



Action Agenda

Board of Commissioners
July 24, 2014
7:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met in an Official Meeting on July 24, 2014 at 7:00 p.m. in the Public Meeting Room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

Commissioners Present:

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

Staff Present:

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

Staff Absent:

Floyd L. Jones, County Clerk

Call to Order, Invocation, and Pledge of Allegiance

Chairman Brown called the July 24, 2014 Board of Commissioners meeting to order at 7:02 p.m.

Commissioner David Barlow introduced Imam Ahmed Jafari of the Islamic Community Center of Atlanta and he spoke of the work at the Center's work. He then asked Imam Jafari to offer the invocation and Imam Jafari did so.

Commissioner McCarty led the audience in the Pledge of Allegiance.

Acceptance of Agenda

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

PRESENTATION /RECOGNITION:

1. Recognition of the 2014 All-County Boys Soccer Team.

Chairman Brown introduced Mr. Christopher Dunn of the *Fayette Daily News* who helped in recognizing members of the 2014 All-County Boys Soccer Team.

2. Recognition of Eagle Scout Jason Girolami.

Chairman Steve Brown recognized Eagle Scout Jason Girolami for earning the rank of Eagle Scout. Mr. Girolami spoke to the Board about his Eagle Scout project. The Board congratulated Mr. Girolami for achieving the Eagle rank.

PUBLIC HEARING:

3. Consideration of Petition No. 1235-14, Max Fuller, Owner, and Moore Bass Consulting, Inc., Agent, request to rezone 10.56 acres from A-R to R-45, with said property being located in Land Lot 87 of the 5th District and fronting on South Jeff Davis Road.

Community Development Director Pete Frisina informed the Board that the County had received a letter from the applicant asking the Board to table Petition No. 1235-14 and Petition No. RP-052-14 (Public Hearings 3 and 4) until the August 28, 2014 Board of Commissioners meeting. He explained that the applicant wanted to work with the Public Works Department and particularly with Public Works Director Phil Mallon on this matter, but that there was not enough time and Mr. Mallon was not present at this meeting. Mr. Frisina stated that tabling these two public hearings would provide more time for the applicant and staff.

Chairman Brown moved to table Public Hearings #3 and #4 until the August 28, 2014 Board of Commissioners meeting. Commissioner Ognio seconded the motion. No discussion followed. The motion passed unanimously.

4. Consideration of Petition No. RP-052-14, Max Fuller, Owner, and Moore Bass Consulting, Inc., Agent, request to add six (6) lots to the Minor Subdivision Plat for Max Fuller, with said property being located in Land Lot 87 of the 5th District and fronting on South Jeff Davis Road.

This item was tabled until the August 28, 2014 Board of Commissioners meetings pursuant to the vote taken for Public Hearing #3.

5. Consideration of Petition No. 1236-14, Danny Ray Reid, Owner, and Brian McCreary, Inc., Agent, request to rezone 2.00 acres from A-R and R-70 to R-40, with said property being located in Land Lots 72 and 89 of the 7th District and fronting on Dogwood Trail, with one condition.

Community Development Director Pete Frisina read the *Introduction to Public Hearings for the Rezoning of Property* into the record.

Mr. Brian McCreary, Agent, briefed the Board on Petition No. 1236-14.

Chad Heath: Mr. Heath spoke in favor of approving Petition No. 1236-14 on behalf of the D'Souza family.

No one else spoke in favor of Petition 1236-14.

Eric Maxwell: Mr. Maxwell spoke for approximately twenty-one minutes in opposition to Petition No. 1236-14. He stated that the Board was being asked to spot zone the properties with this petition. He added that he had no objection to rezoning the properties to R-70, but that he had a strong objection to rezoning the properties to R-40. He concluded by asking the Board to rezone the properties to R-70 or, if need be, to deny the petition to rezone the properties.

Frank Gardner: Mr. Gardner spoke in opposition to Petition No. 1236-14 since rezoning to one-acre lots would defeat what the stance that Fayette County has historically taken. He urged the Board to think about the Fayette community and how approving the petition would affect other properties in the county.

No one else spoke in opposition to Petition No. 1236-14.

Mr. McCreary replied to those who spoke in opposition to Petition No. 126-14. Mr. Heath stated that he did not believe the D'Souza's had a direction opposition to rezoning the properties to R-70, but that the R-40 request came from trying to keep both parties happy. He said their intention was to have two nice houses on four-acres next to each other.

Chairman Brown asked Mr. Frisina to inform the Board why there was a 4-1 vote from the Planning Commission on this petition, and Mr. Frisina did so. Mr. Frisina then answered questions from the Board and further discussion followed.

Commissioner Oddo moved to accept consideration of Petition No. 1236-14, Danny Ray Reid, Owner, and Brian McCreary, Inc., Agent, request to rezone 2.00 acres from A-R and R-70 to R-40, with said property being located in Land Lots 72 and 89 of the 7th District and fronting on Dogwood Trail, with one condition with the additional six-month time limit. The motion failed for a lack of a second.

Commissioner Ognio moved to accept Petition No. 1236-14, Danny Ray Reid, Owner, and Brian McCreary, Inc., Agent, request to rezone 2.00 acres from A-R and R-70 to R-75, with said property being located in Land Lots 72 and 89 of the 7th District and fronting on Dogwood Trail, with one condition with the additional six-month time limit. Commissioners Barlow and Oddo seconded the motion. Discussion followed.

The motion to accept Petition No. 1236-14, Danny Ray Reid, Owner, and Brian McCreary, Inc., Agent, request to rezone 2.00 acres from A-R and R-70 to R-75, with said property being located in Land Lots 72 and 89 of the 7th District and fronting on Dogwood Trail, with one condition with the additional six-month time limit passed 3-1-1 with Chairman Brown voting in opposition and Commissioner McCarty abstaining from the vote.

6. Consideration of Petition No. RP-053-14, Danny Ray Reid, Owner, and Brian McCreary, Inc., Agent, request to add one (1) lot to the Final Plat of Reid Estate, with said property being located in Land Lots 72 and 89 of the 7th District and fronting on Dogwood Trail.

Mr. Brian McCreary said he was not prepared to speak about this petition based on the last vote.

No one spoke in favor of or in opposition to this request. Mr. Maxwell asked for the Board to adopt the verbatim comments that he made for Public Hearing #5 if it was acceptable to the Board, and Chairman Brown replied that it was acceptable.

Chairman Brown stated that he did not like having an applicant coming to the podium and saying he did not know what was being voted on, and he asked if this item should be tabled. Community Development Director Pete Frisina replied that this vote was procedural based on the vote that took place under Public Hearing #5. Discussion followed.

Chairman Brown moved to approve Petition No. RP-053-14, Danny Ray Reid, Owner, and Brian McCreary, Inc., Agent, request to add one (1) lot to the Final Plat of Reid Estate, with said property being located in Land Lots 72 and 89 of the 7th District and fronting on Dogwood Trail. Commissioner Ognio seconded the motion. Discussion followed.

The motion to approve Petition No. RP-053-14, Danny Ray Reid, Owner, and Brian McCreary, Inc., Agent, request to add one (1) lot to the Final Plat of Reid Estate, with said property being located in Land Lots 72 and 89 of the 7th District and fronting on Dogwood Trail passed unanimously.

CONSENT AGENDA:

There were no items on the Consent Agenda.

OLD BUSINESS:

There were no items of Old Business.

NEW BUSINESS:

7. **Consideration of the Selection Committee's recommendation to appoint Mr. Don Wellman, County Administrator Steve Rapson, and Commissioner Randy Ognio to the Fayette County Public Facilities Authority for one-year terms beginning immediately and expiring July 23, 2015.**

Commissioner Barlow moved to accept the Selection Committee's recommendation to appoint Mr. Don Wellman, County Administrator Steve Rapson, and Commissioner Randy Ognio to the Fayette County Public Facilities Authority for one-year terms beginning immediately and expiring July 23, 2015. Commissioner McCarty seconded the motion. No discussion followed. The motion passed 4-0-1 with Commissioner Ognio abstaining from the vote.

8. **Consideration of Resolution 2014-17 entitled "Resolution Authorizing Fayette County as a Pilot Site in Metropolitan Atlanta for Autonomous Vehicle Design, Development, and Testing."**

Chairman Brown briefed the Board on this matter and had staff show a couple of videos on the subject, before he answered questions and heard comments from the Board.

Denise Ognio: Mrs. Ognio spoke in opposition to Resolution 2014-17.

Angela Bean: Ms. Bean commented to Resolution 2014-17 saying she was not opposed to it so long as the County remained cautious with its implementation.

Commissioner Barlow moved to adopt Resolution 2014-17 entitled "Resolution Authorizing Fayette County as a Pilot Site in Metropolitan Atlanta for Autonomous Vehicle Design, Development, and Testing."
Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

9. Approval of the July 10, 2014 Board of Commissioners Meeting Minutes. Commissioner Barlow was not present for this meeting.

Commissioner McCarty moved to approve the July 10, 2014 Board of Commissioners Meeting Minutes. Commissioner Ognio seconded the motion. No discussion followed. The motion passed 4-0-1 with Commissioner Barlow abstaining from the vote.

PUBLIC COMMENT:

Roy Bishop: Mr. Bishop suggested that when a contractor is cutting into the water main that a Water System employee should be present. He stated that the fire hydrants in front of his house have been moved twice in the past two weeks since they had to cut the pipes in front of his house.

Frank Gardner: Mr. Gardner stated he wanted to remember a coach at North Clayton High School, and he spoke in remembrance of the coach. He then stated that he thought Verizon would be interested in the autonomous vehicle endeavor in Fayette County. He said that Fayette County would continue to grow so long as it has people of vision involved in it. He spoke about how radio signals are good but limited due to trees, but he asked that the land not be clear cut in order to accommodate radio signals.

ADMINISTRATOR'S REPORTS:

Emergency Purchase Order and Request for Proposal: County Administrator Steve Rapson reported that the County is currently finishing up its evaluation of water tanks as part of the analysis prescribed by the Consent Order. He stated that the evaluation had focused on the County's two water plants but that it was now branching out through the distribution system. He said part of what the County has received from the preliminary report is that there are five above ground tanks and three below ground tanks. He stated that the County had to take one of the tanks out of service for repairs, and he said he ordered an emergency Purchase Order for its repair. He added that the County is issuing a Request for Proposal (RFP) for maintenance for the remaining tanks. He stated that the RFP and the official approval to move funds for the emergency Purchase Order would be brought to the Board during the August 28, 2014 Board of Commissioners meeting.

ATTORNEY'S REPORTS:

Real Estate and Approval of the June 26, 2014 Executive Session Minutes: County Attorney Dennis Davenport stated that he had one item of Real Estate and the review of the June 26, 2014 Executive Session Minutes to be discussed in Executive Session.

COMMISSIONERS' REPORTS:

Commissioner Barlow: Commissioner Barlow introduced his wife, Cherie, to the Board. He also spoke in memory of Reporter John Munford, of *The Citizen*, who passed away unexpectedly on Monday, July 21, 2014. He showed several photos as he spoke in remembrance of Mr. Munford.

Commissioner McCarty: Commissioner McCarty stated that he has lost three friends this year including John Munford. He stated that while life will go on, John Munford would be missed.

Commissioner Ognio: Commissioner Ognio said he was shocked to hear of John Munford's death. He stated that Mr. Munford was more than fair in his reporting. He added that if a person talked to Mr. Munford that what was said could likely find its way into an article. He said John was always fair in his reporting and that he would be missed.

Commissioner Oddo: Commissioner Oddo said while nothing more remained to be said after Commissioner Barlow's comments; it still did not seem real that John Munford has passed away. He said there was something wrong with looking into the audience and not seeing John. He mentioned that John was always smiling, that he was a good guy, and that he took his job very seriously. He added that this has been a very tough year for many people that he knows, and that John's death just makes it a lot tougher. He extended his and his wife's condolences to the Munford family.

Chairman Brown: Chairman Brown told a story about John Munford during the time when he was serving as mayor of Peachtree City and Steve Rapson was a council member. He stated that John Munford was in the audience during a time when a controversial item was being discussed, and that he was writing during the discussion. Chairman Brown related that Mr. Munford was obviously getting worked up about what was being said, and he stopped being the reported, ran up to the microphone, and began to speak passionately to the council. He said the council was so amazed that he would actually become so passionate on the topic, and that afterwards he asked Mr. Munford if he was actually writing the news or trying to make the news. He said John was an interesting person, that he was loved by all, that he has a great family, and that the community looked forward to helping them all. He told the audience that Mr. Terry Garlock was taking donations on behalf of the Munford family. Chairman Brown pointed out that interns Kyra Parks and Vanessa Johnson were in the audience. He added that Ms. Parks was put into action after County Clerk Floyd Jones was called away on an emergency. Chairman Brown stated that Ms. Parks and Ms. Johnson were going to make a presentation during the August 14, 2014 meeting, and he encouraged everyone to come to the meeting.

EXECUTIVE SESSION:

One Real Estate Item and Review of June 26, 2014 Executive Session Minutes: Chairman Brown moved to retire to Executive Session. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

The Board of Commissioners recessed into Executive Session at 9:15 p.m. and returned to Official Session at 9:25 p.m.

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

Sale of Fire Station #7 Located in Woolsey, Georgia: Chairman Brown moved to approve the sale for Bid #905, Parcel ID# 0443-016, that is located at 273 Hampton Road, Fayetteville, Georgia, for the amount of \$83,760.00, with the winning bidder being Mr. Kenneth N. Wright of CFI, Incorporated. Commissioner Ognio seconded the motion. No discussion followed. The motion passed unanimously.

Approval of the June 26, 2014 Board of Commissioners Executive Session Minutes: Chairman Brown moved to approve the June 26, 2014 Executive Session Minutes. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

ADJOURNMENT:

Chairman Brown moved to adjourn the July 24, 2014 Board of Commissioners meeting. Commissioner McCarty seconded the motion. No discussion followed. The motion passed unanimously.

The July 24, 2014 Board of Commissioners meeting was adjourned at 9:26 p.m.

Tameca P. White, Deputy County Clerk