

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

ACTION AGENDA

November 9, 2017

6:30 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 6:30 p.m.

Call to Order

Chairman Eric Maxwell called the November 9, 2017 Board of Commissioners meeting to order at 6:32 p.m. All Board members were present.

Invocation and Pledge of Allegiance by Commissioner Steve Brown

Commissioners Steve Brown offered the Invocation and led the audience and Board in the Pledge of Allegiance.

Acceptance of Agenda

Vice Chairman Randy Ognio moved to approve the agenda with the addition of the discussion of Antioch and Goza Road intersection as item #17. Commissioner Charles Oddo seconded. The motion passed 5-0.

PROCLAMATION/RECOGNITION:

1. **Recognition of awardees for the Fayette County Public Arts Committee "2017 Scarecrow Competition".**
Public Arts Committee Chair Donna Thompson introduced Committee Member Martha Aiken who presented the winners of the 4th Annual Scarecrow Competition. The winners:

Honorable Mention – "A Murder of Crows"- Emily Brown

3rd Place – "Can find what starts with an 'A'" - Fayette Montessori School

2nd Place – "Girl Scouts Go Camping" – Girl Scout Troop 15017

1st Place- "Natural Beauty"- Fayette County UGA Extension Master Gardener Volunteers

2. **Recognition by Commissioner Steve Brown and Mr. Gordon Rogers of the Flint Riverkeeper of the staff and citizen volunteers for their participation in the Water Guardians program.**

Commissioner Steve Brown and Mr. Gordon Rogers of the Flint Riverkeeper presented staff and citizen volunteer Leah Williamson with a "Friend of the Flint River Basin" oar for participation in the Water Guardians program. Mr. Rogers thanked the staff and gave an overview of the Flint Riverkeeper program and the role that the Water Guardians played in the water ways for all citizens.

PUBLIC HEARING:

3. Consideration of Resolution 2017-18 for the abandonment of property located at the intersection of Sandy Creek Road and Veterans Parkway.

County Attorney Dennis Davenport stated that this was an abandonment issue for an old roadbed that was owned by the county that required a public hearing to receive input from the public. He stated that the area was at the corner of Pinewood Studios that was made into a T-intersection. The roadbed was still owned by the county and in 2012 the county approached the Board of Education to have a small piece of property, adjacent to the old roadbed, conveyed to the county for right-of-way purposes.

Public Works Director Phil Mallon stated that this portion of Sandy Creek Road was shown on the record of plat as "cease to be used by the public" and that no substantial purpose was served by it and its removal from the county's road system was in the best public interest.

Mr. Davenport stated that when a county abandons a roadbed, if the city desires to accept the abandon roadbed, they would have the "first right of refusal." He stated that the City of Fayetteville had been contacted and they would like to accept the roadbed. He stated that there was no need to convey the roadbed, other than the city accepting it, because it would be used to construct a roundabout at that intersection.

No one spoke in favor or in opposition.

Commissioner Charles Oddo moved to certify the statement, that this portion of Sandy Creek Road was shown on the record of plat as cease to be used by the public that no substantial purpose was served by it and its removal from the county's road system was in the best public interest. Vice Chairman Ognio seconded. The motion passed 5-0.

CONSENT AGENDA:

Commissioner Brown moved to approve the Consent Agenda as written. Commissioner Oddo seconded. The motion passed 5-0.

- 4. Approval of the Public Arts Committee's request for Final Approval for the Five Senses Pop-up Event.**
- 5. Approval of a request from the Griffin Judicial Circuit Adult Felony Drug Court to apply for a supplement grant award from the Funding Committee of the Council of Accountability Court Judges in the amount of \$123,495 with a 10% match of \$13,721.**
- 6. Approval of a request from the Fayette DUI Court to apply for supplemental grant award for 2018 from the Criminal Justice Coordinating Council (CJCC) of up to \$167,450 and to authorize the expenditure of 10% local matching funds in the amount up to \$18,605.**
- 7. Approval of staff's recommendation to authorize the Fayette County Solicitor's Office to accept a continuing grant award from the Criminal Justice Coordinating Council in the amount of \$68,000.00 with the continuing grant award period beginning October 1, 2017 and expiring September 30, 2018, and authorization for the Chairman to sign all grant related documentation.**

8. **Approval of the proposed 2018 Local Maintenance & Improvement Grant (LMIG) project list for unincorporated Fayette County and authorization for the Chairman to sign the LMIG Application and related documents.**
9. **Approval of the October 26, 2017 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

10. **Consideration of staff's recommendation regarding a Non-Profit Policy.**

County Administrator Steve Rapson stated that the Board directed staff to bring a recommendation at the Board retreat. He stated that after evaluating all the different issues associated with a non-profit policy, staff recommended not to enter into an agreement with non-profits due to the evaluation factors outlined in the agenda package. He stated that the issue was that contractually "picking and choosing" was the primary concern.

Fayette FACTOR Director Becky Smith, Fayette FACTOR Co-Chair Dawn Oparah, Bloom Our Youth Vice President Terry Ernst and Fayette CARE Clinic Executive Director Deb Presley-Christianson requested that the Board table the decision and allow the agencies and the county to discuss some opportunities where the county could bring together a committee and to evaluate what others are doing.

Commissioner Charles Rousseau moved to table until there can be round table discussions of future recommendations for the Board's consideration. Commissioner Brown seconded. The motion passed 5-0.

NEW BUSINESS:

11. **Consideration of Piedmont Fayette Hospital's request to sign a Memorandum of Understanding between Piedmont Fayette Hospital and Fayette County to meet the eligibility requirements for support in the participation of the Federal 340B Drug Pricing Program and for the Chairman to sign all related documents.**

Piedmont Fayette Hospital Chief Financial Officer Scott Wolfe briefed the Board regarding the 340B Drug Pricing Program. He stated that the program provided a deep discount on outpatient pharmaceuticals for low income patients. He continued that there were some eligibility requirements for the hospital to be a part of the program. He stated that there was a growing portion of patients not able to pay their bills. He stated that there were about 75,000 patients who visit the emergency room and about 18 to 19 percent come in with no ability to pay. He stated that it was a growing debt burden on the hospital. He stated that the agenda item was for the request of the Board to acknowledge that the hospital provided care to these patients and that the Board supported participation in the program. There was no financial obligation required from the county.

Commissioner Brown moved to sign a Memorandum of Understanding between Piedmont Fayette Hospital and Fayette County to meet the eligibility requirements for support in the participation of the Federal 340B Drug Pricing Program and for the Chairman to sign all related documents. Vice Chairman Ognio seconded. The motion passed 5-0.

12. **Consideration of staff request to purchase firefighter Lump Sum Cancer Benefit and Long-Term Disability coverage through ACCG-IRMA at a three-year rate guarantee cost of \$26,589 per calendar year beginning January 1, 2018, payable quarterly, as required by HB 146 and to authorize the chairman to sign all associated documents.**

Human Resource Lewis Patterson stated that House Bill 146 was approved during the 2017 session of the Georgia General Assembly that would began January 1, 2018 and required all legally organized fire departments to provide and

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maintain specific cancer insurance coverages for fire fighters. It provided critical illness or lump sum benefit for fire fighters who are diagnosed with specific types of cancers. It also included portable disability benefits in the form of long-term disability coverage. He stated that it was a new program that ACCG worked with the insurance broker firm of Willis Towers Watson to create the Georgia's Firefighters Cancer Benefit Program. He stated that it would provide a fully insured coverage and a three-year rate guarantee. He stated that the payments would be broken into quarterly payments and that the budget for fiscal year 2018 will have funds to cover this anticipated cost. He introduced ACCG Deputy Director of Insurance Programs for ACCG Ashley Abercrombie and Senior Consultant of Willis Towers Watson John Hanson.

Commissioner Oddo moved to purchase firefighter Lump Sum Cancer Benefit and Long-Term Disability coverage through ACCG-IRMA at a three-year rate guarantee cost of \$26,589 per calendar year beginning January 1, 2018, payable quarterly, as required by HB 146 and to authorize the chairman to sign all associated documents. Commissioner Rousseau seconded. The motion passed 5-0.

13. Consideration of a recommendation from the Selection Committee comprised of Commissioners Charles Rousseau and Charles Oddo, to appoint Elizabeth Morgan to a term beginning immediately and expiring on June 30, 2020, to the McIntosh Trail Community Service Board.

Commissioner Oddo stated that the applicants were good applicants and that he and Commissioner Rousseau had a hard decision, but that the recommendation was for Elizabeth Morgan to be appointed to the McIntosh Trail Community Service Board.

Commissioner Oddo moved to appoint Elizabeth Morgan to a term beginning immediately and expiring on June 30, 2020, to the McIntosh Trail Community Service Board. Commissioner Rousseau seconded. The motion passed 5-0.

14. Discussion and approval of the creation of a new county logo for Fayette County.

Fayette Chamber Director Carlotta Ungaro presented to the Board proposed logos for consideration.

Dawn Oparah; Fayetteville, spoke in favor of adopting a new county logo.

Commissioner Brown moved to approve to all three versions presented of the county logo and the color palette that accompany and to allow staff and the Board to decide which one would be used for the appropriate application. Commissioner Rousseau seconded. The motion passed 5-0.

15. Consideration of the Fayetteville annexation of 21.6 acres and the rezoning of said property from R-70 (Single-Family Residential District) to B-P (Business Park); subject property fronts on Tyrone Road.

Planning and Zoning Director Pete Frisina stated that this was a 21.6 acres parcel located near Tyrone Road close to State Route 54. He stated that it was currently zoned R-70 in the county and the proposal was to rezone to B-P, Business Park. He stated that it was in an area of the county that was land used rural residential with two-acre density. He stated that the application did not contain the specifics to the type of the development. He stated that there was no indication of the layout of the buildings or entrances, the size, height or architectural style of the proposed buildings. He continued that this was part of a larger project in the city of Fayetteville. He stated that given that this information was not available and that it had the potential of impacting the county, in terms of traffic and the rural character, staff recommended that the Board object to the annexation and to use the set of the conditions to mitigate any impact to the

county. He stated that staff recommended the objection and to send the conditions to the city to mitigate the impact and if accepted, remove the objection.

Frank Gardner spoke regarding this item.

Chairman Maxwell moved that the County objects to the annexation as presented, and, further, that Fayetteville may satisfy the County's objection by requiring the following:

1. A 75-foot buffer along the side and rear property lines where the subject property abuts property in unincorporated Fayette County. Per the Business Park Zoning District (Fayetteville), the 50-foot side and rear setbacks shall be measured from the buffer. Said buffer and/or setbacks shall not be subject to a variance;
2. A 100-foot setback/landscape area along Tyrone Road. Said setback/landscape area shall be measured beginning fifty feet from the centerline of Tyrone Road. The landscape area shall be limited to landscape plantings, multi-use paths, fencing and signage. Fencing of an equestrian type with a minimum of three (3) rails is required to maintain rural character;
3. The design and construction of any entrances on Tyrone Road be approved and inspected by Fayette County Engineering/Public Works; and
4. The owner/developer shall provide, at no cost to Fayette County, a quitclaim deed for 50 feet of right-of-way as measured from the centerline of Tyrone Road within 180 days of the date of Fayetteville's approval of the annexation.

Satisfaction of these conditions may be demonstrated by the city of Fayetteville providing a letter to Fayette County no later than close of business on Monday, November 20, that the city of Fayetteville will require the owner/developer to meet the four enumerated conditions above. Vice Chairman Ognio seconded. The motion passed 5-0.

16. Consideration of the County Attorney's recommendation to approve the disposition of tax refunds, as requested by Kevin Mitchell for tax years 2014, 2015 and 2016 in the total amount of \$2,677.45.

Mr. Davenport briefed the Board that the county received a tax refund request from Kevin Mitchell for tax years 2014, 2015 and 2016. He stated that based on an error in square footage, he recommended refund in the amount of \$2,677.45. Mr. Mitchell was present.

Commissioner Oddo moved to approve the disposition of tax refunds, as requested by Kevin Mitchell for tax years 2014, 2015 and 2016 in the total amount of \$2,677.45. Commissioner Brown seconded. The motion passed 5-0.

The Board recessed at 8:24 p.m.

The Board reconvened at 8:34 p.m.

17. Discussion of the Antioch Road and Goza Road intersection.

Mr. Mallon provided a summary of interim measure and the permanent solutions for this project. He continued that the consultant was present to make a presentation of two intersection controls as viable long-term solutions and to request direction from the Board as to which one to use.

Mr. Allen Krivsky of Heath & Lineback Engineers, Inc. made presentation. He provided an analysis with two prevailing suggested solutions; an all way stop or a standard roundabout. He identified the pros and cons of each solution relative to each option and the improved safety and improved operations over the existing (no-build) two-way stop control.

Phillip Doolittle, Mike Sanderson, Frank Gardner, Adam Hembolt and Roy Bishop spoke regarding this item.

Commissioner Brown moved to proceed with the standard roundabout concept and have the engineering firm move forward on design and staff move forward with acquisition and the necessary steps to complete the project. Vice Chairman Ognio seconded. The motion passed 5-0.

PUBLIC COMMENT:

Mr. Frank Gardner made comments.

ADMINISTRATOR'S REPORTS:

ATTORNEY'S REPORTS:

COMMISSIONERS' REPORTS:

EXECUTIVE SESSION:

ADJOURNMENT:

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

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

Tameca P. White, County Clerk