

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

January 23, 2020

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 January 23, 2020 Board of Commissioners meeting to order at 6:31 p.m.

Invocation and Pledge of Allegiance by Commissioner Charles Rousseau

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

Acceptance of Agenda

Vice Chairman Charles Oddo moved to accept the agenda with the following changes: to remove item #1 and to move items #12 and #13 up on the agenda before Public Hearing. Commissioner Gibbons seconded. The motion passed 5-0.

PROCLAMATION/RECOGNITION:

1. Recognition of winners of the 2019 Model Water Tower Competition and Water System Staff.

This item was removed at the beginning of the meeting.

PUBLIC HEARING:

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

2. Consideration of Petition No. RP-074-19, Richard E Carne, Owner, request approval to revise the Final Plat for Bay Chappell Farms to add one lot to the subdivision by subdividing Lot 36 into two separate lots.

County Attorney Dennis Davenport recused himself from the discussion explaining that two of his senior partners at his firm live in this subdivision. He stated that he felt it was a conflict of interest for him to advise the Board or make any suggestions regarding this matter.

Attorney Laurel Henderson was present in Mr. Davenport's place. Mr. Davenport left the meeting.

Mr. Richard Carne, requester of Petition No. RP-074-19, stated that his request was to subdivide his lot into two separate lots to have a home built on the lot.

No one spoke in favor of this petition.

No one spoke in opposition of this petition.

Commissioner Rousseau commended Mr. Carne for his efforts in reaching out to his neighbors regarding his request for his property.

Commissioner Maxwell stated as clarification that although the request is to subdivide the lot, both lots would still meet the specified minimum acreage and home square footage for R-72, which is two (2) acres and 2100 sq. ft.

Commissioner Rousseau stated, for clarification, that if the minimum requirement for R-72 was not met then final plat would not be approved.

Commissioner Rousseau moved to approve Petition No. RP-074-19, Richard E Carne, Owner, request approval to revise the Final Plat for Bay Chappell Farms to add one lot to the subdivision by subdividing Lot 36 into two separate lots with the approved condition to do away with the variance currently in place, as long as, the petitioner has approval to subdivide the lot. Vice Chairman Oddo seconded. The motion passed 5-0.

Mr. Davenport returned to the meeting.

3. Consideration of Petition No. RP-075-19, Cicely Foster, Owner, request approval to revise the Minor Subdivision Plat for Brooks Farm, consisting of one (1) 16.778 acre lot, by adding 30.718 acres to enlarge the existing lot and create an additional 17 acre lot.

Mr. Mark Gallagher stated that this request was administrative and was needed to redraw the property lines for the land owned by the applicant, who was his sister-in-law and his family.

Mr. Frisina stated that both Planning Commissioner and staff recommended approval.

No one spoke in favor of this petition.

No one spoke in opposition of this petition.

Commissioner Edward Gibbons moved to approve Petition No. RP-075-19, Cicely Foster, Owner, request approval to revise the Minor Subdivision Plat for Brooks Farm, consisting of one (1) 16.778 acre lot, by adding 30.718 acres to enlarge the existing lot and create an additional 17 acre lot. Vice Chairman Oddo seconded. The motion passed 5-0.

4. Consideration of Petition No. 1289-19, Jan A. Hutto and Timothy E. Trammell, Owners and Darrell Baker, Agent, request to rezone 2.409 acres from A-R to O-I; located in Land Lot 58 of the 7th District, and fronts on SR 54 West and Ebenezer Road.

Mr. Darrell Baker stated that his request to rezone 2.409 acres from A-R to O-I; located in Land Lot 58 of the 7th District, and fronts on SR 54 West and Ebenezer Road. Mr. Baker stated that the proposal for this property was to develop a two-story 15,000 sq. ft. professional office building. Mr. Baker stated that this request was consistent with the Fayette County Comprehensive Plan and Land Use along SR 54 of frontage properties.

Mr. Frisina stated that both the Planning Commission and staff recommend approval.

No one spoke in favor of this petition.

No one spoke in opposition of this petition.

Vice Chairman Oddo moved to approve Petition No. 1289-19, Jan A. Hutto and Timothy E. Trammell, Owners and Darrell Baker, Agent, request to rezone 2.409 acres from A-R to O-I; located in Land Lot 58 of the 7th District, and fronts on SR 54 West and Ebenezer Road. Commissioner Gibbons seconded. The motion passed 5-0.

5. Consideration of Petition No. 1290-19, Scott and Wendy Marlow, request to rezone 2.83 acres from R-70 Cond. to R-70 Cond.; located in Land Lot 216 of the 4th District, and fronts on Antioch Road and Rosemont Trace.

Mr. Frisina stated that this request would exempt the applicant from the one condition of the 80 ft. set back and this request would only apply to Lot 1.

Mrs. Wendy Marlow stated that the request would allow her family to alter the interior of the detached garage and create an in-law suite for her mother.

No one spoke in favor of this petition.

No one spoke in opposition of this petition.

Commissioner Gibbons moved to approve Petition No. 1290-19, Scott and Wendy Marlow, request to rezone 2.83 acres from R-70 Cond. to R-70 Cond.; located in Land Lot 216 of the 4th District, and fronts on Antioch Road and Rosemont Trace. Vice Chairman Oddo seconded. The motion passed 5-0.

PUBLIC COMMENT:

Dean Breest made comments regarding an accident on the property and his request to have the county to consider putting in cameras at the intersection. He stated that the insurance company has denied the claims and the church is unable to cover the cost of the damages.

CONSENT AGENDA:

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

- 6. Approval to award ITB #1743-B to West Georgia Lighting, Inc. in the amount of \$142,500 for lighting at McCurry Park Soccer Field #21.**
- 7. Approval of the Water Committee's recommendation to close Lake McIntosh Park on May 15, 16 and 17, 2020 for the Greater Atlanta Air Show.**
- 8. Approval of the January 9, 2020 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

NEW BUSINESS:

- 9. Consideration of a staff's recommendation to re-appoint Page McDonald to the Fayette County Library Board for a four-year term beginning January 1, 2020 and expiring December 31, 2023.**

Vice Chairman Oddo moved to re-appoint Page McDonald to the Fayette County Library Board for a four-year term beginning January 1, 2020 and expiring December 31, 2023. Commissioner Gibbons seconded. The motion passed 5-0.

- 10. Consideration of staff's recommendation to award RFP No. 1670-P; Engineer of Record for Water System Interconnectivity Initiative to Integrated Science and Engineering in the amount of \$383,154.00.**

Water System Director Vanessa Tigert stated that the Water System staff solicited responses for RFP No. 1670-P; Engineer of Record for Water System Interconnectivity Initiative, to construct a hydraulic model of the system's distribution network and perform a safe yield analysis of the county's reservoirs in order to determine the County's long-term water supply demand and a sustainable service delivery rate for wholesale water sales. Results from this calibrated hydraulic water model will allow master planning, asset management, operational improvement and energy-use improvement.

Ms. Tigert stated that the Interconnectivity Initiative was necessary to be prepared for an emergency situation where the Water System would need to share water with an adjacent water provider as required under the Georgia Water System Interconnection, Redundancy and Reliability Act.

Commissioner Rousseau stated that the previous Water Director, Mr. Lee Pope had warned the Board of the need for interconnectivity and encouraged partnership with neighboring counties. Mr. Rousseau commended the Water System for their recent mention in the newspaper.

Commissioner Rousseau moved to approve to award RFP No. 1670-P; Engineer of Record for Water System Interconnectivity Initiative to Integrated Science and Engineering in the amount of \$383,154.00. Vice Chairman Oddo seconded. The motion passed 5-0.

11. Consideration to increase existing Contract No. 1522-B Water Tank Repair with Southeastern Tank and Tower, Inc., by \$275,350 for additional repairs and maintenance.

Water System Director Vanessa Tigert stated that this contract was for painting and general maintenance of existing elevated water storage tanks. During tank repair, additional corrosion and coating failure was encountered after pressure washing of the interior tank side walls at both the Highway 92 and Ellis Road tanks.

Staff was requesting to increase the Southeastern Tank and Tower, Inc. contract by the amount of \$275,350.00.

Chairman Ognio asked for a brief description as to what repairs were needed.

County Administrator Steve Rapson stated that about \$156,000 of those repairs were known at the end of the previous fiscal year. Mr. Rapson stated that he and Mr. Pope, the previous Water Director, advised the Board that both the tanks at Crabapple and the tank in Peachtree City had not been evaluated and had more interior damage than anticipated. Mr. Rapson also noted that one of the tank was missing a ladder, which had to be installed. Mr. Rapson stated that additionally when evaluating the tanks on Hwy. 92 and Ellis Road, they too needed repair. Mr. Rapson stated that unfortunately there was no way to determine damage until the tanks were inspected.

Commissioner Rousseau stated that he had concerns regarding the timeliness of the tanks evaluations. He stated that his expectations moving forward would be to ensure that these tanks are properly inspected on a routinely basis.

Commissioner Gibbons moved to approve Contract No. 1522-B Water Tank Repair with Southeastern Tank and Tower, Inc., by \$275,350 for additional repairs and maintenance. Vice Chairman Oddo seconded. The motion passed 5-0.

12. Consideration of the County Attorney's recommendation to deny a disposition of tax refund, as requested by Dale and Angela Becker, for tax years 2017-2019.

This item was moved for discussion, to the beginning of the agenda before Public Comments.

County Attorney Dennis Davenport briefed the Board regarding a tax refund requested by Dale and Angela Becker, for tax years 2017-2019. Mr. Davenport stated that the request was based on a homestead exemption that was available to the Becker's and that they met all qualifications for. However, the state statute required applicants to apply by the application deadline of April 1,

which the Becker family missed. Mr. Davenport stated that as a result of the missed application deadline, the recommendation was to deny the request.

Mr. Becker spoke regarding his reasons for asking the Board to make an exception and grant this refund request. Mr. Becker acknowledged his error stating that he did miss the application deadline for the homestead exemption. Mr. Becker continued stating and he and his wife were the primary caregivers for their adult son who was special needs and not self-sufficient.

The Board expressed that state law was the reason for their decision and that they were willing to address the possibility of presented legislation that would allow the Board to consider a request with the circumstances similar to this one.

Commissioner Gibbons moved to deny a disposition of tax refund, as requested by Dale and Angela Becker, for tax years 2017-2019. Commissioner Rousseau seconded. The motion passed 5-0.

13. Consideration of the County Attorney's recommendation to deny a disposition of tax refund, as requested by Elizabeth Hill, for tax years 1984-2019.

This item was moved for discussion, to the beginning of the agenda before Public Comments.

County Attorney Dennis Davenport briefed the Board regarding a tax refund requested by Elizabeth Hill for tax years 1984-2019. Mr. Davenport stated that the request was based on a homestead exemption that was available to Ms. Hill and that she met all qualifications for. However, the state statute requires applicants to apply by the application deadline of April 1, which Ms. Hill missed. Mr. Davenport stated that as a result of the missed application deadline, the recommendation was to deny the request.

No one spoke regarding this item.

Commissioner Rousseau moved to deny a disposition of tax refund, as requested by Elizabeth Hill, for tax years 1984-2019. Commissioner Gibbons seconded. The motion passed 5-0.

ADMINISTRATOR'S REPORTS:

County Administrator Steve Rapson presented the **Hot Project Updates:**

Dogwood Trail (1/22/2020)

Dogwood Trail is currently CLOSED to ALL THROUGH TRAFFIC between Farr Road and Tyrone Road for the demolition of the two existing and failing 120-inch corrugated metal pipes and the construction of a 48-ft by 14-ft concrete bottomless arch culvert, which will be the largest culvert in the unincorporated County. Utility relocation continues to be the key task in moving forward with this project. Safety concerns with the gas company's original design for the 6-inch steel gas main relocation were discovered in September 2019, causing a delay in the construction progress. The new design for a temporary modular bridge system for the 6-inch gas main is complete, however the gas company is unable to provide a start date for their eight week relocation schedule until all of the equipment and supplies required for the modular bridge are secured and delivered to the site.

The completion date for the entire project is June 2020.

Starr's Mill Tunnel (1/23/20)

This project is for the construction of a multi-use path tunnel under Redwine Road, immediately south of the Robinson Road intersection. The project includes new path construction along the west side of Redwine Road and Robinson Road to connect with existing paths.

A Notice to Proceed for design was issued December 2, 2019. After a short halt at the request of Peachtree City, the Consultant has resumed work on a conceptual layout. The survey database is expected to be completed in February. A critical item for this project is coordination of gas line relocation with the Federal-Aid Redwine Road path project.

Intersection of SR 92, Veterans Parkway and Westbridge Road (1/23/20)

This project is to install a traffic signal and turn lanes at the intersection, which currently operates as a two-way stop.

A Notice-to-Proceed was issued to the Contractor on 12/19/20. A County kick-off meeting was held on January 10, 2020 and a Georgia Department of Transportation (GDOT) signal coordination meeting was held on January 21, 2020. The contractor is delineating the work zone with barrel and sign placing, establishing survey control for construction staking, installing erosion control measures, and field-checking location of underground utilities. Earthwork will start in early February.

The critical path for the project remains strain pole delivery and placement. The poles are scheduled for delivery by February 17, 2020.

The Contract completion date is April 17, 2020. The northwest corner of Veterans Parkway and SR 92. Pot-hole locations for utilities marked with yellow flagging.

East Fayetteville Bypass (01/22/20)

This is a large, new road construction project that will connect County Line Road with Corinth Road in the east side of the County.

The critical path for delivery runs through the 700-ft bridge design for the crossing of Morning Creek. The project team met with GDOT and the U.S. Army Corps of Engineers on December 19, 2019, regarding permissions needed from both agencies to access the GDOT wetland mitigation bank and perform the necessary geotechnical work for preparation of the Bridge Foundation Investigation. The issue is being considered by the Corps legal counsel. Croy Engineering has submitted a Task Order for Final Bridge Design that is planned to be on the February 13 BOC Agenda. This will allow final bridge design to proceed up to the point soil information is needed for foundation design. FEMA Letters of Map Revision will also begin under this Task Order. Intersection and roadway design and development of Right-of-Way plans continues in the meantime.

View of Morning Creek, the GDOT Wetland Mitigation Bank and two of three large utility conflicts in the area of the proposed bridge.

Morning Dove Drive Culvert Replacement (1/22/2020)

This is a culvert replacement project under a road that provides exclusive access to several homes in the Quail Hollow Subdivision. Therefore, at least one lane of traffic remains open at all times.

The construction phase of the project kicked off on October 21, 2019. The contractor, Piedmont Paving, has completed all clearing activities, waterline relocation, and installation of the double 8-ft by 8-ft culvert and Redi-Rock retaining wall. The culvert aprons have been poured and the contractor is completing installation of the final upstream wingwall and grading activities. According to the contractor's most recent schedule update, this project should be complete in February 2020.

Temporary stabilization of downstream culvert area.

Fire Station #2 (Highway 92 North)

Fire Station #2 is progressing well.

Weather remains a factor in delaying further progress.

The Steel truss system is scheduled for delivery the first week in February.

Fire Station #4 (McElroy Rd)

Fire Station #4 is progressing well.

Weather remains a factor in delaying further progress.

The steel truss system

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated that there was one item for the review of the Executive Session minutes for December 12, 2019.

COMMISSIONERS' REPORTS:

Commissioner Eric Maxwell

Commissioners Maxwell stated that he attended the Georgia Department of Transportation- Location and Design Public Information session regarding P.I. No. 0013726 prior to the BOC Meeting, where he had a very encouraging conversation with Representative Josh Bonner.

He stated that he appreciated the "Hot Projects" update provided by Mr. Rapson; this update helped keep the Board aware of the work the County was performing.

He expressed his displeasure regarding the time management and completion of the Dogwood Trail project, and publicly invited the president of Atlanta Gas and Light to a Fayette County Board Meeting to discuss concerns regarding the Dogwood Trail project.

Commissioner Charles Rousseau

Commissioner Rousseau stated that his comments regarding the Water System were words of encouragement and forward thinking, he acknowledged that the Water System Office, as a whole, had made tremendous strides and encouraged continued advancement.

Commissioner Rousseau stated that he had a few questions for clarification in reference to Mr. Breest and the accident that occurred on the church property. He stated that the Westbridge Road/Hwy. 92 project was progressing and that the base for the lights had been poured.

He stated that he would be hosting a few demonstration sessions to help citizens familiarize themselves with the new voting machines.

Chairman Randy Ognio

Chairman Ognio encouraged citizens to visit the Secretary of State new website <https://securevotega.com>, which would have information regarding the new election equipment.

EXECUTIVE SESSION:

The Board recessed into Executive Session at 8:13 p.m. and returned to Official Session at 8:14 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 December 12, 2019 Executive Session Minutes: Chairman Ognio moved to approve the December 12, 2019 Executive Session Minutes. Vice Chairman Oddo seconded. The motion passed 4-0-1. Commissioner Rousseau abstained.

ADJOURNMENT:

Chairman Ognio moved to adjourn the January 23, 2020 Board of Commissioners meeting. Vice Chairman Oddo seconded. The motion passed 5-0.

The January 23, 2020 Board of Commissioners meeting adjourned at 8:20 p.m.

Marlena Edwards, Deputy County Clerk

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 13th day of February 2020. Referenced attachments are available upon request at the County Clerk's Office.

Marlena Edwards, Deputy County Clerk