

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

March 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 March 14, 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 Eric Maxwell

Commissioner Eric Maxwell 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 with the exception of items #15, #17, and #18, he requested those items be removed from the agenda. Commissioner Edward Gibbons seconded. The motion passed 5-0.

PROCLAMATION/RECOGNITION:

1. Proclamation to recognize April as Safe Digging Month in Fayette County.

Commissioner Edwards Gibbons, on behalf of the Board, presented Water System Utilities Services Manager Matt Bergen with a proclamation. Mr. Bergen urged citizens to call 811 before digging.

PUBLIC HEARING:

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

2. Consideration of Petition No. 1280-19, Kevin M. McFarland, Deborah J. McFarland, and Felix Enriquez, Owners, and Jerry Peterson, AIA, Agent, request to rezone 16.74 acres from A-R to O-I to develop an event venue; property located in Land Lot 127 of the 5th District, and fronts on State Route 54 West.

Pete Frisina briefed they Board on Petition No. 1280-19 and advised the Board of one condition: that all necessary variances be approved by the Zoning Board of Appeals prior to the approval of the revised site plan necessary for utilization of the existing residence in a nonresidential manner including installation of proposed access drive and parking.

No one spoke in favor or in opposition.

Vice-Chairman Oddo moved to approve Petition No. 1280-19, Kevin M. McFarland, Deborah J. McFarland, and Felix Enriquez, Owners, and Jerry Peterson, AIA, Agent, request to rezone 16.74 acres from A-R to O-I to develop an event venue; property located in Land Lot 127 of the 5th District, and fronts on State Route 54 West. Commissioner Edward Gibbons seconded. The motion passed 5-0.

- 3. Consideration of Petition No. 1281-19, Jacky Matthews, Owner, and Jerry Peterson, AIA, Agent, request to rezone 28.99 acres from A-R to R-50 to develop a Residential Subdivision consisting of 16 lots; property located in Land Lot 89 of the 7th District, and fronts on Dogwood Trail.**

No one spoke in favor or in opposition.

Vice-Chairman Oddo moved to approve Petition No. 1281-19, Jacky Matthews, Owner, and Jerry Peterson, AIA, Agent, request to rezone 28.99 acres from A-R to R-50 to develop a Residential Subdivision consisting of 16 lots; property located in Land Lot 89 of the 7th District, and fronts on Dogwood Trail. Commissioner Edward Gibbons seconded. The motion passed 5-0.

- 4. Consideration of Petition No. RP-071-19, Brent Payne, Owner, request to revise the Minor Subdivision Plat of Brent Payne by adding seven (7) acres of property from an existing tract to the existing 5.349 acre lot; property located in Land Lot 59 of the 7th District and fronts on Willow Road.**

No one spoke in favor or in opposition.

Vice-Chairman Oddo moved to approve Petition No. RP-071-19, Brent Payne, Owner, request to revise the Minor Subdivision Plat of Brent Payne by adding seven (7) acres of property from an existing tract to the existing 5.349 acre lot; property located in Land Lot 59 of the 7th District and fronts on Willow Road. Commissioner Edward Gibbons seconded. The motion passed 5-0.

CONSENT AGENDA:

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

- 5. Re-Adoption of Section 102-22 of the Code to include the State of Georgia Mandatory "International Swimming Pool and Spa Code".**
- 6. Approval of staff's recommendation for the Department of Building Safety to establish an Administrative Section Ordinance for the State Mandatory International Swimming Pool and Spa Code (ISPSC) consistent with other Administrative Codes adopted by the Board of Commissioners.**
- 7. Approval of staff's recommendation for the Department of Building Safety to establish an Administrative Section Ordinance for the State Mandatory International Energy Conservation Code (IECC) consistent with other Administrative Codes adopted by the Board of Commissioners.**
- 8. Approval of a request from the Fayette County DUI Court to accept an emergency supplemental subgrant award for 2019 from the Criminal Justice Coordinating Council (CJCC).**

9. **Approval to authorize staff to acquire all fee simple right-of-way and easements for the 115 Brockton Court culvert replacement project (2017 SPLOST No. 17SAT).**
10. **Approval of the Fayette County Public Art Committee's Chalk Art Project on June 14, 2019 in conjunction with Main Street Fayetteville's event and authorization to utilize \$1,000 from the Public Arts Committee's budget.**
11. **Approval to use \$50,000 in available Georgia Department of Transportation (GDOT) LMIG Safety Action Plan (SAP) funds for roadway striping and signage in unincorporated Fayette County and authorization for the Chairman to sign the LMIG application and related documents.**
12. **Approval of the March 14, 2019 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

NEW BUSINESS:

13. **Discussion of City of Fayetteville's plans for a new city center and possible impacts/enhancements to Heritage Park Way and the Library's parking lot and green space.**

Mr. Brian Wismer, Downtown Development Director for Fayetteville, led discussion of Fayetteville's plans for a new city center and possible impacts/enhancements to Heritage Park Way and the Library's parking lot and green space. Mr. Wismer presented preliminary design of the new city center and seeks Board of Commissioner input on options being considered.

No action taken.

14. **Consideration of Pinewood Forest LLC's request for an Agreement that would allow for private construction, and future maintenance, of a sidewalk and landscaping within a portion of Fayette County's Hood Road right-of-way.**

Commissioner Gibbons moved to allow staff along with legal to proceed with developing a draft agreement. Commissioner Maxwell seconded. The motion passed 5-0.

15. **Consideration and approval of draft Intergovernmental Agreement with Peachtree City for the Maintenance of Multi-Use Paths.**

This item was removed for consideration during the acceptance of the agenda.

16. **Consideration of a Second Amendment to the 2013 Annexation Consent Agreement with the City of Fayetteville to allow for Fayette County to pay \$160,000 to the City in lieu of designing, permitting and constructing a path over Sandy Creek along Veterans Parkway (2004 SPLOST project R-5G).**

Commissioner Gibbons moved to approve Second Amendment to the 2013 Annexation Consent Agreement with the City of Fayetteville to allow for Fayette County to pay \$160,000 to the City in lieu of designing, permitting and constructing a path over Sandy Creek along Veterans Parkway (2004 SPLOST project R-5G). Chairman Ognio seconded the motion. The motion passed 5-0.

17. Consideration of staff's recommendation for the Department of Building Safety to implement Residential Re-Roofing Permitting (Same Roofing Material) and Inspections through our E-Permitting Module.

This item was removed for consideration during the acceptance of the agenda.

18. Consideration of staff's recommendation for the Department of Building Safety to implement Solar Permitting Fees consistent with the building industry.

This item was removed for consideration during the acceptance of the agenda.

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 citizen made public comments: Yvonne Smith and Tom Waller.

ADMINISTRATOR'S REPORTS:

ATTORNEY'S REPORTS:

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

COMMISSIONERS' REPORTS:

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

EXECUTIVE SESSION:

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

The Board recessed into Executive Session at 8:01 p.m. and returned to Official Session at 8:22 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 March 14, 2019 Executive Session Minutes: Chairman Ognio moved to approve the March 14, 2019 Executive Session Minutes. Commissioner Gibbons seconded the motion. The motion passed 5-0.

ADJOURNMENT:

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

The March 28, 2019 Board of Commissioners meeting adjourned at 8:22 p.m.

Marlena M. Edwards, Deputy County Clerk