

BOARD OF COUNTY COMMISSIONERS

Randy Ognio, Chairman
Charles W. Oddo, Vice Chairman
Edward Gibbons
Eric K. Maxwell
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

ACTION AGENDA

February 28, 2019
6:30 p.m.

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 2nd and 4th Thursday of each month at 6:30 p.m.

Call to Order

Chairman Randy Ognio called the February 28, 2019 Board of Commissioners meeting to order at 6:30 p.m. A quorum of the Board was present.

Invocation and Pledge of Allegiance by Commissioner Charles Rousseau

Commissioner Charles Rousseau offered the Invocation and led the Board and audience in the Pledge of Allegiance.

Acceptance of Agenda

Commissioner Charles Rousseau moved to accept the agenda as written. Commissioner Gibbons seconded. The motion passed 5-0.

PROCLAMATION/RECOGNITION:

PUBLIC HEARING:

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

- 1. Consideration of Petition No. 1259-16A, Regina D. Godby, Owner, and Rod Wright, Agent, request to rezone 33.995 acres from A-R to R-70 to develop a Single-Family Residential Subdivision with 17 lots in conjunction with Petition No. 1259-18B; property located in Land Lots 37 and 60 of the 7th District and fronts on Ebenezer Road and Davis Road.**

Commissioner Maxwell recused himself from discussion on this item and let the Public Meeting Room.

Petitioners agent Rod Wright briefed the Board on Petition No. 1259-16A request to rezone 33.995 acres from A-R to R-70 to develop a Single-Family Residential Subdivision with 17 lots in conjunction with Petition No. 1259-18B; property located in Land Lots 37 and 60 of the 7th District and fronts on Ebenezer Road and Davis Road.

No one spoke in favor several citizens spoke in opposition.

Vice-Chairman Oddo motioned to approve Petition No. 1259-16A, Regina D. Godby, Owner, and Rod Wright, Agent, request to rezone 33.995 acres from A-R to R-70 to develop a Single-Family Residential Subdivision with 17 lots in conjunction with Petition No. 1259-18B; property located in Land Lots 37 and 60 of the 7th District and fronts on

Ebenezer Road and Davis Road with three (3) outlined conditions. Commissioner Rousseau seconded. The motion passed 4-0-1, Commissioner Maxwell recused himself.

- 2. Consideration of Petition No. 1259-16B, Shelly M. Godby, Owner, and Rod Wright, Agent, request to rezone 5.0 acres from A-R to R-70 to develop a Single-Family Residential Subdivision with 17 lots in conjunction with Petition No. 1259-18A; property is located in Land Lots 37 and 60 of the 7th District and fronts on Ebenezer Road.**

No one spoke in favor or in opposition.

Vice-Chairman Oddo motioned to approve Petition No. 1259-16B, Shelly M. Godby, Owner, and Rod Wright, Agent, request to rezone 5.0 acres from A-R to R-70 to develop a Single-Family Residential Subdivision with 17 lots in conjunction with Petition No. 1259-18A; property is located in Land Lots 37 and 60 of the 7th District and fronts on Ebenezer Road with three (3) outlined conditions. Commissioner Rousseau seconded. The motion passed 4-0-1, Commissioner Maxwell recused himself.

Commissioner Maxwell returned to the Meeting.

- 3. Consideration of staff's request to adopt Resolution 2019-03 pertaining to the "Fayette County 2018 Annual Report on Fire Services Impact Fees, including Comprehensive Plan Amendments for Updates to the Capital Improvements Element and Community Work Program (FY2019- FY2023)" and to transmit the document to the Atlanta Regional Commission and the Department of Community Affairs for Regional and State review prior to adoption.**

Vice-Chairman Oddo motioned to approve request to adopt Resolution 2019-03 pertaining to the "Fayette County 2018 Annual Report on Fire Services Impact Fees, including Comprehensive Plan Amendments for Updates to the Capital Improvements Element and Community Work Program (FY2019- FY2023)" and to transmit the document to the Atlanta Regional Commission and the Department of Community Affairs for Regional and State review prior to adoption. Commissioner Gibbons seconded. The motion passed 5-0.

CONSENT AGENDA:

Chairman Ognio requested to have item #15 pulled for discussion.

Vice-Chairman Oddo moved to accept the Consent Agenda as written except for item number #15. Commissioner Gibbons seconded. The motion passed 5-0.

- 4. Approval of Resolution 2019-02 to change a street name in Waterlace/Canoe Club Subdivision from "Windsail Pointe" to "Lakeridge Point."**
- 5. Approval of the Acceptance and Confirmation of Work from Fairburn Ready Mix for the clean-up of property owned by Fayette County adjacent to Fairburn Ready Mix.**
- 6. 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 2019, and authorization for the Chairman to sign said Intergovernmental Agreement.

- 7. 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 2019, and authorization for the Chairman to sign said Intergovernmental Agreement.**
- 8. 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 2019, and authorization for the Chairman to sign said Intergovernmental Agreement.**
- 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 2019, and authorization for the Chairman to sign said Intergovernmental Agreement.**
- 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 2019, and authorization for the Chairman to sign said Intergovernmental Agreement.**
- 11. Approval to adopt Resolution 2019-04 to request sales tax information from the Georgia Department of Revenue pursuant to O.C.G.A. 48-2-15(d.1) and name Chief Finance Officer as Fayette County's designated official for all related purposes through the period ending December 31, 2019.**
- 12. Approval of staff's recommended Mid-Year Budget Amendments to the FY 2019 budget and approval to close completed Capital Improvement Program (CIP) projects.**
- 13. Approval of staff's request for the Board of Commissioners to establish the annual Budget Calendar for Fiscal Year 2020 which begins July 1, 2019 and ends June 30, 2020.**
- 14. Approval of the reappointment of Division Chief Steven Folden and Deputy Fire Chief Thomas Bartlett to the West Georgia EMS Council for a two-year term.**
- 15. Approval of the February 14, 2019 Board of Commissioners Meeting Minutes.**

Chairman Ognio noted two edits had be made (one on page 5 the other on page 6), under Executive Session.

Chairman Ognio motioned to approve the February 14, 2019 Board of Commissioners Meeting Minutes with noted edits.

Vice-Chairman seconded. The motion passed. 5-0.

OLD BUSINESS:

NEW BUSINESS:

- 16. Fayette County State Court's request to approve to complete a Veterans Treatment Court implementation grant from the Council of Accountability Court Judges.**

Commissioner Maxwell moved to approve Fayette County State Court's request to approve to complete a Veterans Treatment Court implementation grant from the Council of Accountability Court Judges. Commissioner Gibbons seconded. The motion passed 5-0.

17. Staff's recommendation to amend an Intergovernmental Agreement between the City of Fayetteville and Fayette County for use of the county owned property and to approve the proposed 2019 Calendar of Events.

Commissioner Gibbons motioned to approved staff's recommendation to amend an Intergovernmental Agreement between the City of Fayetteville and Fayette County for use of the county owned property and to approve the proposed 2019 Calendar of Events. Vice-Chairman Oddo seconded. The motion passed 5-0.

18. Consideration of a recommendation from the Selection Committee, comprised of Vice Chairman Charles W. Oddo and Commissioner Charles D. Rousseau, to appoint Bryan Thompson to the Fayette County Recreation Commission for a term beginning January 1, 2019 and expiring December 31, 2022.

Vice-Chairman Oddo motioned to approve to appoint Bryan Thompson to the Fayette County Recreation Commission for a term beginning January 1, 2019 and expiring December 31, 2022. Commissioner Rousseau seconded. The motion passed 5-0.

19. Consideration of a recommendation from the Selection Committee, comprised of Vice Chairman Charles W. Oddo and Commissioner Charles D. Rousseau, to appoint Michael Gumbinger to the Fayette County Recreation Commission for an unexpired term beginning immediately and expiring March 31, 2020.

Vice-Chairman Oddo motioned to approve to appoint Michael Gumbinger to the Fayette County Recreation Commission for an unexpired term beginning immediately and expiring March 31, 2020. Commissioner Rousseau seconded. The motion passed 5-0.

20. Staff's recommended changes to the "Addendum to Policy & Procedures Section 200.01, Purchasing Goods and Services, Public Works Projects Using Federal Funds, Engineering & Design Related Services".

Commissioner Rousseau moved to approve staff's recommended changes to the "Addendum to Policy & Procedures Section 200.01, Purchasing Goods and Services, Public Works Projects Using Federal Funds, Engineering & Design Related Services". Vice-Chairman Oddo seconded. The motion passed 5-0.

21. Consideration of Ordinance 2019-01, amendments to Chapter 4 – Alcoholic Beverages, Sec. 4-36 - Prohibited distances; sale of alcoholic beverages near churches, schools, or other sites regarding A-R wedding/event facilities.

Commissioner Rousseau motioned to approve Ordinance 2019-01, amendments to Chapter 4 – Alcoholic Beverages, Sec. 4-36 - Prohibited distances; sale of alcoholic beverages near churches, schools, or other sites regarding A-R wedding/event facilities. Vice-Chairman Oddo seconded. The motion passed 5-0.

22. Consideration of staff's recommendation to adopt Ordinance 2019-02 that amends Fayette County Code, Chapter 104 - Development Regulations, Article VII. Watershed Protection.

Vice-Chairman Oddo moved to approve staff's recommendation to adopt Ordinance 2019-02 that amends Fayette County Code, Chapter 104 - Development Regulations, Article VII. Watershed Protection. Commissioner Gibbons seconded. The motion passed 5-0.

23. Staff's recommendation to approve Resolution 2019-05; Opposing House Bill 302, Preemption of Local Building Design Standards.

Vice-Chairman Oddo moved to approve Resolution 2019-05; Opposing House Bill 302, Preemption of Local Building Design Standards. Commissioner Gibbons seconded. The motion passed 5-0.

PUBLIC COMMENT:

Speakers will be given a five (5) minute maximum time limit to speak before the Board of Commissioners about various topics, issues, and concerns. Speakers must direct comments to the Board. Responses are reserved at the discretion of the Board.

The following citizens made public comments: Roy Bishop, Yvonne Smith, Douglas Brantley, and Bradley Sanders.

ADMINISTRATOR'S REPORTS:

- A. Contract #1431-P: Transportation Engineer of Record: Task Order 21 – Resurfacing Program – FY 2019, FC Project Number: 19TAF, GDOT PI 0016058, ARC TIP FA-100A, Surface Transportation Block Grant (STBG)**
- B. Contract #1431-P: Transportation Engineer of Record: Task Order 22 – Resurfacing Program – FY 2019, FC Project Number: 19TAG, GDOT PI 0016083, ARC TIP FA-100B, Surface Transportation Block Grant (STBG)**

Board of Health

Mr. Rapson stated that they needed a selection committee for a position on the Board of Health Committee and for the Chairman to select and appointee to serve on the Board of Health.

Chairman Ognio designated Steve Folden to serve on the Board of Health.

Chairman Ognio moved to nominate Commissioner Gibbons and Chairman Ognio to serve as selection committee for the Board of Health. Commissioner Gibbons seconded. The motion passed 5-0.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated there was one item involving Pending Litigation, two items involving Threatening Litigation, and the Review of the February 14 , 2019 Executive Session Minutes for consideration in Executive Session.

COMMISSIONERS' REPORTS:

Commissioner Gibbons, Commissioner Maxwell, Commissioner Rousseau, Vice-Chairman Oddo and Chairman Ognio gave comments.

EXECUTIVE SESSION:

One item involving Pending Litigation, two items involving Threatening Litigation, and the Review of the February 14 , 2019 Executive Session Minutes: Vice-Chairman Oddo moved to go into Executive Session. Commissioner Gibbons seconded. The motion passed 5-0.

The Board recessed into Executive Session at 8:36 p.m. and returned to Official Session at 9:12 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. Vice-Chairman Oddo seconded the motion. The motion passed 5-0.

Approval of the February 14, 2019 Executive Session Minutes: Chairman Ognio moved to approve the February 14, 2019 Executive Session Minutes. Vice-Chairman Oddo seconded the motion. The motion passed 5-0.

ADJOURNMENT:

Commissioner Gibbons moved to adjourn the February 28, 2019 Board of Commissioners meeting. Vice Chairman Oddo seconded the motion. The motion passed 5-0.

The February 28, 2019 Board of Commissioners meeting adjourned at 9:12 p.m.

Marlena M. Edwards, Deputy County Clerk