIP Budget to reallocate \$75,183 from the 508 Stormwater Contingency Fund to Stormwater Projects-Replacement/Upgrades (5509I.)

**Commissioner Oddo moved to approve to amend the 2017 Stormwater CIP Budget to reallocate \$75,183 from the 508 Stormwater Contingency Fund to Stormwater Projects-Replacement/Upgrades (5509I.) Commissioner Brown seconded. The motion passed 5-0.**

19. Consideration of Resolution 2017-06 for reimbursement of funds for various projects to be funded by Special Purpose Local Option Sales Tax (SPLOST) proceeds as approved by the March 21, 2017 Special Election.

**Commissioner Oddo moved to approve Resolution 2017-06 for reimbursement of funds for various projects to be funded by Special Purpose Local Option Sales Tax (SPLOST) proceeds as approved by the March 21, 2017 Special Election. Vice Chairman Ognio seconded. The motion passed 5-0.**

20. Consideration of staff's recommendation to repeal Stormwater Utility.

**Vice Chairman Ognio moved to approve to repeal Stormwater Utility. Commissioner Oddo seconded. Discussion followed. The motion was rescinded.**

**Vice Chairman Ognio moved to table this item to the April 25, 2017 Board of Commissioner meeting to have the County Attorney draft a repeal for the Stormwater Utility with a sunset revision. Commissioner Brown seconded. The motion passed 5-0.**

21. Consideration of Ordinance 2017-01; Motorized Carts to amend the Fayette County Code of Ordinance, Article III of Chapter 26, Section 26-57, by deleting Subsection (d) "Registration/transfer requirements" in its entirety, and replacing it with a new Subsection (d) to be approved as presented.

**Commissioner Brown moved to approve Ordinance 2017-01; Motorized Carts to amend the Fayette County Code of Ordinance, Article III of Chapter 26, Section 26-57, by deleting Subsection (d) "Registration/transfer requirements" in its entirety, and replacing it with a new Subsection (d) to be approved as presented. Commissioner Oddo seconded. The motion passed 3-2 with Commissioners Ognio and Rousseau voting in opposition.**

22. Consideration of the County Attorney's recommendation to deny the disposition of tax refunds, as requested by Ritesh Ghimire for tax year 2016 in the amount of \$2,112.06.

**Commissioner Oddo moved to approve to deny the disposition of tax refunds, as requested by Ritesh Ghimire for tax year 2016 in the amount of \$2,112.06. Commissioner Rousseau seconded. The motion passed 3-2 with Chairman Maxwell and Commissioner Brown voting in opposition.**

23. Consideration of the County Attorney's recommendation to approve the disposition of tax refunds, as requested by Jacqueline Maxwell for tax year 2016 in the amount of \$841.10 to be paid to Bank of America as the payor.

Chairman Maxwell confirmed that he is no relation to Jacqueline Maxwell.

**Commissioner Oddo moved to approve the disposition of tax refunds, as requested by Jacqueline Maxwell for tax year 2016 in the amount of \$841.10 to be paid to Bank of America as the payor. Vice Chairman Ognio seconded. The motion passed 5-0.**

#### **PUBLIC COMMENT:**

Linda Camp made public comments regarding the lack of water pressure at a fire hydrant at her home and she spoke regarding her desire for the Board to take action to have two assistants put in place to service the Commissioners' constituents.

#### **ADMINISTRATOR'S REPORTS:**

#### **ATTORNEY'S REPORTS:**

#### **COMMISSIONERS' REPORTS:**

#### **EXECUTIVE SESSION:**

**Two Items of Threatening Litigation, One Pending Litigation and Review of the March 23, 2017 Executive Session and March 29, 2017 Special Called 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 10:24 p.m. and returned to Official Session at 10:45 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 Oddo seconded the motion. The motion passed 5-0.

**Approval of the March 23, 2017 Executive Session Minutes:** Vice Chairman Ognio moved to approve the March 23, 2017 Executive Session Minutes. Commissioner Oddo seconded the motion. The motion passed 5-0.

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).

**Approval of the March 29, 2017 Special Called Executive Session Minutes:** Vice Chairman Ognio moved to approve the March 29, 2017 Special Called Executive Session Minutes. Commissioner Oddo seconded the motion. The motion passed 3-0-2 Chairman Maxwell and Commissioner Rousseau were absent.

**ADJOURNMENT:**

**Vice Chairman Ognio moved to adjourn the April 13, 2017 Board of Commissioners meeting. Commissioner Brown seconded the motion. The motion passed 5-0.**

The April 13, 2017 Board of Commissioners meeting adjourned at 10:45 p.m.

---

Tameca P. White, County Clerk