

## 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

## MINUTES

July 25, 2019

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 Randy Ognio called the July 25, 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

Vice Chairman Charles Oddo moved to accept the agenda as written. Commissioner Edward Gibbons seconded. The motion passed 5-0.

### PROCLAMATION/RECOGNITION:

#### 1. Recognition of the retirement of Sherri Mask after 35 years of service with Fayette County.

Kristie King Fayette County Tax Commissioner, on behalf of the Board, recognized Sherri Mask for her 35 years of service with Fayette County. Chairman Ognio presented Ms. Mask with a plaque, on behalf of the Board, thanking her for her service and wishing her well in her retirement.

### PUBLIC HEARING:

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

#### 2. Consideration of Petition No. 1286-19, Danny B. Dougherty, Jr. and Patricia Nolde, Owners, request to rezone 6.833 acres from R-40 to A-R; property located in Land Lot 65 of the 5th District, and fronts on Lester Road and Red Fox Run.

Petitioner Patricia Nolde began her comments thanking the Planning and Zoning Office for their assistance in walking her through the rezoning process. Mrs. Nolde explained to the Board that her request to rezone 6.833 acres from R-40 to A-R, stemmed from her desire to start a small farm. Mrs. Nolde noted that as a part of being rezoned she would be able to take advantage of various USDA programs for small and women farmers.

No one spoke in favor or in opposition.

Mr. Frisina stated that the Planning and Zoning staff recommended approval with one (1) condition as follows:  
“That all necessary variances related to the existing accessory structure be approved by the Zoning Board of Appeals within 180 days from the approval of this rezoning petition.”

Mrs. Nolde agreed to condition.

Commissioner Maxwell moved to approve Petition No. 1286-19, Danny B. Dougherty, Jr. and Patricia Nolde, Owners, request to rezone 6.833 acres from R-40 to A-R; property located in Land Lot 65 of the 5th District, and fronts on Lester Road and Red Fox Run with one (1) condition: that all necessary variances related to the existing accessory structure be approved by the Zoning Board of Appeals within 180 days from the approval of this rezoning petition. Vice Chairman Oddo seconded. The motion passed 5-0.

**3. Consideration of Petition No. 1287-19, Eric Thomas, Owner, request to rezone 9.66 acres from A-R to R-70; property located in Land Lot 254 of the 5th District, and fronts on S. Kite Lake Road.**

No one spoke in favor or in opposition.

Vice-Chairman Oddo moved to approve Petition No. 1287-19, Eric Thomas, Owner, request to rezone 9.66 acres from A-R to R-70; property located in Land Lot 254 of the 5th District, and fronts on S. Kite Lake Road. Commissioner Gibbons seconded. The motion passed 5-0.

**4. Consideration of Petition No. RP-072-19, Cindy Sims, Owner, request to revise the Minor Subdivision Plat of Cindy Sims Estate by adding 1.388 acres of property from an existing tract to the existing 11.892 acre lot and to add one lot to the subdivision; property located in Land Lots 72, 73, 88 and 89 of the 7th District and fronts on Ellison Road and Dogwood Trail.**

Mr. Frisina stated that both staff and the Planning Commission approved with no conditions.

No one spoke in favor or in opposition.

Commissioner Gibbons moved to approve Petition No. RP-072-19, Cindy Sims, Owner, request to revise the Minor Subdivision Plat of Cindy Sims Estate by adding 1.388 acres of property from an existing tract to the existing 11.892 acre lot and to add one lot to the subdivision; property located in Land Lots 72, 73, 88 and 89 of the 7th District and fronts on Ellison Road and Dogwood Trail. Vice Chairman Oddo seconded. The motion passed 5-0.

**CONSENT AGENDA:**

Vice Chairman Oddo moved to accept the Consent Agenda. Commissioner Gibbons seconded. The motion passed 5-0.

- 5. Approval of staff's request for the Chairman to sign a temporary Right of Entry Agreement with CSX Transportation, Inc. for the asphalt resurfacing at the railroad crossing on Sandy Creek Road, and to secure the required advance payment for protective services.**
- 6. Approval of the July 11, 2019 Board of Commissioners Meeting Minutes.**

**OLD BUSINESS:**

**NEW BUSINESS:**

7. **Consideration of the Zoning Board of Appeals Selection Committee's recommendation to reappoint Bill Beckwith to the Zoning Board of Appeals for a term beginning January 1, 2019 and expiring December 31, 2021.**

Vice Chairman Oddo moved to accept Zoning Board of Appeals Selection Committee's recommendation to reappoint Bill Beckwith to the Zoning Board of Appeals for a term beginning January 1, 2019 and expiring December 31, 2021. Commissioner Gibbons seconded. The motion passed 5-0.

**PUBLIC COMMENT:**

Tom Waller: Mr. Waller stated his concerns regarding the asphalt resurfacing at the railroad crossing on Sandy Creek Road.

**ADMINISTRATOR'S REPORTS:**

- A. **Contract #1486-A: Dust Control Services- Renewal 1**
- B. **Contract #1517-B: Water Treatment Chemicals – Renewal 1**
- C. **Contract #1645-S: Siemens Automation Service Agreement**
- D. **Contract #1652-S: Firefighters' Uniform**
- E. **Contract #1691-S: Carusol 20 Water System Treatment Chemical**

**ATTORNEY'S REPORTS:** County Attorney Dennis Davenport stated that there was one item of pending litigation and the review of the Executive Session minutes for June 27, 2019.

**COMMISSIONERS' REPORTS:**

**Chairman Ognio**

Chairman Ognio stated in response to Mr. Waller that the agreement with CSX Transportation, Inc. for the asphalt resurfacing at the railroad crossing on Sandy Creek Road was brought to the Board at the request of CSX Transportation, Inc. The Board would anticipate the project to be successful and expectations have been set to make it a better crossing. Chairman Ognio stated that the project at 92 and Veterans Parkway was moving forward. He noted that although it may not be visible, progress work was under way.

Chairman Ognio stated that the Board needed to appoint the voting delegate for the ACCG Legislative Conference in October.

Commissioner Maxwell motioned to nominate Chairman Ognio as the voting delegate for the ACC Legislative Conference in October. Commissioner Gibbons seconded. The motion passed 5-0.

**Commissioner Maxwell**

Commissioner Maxwell acknowledged that there was a vehicle within the county that had offensive/derogatory remarks displayed on it and that although offensive and not supported by the Board, it was outside of the Boards authority to require a resident to have it removed.

**Vice Chairman Oddo**

Vice Chairman Oddo wished his nephew Axel a Happy 16<sup>th</sup> Birthday.

**Commissioner Rousseau**

Commissioner Rousseau expressed his appreciation for the efforts extended by the Sheriff's Offices during a recent incident. He added that based on what was known, the officers involved exhibited extreme restraint and skill in a tense and volatile situation that could have ended differently.

Commissioner Rousseau continued that he recently attended the National Association of Counties (NACo) Annual Conference in Las Vegas where Georgia Commissioner, Larry Jonson of DeKalb County was elected as the National Association of Counties (NACo) Vice President; which gives Georgia and in turn Fayette County a voice at the national level, advocating for dollars, infrastructure, and resources on our behalf. Commissioner Rousseau thanked Commissioner Maxwell for his comments to residents regarding the Tourist Accommodation Ordinance and explaining the timeframe for changes to be made.

**EXECUTIVE SESSION:**

**One item of pending litigation and the review of the Executive Session minutes for June 27, 2019.** Vice Chairman Oddo moved to go into Executive Session. Commissioner Gibbons seconded. The motion passed 5-0.

The Board recessed into Executive Session at 7:06 p.m. and returned to Official Session at 7:33 p.m.

**Return to Official Session and Approval to Sign the Executive Session Affidavit:** 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 June 27, 2019 Executive Session Minutes:** Chairman Ognio moved to approve the June 27, 2019 Executive Session Minutes. Vice Chairman Oddo seconded. The motion passed 5-0.

**ADJOURNMENT:**

Commissioner Gibbons moved to adjourn the July 25, 2019 Board of Commissioners meeting. Vice Chairman Oddo seconded. The motion passed 5-0.

The July 25, 2019 Board of Commissioners meeting adjourned at 7:33 p.m.

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Marlena Edwards, Deputy County Clerk

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Randy C. Ognio, 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 August 2019. Referenced attachments are available upon request at the County Clerk's Office.

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Marlena Edwards, Deputy County Clerk