

## **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  
Marlena Edwards, Deputy County Clerk

140 Stonewall Avenue West  
Public Meeting Room  
Fayetteville, GA 30214

## **AGENDA**

October 26, 2017  
6:30 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 6:30 p.m.

### **Call to Order**

Chairman Eric Maxwell called the October 26, 2017 Board of Commissioners meeting to order at approximately 6:32 p.m. A quorum of the Board was present.

### **Invocation and Pledge of Allegiance by Commissioner Charles Rousseau**

Commissioner Charles Rousseau offered the Invocation and led the audience in the Pledge of Allegiance.

### **Acceptance of Agenda**

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

### **PROCLAMATION/RECOGNITION:**

1. Recognition of John R. Hudson and Carol B. Hudson for funding Eagle Scout Samuel Snyder's scout project at Fayette County Animal Control and approval of a \$10,000 budget adjustment to account for the donation and associated expenditures.

Jerry Collins Animal Shelter Director, on behalf of the Board, recognized Mr. and Mrs. Hudson for funding Eagle Scout Samuel Snyder's scout project at Fayette County Animal Control.

### **PUBLIC HEARING:**

2. Consideration of Petition No. T-020-17, Verizon Wireless, Owner, and Jenna E. Lee, Agent, request a reduction to the requirements of Sec. 110-150. to develop a 185-foot Monopole Telecommunication Tower to reduce the tower separation requirement of one (1) statute mile to 0.7 miles. This property is located in Land Lot 129 of the 4th District and fronts on SR 85 and 85 Hwy Connector.

Vice Chairman Ognio motioned to approve Petition No. T-020-17, Verizon Wireless, Owner, and Jenna E. Lee, Agent, request a reduction to the requirements of Sec. 110-150. to develop a 185-foot Monopole Telecommunication Tower to reduce the tower separation requirement of one (1) statute mile to 0.7 miles. This property is located in Land Lot 129 of

the 4th District and fronts on SR 85 and 85 Hwy Connector; with the condition that space is be made available for county equipment between 130 ft. and 160 ft. at no cost to the County. Commissioner Rousseau seconded. Motion passed 5-0.

3. **Consideration of Petition No. 1269-17, Michelle Camper, Patrick Camper, Howell Richardson, and Melissa Phillips, Owners, and Randy Boyd, Agent, request to rezone 8.935 acres from A-R to O-I to develop an Educational Facility for gymnastics, cheerleading & dance located in Land Lot 39 of the 7th District and fronting on SR 54.**

Commissioner Oddo motioned to approve Petition No. 1269-17, Michelle Camper, Patrick Camper, Howell Richardson, and Melissa Phillips, Owners, and Randy Boyd, Agent, request to rezone 8.935 acres from A-R to O-I to develop an Educational Facility for gymnastics, cheerleading & dance located in Land Lot 39 of the 7th District and fronting on SR 54. Vice Chairman Ognio seconded. The motion passed 5-0.

4. **Consideration of Petition No. RP-064-17, Michelle Camper, Patrick Camper, Howell Richardson, and Melissa Phillips, Owners, and Randy Boyd, Agent, request to revise the Final Plat of Survey for H.L. Newton to change the use on the property located in Land Lot 39 of the 7th District and fronting on SR 54.**

Commissioner Brown motioned to approve Petition No. RP-064-17, Michelle Camper, Patrick Camper, Howell Richardson, and Melissa Phillips, Owners, and Randy Boyd, Agent, request to revise the Final Plat of Survey for H.L. Newton to change the use on the property located in Land Lot 39 of the 7th District and fronting on SR 54. Commissioner Oddo seconded. The motion passed 5-0.

5. **Consideration of Ordinance 2017-03, amendments to Chapter 110. Zoning Ordinance, regarding Sec. 110-149. - Planned Unit Development and concerning Planned Residential and Business Development-Planned Unit Development (PRBD-PUD) zoning district.**

Vice Chairman Ognio motioned to approve Ordinance 2017-03, amendments to Chapter 110. Zoning Ordinance, regarding Sec. 110-149. - Planned Unit Development and concerning Planned Residential and Business Development-Planned Unit Development (PRBD-PUD) zoning district. Commissioner Oddo seconded. The motion passed 5-0.

6. **Consideration of Ordinance 2017-16 amending Chapter 110. Zoning Ordinance, regarding Sec. 110-79. - Accessory structures and uses.**

Commissioner Oddo motioned to approve Ordinance 2017-16 amending Chapter 110. Zoning Ordinance, regarding Sec. 110-79. - Accessory structures and uses. Vice Chairman Ognio seconded. The motion passed 5-0.

#### **CONSENT AGENDA:**

Commissioner Brown moved to accept the Consent Agenda with the exception of items #9 and #10 to be removed for discussion. Vice Chairman Ognio seconded. The motion passed 5-0.

7. **Approval to accept grant funding in the amount of \$42,800 from the Georgia Office of Homeland Security for the purchase of personal protective equipment for Fire and EMS personnel in the event of an active shooter incident or other threat.**

In accordance with the Americans With Disabilities Act, accommodations are available for those who are hearing impaired and/or in need of a wheelchair. The Board of Commissioners Agenda and supporting 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).

8. **Approval of staff's request to accept the proposal from Ambulance Medical Billing for the EMS Billing Services as identified in RFP #1324-P and authorization for the County Manager to sign all related documents.**
9. **Approval of updates to the Fayette County Policies and Procedures Manual, Section 200.01, Procuring Goods / Services, outlining the criteria / process for technical merit and price scoring of a proposal.**

Commissioner Brown raised his concerns regarding the process for technical merit and price scoring; specifically the criteria of quality of presentation. Although quality of presentation is an integral part of an evaluation, we may want to consider it not having as high of a percentage of the overall scoring as it does. Or we could be more specific in what is expected in the proposed presentation to give all bids a fair playing field.

County Administrator Steve Rapson noted that based on previous discussion regarding technical merit and price scoring of a proposal clarification have been made to restructure the category of "quality of presentation" and now the criteria of "project understanding and "proposed solutions" have been added.

Commissioner Oddo moved to approve updates to the Fayette County Policies and Procedures Manual, Section 200.01, Procuring Goods / Services, outlining the criteria / process for technical merit and price scoring of a proposal. Commissioner Brown seconded. The motion passed 5-0.

10. **Approval of the October 12, 2017 Board of Commissioners Meeting Minutes.**

Commissioner Rousseau would like it noted for the record, that for the October 12, 2017 Board of Commissioner Meeting although absent he was away on official business attending an ACCG Legislative Leadership Conference in August.

Chairman Maxwell moved to approve the October 12, 2017 Board of Commissioners Meeting Minutes, with the amendment that the minutes acknowledge Commissioner Rousseau, Commissioner Oddo, and County Administrator Steve Rapson were away on official business attending an ACCG Legislative Leadership Conference in August. Commissioner Brown seconded. The motion passed 5-0

#### **OLD BUSINESS:**

11. **Consideration of staff's recommendation to install a four-way stop at the intersection of Antioch & Goza Road as an interim safety measure.**

Phil Mallon provided an update to the Board on recommendation for an interim solution at the intersection of Antioch & Goza Road from the Consultant Firm. After completion of an evaluation of data, field condition, and staff discussion the Consultant has recommended to install a four-way stop.

Commissioner Oddo moved to approve staff's recommendation to install a four-way stop at the intersection of Antioch & Goza Road as an interim ongoing safety measure. Commissioner Brown seconded. The motion passed 5-0

12. **Consideration of staff's recommendation to amend the contract with the Gordian Group (Centennial Contractors Enterprise, Inc.) to renovate the Animal Shelter from \$119,598.67 to \$86,590.78 (CIP project #6565F).**

Jerry Collins brief the Board on staff's recommendation to amend the contract with the Gordian Group (Centennial Contractors Enterprise, Inc.) to renovate the Animal Shelter from \$119,598.67 to \$86,590.78 (CIP project #6565F).

Commissioner Oddo motioned to approve staff's recommendation to amend the contract with the Gordian Group (Centennial Contractors Enterprise, Inc.) to renovate the Animal Shelter from \$119,598.67 to \$86,590.78 (CIP project #6565F). Vice- Chairman Ognio seconded. The motion passed 5-0.

13. **Consideration of staff's recommendation to amend the Fayette County Animal Shelter Management/Euthanasia Policy 280.01 and Animal Control's internal Adoption Policy 107.02a, to require animals to be spayed or neutered prior to adoption; and to amend the Code of Ordinances by revising Section 6-26 and repealing Sections 6-88 and 6-89 and to adopt a schedule of fees.**

Jerry Collins briefed the Board on staff's recommendation to amend the Fayette County Animal Shelter Management/Euthanasia Policy 280.01 and Animal Control's internal Adoption Policy 107.02a, to require animals to be spayed or neutered prior to adoption; and to amend the Code of Ordinances by revising Section 6-26 and repealing Sections 6-88 and 6-89 and to adopt a schedule of fees.

County Attorney Dennis Davenport suggested that as a result of this item being comprised of several proposed changes, the motions for each recommendation be listed separately.

Commissioner Brown motioned to approve staff's recommendation to amend the Fayette County Animal Shelter Management/Euthanasia Policy 280.01. Vice-Chairman Ognio seconded. The motion passed 5-0

Vice- Chairman Ognio motioned to approve staff's recommendation to amend Animal Control's internal Adoption Policy 107.02a. to require animals to be spayed or neutered prior to adoption. Commissioner Oddo seconded. The motion passed 5-0.

Commissioner Brown motioned to approve staff's recommendation to amend the Code of Ordinances by revising Section 6-26 and repealing Sections 6-88 and 6-89. Vice- Chairman Ognio seconded. The motion passed 5-0.

Commissioner Brown moved to approve the adoption of "Exhibit A" on the dais, adopt a schedule of fees. Vice-Chairman Ognio seconded. The motion passed 5-0.

#### **NEW BUSINESS:**

14. **Consideration of staff's request to accept the proposal from K A Oldham Design, Inc for the architectural and engineering services for the design and specifications for Fire Station 4 in the amount of \$174,000.00 and to authorize signing of all related contractual documents.**

Commissioner Oddo motioned to approve staff's request to accept the proposal from K A Oldham Design, Inc for the architectural and engineering services for the design and specifications for Fire Station 4 in the amount of \$174,000.00 and to authorize signing of all related contractual documents. Commissioner Rousseau seconded. The motion passed 5-0.

15. **Consideration of the Transportation Committee's recommendation to designate \$500,000 of the 321 SPLOST funds for Projects R-19 and R-20 (SR 85 Widening) and authorization for staff to work with GDOT on several Quick Response Programs along the SR 85 South corridor.**

Commissioner Brown moved to approve the Transportation Committee's recommendation to designate \$500,000 of the 321 SPLOST funds for Projects R-19 and R-20 (SR 85 Widening) and authorization for staff to work with GDOT on several Quick Response Programs along the SR 85 South corridor. Commissioner Oddo seconded. The motion passed 5-0.

**PUBLIC COMMENT:**

The following citizens made public comments:

Roy Bishop, Laura Line, and Melanie Ognio.

**ADMINISTRATOR'S REPORTS:**

- A. **Contract #940-P: Public Works Engineer of Record Task Order 20: Old Senoia Road Culvert Design**
- B. **Contract #940-P: Public Works Engineer of Record Task Order 25: Calloway Road Culvert Replacement**
- C. **Contract #940-P: Public Works Engineer of Record Task Order 28: Silver Leaf Drive Culvert Replacement**

**Westbridge Intersection**

We received the GDOT permit for the West bridge intersection.

**Board of Elections Selection Committee**

Mr. Rapson stated that there will be a position expiring on Jan.31 the Board of Elections Selection Committee

Commissioner Brown moved to appoint Vice-Chairman Randy Ognio and Commission Rousseau to the Board of Elections Selection Committee. Chairman Maxwell seconded. The motion passed 5-0.

**Selection Committee for the CTP (Comprehensive Transportation Plan)**

Vice Chairman Ognio approved to appoint Martin Sas. Commissioner Rousseau seconded. The motion passed 5-0

**ATTORNEY'S REPORTS:**

**Public Arts Committee**

Public Arts Committee clarification at the October 12, 2017 Board of Commissioners Meeting the Board approved the recommendation of Susan Samson who will be serving the remainder of the unexpired term; and a full 2-year term which will end May 31, 2021.

**Notice of Executive Session:** County Attorney Dennis Davenport stated there were eight items for Executive Session, three items involving Pending Litigation, three item involving Threaten Litigation, one item for Real Estate Acquisition and the Review of the September 28, 2017 Executive Session Minutes for consideration in Executive Session.

### **COMMISSIONERS' REPORTS:**

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

Vice- Chairman Ognio noted that the Republican Party regarding the Marilyn Watts vs. The Republican Party lawsuit and the subsequent conferred Attorney's fees has requested to forego the normal proceedings and the desire to work directly with the Board via the County Administrator to develop payment terms.

Attorney Davenport explained serval concerns he has on how to handle these proceedings.

Commissioner Brown moved to allow Vice- Chairman meet with Attorney Sparks with Attorney Davenport present. Commissioner Rousseau seconded. The motion passed 4-0-1 with Chairman Maxwell abstaining.

### **EXECUTIVE SESSION:**

**Three items involving Pending Litigation, three item involving Threaten Litigation, one item for Real Estate Acquisition and the Review of the September 28, 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 9:56 p.m. and returned to Official Session at 10:48 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 September 28, 2017 Executive Session Minutes:** Vice Chairman Ognio moved to approve the September 28, 2017 Executive Session Minutes. Commissioner Brown seconded the motion. The motion passed 5-0.

Attorney Dennis Davenport advised the Board of a Workers Compensation case that has reached a Settlement Agreement in the amount of \$1400 for former employee Haron.

Vice Chairman Ognio moved to approve the Settlement Agreement for former employee Haron outlined by County Attorney Dennis Davenport. Commissioner Brown seconded. The motion passed 5-0.

Attorney Dennis Davenport advised the Board of an Equal Employment Opportunity Claim (EEOC) that has reached a Settlement Agreement in the amount of \$6000 for former employee Johnson.

Vice Chairman Ognio moved to approve the Settlement Agreement for former employee Johnson outlined by County Attorney Dennis Davenport. Commissioner Brown seconded. The motion passed 5-0.

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**ADJOURNMENT:**

Commissioner Brown moved to adjourn the October 26, 2017 Board of Commissioners meeting. Vice Chairman Ognio seconded the motion. The motion passed 5-0.

The October 26, 2017 Board of Commissioners meeting adjourned at 10: 49 p.m.

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Marlena Edwards, Deputy County Clerk