

## BOARD OF COUNTY COMMISSIONERS

Eric K. Maxwell, Chairman  
Randy Ognio, Vice Chairman  
Steve Brown  
Charles W. Oddo  
Charles D. Rousseau

## FAYETTE COUNTY, GEORGIA

Steve Rapson, County Administrator  
Dennis A. Davenport, County Attorney  
Tameca P. White, County Clerk



140 Stonewall Avenue West  
Public Meeting Room  
Fayetteville, GA 30214

## MINUTES

March 23, 2017

7:00 p.m.

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Welcome to the meeting of your Fayette County Board of Commissioners. Your participation in County government is appreciated. All regularly scheduled Board meetings are open to the public and are held on the 2<sup>nd</sup> and 4<sup>th</sup> Thursday of each month at 7:00 p.m.

### Call to Order

Chairman Eric Maxwell called the March 23, 2017 Board of Commissioners meeting to order at 7:01 p.m. A quorum of the Board was present. Commissioner Brown was absent.

### Invocation and Pledge of Allegiance by Chairman Eric Maxwell

Chairman Maxwell gave the Invocation and led the Board and the audience in the Pledge of Allegiance.

### Acceptance of Agenda

Commissioner Randy Ognio moved to accept the agenda as presented. Commissioner Rousseau seconded. The motion passed 4-0-1 with Commissioner Brown absent.

### PROCLAMATION/RECOGNITION:

#### 1. Recognition of the Fayette Senior Services' Meals On Wheels program and its volunteers.

Commissioner Charles Rousseau recognized the Meals On Wheels program and its volunteers for the services provided in the County. Nancy Meaders, President and CEO of Fayette Senior Services and Natalie Hynson, Meals on Wheels Coordinator were present to accept the recognition. A copy of the request, identified as "Attachment 1," follows these minutes and is made an official part hereof.

### PUBLIC HEARING:

Community Development Director Pete Frisina read the *Introduction to Public Hearings for the Rezoning of Property*. A copy Introduction to Public Hearings for the Rezoning of Property, identified as "Attachment 2," follows these minutes and is made an official part hereof.

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

Mr. Frisina stated that this was a new zoning district being recommended for approval. He stated that it was a mixed use that allows for residential and associated business uses. He stated that the difference was that home occupations are allowed, but do not allow an outside structure or detached structure as the basis for the business; this zoning would allow such use. He stated that it also allows customers to come to the site which was also allowed under home occupation, but also allows limited employees to come to the site. He stated that the consideration before the Board was if this scenario would be useful in Fayette County. He stated that part of the recommendation was to create a large tract of land that would be used for the PUD with lot requirements of at least 15 acres to allow enough room for the structure behind the home. He stated that the business had to be conducted in that building and solely within the building and it had to be placed behind the home with sizable setbacks, interior and around the peripheral development that would require a 100 foot buffer. He stated that by requiring larger lots this ordinance would maintain the rural character of the county. He stated that the PUD was open and flexible for the developer and gives them the opportunity to create their own design and dimensional requirements. He stated that this was covered in the Summary of Intent that would be turned in with a Planned Unit Development (PUD) and would be part of what would be approved as well as a development plan. He stated that the vehicle size allowed was already in the current home occupation requirements, stipulations on the number of employees that could be present, the distance from the home structure and the building structure and architectural requirements are all included as part of the requirements.

The following spoke in favor of Ordinance 2017-03:  
Jim Fulton and Debbie Lowe

Both Mr. Fulton and Ms. Lowe are realtors who spoke separately in favor of this request. They stated that their individual clients wanted large lots and to have a business on the lot. They both asked that the Board approve the request.

The following spoke in opposition of Ordinance 2017-03:  
Tiffany Hankson, a female resident of River Oaks Subdivision (name inaudible), Tim Arnold, Lillian Smith, Brian Gray, Derrick Jackson, James Spray, Tonya Miller, Tommy Hukan, John Reep and Cason Mekeal,

The concerns that were addressed are as follows:

1. That there was not enough information about what the property would look like if the zoning was approved.
2. Do not want commercial lots in the neighborhood and urged the Board to find better use of the property.
3. Want to keep the rural feel of the Town of Tyrone and that it does not become dense.
4. Do not want commercial zoning because it would impact traffic.
5. Not sure what the proposed zoning plan would involve.
6. Concerns regarding a large number of trucks in the area that would bring harm to the community and pollution to the air quality.
7. Concerns regarding the possibility of eminent domain, infrastructure changes, growth and maintaining the quality of life.
8. The lack of signs to tell citizens what was going to be voted on.
9. Consideration of the entire neighborhood.

Vice Chairman Randy Ognio stated that he would like to go over what was being proposed because he got the impression that the citizens had not seen the information provided on the website. He stated that there was a lot of information to restrict but that this ordinance was not to propose a commercial lot. He stated that this would be a residential lot to allow the homeowner to operate a business behind their home. He stated that the Planning Commission had done a good job in defining the requirements. He stated that the building being in sight would be an issue for him unless it would look like a barn or something of that nature. He stated that he understood the concerns expressed and

he was sorry that the citizens had not realized that they could visit the website to see the information presented to get a better understanding of what was being proposed. He stated that he was leaning in favor of the ordinance. He stated that one thing that he would like to clear up under "Item K" that talks about "owned and operated" by the occupant of the property. He stated that he would like to see the minimum house size spelled out and yet he would not want an situation where there was an older house that would have to be torn down to meet the minimum house size because he would like to maintain the character of the area. He stated that he would like to look at the driveways and if they are too close together can there be a shared driveway.

Commissioner Rousseau stated that what the Board was attempting to do was to create an ordinance where one does not exist and to set parameters in place that would protect the integrity as well as the quality of life that was mentioned by the citizens. He stated that since this was a new ordinance many might not know the definitions of PUD's and how they are shaped, conditional use permits and others. He stated that it was important to create more opportunities for residents and potential developer to have dialogue so that the fear factor of the unknown can be addressed. He commended the Planning Commission and Mr. Frisina for outlining and going through deep discussions about this ordinance. He encouraged residents to get a copy of the meeting package. He asked Mr. Frisina to explain what was included in a PUD.

Mr. Frisina explained the PUD to the audience. He stated that the Planned Unit Development (PUD) was to give the developer the flexibility to create a unique zoning category for a particular piece of property. He stated that it includes required minimum standards that would have to be met. He stated that the PUD has two components which are the development plans to include a drawing of the properties showing how it would be developed and a summary of intent where the developer proposes the dimensional requirements, restrictions within the property, the uses, the architectural and the size of the building.

Commissioner Rousseau asked who they would have to present that information to. Mr. Frisina stated that would be part of the rezoning package that would go to the staff for a recommendation, then to the Planning Commission for recommendation and would come before the Board of Commissioners for a final decision. Commissioner Rousseau asked if it was fair to say that a PUD was associated with large tracts that would identify with a subdivision. Mr. Frisina stated that there are residential subdivisions. He stated that its purpose was to develop large pieces of property.

Vice Chairman Ognio stated that was when citizens would see the signs posted.

Commissioner Rousseau stated that the Board was creating this zoning. He stated that staff had done a great job and asking very intimate questions about how this would work. He stated that the members of the Planning Commission are members of the community and would not want to do anything detrimental to the county. He recognized those Planning Commission members that were in attendance. He stated that he was making the comments to allay a degree of the citizen's fears about how the zoning was happening and that it was not just a developer dictating. He stated that he would like to propose a community session. He stated that if approved this would impact the entire county as well.

Commissioner Charles Oddo stated that this was a new zoning classification and not for a business. He stated that the zoning classification would be used throughout the county. He stated that this proposed ordinance gives the county the opportunity to control the growth due to the large tracts of land. He stated that without this there was the potential to build a lot of homes. He stated that there would be a lot of infrastructure that would have to be put in for homes versus a small business and so there was a lot of things to consider. He stated that this was not for retail business, but very low key businesses. He stated that he would like to include to control the drive access to the main road. He stated that he was prepared to vote.

Chairman Maxwell stated that this topic goes back to September 15, 2016. He stated that it had to go through stages before coming before the Board. He stated that it was approved by the Planning Commission with a 4-1 vote. He stated that he would agree with Commissioner Rousseau's suggestion to hold discussions. He stated that half of the comments made was that most spoke on the opposed side, but were not necessarily opposed to the ordinance they were just unsure of what was being proposed. Commissioner Maxwell mentioned that Commissioner Brown did have comments that he had left on the dais.

Commissioner Rousseau stated that the reason he was making the motion was because the citizens are conditioned to look for the "sign". He stated that they do not look to see that the Planning Commission has been meeting since September of last year working on this. He stated that the County needs to find a new mechanism to get as much engagement as possible before the night of a vote. He asked the County Attorney for guidance on how to make the motion to have staff work with residents to explain the steps and language of what was being proposed and to create two meetings to have the document explained.

County Attorney Dennis Davenport explained options for a motion. He stated that one option would be to table the item for a period of at least 30 to 60 days. He stated that would give the opportunities to hold the meetings. He stated that if it was tabled for 30 days, the next meeting would be April 25. He stated that when considering the opportunity for Mr. Frisina to put a work product together and meet deadlines internally, the 30 day tabling probably would not be sufficient. He stated that it would need to be tabled for at least 45 to 60 days. He stated that a second consideration would be to send it back to the Planning Commission. He stated that would allow for the same public hearing before the Planning Commission and then back to the Board of Commissioners again. He stated that process would take about 60 days. He stated that it would go before two bodies and give two opportunities for public hearings.

Commissioner Rousseau stated that he believes the venue of the Planning Commission was the perfect venue.

Commissioner Rousseau moved to send Ordinance 2017-03 back to the Planning Commission with the specific intent to allow more citizen education and awareness regarding the Ordinance. Commissioner Oddo seconded.

Mr. Davenport stated that based on the motion it would go back to the Planning Commission, but it is not limited to just allowing public comments. He stated that Vice Chairman Ognio has made substantive request as well and there may be others. He stated that the motion the way it was made would get it back to the Planning Commission to address the issues.

Commissioner Rousseau stated that would not prevent the Board from attending the meetings and sharing concerns. Mr. Davenport stated that the Board was always open to attend any public meeting.

Chairman Maxwell stated that he understood that Commissioner Rousseau wanted more than one meeting.

Commissioner Rousseau stated that scheduling was an issue or residents. He stated that two opportunities would not hurt, but he did not want to prolong the process. He reiterated that staff and the Planning Commission had done a good job, but that he could not move forward with the degree of uncertainty that exist with the citizens.

Mr. Rapon stated that there would be two meetings; the Planning Commission meeting and the Board of Commissioners meeting.

Commissioner Rousseau amended the motion to send Ordinance 2017-03 back to the Planning Commission meeting to be held on April 20, 2017 at a to-be-determined location with the specific intent to allow more citizen education and

awareness regarding the Ordinance. Commissioner Oddo amended the second. The motion passed 4-0-1 with Commissioner Brown absent. A copy of the request and Ordinance 2017-03, identified as "Attachment 3," follows these minutes and is made an official part hereof.

**3. Consideration of Ordinance 2017-04, amendments to Chapter 110. Zoning Ordinance, regarding Sec. 110-3.-Definitions., Sec. 110-125. - A-R, Agricultural-Residential District., Sec. 110-142.- O-I, Office-Institutional District, Sec. 110-144. - C-H, Highway- Commercial District, and Sec. 110-169.-Conditional Use Approval, concerning A-R Bed And Breakfast Inn use.**

Mr. Frisina stated that staff has been looking at the A-R district and have come up with some uses which included the wedding facility and the deer processing facility. He stated that this ordinance was another business to be added to the A-R district. He stated that this would allow for an A-R Bed and Breakfast. He stated that this requires a minimum 10 acres and it would be a conditional use. He stated that it limits the bed and breakfast to no more than 5 guest rooms and no more than 10 occupants. He stated that he has to go through the Environmental Health and Fire Marshal approvals and would give ability to control parking and they would have to be a registered tourist accommodations. He stated that the bed and breakfast would only be able to serve those who stay at the facility. He stated that he made changes that would happen in A-R and what would happen in the Office-Institutional and Commercial Districts. He stated that with the other two ordinance on the agenda, some of the terminology was not consistent and they are presented as housekeeping items in relation to this ordinance.

The following spoke in favor of Ordinance 2017-04:  
Ingrid Moore Barnes

The following spoke in opposition of Ordinance 2017-04:  
Derrick Jackson

Vice Chairman Ognio moved to approve Ordinance 2017-04 amendments to Chapter 110. Zoning Ordinance, regarding Sec. 110-3.-Definitions., Sec. 110-125. - A-R, Agricultural-Residential District., Sec. 110-142.- O-I, Office-Institutional District, Sec. 110-144. - C-H, Highway- Commercial District, and Sec. 110-169.-Conditional Use Approval, concerning A-R Bed And Breakfast Inn use with the change to the A-R Sec. 110-169 2F3 only to be "owner/operator". Commissioner Oddo seconded. The motion passed 4-0-1 with Commissioner Brown absent. A copy of the request, identified as "Attachment 4," follows these minutes and is made an official part hereof.

**4. Consideration of Ordinance 2017-05, amendments to Chapter 22, Article III.-Hotel/Motel Excise Tax of the County Code concerning A-R Bed and Breakfast Inn use.**

Mr. Frisina stated that this was a housekeeping measure so that the ordinance will be consistent.

No one spoke in favor or in opposition.

Vice Chairman Ognio moved to approve Ordinance 2017-05, amendments to Chapter 22, Article III.-Hotel/Motel Excise Tax of the County Code concerning A-R Bed and Breakfast Inn use. Commissioner Rousseau seconded. The motion passed 4-0-1 with Commissioner Brown absent. A copy of the request, identified as "Attachment 5," follows these minutes and is made an official part hereof.

**5. Consideration of Ordinance 2017-06, amendments to Chapter 8, Article VI.-Tourist Accommodations of the County Code concerning A-R Bed and Breakfast Inn use.**

Mr. Frisina stated that this was a housekeeping measure so that the ordinance will be consistent.

No one spoke in favor or in opposition.

Commissioner Oddo moved to approve Ordinance 2017-06, amendments to Chapter 8, Article VI.-Tourist Accommodations of the County Code concerning A-R Bed and Breakfast Inn use. Vice Chairman Ognio seconded. The motion passed 4-0-1 with Commissioner Brown absent. A copy of the request, identified as "Attachment 6," follows these minutes and is made an official part hereof.

**CONSENT AGENDA:**

Commissioner Rousseau moved to approve the Consent Agenda as presented. Vice Chairman Ognio seconded. The motion passed 4-0-1 with Commissioner Brown absent.

- 6. Approval of the Election Office's request to enter into an Intergovernmental Agreement with the Town of Brooks allowing for the Fayette County Board of Elections to act as Superintendent of Elections for all elections held in Brooks in 2017, and authorization for the Chairman to sign said Intergovernmental Agreement. A copy of the request, identified as "Attachment 7," follows these minutes and is made an official part hereof.**
- 7. Approval of the Election Office's request to enter into an Intergovernmental Agreement with the City of Fayetteville allowing for the Fayette County Board of Elections to act as Superintendent of Elections for all elections held in Fayetteville in 2017, and authorization for the Chairman to sign said Intergovernmental Agreement. A copy of the request, identified as "Attachment 8," follows these minutes and is made an official part hereof.**
- 8. Approval of the Election Office's request to enter into an Intergovernmental Agreement with the City of Peachtree City allowing for the Fayette County Board of Elections to act as Superintendent of Elections for all elections held in Peachtree City in 2017, and authorization for the Chairman to sign said Intergovernmental Agreement. A copy of the request, identified as "Attachment 9," follows these minutes and is made an official part hereof.**
- 9. Approval of the Election Office's request to enter into an Intergovernmental Agreement with the Town of Tyrone allowing for the Fayette County Board of Elections to act as Superintendent of Elections for all elections held in Tyrone in 2017, and authorization for the Chairman to sign said Intergovernmental Agreement. A copy of the request, identified as "Attachment 10," follows these minutes and is made an official part hereof.**
- 10. Approval of the Election Office's request to enter into an Intergovernmental Agreement with the Town of Woolsey allowing for the Fayette County Board of Elections to act as Superintendent of Elections for all elections held in Woolsey in 2017, and authorization for the Chairman to sign said Intergovernmental Agreement. A copy of the request, identified as "Attachment 11," follows these minutes and is made an official part hereof.**

11. **Approval of staff's recommendation to approve Contract #940-P, Public Works Engineer of Record: Task Order #18 – Construction Management for Lee's Mill and Rising Star Culvert Replacements in the not-to-exceed amount of \$96,920 and to authorize the Chairman to sign the related documents. A copy of request, identified as "Attachment 12," follows these minutes and is made an official part hereof.**
12. **Approval of the March 7, 2017 Board of Commissioners Special Called Meeting Minutes.**
13. **Approval of the March 9, 2017 Board of Commissioners Meeting Minutes.**

**OLD BUSINESS:**

14. **Consideration of Commissioner Brown's request to allow a van pool to be utilized in a county parking lot for physical disabled Fayette County residents. This item was tabled at the February 23, 2017 Board of Commissioners meeting.**

Vice Chairman Ognio stated that Commissioner Brown was absent and that he requested to have this item tabled to the April 13, 2017 Board of Commissioner meeting. Chairman Maxwell seconded. The motion passed 3-1-1 with Commissioner Oddo in opposition and Commissioner Brown absent. A copy of the request, identified as "Attachment 13," follows these minutes and is made an official part hereof.

**NEW BUSINESS:**

15. **Consideration of a recommendation from the Selection Committee, comprised of Commissioners Steve Brown and Charles D. Rousseau, to appoint Nancy Holland to the Fayette County Recreation Commission for an unexpired term beginning immediately and expiring March 31, 2020.**

Commissioner Rousseau moved to approve to appoint Nancy Holland to the Fayette County Recreation Commission for an unexpired term beginning immediately and expiring March 31, 2020. Vice Chairman Ognio seconded. The motion passed 4-0-1 with Commissioner Brown absent. A copy of the request, identified as "Attachment 14," follows these minutes and is made an official part hereof.

16. **Consideration of a recommendation from the Selection Committee, comprised of Vice Chairman Ognio and Commissioner Charles W. Oddo, to re-appoint Cathy Berggren to the Fayette County Department of Family and Children Services Board for a term beginning January 24, 2017 and expiring June 30, 2022.**

Commissioner Oddo stated that he and Vice Chairman Ognio were recommending Cath Berggren to be re-appointed to the Department of Family and Children Services Board. He stated that this was one of the hardest decisions and that the Selection Committee had to reconvene to discuss further.

Commissioner Oddo moved to approve to re-appoint Cathy Berggren to the Fayette County Department of Family and Children Services Board for a term beginning January 24, 2017 and expiring June 30, 2022. Vice Chairman Ognio seconded.

Vice Chairman Ognio stated that he agreed with Commissioner Oddo and there were outstanding candidates. He stated that they looked at how to add members to the Board. He stated that it was incredible the excitement they brought and willingness to serve.

Commissioner Oddo moved to approve to re-appoint Cathy Berggren to the Fayette County Department of Family and Children Services Board for a term beginning January 24, 2017 and expiring June 30, 2022. Vice Chairman Ognio seconded. The motion passed 4-0-1 with Commissioner Brown absent. A copy of the request, identified as "Attachment 15," follows these minutes and is made an official part hereof.

**17. Consideration of the County Attorney's recommendation to approve a tax refund of personal and real property taxes to Calpis America Inc. for tax years 2014, 2015 and 2016 in the aggregated amount of \$29,452.87.**

Mr. Davenport briefed the Board that the tax refund involved property of a tax abatement program through the Development Authority of Fayette County. He stated that in this particular program with Calpis American Inc. it was scheduled to start in 2015; however the documentation reviewed by the tax assessor office showed that that the transfer of the real property from the company to the Development Authority occurred in late 2013, meaning as of January 1, 2014, the tax assessor started that as year one for the tax abatement program which lasts for ten years. He stated that the year one language for the lease agreement was the beneficial occupancy; in other words whenever the company received the Certificate of Occupancy to move into the premises it was in 2015. He stated that he spoke with Mr. Glen Thompson who represents Calpis America, who pointed out that year one should have been 2015 and not 2014. He stated that he presented some case law authority and that he agreed with that position. He stated that the abatement would go forward from 2014 for the next ten years. He stated that an itemized list of numbers; for the real property for 2015 and 2016 totaling \$18,828.83 and for the personal property for 2014, 2015 and 2016 totaling \$10,624.04 for a total of \$29,452.87. He stated that the reason 2015 and 2016 are listed is because when the original program was started in 2014, 2015 would have been 20%, 2016 would have been 30% and so on. He stated that it should have started in 2015 that meant a partial refund for that year as well as 2016.

Chairman Maxwell asked if Mr. Thompson was in agreement. Mr. Davenport stated that he spoke with Mr. Thompson and even shared the memo with him to make sure that if he had any issues he could bring them up and his only question was if he was required to be present at the meeting. He stated that he stated that he was not required to be present, but that he was welcome to attend.

Commissioner Oddo moved to approve a tax refund of personal and real property taxes to Calpis America Inc. for tax years 2014, 2015 and 2016 in the aggregated amount of \$29,452.87. Vice Chairman Ognio seconded. The motion passed 4-0-1 with Commissioner Brown absent. A copy of the request, identified as "Attachment 16," follows these minutes and is made an official part hereof.

**18. Consideration of the approval to execute a property deed to swap approximately 0.12 acres of right of way to Mr. Michael Becker in exchange for the transfer of 0.14 acres needed to pave a turn-around to provide access for Fayette County safety vehicles.**

Mr. Davenport briefed the Board that this item had to do with real property located on Brown Road. He stated that Brown Road was a prescriptive easement that runs off of Redwine Road just south of Ebenezer Church Road. He stated that Mr. Becker lives at the end of Brown Road. He stated that the reason Mr. Becker was conveying the property to the centerline of Brown Road was because with a prescriptive easement all the county owns was an easement and the underlying property owner which was Mr. Becker owns rights over and above that easement. He stated that in return there was another gray strip across the front of Mr. Becker's property and that was the centerline plus the 30 feet of the prescriptive easement that the county owns. He stated that the county was not going to pave the road past that proposed cul-de-sac because immediately to the left was another subdivision which was developed and so the road would not go through. Mr. Becker had asked for him to convey the property to the county which allow the county to construct a cul-de-sac for easier travel he would like to receive that portion of the prescriptive easement west of that the proposed cul-de-



sac from centerline of Brown Road into his property by 30 feet. He stated that this item would require two motions. Mr. Becker signed the deed to convey the property to the county as shown on the plat and if the Board accepted the deed, the next step would be to authorize the Chairman to sign the deed and the Board would vote to convey the property west of the proposed cul-de-sac which was the remainder of the permanent easement.

Vice Chairman Ognio moved to approve for the Chairman to sign the deed to transfer 0.14 acres from the county to Mr. Becker. Commissioner Oddo seconded. The motion passed 4-0-1 with Commissioner Brown absent.

Vice Chairman Ognio questioned the acres that were presented in the document. Mr. Davenport explained the documents before the Board.

Vice Chairman Ognio moved to amend the prior motion to approve for the Chairman to sign the deed to transfer property from the county to Mr. Becker as indicated in the deed. Commissioner Oddo amended the second. The motion passed 4-0-1 with Commissioner Brown absent.

Vice Chairman Ognio moved to approve to accept the deed conveying property from Mr. Becker to the county as indicated in the deed. Commissioner Oddo seconded. The motion passed 4-0-1 with Commissioner Brown absent. A copy of the request, identified as "Attachment 17," follows these minutes and is made an official part hereof.

#### **PUBLIC COMMENT:**

Marilyn Watts expressed her gratitude to the Board, County Attorney and County Administrator for their support during the lawsuit against her. She stated that the county would be reimbursed \$30,000 from the plaintiffs in the case that was against her. She also thanked the Board for moving forward with the widening of Highway 54.

Roy Bishop stated that he would like to congratulate the county on passing the SPLOST and good luck on the many projects. He asked Mr. Rapson for an update on the West Fayetteville Bypass.

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

Mr. Rapson stated that the County was on the same time table regarding the West Fayetteville Bypass.

He asked Mr. Hoffman to give an update on the parking lot upgrades. Road Department Director Steve Hoffman gave an update.

Mr. Rapson stated that he needs a Selection Committee for the Transportation Committee and the McIntosh Trail Community Service Board.

Vice Chairman Ognio moved to appoint Chairman Maxwell and Commissioner Brown to the Transportation Committee Selection Committee. Commissioner Rousseau seconded. The motion passed 4-0-1 with Commissioner Brown absent.

Vice Chairman Ognio moved to appoint Commissioner Rousseau and Commissioner Oddo to the McIntosh Trail Selection Committee. Chairman Maxwell seconded. The motion passed 4-0-1 with Commissioner Brown absent.

Mr. Rapson gave an update on the SPLOST election.

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

In accordance with the Americans With Disabilities Act, accommodations are available for those who are hearing impaired and in need of a wheelchair. The Board of Commissioners Agenda and written material for each item is available on-line through the County's website at [www.fayettecountyga.gov](http://www.fayettecountyga.gov). This meeting will be telecast on Comcast Cable Channel 23 and on the internet at [www.livestream.com](http://www.livestream.com).

**Notice of Executive Session:** County Attorney Dennis Davenport stated that there were three items of real estate acquisition, one pending litigation and for review of the Executive Session minutes for March 9, 2017.

### **COMMISSIONERS' REPORTS:**

**Commissioner Rousseau:** Commissioner Rousseau commended staff and the county for the outcome of the SPLOST election.

**Vice Chairman Ognio:** Vice Chairman Ognio reminded citizens that the State Senate was still in session and that citizens can contact the state representatives if there are any items of concern to them. He stated that he was disappointed that he had not heard anything from them regarding some of the items that the Board had asked the representatives to consider. He thanked the citizens for passing the SPLOST and for entrusting the Board to do what it said it would do. He stated that we look forward to getting the projects started as soon as possible.

Mr. Davenport briefed the Board that he was in communication with Representative Bonner and the Residency Requirement issue was out of the House in the Senate. He stated that Senator Seay had questions that he provided information to that hopefully answered her questions. He stated that the expectation was that it would be passed. He stated that the Disabled Veterans Homestead Exemption had gone out of the House and it is in the Senate and has been read at least one time. He stated that it takes two reads before it can be adopted. He stated that this was a general law amendment doing what was required to do to address the issue regarding disabled veterans homestead exemptions. He stated that for the Title Ad Valorem Tax. He stated that there are two different versions of this issues that was going on two different tracks. He stated that he had not absorbed either. He stated that once one was passed he would be able to let the Board know which version passed. He stated that he did not have any information to report of the Boating and Fluoride issues.

**Commissioner Oddo:** Commissioner Oddo congratulated staff for an outstanding job working on the SPLOST and the municipalities as well. He stated that the business that he works is to minimize taxes. He stated that he has a natural aversion to taxes, but that this was one that was necessary and he knows that the county was well run. He stated that the SPLOST was needed. He stated that while he serves on the Board he will be one that will make sure that the Board does what it says it will do. He thanked everyone for taking interest in the county by getting out to vote.

### **EXECUTIVE SESSION:**

**Three Items of Real Estate Acquisition, One Item of Pending Litigation and Review of the March 9, 2017 Executive Session Minutes:** Commissioner Oddo moved to go into Executive Session. Vice Chairman Ognio seconded. The motion passed 4-0-1 with Commissioner Brown.

The Board recessed into Executive Session at 9:38 p.m. and returned to Official Session at 9:56 p.m.

**Return to Official Session and Approval to Sign the Executive Session Affidavit:** Vice Chairman Ognio moved to return to Official Session and for the Chairman to sign the Executive Session Affidavit. Commissioner Oddo seconded the motion. The motion passed 4-0-1 with Commissioner Brown.

**Approval of the March 9, 2017 Executive Session Minutes:** Vice Chairman Ognio moved to approve the March 9, 2017 Executive Session Minutes. Commissioner Oddo seconded the motion. The motion passed 4-0-1 with Commissioner Brown absent.

### **ADJOURNMENT:**

In accordance with the Americans With Disabilities Act, accommodations are available for those who are hearing impaired and in need of a wheelchair. The Board of Commissioners Agenda and written material for each item is available on-line through the County's website at [www.fayettecountyga.gov](http://www.fayettecountyga.gov). This meeting will be telecast on Comcast Cable Channel 23 and on the internet at [www.livestream.com](http://www.livestream.com).

Vice Chairman Ognio moved to adjourn the March 23, 2017 Board of Commissioners meeting. Commissioner Oddo seconded the motion. The motion passed 4-0-1 with Commissioner Brown absent.

The March 23, 2017 Board of Commissioners meeting adjourned at 9:57 p.m.

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Tameca P. White, County Clerk

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Eric K. Maxwell, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 13<sup>th</sup> day of April 2017. Referenced attachments are available upon request at the County Clerk's Office.

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Tameca P. White, County Clerk