

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

October 22, 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 October 22, 2020 Board of Commissioners meeting to order at 6:30 p.m. A quorum of the Board was present. Commissioner Charles Rousseau attended the meeting virtually via Microsoft Teams as allowed during the pandemic.

Invocation and Pledge of Allegiance by Vice Chairman Charles Oddo

Vice Chairman Charles Oddo 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:

1. **Recognition (posthumously) of Alvin "Al" F. Gilbert for thirty-one (31) years of service on the Planning Commission.**

On behalf of the Board, Vice Chairman Oddo, presented Mrs. Gilbert, wife of Alvin "Al" F. Gilbert, a plaque recognizing his thirty-one (31) years of dedicated service on the Fayette County Planning Commission. Vice Chairman Oddo expressed his appreciation for Al and his contribution to Fayette County. He stated that Mr. Gilbert was going to be missed and relayed his condolences to the Gilbert Family.

2. **Recognition of awardees for the Fayette County Parks and Recreation 2020 Scarecrow Competition.**

Parks and Recreation, Director Anita Godbee, presented the Fayette County Parks and Recreation 2020 Scarecrow Competition awards. Mrs. Godbee stated that this year there were five scarecrows judged by past Fayette County Art Committee Members. The judging criteria included creativity, visual impact, compliance to competition criteria, and utilization of theme. She added that scoring was close, as all the designs were creative and well thought out.

First Place was awarded to Ringo designed by Zach, Rachel, Cayden and Lennon Harvey;
Second Place was awarded to ScarecROW designed by the Peachtree City Rowing Club; and
Third Place was awarded to Yates Apple Cultivator-Mathew Yates designed by Fayette County Historical Society.

3. **Recognition of Chief Deputy Clerk Marlena Edwards for completion of the Georgia Clerks Education Institute Certificate Program.**

Fayette County Clerk Tameca P. Smith, on behalf of the Board, recognized Marlena Edwards for completion of the Georgia Clerks Education Institute Certificate Program. She stated that Ms. Edwards was a welcomed addition to the clerk's office and that she took the initiative to complete the three-year certificate program and is currently working toward her Master Clerk Certification. Mrs. Smith stated that she was proud of Ms. Edwards' accomplishment.

4. Recognition of the graduation of Fire Recruit Class 43 and Class 44.

Interim Fire Chief Hill recognized the graduation of Fire Recruit Class 43 and Class 44. He congratulated both Class 43 and 44, welcoming them as they begin their career as certified Firefighters.

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.

5. Consideration of Petition No. 1295-20, Estate of Daniel & Lillie Ard, Owner, and, Rodwrightcorp, Agent, request to rezone 10.8 acres from A-R to R-80 to develop three (3) single-family residential lots; property located in Land Lot 228 of the 4th District and fronts on SR 85 South and Lisbon Road.

Community Development Director Pete Frisina stated that the applicant asked to have Petition No. 1295-20 withdrawn.

Petitioner agent Rod Wright requested to have Petition No. 1295-20 withdrawn.

Commissioner Maxwell stated that in the past he had recused himself from items involving Rod Wright, as he considered Mr. Wright a friend and wanted to maintain the integrity of the Board having an unbiased vote and transparency. He added stating that in recent years his interaction and dealings with Mr. Wright had dwindled. Commissioner Maxwell stated that he no longer felt the need to recuse himself from items involving Mr. Wright, since there was no longer any conflict of interest.

Commissioner Gibbons moved to approve withdrawal of Petition No. 1295-20, Estate of Daniel & Lillie Ard, Owner, and, Rodwrightcorp, Agent, request to rezone 10.8 acres from A-R to R-80 to develop three (3) single-family residential lots; property located in Land Lot 228 of the 4th District and fronts on SR 85 South and Lisbon Road. Vice Chairman Oddo seconded. The motion passed 5-0.

6. Consideration of Petition No. 1296-20, Estate of Ruby Thomas Parrott, Owner, and, Alice Reeves, Agent, request to rezone 4.579 acres from A-R to O-I to develop office uses; property located in Land Lot 57 of the 7th District and fronts on Flat Creek Trail.

Mr. Frisina stated that both staff and the Planning Commission recommended Petition No. 1296-20 for approval.

No one spoke in favor or opposition.

Vice Chairman Oddo moved to approve Petition No. 1296-20, Estate of Ruby Thomas Parrott, Owner, and, Alice Reeves, Agent, request to rezone 4.579 acres from A-R to O-I to develop office uses; property located in Land Lot 57 of the 7th District and fronts on Flat Creek Trail. Commissioner Gibbons seconded. The motion passed 5—0.

7. Consideration of Ordinance 2020-08, Amendments to Chapter 110. Zoning Ordinance, Section 110-142. - O-I, Office-Institutional, (h) State Route 54 Special Development District.

Mr. Frisina stated that the State Route 54 Special Development District was adopted by the Board in June of 2019. He stated that the State Route 54 Special Development District, O-I; Office-Institutional zoning, was broadened to include some expanded uses. Mr. Frisina stated that one of those expanded uses was the internal access storage facility. He stated that although an expanded use was being allowed, it was not typical to the O-I Office-Institutional zoning. It was determined when reviewing the trend, that these storage facilities was accepted by the community because the internal access storage structures resembled office building and would not distract but maintained the character of the surrounding area. Mr. Frisina stated that with the use of the internal access storage facility, it was still desired to have businesses located within the structures. He stated that a minimum of 20% of the total footprint of the facility had to be open for business use and that subsequently, as a result of the COVID- 19 pandemic, it was determined that the demand for office space had changed and was decreasing. He stated that employers realized they could maintain the same amount of manpower from their employees working at home, without the overhead costs of a physical office building. Mr. Frisina stated that this item was proposing a decrease to the minimum business use designation requirement from 20% to 10%. He stated that this amendment would also make other housekeeping changes to the language for clarification.

Bret Vincent spoke in favor of this petition. He stated that he recently built an internal access storage facility in Tyrone, Georgia. He stated that the initial 20% business use requirement was not an issue and a good idea, however since the pandemic it would be difficult to find business renters. He stated that he was in agreement with the reduced business use requirement to 10%.

No one spoke opposition.

Commissioner Rousseau stated that he was reluctant in making these changes so soon. Commissioner Rousseau stated that because it had only been a year since its adoption not enough time had elapsed to know the full impacts of the pandemic; nor had any tangible data been received to determine future trends or changes after the pandemic.

Commissioner Gibbons moved to approve Ordinance 2020-08, Amendments to Chapter 110. Zoning Ordinance, Section 110-142. - O-I, Office-Institutional, (h) State Route 54 Special Development District. Vice Chairman Oddo seconded. The motion passed 4-1, with Commissioner Rousseau voting in opposition.

PUBLIC COMMENT: None.

CONSENT AGENDA:

Vice Chairman Oddo moved to accept the Consent Agenda as written. Commissioner Gibbons seconded.

Commissioner Rousseau, who was attending the meeting virtually, experienced technical issues and was dropped from the meeting momentarily. Once reconnected, Commissioner Rousseau stated that upon review of item #8 he noticed the request form outlined that the Local Maintenance & Improvement Grant (LMIG) application and project list submittal deadline was January 1, 2020. Commissioner Rousseau questioned the accuracy of the submittal date.

County Clerk Tameca Smith acknowledged that the January 1, 2020 was a typo and that the correct date was noted on the application.

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

8. Approval of the proposed 2021 Local Maintenance & Improvement Grant (LMIG) project list for unincorporated Fayette County and authorization for the Chairman to sign the LMIG Application and related documents.

9. **Approval for the Fayette County Accountability Court to accept the Adult Drug Court Discretionary Grant award from the Criminal Justice Coordinating Council (CJCC) in the amount of \$40,809.**
10. **Approval to surplus and donate the 24' Pole Mounted Camera purchased in 2011 to the Town of Tyrone to aid with the inspection of the Town's stormwater infrastructure.**
11. **Approval of staff's recommendation to award Contract #1884-S, USGS Water Flow & Stream Monitoring for Federal Fiscal Year 2021, to the U.S. Geological Survey in the amount of \$192,400.**
12. **Approval of the October 8, 2020 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

13. **Consideration of the County Attorney's recommendation to deny the disposition of tax refund, as requested by Donna Jackson for tax year 2019 in the amount of \$985.01. This item was tabled at the October 8, 2020 Board of Commissioners meeting.**

County Attorney Dennis Davenport stated that this item was a request for a tax refund submitted by Donna Jackson for tax year 2019 in the amount of \$985.01. Mr. Davenport stated that the item was tabled at the October 8, 2020 Board of Commissioners meeting Ms. Jackson applied for the L3 homestead exemption, which meant that a taxpayer would receive an exemption of fifty percent (50%) of their homestead's assessed value from Fayette County school taxation. Mr. Davenport stated that Ms. Jackson inquired about the L4 homestead exemption which would qualify recipients for exemption of one hundred percent (100%) of the assessed value of their homestead from Fayette County school taxation. He stated that Ms. Jackson was advised that proof of income was necessary for approval of the L4 homestead exemption. Ms. Jackson did provide the proof of income, however, it was not until November 2019, several months past the April 1st deadline. Mr. Davenport stated that her application was not timely and that as a result the requested refund of \$985.01 was recommended for full denial.

Ms. Jackson thanked the Board for tabling her request at the previous meeting, allowing her to attend the board meeting in person. Ms. Jackson stated that her request was for a refund for tax year 2019 and that she had applied for the L4 homestead exemption in person and was not aware of the different levels as part of the approval process. She stated that she made several trips to the Tax Commissioners Office and several phone calls regarding her homestead exemption request and was eventually approved for the L4 tax exemption for 2020. She asked for the Board to approve the refund request for 2019.

Vice Chairman Oddo stated to Ms. Jackson that although he sympathized with her situation, there were rules and deadlines in place that the Board had to maintain.

Commissioner Gibbons moved to deny the disposition of tax refund, as requested by Donna Jackson for tax year 2019 in the amount of \$985.01. Chairman Ognio seconded. The motion passed 5-0.

NEW BUSINESS:

14. **Consideration of staff's recommendation to re-appoint Martin Sas to the Transportation Committee to the Fayette County Transportation Committee to serve a term beginning April 1, 2020 and expiring March 31, 2023.**

Mr. Sas thanked the Board for the opportunity to serve on the Transportation Committee. He stated that he had enjoyed his time on the Transportation Committee and looked forward to providing future contributions to Fayette County.

Vice Chairman Oddo moved to approve to re-appoint Martin Sas to the Transportation Committee to the Fayette County Transportation Committee to serve a term beginning April 1, 2020 and expiring March 31, 2023. Commissioner Gibbons seconded. The motion passed 5-0.

15. Consideration of a recommendation from Commissioners Eric Maxwell and Edward Gibbons to nominate Lavonia Stepherson, Lisa Wright Eichelberger and William Yarde to the Fayette County Hospital Authority for consideration of appointment to serve a term beginning June 1, 2020 and expires May 31, 2024.

Dr. William Yarde stated that as a retired naval neurosurgeon and 23-year resident of Fayette County. He stated that he wanted to use his experience and talent to help those in his community.

Commissioner Maxwell moved to approve Gibbons to nominate Lavonia Stepherson, Lisa Wright Eichelberger and William Yarde to the Fayette County Hospital Authority for consideration of appointment to serve a term beginning June 1, 2020 and expires May 31, 2024. Commissioner Gibbons seconded. The motion passed 5-0.

16. Consideration of a recommendation from Commissioners Eric Maxwell and Edward Gibbons to nominate Shikina Wills, Michael Hofrichter and Robert Napoli to the Fayette County Hospital Authority for consideration of appointment to serve a term beginning June 1, 2020 and expires May 31, 2024.

Robert Napoli stated that as a 20-plus-year resident he had served on the Piedmont Fayette Hospital Auxiliary Board and would be happy to help the hospital and serve the community as a member of the Fayette County Hospital Authority.

Commissioner Maxwell moved to approve Gibbons to nominate Shikina Wills, Michael Hofrichter and Robert Napoli to the Fayette County Hospital Authority for consideration of appointment to serve a term beginning June 1, 2020 and expires May 31, 2024. Commissioner Gibbons seconded. The motion passed 5-0.

17. Consideration of staff's request to award bid #1855-B Pumper Fire Apparatus to Ten-8 Fire Equipment, Inc. for one pumper totaling \$468,000; in addition to the contract amount, allocate \$10,000 to safety equipment and to designate pumper (Asset #10758;Fleet #93066) as surplus and authorize for auction.

Interim Fire Chief Hill stated that this item was for the approval of bid #1855-B Pumper Fire Apparatus to Ten-8 Fire Equipment, Inc. for one pumper totaling \$468,000; in addition to the contract amount, an allocation of \$10,000 for safety equipment.

County Administrator Steve Rapson stated that there was a trade-in allowance for this particular unit of \$3,500, however, that was not included in the recommendation and would be placed on the GovDeals auction website anticipating a better offer.

Commissioner Gibbons moved to approve staff's request to award bid #1855-B Pumper Fire Apparatus to Ten-8 Fire Equipment, Inc. for one pumper totaling \$468,000; in addition to the contract amount, allocate \$10,000 to safety equipment and to designate pumper (Asset #10758;Fleet #93066) as surplus and authorize for auction. Vice Chairman Oddo seconded. The motion passed 5-0.

18. Consideration of staff's request to award bid #1856-B Tanker Fire Apparatus to Deep South Fire Trucks for one tanker totaling \$289,450; in addition to the contract amount, allocate \$15,000 to safety equipment and to designate tanker (Asset #10846;Fleet #23020) as surplus and authorize for auction.

Interim Fire Chief Hill stated that this item was for the approval of bid #1856-B Tanker Fire Apparatus to Deep South Fire Trucks for one tanker totaling \$289,450; in addition to the contract amount, an allocation \$15,000 for safety equipment and to designate tanker (Asset #10846;Fleet #23020) as surplus and authorize for auction.

Vice Chairman Oddo moved to approve staff's request to award bid #1856-B Tanker Fire Apparatus to Deep South Fire Trucks for one tanker totaling \$289,450; in addition to the contract amount, allocate \$15,000 to safety equipment and to designate tanker (Asset #10846;Fleet #23020) as surplus and authorize for auction. Commissioner Gibbons seconded. The motion passed 5-0.

ADMINISTRATOR'S REPORTS:

A. Contract #1851-B: New Chiller for the Library

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 Kenwood Road culvert replacement, Mercedes Trail culvert replacement, and Fire Station #2.

Justice Center A/V System

Mr. Rapson stated that the Justice Center audio/visual system was primarily complete for phase one. He stated that an additional recommendation related to Courtrooms A, B, and C for Superior Court and 2D for State Court would be presented at the November 12th Board Meeting for approval.

Animal Control

Mr. Rapson stated that the document for Water and Sewer Authority (WASA) and Peachtree City were being finalized and would be presented to the Board at the November 12th Board Meeting for approval.

911 Radio System

Mr. Rapson stated that the 911 radio system met its next milestone with the critical design review, which included review of the cell tower and all equipment was complete as of October 22, 2020.

Comprehensive Annual Financial Award

Mr. Rapson stated that he received notification that Fayette County received the Comprehensive Annual Financial Award for the Water Systems, and eagerly anticipate a second one for the General Fund.

2020 Legislative Package

Mr. Rapson asked for guidance from the Board for the County Attorney regarding items they wanted included in the legislative package.

Commissioner Oddo moved to have the County Attorney draft the outlined six items: 1. Support ACCG Legislative Package; 2. Provide for a reduced Veteran's fee for a Weapons Carry License; 3. Provide an exemption of health services being a future budget reduction during the ongoing pandemic; 4. Ability for a County to Sponsor through a Federal or State (FEMA/GEMA) hazard mitigation grant application a Homeowners Association or private property owner concerning a stormwater management or dam issue on private property without exposing the County to future liability or maintenance responsibility; 5. Fluoride Resolution; and 6. A statewide review of citizen arrest laws in the state of Georgia; for the legislative package to be brought to the Board for consideration and review. Commissioner Gibbons seconded. The motion passed 5-0.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated there were three items for executive session. There was one item of real estate acquisition, one item of threatening litigation, and the review of the October 8, 2020 Executive Session Minutes for consideration in Executive Session.

COMMISSIONERS' REPORTS:

Vice-Chairman Oddo

Voting

Vice-Chairman Oddo encouraged Fayette County citizens to vote.

Commissioner Gibbons

ACCG

Commissioner Gibbons stated that he had recently attended an Association of County Commissioner of Georgia (ACCG) training for Property Assessment Taxation. Commissioner Gibbons stated that the training was very beneficial for those newly elected officials. Commissioner Gibbons stated that if selected by the County staff had the opportunity to attend this outstanding training, which he highlighted Fayette County takes advantage of. Commissioner Gibbons asked Mr. Rapson how many County staff had attended the ACCG training.

Mr. Rapson stated that each department head had at minimum attended their respective department classes. He added that about ten (10) department heads were certified with an additional six (6) in the process of being certified. He stated that having the department head attend this training helps equip them to better understand the perspective of an elective official which bridges the gap and helps the county run smoothly.

Commissioner Gibbons complimented Mr. Rapson for the foresight to send staff to the training and to staff for taking the time to attend the training.

Commissioner Rousseau

Grier Wood Subdivision

Commissioner Rousseau relayed his apologies to the Grier Wood subdivision, who loss water for about 48 hours due to a construction incident. Commissioner Rousseau stated that although the incident was not intentional, he wanted to acknowledge the frustration the community endured.

Census

Commissioner Rousseau commended residents for their response to the 2020 Census and extended his appreciation to Planning and Zoning Director Pete Frisina for his efforts.

Ballot Box

Commissioner Rousseau stated that he was encouraged in seeing the voting ballot boxes in use and expressed his appreciation to the Board along with the Elections Board for putting them in place.

Chairman Ognio

Census

Chairman Ognio thanked citizens for their participation and staff for their hard work stating that Fayette County did come in first place for response to the 2020 Census in the state of Georgia at 78%.

Transportation Meeting

Chairman Ognio stated that because November 3rd was Election Day, the upcoming Transportation Meeting was moved to November 10th.

Georgia Department of Transportation

Chairman Ognio thanked Georgia Department of Transportation for the Price Road turn lanes installation which had recently been completed.

Atlanta Regional Commission (ARC)

Chairman Ognio stated that Atlanta Regional Commission (ARC) State of the Region Breakfast would be held on November 13, 2020 virtually.

Brest Cancer Awareness Month

Chairman Ognio reminded everyone that October was Brest Cancer Awareness Month. Chairman Ognio stated that he remembers his sister who is missed dearly as her birthday approaches on October 26th.

EXECUTIVE SESSION:

One item of real estate acquisition, one item of threatening litigation, and the review of the October 8, 2020 Executive Session Minutes 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 7:33 p.m. and returned to Official Session at 7:49 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 October 8, 2020 Executive Session Minutes: Chairman Ognio moved to approve the October 8, 2020 Executive Session Minutes. Vice Chairman Oddo seconded the motion. The motion passed 5-0.

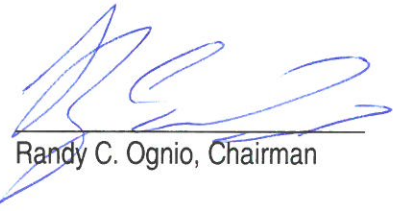
ADJOURNMENT:

Chairman Ognio moved to adjourn the October 22, 2020 Board of Commissioners meeting. Vice Chairman Oddo seconded the motion. The motion passed 5-0.

The October 22, 2020 Board of Commissioners meeting adjourned at 7:49 p.m.



Marlena M. 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 14th day of November 2020. Documents are available upon request at the County Clerk's Office.



Marlena M. Edwards, Chief Deputy County Clerk

