



## *Action Agenda*

Board of Commissioners

June 26, 2014

7:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met in an Official Meeting on June 26, 2014 at 7:00 p.m. in the Public Meeting Room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

**Commissioners Present:**

Steve Brown, Chairman  
Charles Oddo, Vice Chairman  
David Barlow  
Allen McCarty  
Randy Ognio

**Staff Present:**

Steve Rapson, County Administrator  
Floyd L. Jones, County Clerk  
Tameca P. White, Deputy Clerk  
Patrick Stough, County Attorney

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### **Call to Order, Invocation, and Pledge of Allegiance**

Chairman Brown called the June 26, 2014 Board of Commissioners meeting to order at 7:01 p.m.

Pastor Jake Dukes, Minister to Families and Ministry Coordinator for New Hope Baptist Church's South Campus, offered the Invocation.

Commissioner Ognio led the audience in the Pledge of Allegiance.

Commissioner Oddo introduced several Boy Scouts to the Commissioners and county staff, and he briefly explained the work of the County to the Boy Scouts.

### **Acceptance of Agenda**

Chairman Brown moved to accept the Agenda as published. Commissioner seconded the motion. No discussion followed. The motion passed unanimously.

**PRESENTATION /RECOGNITION:**

**1. Recognition of Fayette County Deputy Sheriff Brent Lonkert for winning the 2014 Law Enforcement Officer of the Year Award.**

Commander David Neibes of the American Legion, Fayette County Post 105, spoke about Officer Brent Lonkert's actions that led to his winning of the 2014 Law Enforcement Officer of the Year Award. The Board recognized Officer Lonkert for winning the Law Enforcement Officer of the Year Award.

**2. Recognition of the Starr's Mill Economic Challenge Team for its third consecutive state championship win.**

The Board recognized the Starr's Mill Economic Challenge Team for winning its third consecutive state championship.

**3. Recognition of Financial Analyst Brady Every for being nominated to receive the Team Player Award.**

Commissioner David Barlow and the Board recognized Financial Analyst Brady Every for winning the Team Player Award. Chief Financial Officer Mary Parrott also spoke about Ms. Every's qualifications in winning the award.

Chairman Brown introduced four interns to the audience.

**PUBLIC HEARING:**

**4. Consideration of Petition No. T-018-14, Skyway Towers, Owner, and PM&A, Agent, request for a reduction of the requirement of Section 110-150. Standards for Telecommunications Antennas and Towers, in order to develop a 185-Monopole Telecommunication Tower, and to reduce the 1,000-foot setback from an adjacent municipality to 114 feet.**

Community Development Director Pete Frisina read the rules for public hearings into the record and introduced Public Hearing #4 to the Board of Commissioners.

Ms. Kirsten Lurer, representing PM&A, briefed the Board on the request to approve Petition No. T-018-14, and she answered questions from the Board.

No one spoke in favor of or in opposition to this request.

Chairman Brown moved to decline Petition No. T-018-14. Commissioner Barlow seconded the motion. Discussion followed. The motion to decline Petition No. T-018-14, Skyway Towers, Owner, and PM&A, Agent, request for a reduction of the requirement of Section 110-150. Standards for Telecommunications Antennas and Towers, in order to develop a 185-Monopole Telecommunication Tower, and to reduce the 1,000-foot setback from an adjacent municipality to 114 feet passed 3-2 with Commissioners Oddo and McCarty voting in opposition.

**5. Consideration of staff's request to adopt Resolution 2014-13 amending the Fayette County Comprehensive Plan Land Use Element Text, and amending the Fayette County Future Land Use Plan Map.**

Community Development Director Pete Frisina briefed the Board on this request and answered questions from the Board.

Ms. Linda Sandwich, who initially asked for the Land Use Plan Map change, asked how much it would cost to install a sidewalk and if it would be her responsibility to install the sidewalk on her portion of the property. Mr. Frisina answered that each parcel would be required to install a sidewalk, but he did not have the cost estimates with him at the time. He said he would contact Ms. Sandwich and provide the information at a later time.

No one else spoke in favor of or in opposition to this request.

Commissioner Oddo moved to approve staff's request to adopt Resolution 2014-13 amending the Fayette County Comprehensive Plan Land Use Element Text, and amending the Fayette County Future Land Use Plan Map. Commissioner Ognio seconded the motion. No discussion followed. The motion passed unanimously.

**6. Consideration of a request to adopt Ordinance 2014-10 amending the County Code, Chapter 110. Zoning Ordinance, as amended, specifically, Article V. Conditional Uses, Nonconformances, Transportation Corridor Overlay Zone, and Commercial Development Standards, Sec. 110-173, Transportation Corridor Over Zone, 3. General State Route Overlay Zone regarding State Route 74 South.**

Community Development Director Pete Frisina briefed the Board on this request at the same time that he briefed the Board on Public Hearing #5.

No one spoke in favor of or in opposition to this request.

Commissioner Oddo moved to adopt Ordinance 2014-10 amending the County Code, Chapter 110. Zoning Ordinance, as amended, specifically, Article V. Conditional Uses, Nonconformances, Transportation Corridor Overlay Zone, and Commercial Development Standards, Sec. 110-173, Transportation Corridor Over Zone, 3. General State Route Overlay Zone regarding State Route 74 South. Commissioners Barlow and McCarty seconded the motion. No discussion followed. The motion passed unanimously.

**7. Public Hearing on the County's proposed annual budget for Fiscal Year 2015 which begins July 1, 2014 and ends June 30, 2015, and consideration of Resolution 2014-14 adopting the Fiscal Year 2015 budget.**

County Administrator Steve Rapson gave a brief summation of the proposed Fiscal Year 2015 budget.

Mr. Emory McHugh spoke for approximately twelve minutes in opposition to the proposed Fiscal Year 2015 budget. Mrs. Alice Jones questioned the proposed Fiscal Year 2015 budget with regard to funding allocated for Kenwood Park.

No one else spoke in favor of or in opposition to this request.

Mr. Rapson replied to the concerns addressed by Mr. McHugh and Mrs. Jones. Several Board members also commented on the proposed Fiscal Year 2015 budget.

Commissioner Oddo moved to approve the County's proposed annual budget for Fiscal Year 2015 which begins July 1, 2014 and ends June 30, 2015, and to approve Resolution 2014-14 adopting the Fiscal Year 2015 budget. Commissioners Ognio and Barlow seconded the motion. No discussion followed. The motion passed unanimously.

#### **CONSENT AGENDA:**

Commissioner Ognio moved to approve Consent Agenda Items #8-14. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

8. **Approval of staff's recommendation to renew a contract with Midwest Employers Casualty Company, as outlined in "Option 2," for a period of one year, beginning July 1, 2014 and expiring June 30, 2015, in the amount of \$93,116.00, and authorization for the Chairman to sign the contract and related documents.**
9. **Approval of staff's recommendation to purchase a policy for property and casualty insurance from OneBeacon, for Fiscal Year 2015, through Public Risk Underwriters, for an amount of \$626,704.00, and for the Chairman to sign the policy and related documents.**
10. **Approval of staff's recommendation to grant an easement to AT&T in order to install a fiber cable to the Fayette County Public Library.**
11. **Approval of a request from the Edgewood Subdivision Home Owners' Association who is seeking authorization for the use of motorized cart travel on all streets within the subdivision in accordance with Article III Motorized Carts of the Fayette County Code.**
12. **Approval of staff's recommendation to continue the maintenance agreement between Fayette County and Motorola for the 800 MHZ ASTRO Simulcast System and to authorize the Chairman to sign the renewal contract, in the amount of \$505,606.29, for the term of July 1, 2014 through June 30, 2015.**
13. **Approval of the Sheriff's decision to dispose of county property and for any monies received for the value of the property to be returned to the Federal Seizures Funds.**
14. **Approval of the June 12, 2014 Board of Commissioners Meeting Minutes.**

#### **OLD BUSINESS:**

15. **Consideration of Chairman Steve Brown's recommendation to amend Ordinance 2014-02 by revising White Lining standards to those reflected in Georgia Senate Bill 117 to include reducing the "Tolerance Zone" from 24 inches to 18 inches and other minor modifications. This item was tabled at the June 12, 2014 Board of Commissioners meeting.**

Mr. Matt Bergen of the Fayette County Water System briefed the Board on this request and he informed the Board that staff did not favor scaling back the "tolerance zone" from 24 inches to 18 inches. Discussion followed with the Board.

Mr. Frank Gardner commented on this matter.

Chairman Brown moved to approve the amendment of Ordinance 2014-02 by revising White Lining standards to those reflected in Georgia Senate Bill 117 to include reducing the "Tolerance Zone" from 24 inches to 18 inches and other modifications, that Section 19-73, located on page 4 of the information on the dais, be amended to Section 28-232, and that all other changes will stand as written. Commissioner Barlow seconded the motion. Discussion followed. The motion passed unanimously.

**NEW BUSINESS:**

**16. Consideration of staff's request to upgrade the current 911 Telecommunications Systems from VESTA to VESTA 4.0, for Fiscal Year 2015, in an amount not to exceed \$462,531.00.**

Communications Director Cheryl Rogers briefed the Board on this request and answered questions from the Board.

Commissioner McCarty moved to approve staff's request to upgrade the current 911 Telecommunications Systems from VESTA to VESTA 4.0, for Fiscal Year 2015, in an amount not to exceed \$462,531.00. Commissioner Ognio seconded the motion. No discussion followed. The motion passed unanimously.

**17. Consideration of staff's recommendation to adopt Resolution 2014-15 implementing the Leak Protection Program.**

County Administrator Steve Rapson briefed the Board on the request and answered questions from the Board.

Commissioner Ognio moved to approve staff's recommendation to adopt Resolution 2014-15 implementing the Leak Protection Program. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

**18. Consideration of a recommendation to amend both the Planning Commission's compensation and the Zoning Board of Appeal's compensation to \$75.00 per meeting with said amendments becoming effective January 1, 2015.**

County Administrator Steve Rapson briefed the Board on this request and answered questions from the Board.

Commissioner Ognio moved to accept the recommendation to amend the Planning Commission's compensation and the Zoning Board of Appeal's compensation to \$75.00 per meeting with a maximum of \$150.00 per month, and with said amendments becoming effective January 1, 2015. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

### **PUBLIC COMMENT:**

No one spoke under Public Comment.

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

**Recreation Commission:** County Administrator Steve Rapson informed the Board that the County had recently advertised for two positions on the Recreation Commission, and that the County had not received applications for the positions. He stated that the County was re-advertising the posts. He told the Board that if there are no applicants at the end of this second advertisement that the matter would be brought to the Board for direction.

**Development Authority Agreement:** County Administrator Steve Rapson informed the Board that Peachtree City, Fayetteville, and Tyrone have already approved the Development Authority Agreement. He said there was a hiccup with the Peachtree City Airport Authority since it makes it mandatory for the Airport Authority's Chairman to be on the Development Authority. Chairman Brown stated that he spoke to director of the airport, and she told him that the agreement would not be passed. He said he asked the director to draft the agreement, pass it, and send it back through the jurisdictions with the County being last to approve.

**Annexation Request Associated with Georgia Military College:** County Administrator Steve Rapson informed the Board that the County had received an annexation request from the City of Fayetteville with regard to the Georgia Military College. He said the County had no bona fide objection, that the request was run by the Board, and that the annexation would take place.

**Letter to the City of Fayetteville:** County Administrator Steve Rapson informed the Board that there was a letter at the dais that he had written to Mayor Greg Clifton and the City of Fayetteville in response to how mutual and automatic aid would be handled. He asked the Board to review the letter, provide any edits, and for authorization to distribute the letter. The Board gave authorization to distribute the letter.

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

**Executive Session:** County Attorney Patrick Stough informed the Board that there were two items of pending litigation and the review of the June 12, 2014 Executive Session Minutes for Executive Session.

### **COMMISSIONERS' REPORTS:**

**Commissioner Barlow:** Commissioner Barlow stated that he volunteered at the McIntosh Trail Community Service Board at the last meeting, and that he attended his first meeting. He briefly spoke about the work, responsibilities, and recent accomplishments of the McIntosh Trail Community Service Board. He stated that Fayette County is the healthiest county in Georgia, but it still much to improve with regards to healthy living. He stated that McIntosh Trail was to be commended for its work, and that he was honored to be a representative for the County. Commissioner Barlow also commented on how the budget has funds to restore the Historic County Courthouse. He recommended that as the courthouse is restored, that portions of the courthouse such as roof tiles and other similar items, be preserved or marketed as souvenir items.

**Commissioner Oddo:** Commissioner Oddo said there were two anniversaries coming up next week. He explained that he was married on July 4 and on July 6, since his marriage took place in both countries. He stated that his wife, Pily, was watching the meeting on LiveStream, and he wished her a Happy Anniversary.

**Commissioner Ognio:** Commissioner Ognio thanked staff who worked on the budget. He did not think people understood what goes into something as complicated as a budget, and that staff did a fabulous jobs. He also congratulated Commissioner Oddo on his anniversary.

**Commissioner McCarty:** Commissioner McCarty hoped for Pily to come back home. He thanked staff and said the county had the greatest staff.

**EXECUTIVE SESSION:**

**Two Items of Pending Litigation and Review of the June 12, 2014 Executive Session Minutes:** Chairman Brown moved to recess into Executive Session to discuss two items of threatened litigation and for the review of the June 12, 2014 Executive Session Minutes. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

The Board recessed into Executive Session at 8:50 p.m. and returned to Official Session at 9:08 p.m.

**Return to Official Session and Executive Session Affidavit:** Commissioner Ognio moved to return to Official Session and for the Chairman to sign an Executive Session Affidavit. Commissioner Barlow seconded the motion. No discussion followed. The motion passed unanimously.

**June 12, 2014 Executive Session Minutes:** Chairman Brown moved to approve the June 12, 2014 Executive Session Minutes. Commissioner Ognio seconded the motion. No discussion followed. The motion passed unanimously.

**ADJOURNMENT:**

Chairman Brown moved to adjourn the June 26, 2014 Board of Commissioners meeting. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

The June 26, 2014 Board of Commissioners meeting was adjourned at 9:09 p.m.

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Floyd L. Jones, County Clerk