

BOARD OF COUNTY COMMISSIONERS

Charles W. Oddo, Chairman
Randy Ognio, Vice Chair
David Barlow
Steve Brown
Charles D. Rousseau



FAYETTE COUNTY, GEORGIA

Steve Rapson, County Administrator
Dennis A. Davenport, County Attorney
Floyd L. Jones, County Clerk
Tameca P. White, Chief Deputy County Clerk

140 Stonewall Avenue West
Public Meeting Room
Fayetteville, GA 30214

MINUTES

July 14, 2016
7:00 p.m.

Call to Order

Chairman Oddo called the July 14, 2016 Board of Commissioners meeting to order at 6:58 p.m.

Invocation by Commissioner Steve Brown

Commissioner Brown offered the Invocation.

Pledge of Allegiance

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

Acceptance of Agenda

Chairman Oddo moved to accept the Agenda as published and to move New Business Item #14 to the first item of New Business. Commissioner Brown seconded the motion. The motion passed unanimously.

PROCLAMATION/RECOGNITION:

1. Recognition of Fayette County 911 Communications Assistant Director, Peggy Glaze, for her thirty-one years of service in public safety.

The Board recognized 911 Communications Assistant Director, Peggy Glaze, for her years of service to Fayette County. 911 Director Bernard Brown presented Mrs. Glaze with a trophy in recognition of her work. A copy of the request, identified as "Attachment 1," follows these minutes and is made an official part hereof.

2. Recognition of Human Resources Director Lewis Patterson for completing the Georgia Local Government Personnel Association's Certified Human Resource Manager Program.

The Board and County Administrator Steve Rapson recognized Mr. Patterson for completing the Georgia Local Government Personnel Association's Certified Human Resource Manager Program. A copy of the request, identified as "Attachment 2," follows these minutes and is made an official part hereof.

Water System Director Lee Pope notified the Board that Fayette County's water recently won a competition where all the award-winning water systems throughout the State of Georgia entered into a taste-tasting competition. He reported that Fayette County won the competition by a landslide.

PUBLIC HEARING:

- 3. Public Hearing of staff's recommendation to approve a new 2016 On-Premises Sales Retail License to Tobias Lee Booker, doing business as 524 Bar and Grill, for the purpose of selling alcoholic beverages at 1960 Highway 85 North, Suite J, Fayetteville, Georgia 30214.**

Community Development Director Pete Frisina briefed the Board on staff's recommendation.

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

Commissioner Brown moved to approve the new 2016 On-Premises Sales Retail License to Tobias Lee Booker, doing business at 524 Bar and Grill, for the purpose of selling alcoholic beverages at 1960 Highway 85 North, Suite J, Fayetteville, Georgia 30214. Commissioner Ognio seconded the motion. The motion passed 5-0. A copy of the request, identified as "Attachment 3," follows these minutes and are made an official part hereof.

CONSENT AGENDA:

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

- 4. Approval of the Superior Court's recommendation to amend an existing contract between the court and Judicial Correction Services, Inc. by including a "No Conflict of Interest" paragraph. A copy of the request, identified as "Attachment 4," follows these minutes and is made an official part hereof.**
- 5. Approval of staff's request to renew Contract #923-B- Atlanta Paving & Concrete Construction Inc., for asphalt milling services to be used on various projects, at a recommended not-to-exceed amount of \$202,386.80, for said contract to expire on June 30, 2017, and to authorize the Chairman to sign the contract and any related documents. Copies of the request and Contract #923-B, identified as "Attachment 5," follow these minutes and are made an official part hereof.**
- 6. Approval of staff's recommendation to award Chemical Bid #1119-B, for twelve months, to five companies who bid on chemicals used by the Fayette County Water System for water treatment, in a cumulative total not-to-exceed \$232,520.80, and authorization for the Chairman to sign any contracts or related documents related to this request. Copies of the request and contract, identified as "Attachment 6," follow these minutes and are made an official part hereof.**
- 7. Approval of staff's recommendation to approve CH2M Hill's Task Order #FC023- Tank Inspection and Maintenance for an amount not-to-exceed \$107,087.00. Copies of the request and task order, identified as "Attachment 7," follow these minutes and are made an official part hereof.**
- 8. Approval of the June 23, 2016 Board of Commissioners Meeting Minutes.**
- 9. Approval of the June 30, 2016 Board of Commissioners Special Called Meeting Minutes.**

OLD BUSINESS:

There was no item of Old Business.

NEW BUSINESS:

10. Consideration of the proposed Public Participation Program in association with the Full Plan Update of the Fayette County Comprehensive Plan, and appointment of county staff and one member of the Board of Commissioners to the Steering Committee to facilitate the development of the Full Plan Update.

Community Development Director Pete Frisina stated that Fayette County has a Comprehensive Plan and, based on state guidelines for Comprehensive Planning, the plan has to be periodically updated. He explained that the State of Georgia and the Atlanta Regional Commission would ensure that the plan has been updated. He said this request was to start the process and that the first part of the process was to have a procedure for public participation. He said the request outlined the aspects of what would happen through public participation and to look at certain groups and stakeholders to get input. He explained that the process would begin quickly with two public town hall meetings by June 2017. He further explained that staff would place information on the county website, issue press releases, produce public outreach materials, and place information on Channel 23. He added that this effort would also involve Public Hearings both with the Planning Commission and the Board of Commissioners with the results going to the Atlanta Regional Commission and the Georgia Department of Community Affairs for review and eventual adoption by the Board of Commissioners. Mr. Frisina asked for a Steering Committee with someone appointed both from the Board of Commissioners and from the Planning Commission to work with staff and to keep the process on schedule and to help with public outreach.

Commissioner Ognio asked Commissioner Brown be on the Steering Committee. Commissioner Brown agreed to serve on the committee. Mr. Frisina gave further explanation on what would be expected from the committee.

Commissioner Rousseau asked for the Steering Committee to include presidents from the Home Owner's Associations; including the North Fayette Community Association. He said he wanted to see the Home Owner's Associations to be intimately involved with the process since the update would involve zoning matters effecting neighborhoods. Mr. Frisina replied that he did not know how many Home Owners Associations are in the county and he hoped they would come to the county. Commissioner Rousseau asked County Administrator Steve Rapson to begin an effort to determine what Home Owners Associations exist and to determine who the current presidents are of those associations.

Commissioner Brown added he would love to see somebody from a large, rural lot in south Fayette County, representatives from the Home Owners Associations in north Fayette County, and some commercial or retail property owners in order to get a good and even representation from across the county. Commissioner Rousseau agreed.

Commissioner Rousseau moved to approve the proposed Public Participation Program in association with the Full Plan Update of the Fayette County Comprehensive Plan, and appointment of county staff and one member of the Board of Commissioners, namely Commissioner Brown, to the Steering Committee to facilitate the development of the Full Plan Update, and to purposely include Home Owner's Associations presidents and organizations in various quadrants in the county to accomplish the goal. Commissioner Ognio seconded the motion. The motion passed 5-0. A copy of the request, identified as "Attachment 8," follows these minutes and is made an official part hereof.

11. Consideration of Commissioner Rousseau's recommendation to adopt Policy No. 100.27- Gifts and Memorials.

Commissioner Rousseau reported that some while ago a group of citizens approached him about memorials and gifts. He said he consulted the Policies and Procedures Manual only to find there was no policy giving guidance to the county on accepting, receiving, or for even reaching out for gifts, donations, or memorials. He reported that he talked to both the County Administrator and County Attorney about this need and that the County Attorney had worked closely with him on this issue. He explained that the proposed policy provided parameters and guidelines for times when groups and similar bodies want to do a project that included the use of public space. He said, if adopted, the policy would go into the Policies and Procedures Manual for reference and that final decisions with respect to receiving donations and gifts would ultimately go to the Board of Commissioners for ultimate approval. He emphasized that the policy can always be modified or changed as the Board sees fit, and he closed saying the policy gives specific verbiage on the types of gifts since they can vary.

Commissioner Rousseau moved to adopt Policy No. 100.27- Gifts and Memorials. Commissioner Brown seconded the motion.

Commissioner Brown stated that he had spoken to Commissioner Rousseau about his concerns, but he wanted to make sure efforts were taken to cover liability and indemnification issues on behalf of the county. He added that there needed to be some distinct parameters on what could be allowed. He explained that the Georgia Department of Transportation (GDOT) recently began a program where it could accept volunteer labor from various groups and that the Ku Klux Klan submitted an application for the program. He stated that a judge recently ruled that GDOT needs to accept the application. He said the Board needs to be very careful about how to proceed since he did not find language in the policy that would head those types of issues. Commissioner Brown added that there was another example of when someone donated land to a city in south Georgia only to learn there was toxic waste on the land. He said the Board needed to ensure it was not taking somebody's liability and thereby creating a county liability. Commissioner Rousseau stated that those concerns were addressed in Section 2 of the policy. He said the policy requires adherence to the county's current codes and policies in regards to liability and insurance coverage. Mr. Davenport agreed that the language in Section 2 was sufficiently broad to address Commissioner Brown's concerns. Commissioner Rousseau added that Section 6 also addressed Commissioner Brown's concerns.

Commissioner Ognio stated that the Recreation Department has a current policy for donations, memorials, and gifts and he stated the proposed policy was a massive expansion of the Recreation Commission's policy. He said he was concerned about the future costs to the county. He stated that Section 6 reads that the county is responsible for maintenance and that he was concerned with that. He also expressed concern about the amount of staff time required to fulfil the requirements located in Section 8 of the proposed policy. He said staff time would require additional cost to the county. He stated that it appeared this policy was being rushed and he did not want to adopt it with a lot of errors. Commissioner Ognio mentioned the policy has sections where the County Administrator makes approvals, other approvals are made by the Finance Director, and even other approvals are made by the Board of Commissioners, and he thought that it created inconsistency. Commissioner Ognio expressed concern about ambiguous language addressing plaque and memorial sizes saying the language left the decision wide open. He stated that in Section 4, Item 7 there was a mistake since the last word is "city" and it should read "county." Commissioner Ognio closed asking if the departments and various boards had been vetted since the policy would affect every property in the county including the Justice Center.

Commissioner Rousseau answered that he wanted to be careful not to compare the proposed policy to the Recreation Commissions guidelines since the Board of Commissioners supersedes them. County Attorney Steve Rapson added that he had reviewed the Board of Commissioners policies. He added there are departmental policies that are not sanctioned Fayette County policy so, as long as there is no contradiction, the departments can enforce things at a higher degree. Commissioner Rousseau stated the proposed policy would set the standard for the entire county. Mr. Davenport stated that the proposed policy was an overarching policy and that if there was a conflict between this policy and any departmental policy then the Board's policy would be in control.

Commissioner Ognio agreed with the replies given about the policies but maintained that the draft had "a lot of holes" in it. He said he wanted the policy to be very specific. He referred to the size of a stand-alone plaque stating that what is appropriate for one person may not be for someone else. He said he did not want to rush on this matter but rather that the Board take time to work through the language and make recommendations.

Commissioner Rousseau stated he was open to hear suggestions and incorporate them into the language. Commissioner Ognio asked how detailed staff would need to be involved in the application process and he asked if the work would take a day or a week or a month. He mentioned that the policy provides for a tax credit in Section 7, Item 3, and he asked who determines the value. Mr. Davenport stated that policies have general language in order to capture specific issues. He added that the proposed policy cites to being consistent with tax legislation. He explained that whatever a county may do it can do with this provided language, and he explained how the county could determine the value of a donation. Mr. Davenport added that the county is not obligated to accept a gift. Additional discussion followed with a general understanding that tweaks and amendments could be made to the policy as needed.

Commissioner Rousseau amended his motion to change the word "City" to "County" in Section 4, Item 7. Commissioner Brown seconded the amended motion.

The motion to adopt Policy No. 100.27- Gifts and Memorials and to change the word "City" to "County" in Section 4, Item 7 passed 4-1 with Commissioner Ognio voting in opposition. Copies of the request and Policy No. 100.27- Gifts and Memorials, identified as "Attachment 9," follow these minutes and is made an official part hereof.

12. Approval of staff's recommendation to accept a donation from private citizens, businesses, and community leaders, in an aggregate amount of \$37,487.00, for the installation of a Kenwood Park Monument and Memorial Garden in honor of late Commissioner Pota Estel Coston.

Parks and Recreation Director Anita Godbee briefed the Board on staff's recommendation and showed a brief YouTube video of the proposed monument and memorial garden. She stated a group of citizens came before her and the Recreation Commissioner desiring to make a donation to Kenwood Park in honor of Commissioner Pota Coston. She stated the group wanted to fully fund the project at a total estimated cost of \$37,487.00. She described the types of foliage and features that would be part of the memorial and garden. She added that the citizens had agreed to fully maintain the memorial for three years meaning the county would not be responsible for maintenance for three years. She mentioned that there were two options available to the Board on regarding wording on the monument. Mrs. Godbee stated that this proposal was presented to the Recreation Commission at its July 12, 2016 meeting where it was unanimously recommended for approval by the Recreation Commission.

Chairman Oddo asked who would install the monument. Mrs. Godbee replied that the citizens would install the memorial and garden with oversight from the county's Buildings and Grounds Department to ensure it is put in per county standards. Chairman Oddo asked how the county would be protected with other than county personnel working on county property. Mrs. Godbee replied that a landscaper would be coming in to install the memorial and garden and she stated that he would have liability insurance.

County Administrator Steve Rapson informed the Board that it would need to pick either Option #1 or #2. Chairman Oddo asked if the option could be picked at some point after the meeting. Mrs. Godbee replied that the citizens would work with the county.

Commissioner Brown stated it was definitely appropriate to have a memorial and garden due to the historic election. He mentioned that Commissioner Coston had been his appointment to the Fayette County Ethics Board. He said he was worried about over 1,000 feet of irrigation and its electrical needs. He said he did not see the plans until earlier in the week and had wanted this request to be formally reviewed in a Recreation Commission setting. He said he was worried about long-term maintenance since it is easy to establish a memorial but much more difficult to maintain. He asked if there was some way to put in temporary irrigation so that if the soil is properly treated and worked it would negate the need for irrigation in the future.

Commissioner Brown further pointed out that the memorial was large and that something would have to be done to ensure that the county is not putting in numbers of very large memorials that have to be maintained. He stated that he was already fighting to get grass cut on the state highways and he did not want to have memorials in Fayette County requiring staff to maintain them. He stressed that the memorials needed to be as maintenance-free as possible. He mentioned that Fayette County has many notable people in the county and he wanted to know how to delineate what is a runaway program and where does it stop.

Mr. Matt Johnson, President of Captive Landscapes, stated that the plants that were selected for the memorial garden were virtually maintenance-free. He stated that the irrigation would have a very shallow installation in the ground and would be operated with a nine-volt battery that would need to be replaced once every one or two years. Commissioner Brown suggested an irrigation system that was over the fabric and under the mulch that could be pulled out without having to be maintained. Mr. Johnson agreed and said that was the proposal.

Commissioner Brown reiterated that if the county began receiving a lot of these requests then it would have to reconsider how to handle them. Commissioner Ognio said he could see more memorials being requested and, if one is approved, then the Board would have little choice but to approve other memorials. He worried about the upkeep of the memorial and garden since, given time, the memorials begin to look bad so that it is not so much an honor but a disaster. He said the county did not want that to happen.

Commissioner Barlow stated that good intentions do not make for success and that no one can legislate someone's desire to do something, but he said knowing the Coston family the way he does, and, knowing how Commissioner Coston benefited his life and others, it seemed to him that the Coston family would not allow the memorial to go unattended. He suggested Mr. Bernie Coston would not call the County Clerk to fix the memorial. He asked Mr. Coston to tell the Board if he preferred Option #1 or #2. Mr. Coston replied that if anything were to be out of place then the Coston family would be committed to take care of it as a family. He stated that the family preferred Option #2. Commissioner Barlow stated he has also wanted Option #2.

Commissioner Rousseau asked Mrs. Godbee if she and the Recreation Commission had vetted the request and was comfortable with the long-term upkeep and staff's ability to make sure the memorial is well maintained. Mrs. Godbee replied she was comfortable with the request. Commissioner Rousseau commended the men and women who dedicated to bring the proposal to the Board. He thanked the Coston family for being at the meeting and he asked everyone who was involved in bringing the matter to the Board to stand. Several people stood. He said he was happy to be a part of this matter and he asked the community to get behind it. Commissioner Rousseau understood his fellow Commissioners' comments, but he emphasized that the citizens had stepped forward for this particular memorial. He stated that the Board could address other memorials as they are offered and requested. He said the memorial was in recognition of someone who was instrumental in the community and was the first African-American to serve as a Fayette County Commissioner. He asked for the Board to favorably consider the request.

Mrs. Stuart Barnes: Mrs. Barnes stated that anything that is going to be done should be written down legally, and that the agreement should be weighted before the vote. She did not believe the county should rush into this vote. She further mentioned that the upkeep should be for eternity and not for just three years.

Frank Gardner: Mr. Gardner said he was on a similar page with Mrs. Barnes. He said maintaining the memorial and garden would require someone to do the work. He said the motion needed to be amended to require people to call the County Administrator if there is a problem.

Chairman Oddo asked Mrs. Godbee how the citizens calculated with the estimate for maintenance. Mrs. Godbee replied that a monument company gave a price quote, the Recreation Department helped with calculating the benches and trash receptacle costs, and that the landscape architect provided planning cost, tree cost, and drip irrigation cost. Chairman Oddo asked if there was any idea how much it would cost to do the maintenance on the plants and flowers yearly. Mr. Rapson stated that Buildings and Grounds Director Carlos Christian worked with the citizens in regard to the landscaping to ensure it is low-maintenance. He said this was request was viewed by staff as a beautification project and as a landscaping enhancement to the park.

Commissioner Brown asked if the County was collecting money to help have a non-sales tax option. Mr. Rapson stated that it was under consideration.

Commissioner Ognio stated that he worried that the pavers needed to be put down properly so that people do not fall down because of them. Mr. Rapson replied that staff would ensure the pavers were installed properly before the county takes ownership of them. Landscape architect Mr. Johnson explained how the pavers would be properly installed and told of the steps to ensure the work is done properly. Commissioner Rousseau asked Mr. Johnson if he would stand behind his work and put a warranty on it and Mr. Johnson replied that he would.

Chairman Oddo said if the request is approved then he would like the option to amend the actual wording on the dedication and for the wording to return to a future meeting for a final review.

Commissioner Barlow moved to accept a donation from private citizens, businesses, and community leaders, in an aggregate amount of \$37,487.00, for the installation of a Kenwood Park Monument and Memorial Garden in honor of late Commissioner Pota Estel Coston and for the wording on the back of the monument to be left in abeyance until such time of final approval by the Board of Commissioners. Commissioner Rousseau seconded the motion. The motion passed 5-0. Copies of the request and PowerPoint presentation, identified as "Attachment 10, follow these minutes and are made an official part hereof.

13. Consideration of staff's request of a one-time contribution of \$50,000.00 to the Georgia Department of Driver Services for helping to offset relocation and building costs for the new Fayetteville Customer Service Center to be located at 749 West Lanier Avenue.

County Administrator Steve Rapson stated that the Georgia Department of Driver's Services has been located at a very dangerous intersection for a long time. He stated that the department had worked with the state to get allocations to move to a newer location. He explained that the current building is small and this move would allow the department to expand the building and to hire more staff. He stated that Fayette County has allocated \$50,000.00 for a Capital Improvement Plan due to safety concerns for both those parking at the parking lot and for those currently walking across the road to Driver's Services. He said the state was aware of that allocation and, since they have relocation and renovation costs for moving to the new facility, the state was requesting the allocated funds. Mr. Rapson added that it is not unusual for a county to provide a space and leases for other Department of Driver Services sites.

Commissioner Ognio moved to deny the request of a one-time contribution of \$50,000.00 to the Georgia Department of Driver Services for helping to offset relocation and building costs for the new Fayetteville Customer Service Center to be located at 749 West Lanier Avenue. Commissioner Brown seconded the motion.

Commissioner Ognio stated that the state continues to collect money for driver's licenses while it is cutting back the Title Ad Valorem Tax (TAVT) from Fayette County. He said the state needs to fund their own services. He said he was unsure what the state would do without the allocated funding, but that he was unwilling to approve the request.

Commissioner Brown wished the state cared as much about Fayette County as much as Fayette County cares about the state. He explained that the state is withdrawing money from almost every connection they have with the county and now they are asking the county for \$50,000.00 more.

Commissioner Rousseau suggested that the state send their mowers down to Fayette County and then they can ask for \$50,000.00. Commissioner Brown added that Fayette County had to beg the state to mow its own highways and now the state is asking for \$50,000.00. He said he went to the current location in 2013 when the department asked for a new location and he saw that less than half the cars are from Fayette County. He stated that many of the cars are from other Georgia counties and Fayette County is paying for them to get their drivers' licenses. He apologized for getting fired up on the matter but he said it was a festering wound. Commissioner Brown reiterated that they are already getting Fayette's money, they will not cut the grass on their highways, and now they want \$50,000.00. Commissioner Ognio added that Fayette County is already furnishing them the buildings for numbers of years for free.

Mr. Rapson stated he is purely the messenger and that he was not in favor of giving money to anyone. Commissioner Rousseau asked if the funding was in the Fiscal Year 2017 budget. Mr. Rapson stated that money was already allocated as a Capital Project so the money is already available. He added that there had been previous discussion about what to do with the building and one of the discussions was to perhaps move Public Works Administration to the building. He suggested that at some point the county would do a renovation to the building or the Fire Department may move Fire Station #4 to the location, or that the parking lot would have to be improved. Commissioner Rousseau suggested that the \$50,000.00 could go to the upgrades and renovations of the buildings or be used as leverage for the state to their median strips.

Commissioner Brown stated it was absolute neglect that the state keeps pulling money from the county and then asks for money for a state function that functions for citizens well beyond Fayette County.

Commissioner Rousseau stated that he saw State Representatives Fludd and Jackson in the audience and he asked them to carry the message back to the State of Georgia. He said the state needs to take care of Fayette County since it is in a reciprocal relationship.

The motion to deny the request of a one-time contribution of \$50,000.00 to the Georgia Department of Driver Services for helping to offset relocation and building costs for the new Fayetteville Customer Service Center to be located at 749 West Lanier Avenue passed 5-0. A copy of the request, identified as "Attachment 11," follows these minutes and is made an official part hereof.

14. Discussion concerning whether Fayette County seeks to request a four-year or six-year Special Purpose Local Option Sales Tax.

County Administrator Steve Rapson reminded the Board that during the 2016 Commissioner's Retreat there was discussion to approve the allocation of a four-year Special Purpose Local Option Sales Tax (SPLOST). He stated that since the Retreat there has been a lot of discussions from the municipalities to enact a six-year SPLOST. He explained that a six-year SPLOST would require the County to enter into an Intergovernmental Agreement (IGA) with the municipalities, and he pointed out that the mayors were in attendance in support of a six-year SPLOST. He stated that staff was requesting the Board to make a determination between a four-year or a six-year SPLOST so that staff could take appropriate steps as needed. He explained that staff's original request, which was included in the Agenda package, was to allocate the first \$44,903,177 to Stormwater Projects in the amount of \$23,741,641, to the E911 Radio System in the amount of \$18,211,536 and to Fire Station #4 and Pumper in the amount of \$2,950,000. He mentioned that these items were discussed at the Commissioners Retreat held in April 2016. Mr. Rapson stated that, additionally, there were three components that were originally composed. The first was for a Performing Arts Center with the county's share of the allocation being \$3,555,559. He stated that the second component was for the Woolsey Community Center in the amount of \$223,000. The remaining component was for transportation projects in unincorporated Fayette County in the amount of \$15,964,794.

Mr. Rapson stated that subsequent meetings have occurred with Pinewood Studios and, based on feedback he received from members of the Board of Commissioners, the public, and the mayors, he modified staff's recommendation. He explained that the new recommendation would keep the Woolsey Community Center but it would take the proposed funding for the Performing Arts Center and allocate it toward unincorporated Fayette County transportation project, in the amount of \$19,520,353, until such time that all the questions still remaining about the Performing Arts Center are worked out. He stated that staff was still excited about the Performing Arts Center and still wants to be a part of that project. He stated that staff had communicated the recommendation and desire to Mr. John Stephens who is on the forefront of those leading the project for Pinewood Forrest. He stated the county, cities, and the school board still want to collaborate with the Performing Arts Center at a later date. He explained that until the questions are answered then staff's recommendation would be to take the \$3,555,559 and allocate it, in addition to the transportation project.

Mr. Rapson stated that he is getting questioned a lot about "what's next?" He informed the Board that, if the Board approves the allocation of a six-year SPLOST then the county would immediately begin the process of working on an IGA with the cities. He stated that a letter would be sent to the cities with the intention of calling for a public meeting with the municipalities to discuss the purpose of issuing a six-year SPLOST on August 17. He said county staff would develop a template of the transportation projects that would currently be allocated with the projected \$19,520,353 SPLOST funds. Mr. Rapson mentioned that if the county took the \$19,520,323 and leveraged it into federal funding then the funding could increase to \$97 million. However, there would likely also be some local projects so that could ratchet down the funding; meaning the total county's funds would be somewhere between \$19.5 million and \$97 million. He reported he would direct staff to begin working on the list in order to provide the information at the next Transportation Committee that will be held on August 2, 2016. He explained that it would be up to Commissioner Ognio, who serves as Chairman of the Transportation Committee, to get the project list fleshed out with recommendations and provided to the Board of Commissioners so that on

August 11, 2016, during a regularly scheduled Board of Commissioners meeting, the Board could sanction the list. He stated that once the Board of Commissioners approved the project list then the county would call the vote for the actual election during September 22, 2016 Board of Commissioners meeting.

Mr. Rapson stated that the mayors of each of the municipalities were in the audience and that they wanted to make statements. He added that representatives for the Performing Arts Center were also in the audience but he did not see the need to move forward with the presentation of the Performing Arts Center since staff's recommendation has changed.

Commissioner Brown moved to approve the six-year SPLOST and to remove the Performing Arts Center for future consideration at another time, and to follow the new distribution for the SPLOST funds as stated on the document available on the dais. Commissioner Ognio seconded the motion.

Chairman Oddo asked for the motion to be amended in order to authorize the County Administrator to issue the letter. Mr. Rapson explained that the letter would be notification from the Chairman to the municipalities to call for the vote.

Commissioner Brown amended his motion as requested. Commissioner Ognio seconded the amended motion.

Chairman Oddo asked the mayors if they wanted to speak on the matter.

Mayor Vanessa Fleisch: Mayor Fleisch, representing the City of Peachtree City, asked if the distribution estimates were based on population. Mr. Rapson stated it was based on the population analysis conducted by the county and already shared with the city managers. He explained that the allocations have not changed and that it would be the county's share of the allocation. Mayor Fleisch stated the mayors wanted to reiterate their needs as municipalities for a six-year SPLOST. She stated that Peachtree City has a number of projects that initially began with \$87 million worth of projects. She said that through the course of fifteen meetings, ten of which were attended by a citizen's committee that fully vetted the projects, the process proved to be very long. She informed the Board that Peachtree City's projects included road resurfacing, cart paths, cart path bridges, and reinforcement of Lake Peachtree Dam. She said the projects also included enhancing a bridge over the spillway to be included in the design that is currently underway for the spillway.

Mayor Eric Dial: Mayor Dial, representing the Town of Tyrone, stated that the Town of Tyrone, to some degree, has a level of ambivalence about whether or not there is a SPLOST. He said the town is in good shape. He stated that the town wants to be good neighbors and that the municipal neighbors are in need. He said what is good for the neighbors is good for Tyrone. He said the town currently has a low-interest loan with the state's Road and Tollway's Authority so one project would be to pay off the loan. He added that the sewer expansion would cost \$1.725 million as listed on the six-year SPLOST list. He stated that Tyrone has several resurfacing projects and several stormwater projects, as well as public park improvements and expansions. He reminded the Board that the town is part of the "74 Gateway Coalition," which is intended to preserve the integrity of the State Route 74 corridor. He informed the Board that Tyrone is the largest landowner of the corridor although it is the smallest government of the corridor. He said the town requested some SPLOST funds to help pay for those efforts in order to protect setbacks and landscaping. He said Tyrone wanted to make sure that if someone is traveling from Peachtree City to Atlanta that they could get there as quickly as possible. He stated that the town has some public safety and cart path improvement needs. He said the needs were recommended by the citizens and that have been put off in the past and will continue to be put off if SPLOST does not pass.

Mayor Ed Johnson: Mayor Johnson, representing the City of Fayetteville, stated that he was glad that the Board of Commissioners moved to approve a six-year SPLOST. He said the city had provided a prioritized project list. He said the city had a citizen's advisory committee that worked with staff in order to construct the project list; particularly critical infrastructure roadwork that would be accomplished with the six-year SPLOST. He mentioned that the city intends to "float a bond" immediately once the SPLOST is approved by the citizens. He thanked the Board for its consideration and he understood the decision to remove the Performing Arts Center from consideration. He said this was a critical point of the county and city working together to ensure the municipalities have an opportunity to get things done that absolutely need to be done in a short time.

Mayor Dan Langford: Mayor Langford, representing the Town of Brooks, stated that the town needed the SPLOST to address, repair, and probably replace its aging water system. He said about ten-percent of the SPLOST proceeds would go to address that need. He added that the other need for the Town of Brooks included six transportation projects. He said the town was very excited about the opportunity to put this matter to the public.

Councilman Jack Gilson: Councilman Gilson, representing the Town of Woolsey, stated that Mayor Gary Laggis was unable to attend the meeting so he was standing in place of the mayor. He stated that Woolsey is the smallest municipality in Fayette County. He said there is a dilapidated building on the right side of State Route 92 on the way to Griffin, and that building used to be the Georgia Mercantile Building. He said the building is over one-hundred years old and that the building was donated to the town. He said the town would like to renovate the building as a community center, town hall, and museum. He stated that the town's request was only for \$223,000.00 and that the town appreciated the support it had received.

No one from the audience commented on this request.

Chairman Oddo commented that he was and remains excited about that the Performing Arts Center since it would be a wonderful addition to the county. He explained there was some thought that it could be on this SPLOST and it was suggested that it could be on this SPLOST, but it just did not work out since the timing was not right. He said there was still work to do on the matter even though he believed in the concept of the Performing Arts Center. He suggested that the Performing Arts Center would bring Fayette County to another level. He said Fayette County continues to get better and better. He asked that the concept be revisited in the future to help bring the concept to fruition.

The motion to approve the six-year SPLOST and to remove the Performing Arts Center for future consideration at another time, to follow the new distribution for the SPLOST funds as stated on the document available on the dais, and to authorize the County Administrator to issue a letter to the municipalities passed 5-0. Copies of the request and supporting documents, identified as "Attachment 12," follow these minutes and are made an official part hereof.

PUBLIC COMMENT:

Dennis Chase: Mr. Chase spoke about the proposed Special Purpose Local Option Sales Tax (SPLOST) saying he was concerned since he has minimal information about why the money is being raised. He said he has concerns about several projects on the list and that they are almost identical with the concerns he expressed with the Stormwater SPLOST. He spoke about how he led a small group in opposition to the Stormwater SPLOST and he said the same thing would occur if minimal information is provided to the citizens again. He said the citizens of Fayette County were burned in 2004 SPLOST when it was passed with little information and with the citizens not paying attention. He asked for as much detail as possible to be provided in order to avoid having groups like his working in opposition to the SPLOST.

Roy Bishop: Mr. Bishop asked for an update concerning the status of Veterans Parkway. He said the Water System is up and par but the road cannot seem to be completed. He stated that an earlier administration was able to get something done but this administration has been working on the matter for six years and cannot get the road done. He said the people on West Bridge Road hoped to see Veterans Parkway completed by the end of summer. He questioned if the county was still working with the original contractor or if it had to be rebid in order to complete the project.

Mrs. Stuart Barnes: Mrs. Barnes stated she was against the Special Purpose Local Option Sales Tax. She agreed with Mr. Chase's comments that more details should be provided before anybody will even consider the SPLOST. She said she read *The Citizen* and became very concerned since there was nothing that would convince her to vote for the SPLOST. She clarified that her stance could change if she is provided information but that she could not vote for a SPLOST given the current level of information she has.

Donald E. Martin: Mr. Martin asked if there was a law enforcement officer in the room. Major Tommy Pope of the Fayette County Sheriff's Office replied that he was available. Mr. Martin stated he has a concealed carry permit and he has been a weapons carrier for the last twenty years. He asked if an officer comes to his vehicle and asks if he has a weapon, and if he tells the officer that he does, where does he need to keep his permit. He stated that he typically keeps his permit with his license and he asked if it has to be somewhere else such as clipped to a sun-visor. Major Pope replied that the concealed carry permit can be carried in a wallet, in a glove box, or in a console. Mr. Martin implored Major Pope for law enforcers to consider that when a licensed carrier informs an officer that they have a license for the officers to consider that the license holder is a good person since they have to pass a background check. He said he was asking his question since he wants to be sure he is right with the law and right in the eyes of the officer.

Terrance Williamson: Mr. Williamson commended the Board for conducting the business of the county. He stated that he is on the Recreation Commission and that as the memorial was being debated by the Recreation Commission each of the members were acting like four or five mini-Steve Browns. He said the Recreation Commission wanted the absolute minimum maintenance for the memorial garden. Mr. Williamson replied to Mr. Martin's comments saying everyone has observed what has happened in the news. He stated that most citizens recognize and appreciate what law enforcement does since they know that without the rule of law there would be pandemonium, confusion, pain, and suffering. He said sometimes the rules are supposed to do one thing but they do not always work out. He said the man killed in Minnesota had a concealed carry permit. He said it remains to be seen but the officer that reacted to the man reaching for his license in his back pocket was not thinking about the rules but rather about getting home. He said the policeman fears for his life on a regular basis. Mr. Williamson stated that it is in one's best interest to do anything possible to diffuse the situation before it happens. He said people should not sit with the permit in a back pocket and to keep hands completely visible. He said people should not give an officer with a question about what they are getting into. He said that needs to be done in the world as it currently is.

Grace Caldwell: Ms. Caldwell stated she was concerned about the economy. She said the presidential election is right around the corner and there are young people fresh out of college who cannot get a job that pays enough to live on their own. She said senior received a 2/10 of a 1% raise in Social Security with medical costs on the rise requiring some seniors to adjust their budgets in order to eat. She said some go without medications. She stated that children live in mobile homes in Fayette County and who chase Good Samaritan trucks and food trucks begging for sandwiches. She said she did not want to see the Special Purpose Local Option Sales Tax to pass since it is time to look at the overall economy and those who are hurting. She mentioned that there was already a tax increase since there was a property value increase. She stated that if the projects are not an emergency then they can be put off.

Linda Flowers: Ms. Flowers thanked the Board for putting the Special Purpose Local Option Sales Tax on the table. She thought that it is needed since there are a lot of projects that were reasonably and responsibly put on hold during the recession. She stated that things cannot be put on hold forever. She mentioned that if a house has a roof leak it is not a good idea to wait until another day to fix the problem since it will cost more money in the future. She agreed with Ms. Caldwell's statement that there are people doing without and she recognized that fact, however, she stated that the SPLOST is not a property tax and it is not an income tax, but, rather, it is a sales tax. She stated that if she buys food at the grocery store it will not have SPLOST on it, but extra clothes or discretionary items will be taxed. She closed by once again thanking the Board.

Commissioner Brown asked if a SPLOST was applicable to food. County Administrator Steve Rapson replied that there were exceptions but he would have to look at the exceptions. Commissioner Ognio suggested that SPLOST is not exempted from all foods.

Lynne Lasher: Ms. Lasher thanked the Board for approving the six-year Special Purpose Local Option Sales Tax and for removing the Performing Arts Center. She stated that those opposed to SPLOST need to recall that this is not about taxing Fayette citizens but about taxing things that are purchased to be taxed. She stated that it would allow shoppers from other counties to help Fayette County out since she is tired of helping out the other counties when she shops in them. She suggested that it is time for the other counties to return the favor.

Bonnie Williamson: Mrs. Williamson said she loves services, hates taxes, but will pay her fair share. She spoke about what is going on the news. She said she is a black mother with two sons who has always taught her children differently. She said that the world her children live in is becoming more visible due to cell phones and videos. She said it is not fair but, at the same time, like everything there will be some bad apples. She said that all law enforcement cannot be classified together since most are putting their lives on the line and doing the right thing. She also commended the fire department saying they are good people. She did not want to see Fayette County get pulled into the mess that is going on and she asked the people to look at ways to deescalate the situation.

ADMINISTRATOR'S REPORTS:

Hospital Authority Meeting: County Administrator Steve Rapson reported that the Hospital Authority would meet at 2:00 p.m. on July 19, 2016. He stated that the meeting would take place at Piedmont Fayette Hospital.

Reply to Public Comments: County Administrator Steve Rapson replied to Mr. Chase's public comments by stating that the county was embracing the concept of providing the details and that is why it was taking so long to get the information out. He replied to Mr. Bishop's comments stating he has spoken to Mr. Waller, who was sitting next to Mr. Bishop, and that he had informed Mr. Waller that the Capital List would be updated for the Board's approval in August. He asked Mr. Bishop to email him for further information.

SPLOST Recap: County Administrator Steve Rapson replied to those who asked for details on the Special Purpose Local Option Sales Tax. He reported that he just received the details earlier in the afternoon. He said he would look at them all weekend and the details would be released early next week. He said staff would begin working on the transportation projects and they would be provided to the Transportation Committee on August 2, 2016.

- A. Request for Proposals #1112-P: Target System for Outdoor Shooting Range (The Drennan Company.) A copy of the information, identified as "Attachment 13," follows these minutes and is made an official part hereof.**
- B. Contract #940-P, Public Works Engineer of Record: Task Order 7- Culvert Designs and Bid Services for Antebellum Road (Tetra Tech, Inc.) A copy of the information, identified as "Attachment 14," follows these minutes and is made an official part hereof.**

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport notified the Board that he had three items of Pending Litigation and review of the June 23, 2016 Executive Session Minutes.

COMMISSIONERS' REPORTS:

Commissioner Brown:

Contract Renewals: Commissioner Brown stated that he would like to see when the Board approves renewals or extensions of contracts that there is something from a corresponding department director that tells the Board about the service or performance of the contractor. He suggested that it would provide the Board with further information for consideration.

Water Guardians Cleaning Lake McIntosh: Commissioner Brown stated that the Water Guardians would be cleaning water reservoirs at Lake McIntosh in Peachtree City, which is located at the end of TDK Boulevard. He said the event would take place August 13, 2016 at 8:30 a.m. He stated there is no alligator in the lake. He said the Water Guardians supply trash bags and trash grabbers, and that they would provide food.

Performing Arts Center: Commissioner Brown stated that the Performing Arts Center was a worthy endeavor. He said the county wanted to work on it but it would require more planning and feedback. He suggested that there should not be a rush on something that has that much expense and magnitude.

Special Purpose Local Option Sales Tax (SPLOST): Commissioner Brown said he understood that no one wants to pay more taxes. He noted that with the Stormwater SPLOLST that was proposed last time, two of the five problematic stormwater sites have since failed. He said the roads collapsed and the stormwater infrastructure gave way. He said one of the failures required cutting a road through a woman's yard so people could get out of the subdivision. He said the projects have not changed and the ones that are dangerous and on the verge of failure will collapse. He said the county does not have money set aside and traditionally has not set aside money. He said county created the Stormwater Utility to collect annual stormwater funds, but it is not enough to cover the amount of work required. He explained that PSLOST helps the county catch-up so there should be no other requests for stormwater funds.

Commissioner Ognio:

Reminder of On-going Run-off Election: Commissioner Ognio stated that the run-off election is on-going. He said he was in Spalding County where he talked to one of their commissioners. He said Spalding County has a really good turn-out for this election. He said he did not know how Fayette County's turnout is going but he hoped the people would vote.

Special Purpose Local Option Sales Tax (SPLOST): Commissioner Ognio stated there are project on the SPLOST that have to be paid for sooner or later. He said the transportation money is a win-win since the state would issue grants to help counties and municipalizes if there is matching funds. He said if the county gets funds then the \$19 million could be increased up to \$90 million, which is a good investment for the road system. He understood property values went up, but he reminded everyone that the Board rolled the taxes back. He explained some may still see some increase and some may see a decrease, but that the Board has worked hard to keep property taxes down. He agreed that if the SPLSOT passes, the people in neighboring counties would still come to Fayette County since their taxes would still be higher in their home counties.

State Route 92 / Veterans Parkway Intersection: After Commissioner Barlow gave his comments, Commissioner Ognio stated that the Transportation Committee meets on the first Tuesday of each month. He said citizens are welcome to attend the committee meeting and he stated that the State Route 92 / Veterans Parkway intersection was discussed at the last meeting. He said Commissioner Barlow was exactly right. He said the Georgia Department of Transportation looks at plans and sends them back for changes, but when the changes are made they look at it again and make other changes. He said the plans have been back and forth so many times that he is at a loss. He said it was definitely a GDOT problem that he wished he could fix tomorrow. He said the county had to go through the process with the intention of getting it resolved as soon as possible. He said the meetings would be held in the Public Meeting Room and the next day would be August 2, 2016 at 4:00 p.m.

Commissioner Rousseau:

Personal Congratulations: Commissioner Rousseau congratulated Lewis Patterson and Peggy Glaze for their accomplishments and being recognized earlier in the meeting.

Comments on Current National Unrest: Commissioner Rousseau stated his phone has been ringing off the hook pertaining to the unrest and potential confrontations between some members of the community and law enforcement. He commended the work of law enforcement, and he hoped everyone would find the ability for restraint. He said he had received a number of phone calls from African-American parents who are nervous when their children are being stopped. He explained that no one was actually at the incident but the outcome is dangerous since someone could lose their life. He said there should be a continuous dialog to create an equal system where people deal with best practices and not focus on those areas that divide. He said there is a common issue that no one likes to raise taxes, but he asked if others could discuss the difficult issues that require intimate though, serious dialog, and cultural shifts on both sides of the equation. He stated that there is a lot of work to be done and he asked people to be committed to find something that is wholesome, that benefits community, and makes everyone better. He said there are events that occur where the facts are vague but someone will lose their life. He asked everyone to be careful and

prayerful, and he appreciated the genuine support received from the public overall. Commissioner Rousseau commended law enforcement for the restraint it uses in Fayette County and metropolitan Atlanta. He said tensions are rising and need to be addressed.

Commissioner Barlow:

State Route 92 / Veterans Parkway Intersection: Commissioner Barlow stated that when he attended the Department Head meeting on Tuesday the question was asked about State Route 92 and Veterans Parkway. He explained that the hold-up is coming from the Georgia Department of Transportation and that he has made fifteen submittals to the Georgia Department of Transportation. He said Public Works is doing all they can to get the process completed.

Commendation of Information Technology Director Phil Frieder: Commissioner Barlow stated that Information Technologies Director Phil Frieder reported about how he was making a monumental upgrade to the security of the county's internet. He said he later read *Georgia Trend* where an article read: "One of the truisms of the modern world is you will be hacked sooner or later. It's a matter of when, not if. Everybody's under attack all the time." Commissioner Barlow commended Mr. Frieder for taking the initiative for upgrading the internet system that the county uses.

What Fayette County Does: Commissioner Barlow stated there was an article in *Georgia Trend* magazine about the 20-year anniversary of the Atlanta Olympics. He stated that the article read: "What we really need is equitable development to stabilize existing neighborhoods. Equitable development seeks to create healthy, vibrant, sustainable, and most importantly, inclusive communities where everyone can participate in and benefit from decisions that help shape their neighborhood." He said that is exactly what Fayette County does.

Special Purpose Local Option Sales Tax (SPLOST): Commissioner Barlow stated he is on the Mobilization Committee which is a parallel committee to Fayette County's Transportation Committee. He stated that Fayette Chamber of Commerce President Carlotta Ungaro stent out an article entitled *Stuck*. He said the report was published in June 2016 and that it read: "Traffic has become an existential threat. It makes us poorer, angrier, lonelier, sicker, and it will get worse before it gets better. Perhaps much worse. Meanwhile, the existing world of traffic and transit remains underfunded and largely dysfunctional. Until driverless cars can provide salvation, real change will have to come from drivers' own behavioral shifts. A grudging acceptance of higher gas taxes and tolls, more cycling and walking, and an increase of telecommuting." Commissioner Barlow stated that transportation is on everybody's radar and it will have to be dealt as best as possible. He said the most paramount item for him on SPLOST concerns was the stormwater failures that occurred during the Christmas 2015 season. He said some of the failures were listed on the failed 2014 Stormwater SPLOST initiative, and he thought it was short-sighted to constantly criticize the way SPLOST is put forward when 99.99% of the people will benefit from the SPLOST. He said the few people who want to complaint about SPLOST can do so, but he would support SPLSOT and he hoped the citizens would too.

Chairman Oddo:

Sheriff's Training Facility: Chairman Oddo reminded everyone that the Board did approve the new training facility for Sheriff Babb, and he said it would go a long way to help the Fayette community to avoid these national situations. He said training is critical since he believed most incidents do not involve bad police or individuals, but rather involved situations that got out of hand.

Mayors Attend Board of Commissioners Meeting: Chairman Oddo thanked everyone for coming to the meeting. He thanked the mayors for attending the meeting and he noted that was the first time each of the mayors had been in the room together at the same time.

EXECUTIVE SESSION:

Three Pending Litigation Items and Review of the June 23, 2016 Executive Session Minutes: Commissioner Brown moved to enter into Executive Session. Commissioner Barlow seconded the motion. The motion passed 5-0.

The Board recessed into Executive Session at 9:26 p.m. and returned to Official Session at 10:42 p.m.

Return to Official Session and Approval of the Executive Session Affidavit: Commissioner Ognio moved to exit Executive Session and for the Chairman to sign the Executive Session Affidavit. Commissioner Brown seconded the motion. The motion passed 5-0. A copy of the Executive Session Affidavit, identified as "Attachment 15," follows these minutes and is made an official part hereof.

Settlement between Patrick Thompson and Fayette County: County Attorney Dennis Davenport stated he was briefed with an issue earlier in the afternoon that Fayette County has an employee who was injured on the job. He said the employee, named Patrick Thompson, is currently receiving Worker's Compensation benefits. He said terms have been reached for settlement if it meets with the Board's favorable consideration. Mr. Davenport stated that Mr. Thompson suffered a lumbar strain and sciatica, and that he is currently receiving Worker's Compensation benefits in the amount of \$419 weekly. Mr. Davenport reported that Mr. Thompson has agreed to the terms and conditions of a settlement that include a release from employment as well as signing a release from any claims he may have with the Board of Commissioners. He said that in exchange for the settlement the County would agree to pay Mr. Thompson \$5,500.00.

Commissioner Ognio moved to accept the settlement as told by the County Attorney. Commissioner Brown seconded the motion. The motion passed 5-0.

Approval of the June 23, 2016 Executive Session Minutes: Commissioner Ognio moved to approve the June 23, 2016 Executive Session Minutes. Commissioner Brown seconded the motion. The motion passed 5-0.

ADJOURNMENT:

Commissioner Ognio moved to adjourn the July 14, 2016 Board of Commissioners meeting. Commissioners Brown seconded the motion. The motion passed 5-0.

The July 14, 2016 Board of Commissioners meeting was adjourned at 10:44 p.m.

Floyd L. Jones, County Clerk

Charles W. Oddo, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 28th day of July 2016. Referenced attachments are available upon request at the County Clerk's Office.

Floyd L. Jones, County Clerk