

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. Smith, County Clerk
Marlena Edwards, Chief Deputy County Clerk

140 Stonewall Avenue West
Public Meeting Room
Fayetteville, GA 30214

MINUTES

September 24, 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 September 24, 2020 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 Edward Gibbons

Commissioner Edward Gibbons offered the Invocation and led the Board and audience in the Pledge of Allegiance.

Acceptance of Agenda

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

PROCLAMATION/RECOGNITION:

PUBLIC HEARING:

Community Development Director Pete Frisina read the Introduction to Public Hearings. Mr. Frisina stated the meeting was unique in that it was being held during a time declared as a State of Public Emergency due to COVID-19 (coronavirus). In the abundance of caution concerning the COVID-19 (coronavirus), the meeting would be livestreamed and the call-in number 770-305-5277 would be available for those who wanted to make public comment on any of the items during the public hearings portion of the meeting.

- 1. Consideration of Petition No. 1293-20, Wright Chancey, LLC, Owner, and, Rod Wright, Agent, request to rezone from R-55 Cond. to R-55 Cond. to amend a condition of rezoning concerning the number of driveway curb cuts; property located in Land Lot 31 of the 5th District and fronts on Redwine Road. Applicant has requested to withdraw this petition.**

Mr. Frisina stated that the applicant asked to have Petition No. 1293-20 withdrawn.

No one spoke in favor or opposition.

Vice-Chairman Oddo moved to accept withdrawal of Petition No. 1293-20, Wright Chancey, LLC, Owner, and, Rod Wright, Agent, request to rezone from R-55 Cond. To R-55 Cond. To amend a condition of rezoning concerning the number of driveway curb cuts; property located in Land Lot 31 of the 5th District and fronts on Redwine Road. Applicant has requested to withdraw this petition. Commissioner Gibbons seconded. The motion passed 5-0.

2. Consideration of Petition 1294-20, Iris Williams, Owner, request to rezone 3.00 acres from R-45 conditional to R-40 to develop two single-family residential lot; property located in Land Lot(s) 74 & 75 of the 5th District and fronts on South Jeff Davis Drive.

Mr. Frisina stated that both staff and the Planning Commission recommended to approve Petition 1294-20. Mr. Frisina state that the conditions that were applies to the property, were primarily established as a part of a larger rezoning for the Warren Lake Estates Subdivision. Mr. Frisina stated that the requested property was never included in the subdivision, but bordered the subdivision. Mr. Frisina stated that the property currently had a house on it. Mr. Frisina stated that the condition that the front yard setback be 70 feet would be removed. Mr. Frisina stated that the setback would return to the 60 foot requirement and that the County would take an additional 10 feet of right-of-way.

Petitioner Iris Williams stated that he felt he met all the requirements of his request and asked for the Boards favorable approval.

No one spoke in favor or opposition.

Commissioner Rousseau stated as a note to the Petitioner that the Environmental Health Department required the property well to be capped, which would require the properties be connected to County water if approved. Commissioner Rousseau asked if that was a condition the petitioner was agreeable too.

Mr. Williams made responding comments but they were inaudible.

Mr. Frisina stated that the well capping was not posed as a condition because the Environmental Health Department would impose that as a requirement at the time the additional lot was permitted or platted.

Chairman Ognio asked about the location and viability of the septic system.

Mr. Frisina stated that the septic system requirements would also be verified before the final plat is approved.

Commissioner Maxwell moved to approve Petition 1294-20, Iris Williams, Owner, request to rezone 3.00 acres from R-45 conditional to R-40 to develop two single-family residential lot; property located in Land Lot(s) 74 & 75 of the 5th District and fronts on South Jeff Davis Drive. Commissioner Rousseau seconded. The motion passed 5-0.

PUBLIC COMMENT:

CONSENT AGENDA:

Vice Chairman Oddo moved to accept the Consent Agenda as written, except item #3. Commissioner Gibbons seconded. The motion passed 5-0.

3. Approval of staff's recommendation to adopt final supplemental budget adjustments for the fiscal year ended June 30, 2020, and authorization to adjust and close capital projects moving remaining funds to project contingency.

Commissioner Maxwell stated that his concern was regarding the splash park/pad capital project. Commissioner Maxwell stated that although now may not be the appropriate time for a splash park/pad, he wanted it to remain on the list for capital projects that can be completed in the future.

County Administrator Steve Rapson stated that the splash park/pad capital project was initiated in 2015, between 2015 and 2020 no funds allocated for the splash park/pad capital project had been spent nor any plans proposed regarding the splash park/pad; as a result after five years those unused funds are moved back into the Contingency Fund and reallocated for Parks and

Recreation. Mr. Rapson stated that the funds for the splash park/pad capital project had been reallocated to fund the McCurry Park soccer field lighting refurbishment.

Commissioner Maxwell moved to approve adoption of the supplemental budget adjustments for the fiscal year ended June 30, 2020, and authorization to adjust and close capital projects moving remaining funds to project contingency. Commissioner Maxwell moved to keep item V. A-d (Splash Park/Pad) as a capital improvement project and to move \$150,000 from the General Contingency Fund to pay for McCurry Park soccer field lighting refurbishment. Commissioner Gibbons seconded. The motion passed 5-0.

- 4. Approval of staff's recommendation to adopt final supplemental budget adjustments related to the Coronavirus Aid, Relief, and Economic Security Act (CARES) and various other grants, for the fiscal year ended June 30, 2020.**
- 5. Approval of staff's recommendation to award Contract #1853-A to B.E. Guthrie Construction Company for Stonewall Complex masonry repairs at \$14,950.00 and to Metro Waterproofing, Inc. for Justice Center masonry repairs at \$15,892.00 and to reallocate \$30,842.00 from General Fund Project Contingency to a Capital Improvement Project (CIP) for this purpose.**
- 6. Approval of the August 31, 2020 Special Called Board of Commissioners Meeting Minutes.**
- 7. Approval of the September 10, 2020 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

NEW BUSINESS:

- 8. Consideration of staff's recommendation to award Bid #1845-B, Fayette County Resurfacing Program FY 2020 to the lowest responsive and responsible bidder, ER Snell Contractor, Inc., for the amount of \$3,097,344.97 (2017 SPLOST 19TAG), contingent upon concurrence from Georgia Department of Transportation (GDOT).**

Public Works Director Phil Mallon stated that this project was submitted as part of a grant application to the Atlanta Regional Commission (ARC) however, to assist them to better allocate funding, the application was split. Mr. Mallon stated that Fayette County does not have any roadway on the project list but there were roads in the City of Fayetteville, Peachtree City, and Tyrone. Fayette County would manage and oversee the work via the consultant ER Snell Contractor, Inc. and all costs would be paid by Fayette County. The towns and/or cities would be invoiced and the County would be reimbursed by the cities and town and the Atlanta Regional Commission (ARC).

Commissioner Gibbons moved to approve to award Bid #1845-B, Fayette County Resurfacing Program FY 2020 to the lowest responsive and responsible bidder, ER Snell Contractor, Inc., for the amount of \$3,097,344.97 (2017 SPLOST 19TAG), contingent upon concurrence from Georgia Department of Transportation (GDOT). Vice Chairman Oddo seconded.

Commissioner Rousseau asked, as a point of clarification, if the dates noted on the agreement needed to be adjusted.

County Attorney Dennis Davenport stated that to ensure the intended agreement date range was outlined it would be prudent to add it to the motion.

Commissioner Gibbons amended his motion and moved to approve to award Bid #1845-B, Fayette County Resurfacing Program FY 2020 to the lowest responsive and responsible bidder, ER Snell Contractor, Inc., for the amount of \$3,097,344.97 (2017 SPLOST 19TAG), contingent upon concurrence from Georgia Department of Transportation (GDOT), with the intent that the

projects would be coordinated with the respective cities and would correspond with project deadlines necessary to complete each project. Vice Chairman Oddo amended his seconded. The motion passed 5-0.

9. Consideration of staff's recommendation to approve Contract #1431-P, Task Order #38 in the amount of \$159,480 for Construction, Engineering, and Inspection (CEI) services for 19TAG Fayette County Resurfacing Project FY 2020.

Commissioner Gibbons moved to approve Contract #1431-P, Task Order #38 in the amount of \$159,480 for Construction, Engineering, and Inspection (CEI) services for 19TAG Fayette County Resurfacing Project FY 2020, with the intent that the projects would be coordinated with the respective cities and would correspond with project deadlines necessary to complete each project. Vice Chairman Oddo amended his seconded. The motion passed 5-0.

10. Consideration of staff's request to award bid #1854-B: Type 1 Ambulances to Custom Truck & Body Works, Inc. for (2) two Ford F-450 ambulances totaling \$450,126.

Commissioner Rousseau thanked Chief Scarbrough for his service and commended his dedication and leadership in Fayette County and wished him well in his retirement.

Commissioner Rousseau moved to approve award bid #1854-B: Type 1 Ambulances to Custom Truck & Body Works, Inc. for (2) two Ford F-450 ambulances totaling \$450,126. Commissioner Gibbons seconded. The motion passed 5-0.

11. Consideration of staff's recommendation to award Contract #1837-S to Industrial Control Systems to install the Filter Magic Filter Control system with Zero2Waste Filter Backwash Optimization System at the South Fayette Water Treatment Plant in the amount of \$579,400 and to transfer \$831.65 from Project 6SCAD to Project 7FMSF for this purpose.

Vice Chairman Oddo moved to approve to award Contract #1837-S to Industrial Control Systems to install the Filter Magic Filter Control system with Zero2Waste Filter Backwash Optimization System at the South Fayette Water Treatment Plant in the amount of \$579,400 and to transfer \$831.65 from Project 6SCAD to Project 7FMSF for this purpose. Commissioner Gibbons seconded. The motion passed 5-0.

ADMINISTRATOR'S REPORTS:

Hot Projects

County Administrator Steve Rapson advised that an updated "Hot Projects" listing was sent out via email to the Board to keep them abreast of the status of various projects throughout the county. Mr. Rapson highlighted the ribbon cutting for both Kenwood Road Culvert Replacement and Fire Station #4 which occurred on September 24, 2020. He stated that the work was still moving forward on the Mercedes Trail Culvert Replacement and Fire Station #2.

Emergency Repairs

Mr. Rapson advised the Board of two emergency repairs that were needed which included the 911 Building roof with an estimated cost of \$40,000 and the Senior Building with an estimated cost of \$20,000 the specifics of these repairs would be presented to the Board at the next Board of Commissioners meeting.

Ballot Boxes

Mr. Rapson stated that all four ballot boxes were ordered at the same time however, two would arrive at the beginning of next week and the remaining two are scheduled to arrive mid-October. He stated that all four sites would be prepped and the Stonewall and Peachtree City location would be put into service first.

Chief Scarbrough

Mr. Rapson expressed his appreciation to Chief Scarbrough and thanked him for his hard work and dedication.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated there were three items for executive session. There were two items of threatening litigation and one item of pending litigation for consideration in Executive Session.

COMMISSIONERS' REPORTS:

Vice-Chairman Oddo

Vice-Chairman Oddo thanked Chief Scarbrough for his dedication and hard work. Vice-Chairman reminded citizens that October 5th was the last day to register to vote.

Chairman Ognio

Chairman Ognio expressed his appreciation to Chief Scarbrough and wished him a happy retirement. Chairman Ognio encouraged Fayette County citizens who had not already done so, to participate in the 2020 Census.

EXECUTIVE SESSION:

Two items of threatening litigation and one item of threatening litigation for consideration in Executive Session. Vice Chairman Oddo moved to go into Executive Session. Commissioner Gibbons seconded. The motion passed 5-0.

The Board recessed into Executive Session at 7:04 p.m. and returned to Official Session at 7:11 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.

ADJOURNMENT:

Chairman Ognio moved to adjourn the September 24, 2020 Board of Commissioners Meeting. Vice-Chairman Oddo seconded. The motion passed 5-0.

The September 24, 2020 Board of Commissioners Meeting adjourned at 7:11 p.m.

Marlena Edwards, Chief 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 8th day of October 2020. Referenced attachments are available upon request at the County Clerk's Office.

Marlena Edwards, Chief Deputy County Clerk