

## BOARD OF COUNTY COMMISSIONERS

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



## FAYETTE COUNTY, GEORGIA

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

140 Stonewall Avenue West  
Public Meeting Room  
Fayetteville, GA 30214

## MINUTES

October 25, 2018

6:30 p.m.

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Welcome to the meeting of your Fayette County Board of Commissioners. Your participation in County government is appreciated. All regularly scheduled Board meetings are open to the public and are held on the 2<sup>nd</sup> and 4<sup>th</sup> Thursday of each month at 6:30 p.m.

### Call to Order

Chairman Eric Maxwell called the October 25, 2018 Board of Commissioners meeting to order at approximately 6:32 p.m.

### Invocation and Pledge of Allegiance by Vice Chairman Randy Ognio

Vice Chairman Randy Ognio offered the Invocation and invited Boy Scout Troop #282 to lead the audience in the pledge. Boys Scout Troop #282 led the Pledge of Allegiance.

### Acceptance of Agenda

Commissioner Charles Oddo moved to accept the agenda with the exception of item #30. Vice Chairman Ognio seconded.

Commissioner Steve Brown stated that item #30 was his item. He stated the purpose of the item was to determine if there was a conflict with the local ordinance and the state law. That was the basis of the agenda item. He asked if there was a rationale of why it should not be discussed.

Commissioner Charles Oddo made an inaudible comment regarding a pending case.

Commissioner Brown stated that he had spoken to the people involved in the case and there was no case or litigation. He stated that it had been settled out of court. He stated that he was not going to discuss the case, just the county ordinance and if it conflicted with state law.

Chairman Maxwell stated that he believed there was a criminal charge still pending that had not been resolved.

Animal Director Jerry Collins made inaudible comments from the audience.

Commissioner Brown reiterated that he did not want to try the case or retry the case, but to discuss the county ordinance and if it was in conflict with state law as a generic question that needed to be reviewed.

Chairman Maxwell asked County Attorney Dennis Davenport if the Board could discuss a topic that was a pending criminal charge.

Mr. Davenport stated that this would be the first time.

Commissioner Brown stated that he had one meeting left after this case was tried and that he asked for the clarification originally. He stated that he received the ordinance, but that he would like to know if the ordinance was in conflict with state law. Commissioner Charles Rousseau called point of order. He asked Mr. Davenport for his legal direction since this was engaging in some legal implications.

Mr. Davenport stated that Chairman Maxwell pointed out that there was a present, a criminal prosecution. He stated that while it did not impact quarantine as an issue, the issue of quarantine and the discussion prior to the case being adjudicated could broaden the scope of what would happen at the November hearing with the criminal citation. He stated that if there was basis to believe that a good-faith defense as to the constitutionality of the county ordinance. He stated that he was not saying that it was or that it was not, but anything that was said at the meeting would be used against the county at the November hearing. He stated that if the Board's desire was to discuss this item with pending litigation, the Board had the right to do so. He stated that it would be the first time that the Board had done that and he advised all his clients that have pending litigation to let it resolve before discussing the issue.

Commissioner Rousseau stated that one course of action at this stage, based on the attorney's opinion would be for the Board to examine the ordinance internally and get a report to the Board.

Mr. Davenport stated that the starting point was that there an issue with the ordinance. He stated that if the Board wanted to look at that in a vacuum, then that was fine, but looking at that when there was a case in court might invite a potential broadening of that scope of litigation.

Commissioner Brown stated that related to Mr. Davenport's comments, if the government was found to have done something wrong, then he had no problem with saying that the government was wrong. He stated that he was elected by the citizens to keep government in check and to make sure the government was accountable and responsible.

Commissioner Charles Oddo moved to accept the agenda with the exception of item #30. Vice Chairman Ognio seconded. The motion passed 3-2. Commissioner Brown and Commissioner Rousseau voted in opposition.

### **PROCLAMATION/RECOGNITION:**

#### **1. Recognition of the leadership role of Marie Washburn who served on the Fayette County Public Library Board of Trustees.**

Library Director Chris Snell introduced the Library Board Chairman Clarence Leather. Mr. Leather provided comments. Mrs. Snell presented to Marie Washburn a plaque to recognize her service to the Library Board. County Administrator Steve Rapson made a presentation on behalf of the Board of Commissioners. Mrs. Washburn thanked everyone and commended the great work being done at the library.

#### **2. Proclamation recognizing November 4, 2018 as Retired Educators Day in Fayette County.**

Commissioner Brown, on behalf of the Board, presented a proclamation recognizing November 4, 2018 as Retired Educators Day in Fayette County. Retired teachers in the audience came forward to receive the proclamation. Carolyn Lunsford accepted the proclamation on behalf of the Retired Educators organization in Fayette County. She stated that the Fayette County Retired Educators would be holding a scholarship auction at Arbor Terrace in Peachtree City on November 8, 2018.

#### **3. Proclamation of October 2018 as "Domestic Violence Awareness Month in Fayette County."**

Commissioner Oddo, on behalf of the Board, presented a proclamation to Promise Place to proclaim the month of October 2018 as Domestic Violence Awareness Month. Ms. Vanessa Wilkins received the proclamation on behalf of Promise Place. She thanked the Board for the support and she informed the community of the goal of Promise Place to prevent domestic violence by creating awareness, education about domestic violence and by recognizing the signs of domestic violence. She stated that Promise Place had lots of volunteer opportunities. The website: [www.promiseplace.org](http://www.promiseplace.org).

**4. Proclamation to recognize Boy Scout Troop #282 and proclaim October 26, 2018 as Troop #282 Appreciation Day.**

Commissioner Rousseau, on behalf of the Board, presented Boy Scout Troop #282 with a proclamation. He stated that this Troop produced a number of Eagle Scouts. The Scout Leaders introduced themselves. The Scouts thanked the Board for the presentation.

**5. Recognition of awardees for the Fayette County Public Arts Committee 2018 Scarecrow Competition.**

Public Arts Committee Chair Donna Thompson thanked Mr. Mike Parvin for judging the scarecrows.

The winners were announced as follows:

Honorable Mention – Lori Good; Honorable Mention – Wendy Gallacher; Honorable Mention – Dori Johnson; 3<sup>rd</sup> Place – Jennifer Dixon; 2<sup>nd</sup> Place – UGA Extension Master Gardener Volunteers; 1<sup>st</sup> Place – Southern Harm Derby Dames

**6. Proclamation to recognize the month of October as Breast Cancer Awareness Month.**

Chairman Maxell, on behalf of the Board, acknowledged that October was Breast Cancer Awareness Month and encouraged “citizens to help support efforts to spread awareness of this disease, provide support for those affected by this illness and educate others on its prevention and early detection.”

**7. Recognition of the Fire & Emergency Services Citizen Fire Academy graduates on their successful completion of the 10-week Citizen Fire Academy.**

Deputy Fire Chief Tom Bartlett gave a brief highlight presentation of the graduates in the fall session of the Citizen Fire Academy. He presented the graduates with certificates for their participation and completion of the academy. He encouraged other citizens to sign up for the spring 10-week Citizen Fire Academy. Graduates were as follows: Calvin Cooper, Morgan Dixon, Megan Gratzer, Robert Jangro, Blaze Jeffery, Kristie King, Tammy Lackey, Lydia Patton, Rachel Patton, Taylor Peterson, Beatrice Scalf, Sharon Smith, Pamela White and Norvin Willis.

Chairman Maxwell stated that he saw the Town of Tyrone Mayor Eric Dial in the audience. He stated that it was customary for the Board to move an item up on the agenda as a courtesy when an elected official was present. The item was on Consent Agenda.

**17. Consideration to accept the Town of Tyrone's offer to purchase Fayette County Fire Station #3 (Parcel #0738 107) located in the Town of Tyrone at a cost of \$5,000 plus the costs of the transaction to convey the property.**

Commissioner Brown moved to approve to accept the Town of Tyrone's offer to purchase Fayette County Fire Station #3 (Parcel #0738 107) located in the Town of Tyrone at a cost of \$5,000 plus the costs of the transaction to convey the property. Vice Chairman Ognio seconded.

Mayor Dial stated that the building would be used as part of the enhancement to the downtown area of the Town of Tyrone. He stated that it was next door to the police station and having the building would give them more flexibility in determining what would be done with the property.

Commissioner Brown moved to approve to accept the Town of Tyrone's offer to purchase Fayette County Fire Station #3 (Parcel #0738 107) located in the Town of Tyrone at a cost of \$5,000 plus the costs of the transaction to convey the property. Vice Chairman Ognio seconded. The motion passed 5-0.

**PUBLIC HEARING:**

**8. Consideration of Ordinance 2018-11, amendments to Chapter 110. Zoning Ordinance, Regarding Sec. 110-3. – Definitions, Sec. 110-142. - O-I, Office-Institutional District, Sec. 110-143. - C-C, Community Commercial District, Sec. 110-144. - C-H, Highway Commercial District and Sec. Sec. 110-169. - Conditional Use Approval; concerning A-R Wedding & Event-Bed and Breakfast.**

Community Development Director Pete Frisina read the *Introduction to Public Hearings for the Rezoning of Property* into the record. Mr. Frisina went through the proposed changes. The term “event facility” was added to the definition of banquet hall and a clarification of what type of events and banquets would be included. Adding the term “bed and breakfast” back to the definition of

hotel. He stated that hotel, as defined, was used in the Office-Institutional (O-I) and Commercial District. He stated that this would put bed and breakfast back in non-residential context for that use. Adding the use of a banquet hall and event facility to the Office-Institutional zoning district. Under O-I, the bed and breakfast was a conditional use, but it was being removed as conditional use. He stated that under C-C (Community Commercial) and C-H (Highway Commercial), he was changing the "banquet hall/event facility" and under C-H removing the bed and breakfast inn as a conditional use because it would be a permitted use as a definition of hotel. Under Section 110-169: A-R Wedding and Event Facility, there was a clarification of what the development landscape required was added to this section. He stated that under this section, tourist accommodations were not allowed in conjunction with an A-R Wedding and Event Facility. He stated that after speaking with Mrs. Ingrid Moore-Barnes, who owns the only official bed and breakfast in Fayette County, she approached staff about having an event at her bed and breakfast and the way the code was written, as long as someone could meet both conditions, staff did not see a problem with combining the two uses together. He continued that under "J", the recommendation was to take bed and breakfast out of conditional use under C-H and O-I and making it a permitted use under definition.

Commissioner Rousseau moved to approve Ordinance 2018-11, amendments to Chapter 110. Zoning Ordinance, Regarding Sec. 110-3. – Definitions, Sec. 110-142. - O-I, Office-Institutional District, Sec. 110-143. - C-C, Community Commercial District, Sec. 110-144. - C-H, Highway Commercial District and Sec. Sec. 110-169. - Conditional Use Approval; concerning A-R Wedding & Event-Bed and Breakfast. Commissioner Brown seconded.

No spoke in favor or in opposition of this item.

Commissioner Rousseau stated that it was important to note meeting the conditions of A-R and others, largely because this was lot size; 19 acres+ versus smaller lot sizes.

Commissioner Rousseau moved to approve Ordinance 2018-11, amendments to Chapter 110. Zoning Ordinance, Regarding Sec. 110-3. – Definitions, Sec. 110-142. - O-I, Office-Institutional District, Sec. 110-143. - C-C, Community Commercial District, Sec. 110-144. - C-H, Highway Commercial District and Sec. Sec. 110-169. - Conditional Use Approval; concerning A-R Wedding & Event-Bed and Breakfast. Commissioner Brown seconded. The motion passed 5-0.

**9. Consideration of Ordinance 2018-12, amendments to Chapter VI. - Tourist Accommodations, Regarding Sec. 8-200. – Definitions, Sec. 8-201. - Permit Required, Sec. 8-202. - Application for Permit, Sec. 8-203. - Issuance of Permit, Sec. 8-208. – Records, Sec. 8-210. - Alterations to Structure and Sign, Sec. 8-211 – Reserved, Sec. 8-212. - Special Events and Sec. 8-213. - Violations.**

Mr. Frisina stated that in making changes to the zoning ordinance, staff wanted to be sure that the other "companion" ordinance changes are consistent. He stated that under definitions, A-R was being added to the definition of bed and breakfast inn because that was the type of facility covered under this ordinance. Definitions were added for bedroom, guest and guest room. The definition for Special Events was clarified and the definitions for overnight guest, tourist and traveler would be deleted. Under Permit Required was amended to exclude hotels, campground facilities and planned retreats and lodges. He stated that this section was intended to apply to people who are using their residential properties/homes as a tourist accommodation. He stated that he wanted to exclude uses that would fall into a non-residential zoning district.

Commissioner Brown asked if Airbnb would apply. Mr. Frisina stated yes.

Mr. Frisina continued that in Application for Permit a clarification was made to the departments that would be inspecting the facilities and he added "as-built" scale plans for the residences. He stated that Section C was deleted to be consistent with the alcohol licensing procedure and in the other changes were housekeeping. He stated that under Section 210-Alterations to Structure and Sign it implied that a structure could not be changed by adding a sign. He stated that they can have a sign and the next item would be a revision to the sign ordinance that would address this. Under Special Events the changes made in the zoning ordinance related to A-R Wedding & Events, Tourist Accommodations, would be allowed and would not be precluded by this ordinance.

Commissioner Oddo questioned the thirty-consecutive day period. Mr. Frisina stated that the language used mimicked the language in the state law to define tourist accommodations.

Mr. Davenport stated that the 30-day window was used because less than thirty days did not arise to any type of a lease hold interest. He stated when someone stayed thirty days or more, there was a presumption of a lease hold interest, which would kick-in a month-to-month tenancy, and the person would have to be given a 60-day notice to vacate the premise.

Commissioner Brown asked if the information obtained from the guest, for example, for Airbnb, was sufficient for the county's demand or was there a need to get additional information than what Airbnb already had on the guest. Mr. Frisina stated that the inn-keeper should be keeping that information and if the county needed to see it, then staff would go to the permit holder for the information.

No one spoke in favor or in opposition of this item.

Commissioner Brown moved to approve Ordinance 2018-12, amendments to Chapter VI. - Tourist Accommodations, Regarding Sec. 8-200. – Definitions, Sec. 8-201. - Permit Required, Sec. 8-202. - Application for Permit, Sec. 8-203. - Issuance of Permit, Sec. 8-208. – Records, Sec. 8-210. - Alterations to Structure and Sign, Sec. 8-211 – Reserved, Sec. 8-212. - Special Events and Sec. 8-213. - Violations. Vice Chairman Ognio seconded. The motion passed 5-0.

**10. Consideration of Ordinance 2018-13, amendments to Chapter 108 - Signs, Regarding Sec. 108-135. - Residential Freestanding Signs and Sec. 108-161. – Freestanding Signs.**

Mr. Frisina stated that under the previous ordinance discussed, the Tourist Accommodation was not a bed and breakfast and would fall under the residential portion of the sign ordinance. Other changes included a change to freestanding signs.

Commissioner Brown asked if a home in a subdivision, that had an Airbnb, could put a sign in the yard to advertise the Airbnb. Mr. Frisina stated yes. Commissioner Brown stated that the only conflict would be if the homeowners' association did not allow it. Mr. Frisina stated that it would be up to the homeowners' association if signs were not permitted within the subdivision.

No one spoke in favor or in opposition of this item.

Commissioner Rousseau moved to approve Ordinance 2018-13, amendments to Chapter 108 - Signs, Regarding Sec. 108-135. - Residential Freestanding Signs and Sec. 108-161. – Freestanding Signs. Commissioner Brown seconded. The motion passed 5-0.

**CONSENT AGENDA:**

Commissioner Oddo moved to accept the Consent Agenda with the exception of item #11 for discussion. Commissioner Brown seconded. The motion passed 5-0.

**11. Approval to accept the donation of a Polaris UTV equipped with a high-pressure pump and tank and a trailer for transport from the Fayette Fire Foundation.**

Fire Chief David Scarbrough stated that the county decal and the Fire Foundation logo were added to the Polaris UTV. He stated that this equipment would make the fire department more versatile. He thanked the Fayette Fire Foundation and the Kiwanis Club for the generous donation. Mrs. Vicki Turner made comments.

Chairman Maxwell moved to accept the donation of a Polaris UTV equipped with a high-pressure pump and tank and a trailer for transport from the Fayette Fire Foundation. Commissioner Brown seconded. The motion passed 5-0.

**12. Approval of Subgrant Agreement with the Atlanta Regional Commission (ARC) for the completion of corridor studies for Sandy Creek Road, Tyrone-Palmetto Road and Banks Road (SPLOST Project Nos.17TAE, 17TAQ and 17TAP) and the associated contractual paperwork.**

13. **Approval of Subgrant Agreement with the Atlanta Regional Commission (ARC) for the completion of a SR 279 Study (SPLOST # 17TAT and 17TAD) and the associated contractual paperwork.**
14. **Approval of Resolution 2018-16 to change a street name in Longboat Subdivision from Paddle Cove to Kayak Court.**
15. **Consideration of amendments to the Tourist Accommodation fee schedule.**
16. **Consideration of staff's recommendation of procuring Professional Services to facilitate the enforcement of Chapter VI. - Tourist Accommodations.**
17. **Consideration to accept the Town of Tyrone's offer to purchase Fayette County Fire Station #3 (Parcel #0738 107) located in the Town of Tyrone at a cost of \$5,000 plus the costs of the transaction to convey the property.**
18. **Approval of the September 27, 2018 Board of Commissioners Meeting Minutes.**
19. **Approval of the October 2, 2018 Board of Commissioners Special Called Meeting Minutes.**

**OLD BUSINESS:**

**20. Discussion of proposed Article VI - Parking of Vehicles under Chapter 16 of the Fayette County Code of Ordinance.**

Commissioner Rousseau stated that it was incumbent for the county to maintain a quality of life in the community. He stated that part of that was the revisit of this ordinance for modification. He stated that it was a revisiting of the ordinance because this ordinance was once a part of the county ordinance. He stated that he referenced HOA. He stated that HOA's had restricted covenants and bylaws which could on some occasions supersede the county's ordinances. Those restrictions were binding and homeowners can be sent to court for violations of the restricted covenants. He stated that residents with large tracts of lands have written and expressed their opposition to this proposal. He stated that the Board had an obligation through Code Enforcement and the Marshals to enforce ordinances. He continued that in this particular case for some of the subdivisions that do not have the benefit of a HOA, the Board had some responsibility to assist those neighbors with making sure that the property values stay up and the area remains viable. He stated that he did not want to offer this ordinance for the larger tracts of lands, but for subdivisions of one (1) acre lots to assist residents in maintaining the quality of life in the neighborhoods. He stated that he was disheartened to see that a lofty price tag was associated with this request, when in fact a number of the ordinances on the book, that would have to be addressed by Code Enforcement, are largely generated by a phone call or email. Staff did not do active enforcement. He stated that item #16 was for the request to assist staff in identifying those who may be violating an ordinance. He stated that he would like to modify and request the Board's support in trying this ordinance in subdivisions of smaller proportions and not throughout the entire unincorporated parts of the county.

Commissioner Rousseau moved to approve Article VI - Parking of Vehicles under Chapter 16 of the Fayette County Code of Ordinance for subdivisions with no more than two (2) acres under the county zoning. Commissioner Brown seconded.

Yvonne Smith thanked Commissioner Rousseau and the Board for considering this ordinance. She stated that it was hard on her to go from house to house to address the conditions of her community. She stated that she was asking to put this ordinance in place to hold people accountable.

Jason Chastain stated that the problem he had with the ordinance was that it started with one-acre tract and now it was at two acres tracts in subdivisions. He stated that he was concerned that it would start with something small and grow countywide. He stated that was his concern.

Chairman Maxwell stated that he and the Board received a number of emails regarding this topic.

Commissioner Brown asked if it was up-to two acres or including two acres. Commissioner Rousseau stated up-to and that two acres would be included. Commissioner Brown asked if Commissioner Rousseau would accept a friendly amendment to only one acre lots.

Commissioner Rousseau amended the motion to approve Article VI - Parking of Vehicles under Chapter 16 of the Fayette County Code of Ordinance for subdivisions with no more than one (1) acre under the county zoning. Commissioner Brown amended the second.

Vice Chairman Ognio stated that the wording did not show one (1) acre lots. He stated that he understood the concern for subdivisions. He stated that the county had subdivisions with large lots so adding the word "subdivision" would not narrow it down. He stated that he agreed with the citizens that this would expand, and he did not agree with the request.

Commissioner Oddo stated that he understood the desire to preserve the county as much as possible. He stated that he was not clear on the need to have this ordinance. He stated that he did not see a problem. He stated that he was concerned with where to draw the line when the county started to function as a HOA. He continued that he was concerned with HOA's thinking that the county would come out and enforce rules that they do not need to enforce. He stated that he drove to Newton Plantation and it was a very nice and clean subdivision. He shared photos of cars parked on lawns that he took throughout different areas of the county over a six-day period. He stated that it was a part of the culture in his 50 years of being in Fayette County that people park on the lawn. He stated that he did not believe there was anything that needed to be changed. He stated that he could not support this request.

Commissioner Brown stated that the motion called for one (1) acre lot zonings, so the language would be changed to reflect that. He stated that the funding point that Commissioner Rousseau raised was a good one. He stated that he did not know why we think it was important to fund certain applications that enforce county code and not others. He stated that a lot of the county's enforcement was done on a passive basis and not an active basis where the officers would drive around looking for violations. He continued that if an officer was investigating a violation and noticed something that needed to be addressed then the official could look at all the dwellings and if they see something that needed attention, they can stop and bring that to the residents. He stated that in an area in Peachtree City, when he was mayor, there were areas that were affected by issues like this and the Board had better pay attention to things like this. He read the following statement for the record:

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With 20 years of land planning experience I would like for the minutes to reflect these points that I have learned related to these types of situations. 1. Blight patterns will continue. 2. Passive enforcement is all that is necessary. 3. Blight breeds negative indicators and it will grow in our troubled areas. 4. Blight effects things from the quality of life to crime to school performance. Demographers at the ARC will tell you that the high-quality of life areas are determined primarily by the income level. Blight drives out civic-minded and higher-income families.

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Commissioner Brown referenced blight patterns in Henry and Clayton counties. He stated that he had no problems with A-R lots or one (1) acre lots.

Chairman Maxwell stated that he had equal protection concerns about this ordinance. He stated that he did not know if it would ever be a problem and the fine might be minimum. He stated that the former commissioners did away with the parking ordinance and he did not see a reason to do it again. In regard to, "what is a subdivision", he stated that he did not know how a subdivision was defined. He stated that he rode the county and noticed a number of homes that did not have improved surfaces. He stated that for those reasons he was not willing to go forward with this request. He stated that this was a little different from the money to fund item #16. He stated that he did not feel it was a fair comparison.

Commissioner Rousseau stated that he appreciated that Chairman Maxwell stated the fact that this ordinance existed for a number of years. He stated that it was changed because of some enforcement issues. He stated that he felt that some of the comments were "mixing apples and oranges". He stated that most of his experience had been in urban areas, but if the county did not pay attention to this problem, it would creep up on the county. He stated that he was just asking the Board to reconsider this ordinance as the county moved into transition because there are some pockets of transition.

Commissioner Brown reiterated that the \$368,000 was only required if there was active enforcement. He further expressed that the fine would not cover the time to do this, so it was not about collecting fines.

Commissioner Oddo stated that in regard to blight. He stated that blight was a byproduct of the character of the people and not the cars on the lawns. He stated that parking on the lawns was not bad, but that it was the people who may be changing. He stated that making people park on a prepared surface was not the way to address the character of people. He stated that the character of the people in Fayette County was good. He stated that if parking on lawns resulted in blight, then why isn't the county experiencing blight now because people have been parking on lawns for years.

Commissioner Rousseau amended the motion to approve Article VI - Parking of Vehicles under Chapter 16 of the Fayette County Code of Ordinance for subdivisions with no more than one (1) acre under the county zoning. Commissioner Brown amended the second. The motion failed 2-3. Chairman Maxwell, Vice Chairman Ognio and Commissioner Oddo voted in opposition.

The Board recessed at 8:34 p.m.

The Board reconvened at 8:49 p.m.

### **NEW BUSINESS:**

#### **21. Consideration of staff's recommendation to not object to the Peachtree City annexation of 28.3 acres (Bradshaw Family LLP Tract), and the rezoning of said property from A-R (Agricultural-Residential) to Limited Use Commercial (LUC) for a mixed-use development consisting of single-family residential, office, commercial and open space.**

Mr. Frisina stated that this annexation from Peachtree City was 28.3 acres. He stated that the proposal was to put a Limited Use Commercial (LUC) zoning on the property that would allow for 27 single-family lots; 4.2 acres of commercial, 3.5 acres of office and 9.5 of open space within the development. He stated that based on state law, staff had to determine if the annexation would create a material burden or impact on the county. He stated that staff looked at infrastructure and whether it would impact the roads, stormwater and flood areas because increased density affects the flood study areas because they are based on a lesser density. He stated that the property was along State Route 54 and Sumner Road. He stated that it was land use for one acre residential and also had a designation of 54 overlay which allowed for O-I zoning along the highway. He stated that although it would increase the density and changes to zoning and land use that would result in a substantial change in the intensity, staff did not find any material burden or impact on the county. Once the area near Sumner Road was annexed it would be the responsibility of Peachtree City.

Jerry Peterson made brief comments.

Cele Eifert stated that she followed Mr. Bradshaw's decade long attempt to get this parcel annexed and developed and she had always been in opposition to the proposal because she liked having the woods and nature. She stated that she did not understand why it had to be annexed into Peachtree City. She stated that she wanted to go on record as being in opposition of this proposal. She asked the Board to consider the safety of citizens with the entrance and exit on the other part of Sumner Road. She expressed some of the safety concerns that she witnessed on this road. She also objected to the impact to the schools, fire, EMS, police and traffic. She stated that if the Board voted not to object, then maybe they would ask that the entrance be moved.

Gale Botwisch stated that she shared some of the same concerns as Ms. Eifert. She stated that she was told that there was no planned development for Sumner Road when she purchased her land. She shared concerns regarding the traffic and the tree buffer that was destroyed by Peachtree City public works. She stated that this plan was better than the previous plan. She stated that she also experienced drainage issues and when the development was added it might cause more drainage problems for her property. He stated that he wanted to know what commercial properties would be there.

Commissioner Brown asked if there was any problem with making the connection on the leg of Sumner Road and tying it across from Sedgewicke. Mr. Peterson stated that it would be better coming off the city street instead of coming out into the county and



come into a Peachtree City subdivision, which would happen if it was put on the old street. He stated that in terms of drainage, they were providing on site detention, so no more water would be released.

Chairman Maxwell stated that one of the questions was regarding the commercial use and that would not be at the decision of the Board, but Peachtree City. Mr. Peterson stated that at the Planning Commission public hearing, Mr. Bradshaw stated that he would not do a gas station.

Chairman Maxwell moved to not object to the Peachtree City annexation of 28.3 acres (Bradshaw Family LLP Tract), and the rezoning of said property from A-R (Agricultural-Residential) to Limited Use Commercial (LUC) for a mixed-use development consisting of single-family residential, office, commercial and open space. Commissioner Rousseau seconded.

Chairman Maxwell stated that his understanding of material burden was if the county could survive a lawsuit. He stated that if the Board objected to this what would be the likely outcome. He stated that he generally objected to anything less than one acre lots and so he was in a unique situation. He stated that on this tract of land, none of SR54 had been developed.

Commissioner Brown stated that he also saw the last plan and that this one was the best one by far. He addressed the public comment by Ms. Eifert and stated that the entrance would have to be addressed by Peachtree City.

Vice Chairman Ognio stated that annexations are favorable to the cities and the counties did not have much that could be said about them. He stated that there was no material burden on this one and therefore, there was nothing to object.

Chairman Maxwell moved to not object to the Peachtree City annexation of 28.3 acres (Bradshaw Family LLP Tract), and the rezoning of said property from A-R (Agricultural-Residential) to Limited Use Commercial (LUC) for a mixed-use development consisting of single-family residential, office, commercial and open space. Commissioner Rousseau seconded. The motion passed 5-0.

**22. Consideration of staff's recommendation to award Bid #1522-B Water Tank Repair to the low bidder Southeastern Tank and Tower, Inc. in two phases based on the base bid plus Alternate #1 in the amount of \$807,900.**

Water System Director Lee Pope briefed the Board regarding this item. He stated that the Water System Engineer of Record CH2M (Jacobs) prepared a bid package to do initial repairs for the tank. He stated that the request was to reward the bid in two phases; one to be conducted in 2018. The first phase would handle repair of two of the tanks and demolition of one of the tanks and the repair of the other two tanks in the following year. He stated that it was hard to take the tanks out of service, so it would be done during the winter months and the rest would be repaired during the winter months of next year. He reported that funding was available to handle the repairs for this year and that he would budget appropriately for phase two if approved by the Board.

Commissioner Brown moved to approve award Bid #1522-B Water Tank Repair to the low bidder Southeastern Tank and Tower, Inc. in two phases based on the base bid plus Alternate #1 in the amount of \$807,900. Vice Chairman Ognio seconded.

Mr. Pope explained that this request would approve everything that was under Southeastern Tank and Tower, Inc.

Commissioner Brown moved to approve award Bid #1522-B Water Tank Repair to the low bidder Southeastern Tank and Tower, Inc. in two phases based on the base bid plus Alternate #1 in the amount of \$807,900. Vice Chairman Ognio seconded. The motion passed 5-0.

**23. Consideration of staff's recommendation to award ITB #1553-B to West Georgia Lighting, Inc, in the amount of \$394,534.30 for lighting at McCurry Park Soccer fields 1, 5, 6, and Kiwanis Park field 10 and approval to transfer \$40,000 from Kiwanis Park Sports Lighting CIP budget to the McCurry Park Sports Lighting Budget to fully fund the lighting of the three soccer fields.**

Parks and Recreation Director Anita Godbee stated that this process started in 2003 to refurbish some of the sports lighting on the fields. She stated that currently 23 fields have been refurbished and this was a continuation of that project. The procurement

process was conducted. This project was different from past projects because this was for LED sport lighting instead of old HID (High Intensity Discharge) lighting to be more cost effective. She stated that aggregated project cost was \$394,534.39 and the budget for McCurry Park was \$297,830 and for Kiwanis, \$150,000. She stated that in order to complete the entire project, \$40,000 would be transferred from the Kiwanis Park CIP (Capital Improvement Plan) to the McCurry Park CIP.

Commissioner Brown asked if any project was sacrificed by moving the \$40,000. Mrs. Godbee stated that the other project came in under budget and so that meant there were extra funds available to be transferred. Mr. Rapson stated that even though the \$40,000 would be transferred, in aggregate there was still another \$52,296 being put in savings in the Recreation contingency account.

Mrs. Godbee stated that there were ten more fields to be completed and six fields were installed prior to 2000 and are high on the priority list. She stated that four of the fields were installed in 2002 and are last on the list.

Commissioner Rousseau stated that since 2000 was a long time and that he would like for the Board and staff to make a commitment in next year's budget to get the fields expedited. He stated that he would be an advocate to making sure those dollars are in place to accelerate this over the next two or three years.

Chairman Maxwell asked if there were still wood poles. Mrs. Godbee stated that they were metal poles. She stated that the wood poles had been inspected and although the age could not be determined, the engineer thought that the poles were anywhere from 30-40 years old. Chairman Maxwell stated that he agreed that the projects should be accelerate, but that a priority list needed to be in placed to determine what should be completed first.

Commissioner Rousseau moved to approve to award ITB #1553-B to West Georgia Lighting, Inc, in the amount of \$394,534.30 for lighting at McCurry Park Soccer fields 1, 5, 6, and Kiwanis Park field 10 and approval to transfer \$40,000 from Kiwanis Park Sports Lighting CIP budget to the McCurry Park Sports Lighting Budget to fully fund the lighting of the three soccer fields. Commissioner Brown seconded. The motion passed 5-0.

**24. Consideration of staff's request to award bid # 1557-B: Type 1 Ambulances to Custom Truck & Body Works, Inc. for \$367,638 and to designate vehicle #23109 as surplus and authorize the department to coordinate the sale of unit.**

Fire Chief David Scarbrough briefed the Board regarding this item. He stated that this was for the purchase of two Ford F-150 ambulances totaling \$367,638 and \$67,000 of equipment to outfit the new unit that was part of the budget retreat discussion to add a sixth zone. He stated that the equipment from one truck would be transferred over, but the other one would need new equipment. This request was also to designate vehicle #23109 as surplus and authorize the sale.

Commissioner Brown moved to award bid # 1557-B: Type 1 Ambulances to Custom Truck & Body Works, Inc. for \$367,638, \$67,000 to outfit one unit and to designate vehicle #23109 as surplus and authorize the department to coordinate the sale of unit. Vice Chairman Ognio seconded. The motion passed 5-0.

**25. Consideration of staff's request to award bid # 1566-B Tanker Fire Apparatus to Deep South Fire Trucks for one tanker totaling \$222,900 and to designate vehicle #93193 and vehicle #93043 as surplus and authorize the trade of the units.**

Commissioner Brown moved to approve to award bid # 1566-B Tanker Fire Apparatus to Deep South Fire Trucks for one tanker totaling \$212,900, \$10,000 of safety equipment and to designate vehicle #93193 and vehicle #93043 as surplus and authorize the trade of the units. Commissioner Oddo seconded.

Mr. Rapson stated that there was an additional transfer of \$8,788 that would be taken from \$125,000 that was saved and so the saving would be reduced to \$92,313.

Commissioner Brown moved to approve to award bid # 1566-B Tanker Fire Apparatus to Deep South Fire Trucks for one tanker totaling \$212,900, \$10,000 of safety equipment and to designate vehicle #93193 and vehicle #93043 as surplus and authorize the trade of the units. Commissioner Oddo seconded. The motion passed 5-0.

**26. Consideration of staff's request to award bid #1565-B: Pumper Fire Apparatus to Fireline Inc. for one pumper totaling \$482,688, to fund \$8,788 from #61030550-542200 to cover the remaining cost of required safety equipment and to designate vehicle #93086 as surplus and authorize the department to coordinate the sale of the unit.**

Commissioner Brown moved to approve to award bid #1565-B: Pumper Fire Apparatus to Fireline Inc. for one pumper totaling \$482,688, to fund \$8,788 from #61030550-542200 to cover the remaining cost of required safety equipment and to designate vehicle #93086 as surplus and authorize the department to coordinate the trade of the unit. Commissioner Oddo seconded.

Chief Scarbrough confirmed that the request was to trade and not sale the unit.

Commissioner Brown moved to approve to award bid #1565-B: Pumper Fire Apparatus to Fireline Inc. for one pumper totaling \$482,688, to fund \$8,788 from #61030550-542200 to cover the remaining cost of required safety equipment and to designate vehicle #93086 as surplus and authorize the department to coordinate the trade of the unit. Commissioner Oddo seconded. The motion passed 5-0.

**27. Authorization for the Chairman to send a letter of support to Georgia Department of Transportation (GDOT), documenting Fayette County's support for the Local Bridge Replacement Program fiscal year 2020 candidate project - McDonough Road over Flint River.**

Public Works Director Phil Mallon briefed the Board regarding this item. Mr. Mallon stated that Georgia Department of Transportation (GDOT) had identified the bridge over the Flint River as a high priority project and would like to include it in the new bridge replacement program. He stated that Coastline Bridge over the railroad track was already in the program. The program was favorable because GDOT did all the work and the county would make a contribution to right-of-way cost. He stated that the request was for a letter of support from the Chairman on behalf of the Board to approve including this project in the candidate list of bridges to be evaluated. He stated that he thought these were federal funds and that it was coming from the House Bill 170 funds although he was not entirely certain. He stated that he had reached out to Clayton County, at the staff level, and they are supportive of the project and present this to their Board.

Commissioner Rousseau moved to approve to send a letter of support to Georgia Department of Transportation (GDOT), documenting Fayette County's support for the Local Bridge Replacement Program fiscal year 2020 candidate project - McDonough Road over Flint River. Commissioner Brown seconded.

Chairman Maxwell referenced the draft letter and stated that in the paragraph that state: "The board of Commissioners supports this project and agrees to pay the estimated land value along with a portion of the associated legal fees and acquisition expenses..." He stated that he assumed that was on the Fayette County side of the bridge.

Mr. Mallon stated that GDOT would enter into an agreement with Fayette County if the project proceeded and Fayette County would be responsible for the land acquisition on both sides. He stated that he was suggesting that the county enter into an intergovernmental agreement (IGA) with Clayton County to prorate those funds. He stated that he spoke to the staff at Clayton County and they were agreeable to that agreement.

Commissioner Brown asked if the IGA should come before the letter. Mr. Mallon stated that the IGA should come before entering into an agreement with GDOT, but the letter at this point was only to express that the county was supportive of the project.

Mr. Rapson stated that GDOT was recommending one jurisdiction be the primary jurisdiction and that would be Fayette County. He stated that staff would not move forward with the project until there was an IGA in place with Clayton County to pay their share.

Commissioner Rousseau amended the motion.

Commissioner Rousseau amended the motion to approve to send a letter of support to Georgia Department of Transportation (GDOT), documenting Fayette County's support for the Local Bridge Replacement Program fiscal year 2020 candidate project - McDonough Road over Flint River once an intergovernmental agreement was signed with Clayton County. Commissioner Brown amended the second.

Commissioner Oddo stated that it was not certain that GDOT would even do the project. He stated that the letter was to let GDOT know that the county supported the project.

Commissioner Rousseau stated that the conversation with Clayton County, at this point, was only at the staff level. He stated that the Clayton County Board of Commissioners had not done anything.

Mr. Mallon reminded the Board that there was a tight deadline of October 29 to respond to GDOT.

Vice Chairman Ognio stated that the project would have to come back to the Board in the amount the county would be responsible for and at that time, the Board would not approve until an IGA was in place.

Commissioner Rousseau amended the motion to approve to send a letter of support to Georgia Department of Transportation (GDOT), documenting Fayette County's support for the Local Bridge Replacement Program fiscal year 2020 candidate project - McDonough Road over Flint River pending an intergovernmental agreement (IGA) with Clayton County. Commissioner Brown amended the second. The motion passed 5-0.

**28. Consideration of the Transportation Committee's recommendation for the Antioch & Goza Road intersection (2017 SPLOST 17TAO & 2004 SPLOST I-13).**

Public Works Transportation Engineer Joe Robison briefed the Board regarding this project. He stated that a few months ago the Board discussed Antioch and Goza Road and made the comment that it was working and why did we need to build it. He stated that the Board sent it to the Transportation Committee (TC) for review. He stated that it was studied and the engineering department was bringing a recommendation to the Board. He stated that the TC thought the four-way intersection had not been in place long enough to make a recommendation on whether to move forward with a roundabout or to stay with the four-way intersection. He stated that the TC recommendation was to let it stay as a four-way stop for six additional months and then come back to see how effective the four-way stop intersection was holding up and after that time bring back a recommendation to the Board. He stated that the Antioch Road paving had been delayed because of the intersection. The intersection was not included in the road department's resurfacing of the road. He stated that the TC was making a recommendation to move forward and pave Goza Road and Antioch Road and reestablish as a four-way stop until the study period was completed. He stated that in the Comprehensive Transportation Plan, Goza Road was contemplated to be a major east/west connector through the county. He stated that one of the two options was the roundabout. He reported that the roundabout design was 100% complete and was ready to be sent out for bid pending Board direction. He stated that the four-way stop had been there for the last ten months. Prior to the last ten months there were 10 accidents with 12 injuries and one fatality at this intersection. Since the four-way stop was added there have been 3 accidents with one injury with one complaint. He stated that it was a big reduction in the last 10 months. He stated that the funding to-date was \$1,100,000 and \$3,993 that have spent on right-of-way acquisition. He stated that the 2004 SPLOST fund was still in excess of \$1,000,000. He stated that the estimates for the construction of the intersection was \$750,000.

Commissioner Oddo stated that when this issue came up the Board had to act quickly. He stated that he recalled that the Board would decide if that would be the ultimate answer or not. He stated that this had given the Board time to collect this data which showed a mark improvement and since that time there have been other developments in the county and in the road department. He stated that he thought things had changed and that it was responsibility, on the part of the Board to review this for a while longer. He stated that if this was doing the job then maybe the Board could look at other areas that need attention. He stated that he was supportive of waiting six months before making a decision.

Commissioner Brown stated that it was 2004 SPLOST dollars and one of his biggest criticism was that the county could not generate projects fast enough. He stated that the Board promised the people who complained about the intersection that there would be a roundabout. He stated that he was not willing to let it go any further. He stated that the fact was, that there had only been 3 accidents, as opposed to 10 accidents prior, but there were still 3 accidents at that intersection.

Chairman Maxwell asked if it really was only \$4,000 invested in this project. Mr. Robison stated that there were monies taken from the 2017 SPLOST for engineering design of the roundabout and for the temporary transition of the four-way stop. The \$3,993 mentioned earlier was only for right-of-way acquisition.

Mr. Mallon stated that the purpose of the slide (showing the funding amounts) was to show the amount of money available to use on the project. Chairman Maxwell stated that his point was whether it was \$4,000 or \$40,000 there was some bigger number spent on engineering the intersection for a roundabout. Mr. Robison stated yes.

Chairman Maxwell stated that when this item was on the agenda the room was packed with individuals that had stories of tragedies that happened at this intersection including fatality. He stated that this was part of a cost benefit analysis that he would not be a part of. He stated that he was not going to wait until the next fatality or injuring to decide. He stated that the Board decided to go with the roundabout. He stated that if there was a roundabout there might have been no accidents in a 10-month period. He stated that he was not sure why no one was in the room to talk about this project.

Vice Chairman Ognio stated that for clarity, in the 2017 SPLOST project list it stated that it would be up to and possibly including a roundabout. He stated that it did not say it would be a roundabout in the 2017 SPLOST. He stated that the county should do its due diligence to study this for six months. He stated that on the engineering report, when they showed the four-way stop situation, the four-way stop actually had less accidents than the roundabout. The roundabout had less severe accidents over a long period of time. He stated that the report even stated that it was good until about 2025 as a four-way stop. He stated that his issue was if the money was spent on this roundabout and people are moved safely through this one and there was another dangerous intersection and no money to fix it, and someone was injured, then how would the Board explain that.

Chairman Maxwell asked where the other intersection was located. Vice Chairman Ognio stated that there were several others. Chairman Maxwell stated that this intersection was the one that the Board said was the priority. He stated that no one said that any other intersection was of a greater priority.

Vice Chairman Ognio stated that no one on the Board had any indication that the four-way stop would be this successful. He stated that there have been 3 accidents at a reconfigured intersection which was not uncommon when an intersection was reconfigured.

Commissioner Brown stated that he did not put much faith in transportation models and that he had 20 years of experience of where transportation models have failed.

Commissioner Oddo stated that it concerned him that when the Board discussed this intersection, the goal was to make the intersection safe. He stated that the Board did not know if that meant a four-way stop or roundabout would do it. He stated that the Board decided to do the four-way stop in the meantime and the four-way stop seemed to be working. He stated that it was his understanding that the goal was to make the intersection safer and that had happened. He stated that the question was can more data be collected by waiting.

Commissioner Brown stated that the money could only be used for a 2004 SPLOST project.

Vice Chairman Ognio stated that he did go by Mr. Doolittle's house, but he was out of town. He knew this item was on the agenda.

Commissioner Brown moved to proceed with the roundabout as instructed at the previous meeting. Chairman Maxwell seconded.

Commissioner Rousseau stated that there was a compelling argument that when the Board approached the citizens with the SPLOST project list that this project was on that list. He stated that there was also an argument that with the individuals that serve on the TC have assisted in making a priority list. He stated that the Board had tried to follow the recommendations given by staff and his colleagues. He stated that the Board had a commitment to do something and on that SPLOST list was a roundabout. He stated that at the same time it was wise and prudent for the Board to also look at what the current measures have accomplished. He stated that he did not know how to get out of that because of the issue it would bring with the 2017 SPLOST money that would not be spent on a projected project that we asked the public to approve. He stated that if the argument was safety, that there were numerous intersections that meet that criteria. He stated that he would like the Board to show the same degree of passion when addressing that issue. He stated that he believed in that sector of the county versus Highway 92 and Westbridge that there was more traffic flow at that intersection than at Antioch and Goza.

Commissioner Brown stated that he believed that GDOT would be taking care of that problem because it had already meet the warrants. Commissioner Rousseau stated that Westbridge and Highway 92 was not in the county's control, but Antioch and Goza was in control of the county. He stated that he was willing to see the data in six months, but he would be hard pressed to say that the roundabout should not occur.

The discussion continued.

Vice Chairman Ognio stated that there had been multiple deaths at Porter Road and Highway 85 was a dangerous intersection. Highway 92 at Goza and Inman Road near the school was a terrible intersection. He stated that staff had done a great job staying in budget for the 2017 SPLOST projects. He stated that there were just not enough funds to fix all the traffic issues.

Commissioner Brown moved to proceed with the roundabout as instructed at the previous meeting. Chairman Maxwell seconded. The motion failed 2-3. Vice Chairman Ognio, Commissioner Rousseau and Commissioner Oddo voted in opposition.

Commissioner Oddo moved to accept the Transportation Committee's recommendation to wait six months and gather more data before making a determination of whether to move forward and to pave Antioch Road. Vice Chairman Ognio seconded. The motion passed 3-2. Chairman Maxwell and Commissioner Brown voted in opposition.

Chairman Maxwell stated that Commissioner Rousseau informed him that he would have to leave the meeting at 10:30 p.m. Commissioner Rousseau had left the meeting.

## **29. Recommendations/Briefing for the SR 74 Comprehensive Corridor Study (GDOT PI # 0015076 / ARC No. FA-357).**

Mr. Mallon stated that this was a presentation and no Board action was being requested. He stated that the county was in the mist of three large transportation plans studies to update to the transportation plan. He stated that this was the last of the four presentations on this study. He stated that they had meet with the Town of Tyrone, Peachtree City and the City of Fairburn. He continued that the draft document would be posted for 30 days. He turned the presentation over to Mr. Eric Lusher, the lead project manager with POND & Company.

Mr. Lusher gave a presentation. The presentation included the following:

Purpose of Study: establish a unified vision for the corridor, understand long term transportation needs, address congestion and future growth needs and to provide capacity to maintain corridor mobility.

Recommendations: vehicle improvements (superstreets; RCUTs, J-Turns, MUTs), bicycle and pedestrian improvements, transit and TDM improvements and framework for consistency

Commissioner Brown stated that his heartburn was the lack of participation from the City of Fairburn. He stated that currently they have not maintained the framework and consistency. He stated that he had yet to see any commitment from the City of Fairburn and if that lack of commitment remained, what would that do to the proposed reduction times and savings.

Mr. Lusher stated that the Fairburn portion of the corridor was primarily addressed, not by the superstreet concept, but by the interchange project. He stated that the project was not just the interchange, but also the widening SR74.

Commissioner Brown asked if multi-use trails were in GDOT's right-of-way. Mr. Lusher stated that there were opportunities to do that via easements. Commissioner Brown stated that the expectation was that the majority of the multi-use trail would be in GDOT's right-of-way with minimum acquisition cost. Mr. Lusher stated yes.

There was no vote given on this item.

**30. Discussion regarding government enforcement related to dog attacks; specifically, the protocol for handling dog attacks and whether the county ordinance conflicts with state law.**

This item was removed from discussion at the acceptance of the agenda.

**PUBLIC COMMENT:** None

**ADMINISTRATOR'S REPORTS:**

- A. Contract #1221-P: Water System Engineer of Record Task Order #FC-19-10: Landfill Compliance Monitoring**
- B. Contract #1577-S: Longview Dam Engineering Services**

**Selection Committee-Recreation Committee:** Commissioner Brown moved to appoint Commissioner Oddo and Commissioner Rousseau to the Selection Committee for the Recreation Committee. Vice Chairman Ognio seconded. The motion passed 4-0. Commissioner Rousseau left the meeting.

**Certificate of Need from Piedmont Fayette:** Mr. Rapson stated that the county received a Certificate of Need from Piedmont Fayette Hospital. He stated that they were required to provide notice to the county. He stated that it was a \$3 million project for an Interventional Radiology Suite.

**ATTORNEY'S REPORTS:**

**Notice of Executive Session:** County Attorney Dennis Davenport stated that there were two items of pending litigation, one involving land acquisition and the review of the Executive Session Minutes for September 27, 2018.

**COMMISSIONERS' REPORTS:**

**Commissioner Brown:**

**Mowing:** Commissioner Brown stated that regarding the grass cutting and GDOT's schedule that it was inferred that staff was not using GDOT's schedule but mowing across their schedule. Mr. Mallon stated that staff was working around GDOT's schedule to the best of their ability. He stated that staff was coordinating as best possible at the moment.

**Status of bridge replacement on SR85/Starr's Mill:** Commissioner Brown stated that the last he heard they were entering design phase. He asked if there was any update. Mr. Mallon stated that it was in early design stage and they are working on the hydrology to get the floodplain studies approved through FEMA.

Commissioner Brown asked what the county could do to lobby for the bridge to have an esthetic significance to match Starr's Mill. Mr. Mallon stated that the letter that was sent a year ago was well received. He stated that the consultant informed him that there was nothing else the county needed to do. He stated that he would follow up on the progress. Commissioner Brown requested staff to have the references regarding areas of historical significance and community design to have handy to reference if needed.

**Peachtree City Rowing Club:** He congratulated the Peachtree City Rowing Club on winning gold at the national competition. He stated that they would be recognized at the next meeting.

**Vice Chairman Ognio:**

**Happy Birthday:** Vice Chairman Ognio shared that October 26 would have been his sister's 54<sup>th</sup> birthday. He stated with this being Breast Cancer Awareness Month he wanted to mention her.

He wished everyone a Happy Halloween!

**Commissioner Oddo:**

**Thank you:** Commissioner Oddo thanked everyone for coming and putting up with the Board.

**EXECUTIVE SESSION:**

**Notice of Executive Session:** County Attorney Dennis Davenport stated that there were two items of pending litigation, one land acquisition and the review of the Executive Session Minutes for September 27, 2018.

**Two Items of Pending Litigation, One Item of Land Acquisition and review of the September 27, 2018 Executive Session**

**Minutes:** Commissioner Brown moved to go into Executive Session. Vice Chairman Ognio seconded. The motion passed 4-0. Commissioner Rousseau had left the meeting.

The Board recessed into Executive Session at 10:56 p.m. and returned to Official Session at 12:00 p.m.

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

**Approval of the September 27, 2018 Executive Session Minutes:** Vice Chairman Ognio moved to approve the September 27, 2018 Executive Session Minutes. Vice Chairman Ognio seconded. The motion passed 4-0. Commissioner Rousseau had left the meeting.

**ADJOURNMENT:**

Commissioner Brown moved to adjourn the October 25, 2018 Board of Commissioners meeting. Vice Chairman Ognio seconded. The motion passed 4-0. Commissioner Rousseau had left the meeting.

The October 25, 2018 Board of Commissioners meeting adjourned at 12:01 a.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 8<sup>th</sup> day of November 2018. Referenced attachments are available upon request at the County Clerk's Office.

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Tameca P. White, County Clerk