

BOARD OF COUNTY COMMISSIONERS

Eric K. Maxwell, Chairman
Randy Ognio, Vice Chairman
Steve Brown
Charles W. Oddo
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

September 27, 2018
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 Eric Maxwell called the September 27, 2016 Board of Commissioners meeting to order at 6:32p.m

Invocation and Pledge of Allegiance by Commissioner Charles Oddo

Commissioner Charles Oddo offered the Invocation.

Acceptance of Agenda

Vice-Chairman Ognio moved to accept the agenda, with a change to remove Item #2 from the agenda. Commissioner Brown seconded. The motion passed 5-0.

PROCLAMATION/RECOGNITION:

1. Recognition of Samuel H. Snyder, for his Eagle Scout Service Project for the Fayette County Animal Shelter.

Animal Shelter Director Jerry Collins, on behalf of the Board, recognized Samuel H. Snyder for his Eagle Scout Service Project for the Fayette County Animal Shelter. The project that was to build a 20 foot by 24 foot covered pavilion on the property that could be used to place dogs in while cleaning the shelter. Samuel accepted the challenge and brought me plans and got the necessary permits with the assistance of a contractor and started the project. The project took 10 months to complete with countless man hours in the project. I would like to thank Samuel for his service on the project and for something that can be used by the shelter for many years to come.

2. Recognition of the leadership role of Marie Washburn who served on the Fayette County Public Library Board of Trustees.

Removed from the agenda

3. Recognition of Sharia Richelle Baker for reading 1,000 books as part of the "1,000 Books Before Kindergarten" program.

Fayette County Library Assistant Charlotte Stargell, on behalf of the Board, Recognized Sharia Richelle Baker for reading 1,000 books as part of the "1,000 Books Before Kindergarten" program. Sharia has an intense love for reading. Her grandmother, Mimi Phillips registered her for the early Literacy initiative 1,000 Books Before Kindergarten in 2015 and every book read to little Sharia by her parents and grandparents was recorded on the program sheet. She received her certificate of completion on June 11, 2018.

PUBLIC HEARING:

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

- 4. Consideration of staff's recommendation to approve a new 2018 Retail Alcohol Beer and Wine License(C18-00363) for Qadeer Ullah, doing business as Kenwood BP, which is located at 1866 Highway 85N, Fayetteville, Georgia.**

Community Development Director Pete Frisina introduced this petition before the Board for 1. a new 2018 Retail Alcohol Beer and Wine License(C18-00363) for QadeerUllah, doing business as Kenwood BP, which is located at 1866 Highway 85N, Fayetteville, Georgia.

No one spoke in favor of this application.
No one spoke in opposition of this application.

Commissioner Oddo moved to approve staff's recommendation to approve a new 2018 Retail Alcohol Beer and Wine License (C18-00363) for QadeerUllah, doing business as Kenwood BP, which is located at 1866 Highway 85N, Fayetteville, Georgia. Commissioner Rousseau seconded. The motion passed 5-0.

- 5. Consideration of Petition No. 1278-18, Betty Shubert, Owner, and Trent Foster, Agent, request to rezone 48.943 acres from A-R to R-50 to develop a residential subdivision consisting of 36 lots; located in Land Lot 104 of the 7th District and fronts on Dogwood Trail.**

Trent Foster agent for Betty Shubert presented request to rezone 48.943 acres from A-R to R-50 to develop a residential subdivision consisting of 36 lots; located in Land Lot 104 of the 7th District and fronts on Dogwood Trail to the Board.

Linda Howard and Charles McMichen made public comments.

Commissioner Oddo moved to approve Petition No. 1278-18, Betty Shubert, Owner, and Trent Foster, Agent, request to rezone 48.943 acres from A-R to R-50 to develop a residential subdivision consisting of 36 lots; located in Land Lot 104 of the 7th District and fronts on Dogwood Trail, with one condition that a 20 foot buffer shall be established along the southern boundary of the stormwater detention facility adjacent to Peachtree City to screen it from existing residential lots in Peachtree City. Said buffer should be undisturbed to preserve existing vegetation and where existing vegetation is disturbed or is insufficient to create a screen, said buffer shall be planted per Article V Nonresidential Development. Commissioner Brown seconded. The motion passed 5-0.

Applicant accepts one (1) condition.

Commissioner Rousseau recused himself from the discussion of items #6 and #7, due to the support he received from the applicant.

6. **Consideration of Petition No. 1279B-18, John Richard Halbert, Owner, request to rezone a total of 18.34 acres from A-R to R-80 to develop a Single-Family Residential Subdivision consisting six (6) lots in conjunction with Petition No. 1279A-18; located in Land Lot 228 of the 4th District and fronts on Goza Road.**

7.

John Richard Halbert, Owner, briefed the Board on Petition No. 1279B-18, John Richard Halbert, Owner, request to rezone a total of 18.34 acres from A-R to R-80 to develop a Single-Family Residential Subdivision consisting six (6) lots in conjunction with Petition No. 1279A-18; located in Land Lot 228 of the 4th District and fronts on Goza Road.

No one spoke in favor of this Petition.

No one spoke in opposition of this Petition.

Commissioner Brown moved to approve Petition No. 1279B-18, John Richard Halbert, Owner, request to rezone a total of 18.34 acres from A-R to R-80 to develop a Single-Family Residential Subdivision consisting six (6) lots in conjunction with Petition No. 1279A-18; located in Land Lot 228 of the 4th District and fronts on Goza Road, with one (1) condition the owner/developer shall provide, at no cost to Fayette County, ten (10) feet of right-of-way on Goza Road and said dedication area shall be shown on the Final Plat. Commissioner Oddo seconded. The motion passed 4-0-1.

8. **Consideration of Petition No. 1279A-18, John Richard Halbert, Owner, request to rezone a total of 0.29 acres from A-R to R-80 to develop a Single-Family Residential Subdivision consisting six (6) lots in conjunction with Petition No. 1279B-18; located in Land Lot 228 of the 4th District and fronts on SR 85 South.**

John Richard Halbert, Owner, briefed the Board on Petition No. 1279A-18 request to rezone a total of 0.29 acres from A-R to R-80 to develop a Single-Family Residential Subdivision consisting six (6) lots in conjunction with Petition No. 1279B-18; located in Land Lot 228 of the 4th District and fronts on SR 85 South, with one (1) condition There shall be no driveway access to the parcel(s) from SR 85.

No one spoke in favor of this Petition.

No one spoke in opposition of this Petition.

Commissioner Brown moved to approve Petition No. 1279A-18, John Richard Halbert, Owner, request to rezone a total of 0.29 acres from A-R to R-80 to develop a Single-Family Residential Subdivision consisting six (6) lots in conjunction with Petition No. 1279B-18; located in Land Lot 228 of the 4th District and fronts on SR 85 South, with one (1) condition that shall be no driveway access to the parcel(s) from SR 85. Commissioner Oddo seconded. The motion passed 4-0-1.

Commissioner Rousseau returned to the Board Meeting.

9. **Consideration Ordinance 2018-03, Amendments to Chapter 110. Zoning Ordinance, Regarding Article I. – In General, Article III. – General Provisions. Article IV. – District Use Requirements and Article V. – Conditional Uses, Nonconformances, Transportation Corridor Overlay Zones and Commercial Development Standards.**

Community Development Director Pete Frisina introduced Ordinance 2018-03, Amendments to Chapter 110. Zoning Ordinance, Regarding Article I. – In General, Article III. – General Provisions. Article IV. – District Use Requirements and

Article V. – Conditional Uses, Nonconformances, Transportation Corridor Overlay Zones and Commercial Development Standards to the Board, highlighting the updates and changes on the redlined version.

Commissioner Oddo moved to approve Ordinance 2018-03, Amendments to Chapter 110. Zoning Ordinance, Regarding Article I. – In General, Article III. – General Provisions. Article IV. – District Use Requirements and Article V. – Conditional Uses, Nonconformances, Transportation Corridor Overlay Zones and Commercial Development Standards. Vice-Chairman Ognio seconded. The motion passed 5-0.

CONSENT AGENDA:

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

10. Approval to authorize staff to acquire all fee simple right-of-way and easements for the 2017 SPLOST; Stormwater; Category II, Tier I Project: 175 Silver Leaf Drive Culvert Replacement.
11. Approval to establish a capital project with funding provided from Environmental Management's Field Equipment budget of \$5,250 and \$10,200 from General Fund contingency project for the purchase of an HD pole camera in the amount \$15,450.
12. Approval of staff's recommendation for Board of Commissioners to approve the bid from Blount Construction Company, Inc. for Bid #1545-B HA 5, High Density Mineral Bond in the amount of \$194,317.21.
13. Approval of the Water Committee's recommendation to approve request from the Flint River Astronomy Club for November 2, 2018 and February 8, 2019 to keep Lake Horton Park open from 6:30 p.m. to 10:00 p.m. and April 12, 2019 from 7:30 p.m. to 11:00 p.m. for the Star Gazing event.
14. Approval of staff's recommendation to include "Addendum 6-Gospel Under the Stars Festival and Fayette Kindness Rock Project" as an added event to the Intergovernmental Agreement between the City of Fayetteville and Fayette County for use of county owned property.
15. Approval of the September 13, 2018 Board of Commissioners Meeting Minutes.

OLD BUSINESS:

NEW BUSINESS:

16. Consideration of a recommendation of the Selection Committee, composed of Commissioner Steve Brown and Commissioner Charles Rousseau, to appoint James McCarten to the Region Six Mental Health, Developmental Disabilities, and Addictive Diseases Regional Advisory Council for a term beginning March 1, 2018 and expiring February 28, 2021.

Commissioner Steve Brown moved to approve recommendation from the Selection Committee, comprised of Commissioner Charles D. Rousseau and Commissioner Steve Brown, to appoint James McCarten to the Region Six

Mental Health, Developmental Disabilities, and Addictive Diseases Regional Advisory Council for a term beginning March 1, 2018 and expiring February 28, 2021. Commissioner Rousseau seconded. The motion passed 5-0.

17. **Consideration of Agreement #1569-S between Fayette County and the U. S. Department of the Interior Geological Survey (USGS) that provides for the required monitoring of water flow, stream monitoring data for quality, and CFS flow monitoring in the amount of \$312,500.00 from October 1, 2018 through September 30, 2019.**

Water System Director Lee Pope briefed the Board on Agreement #1569-S between Fayette County and the U. S. Department of the Interior Geological Survey (USGS) that provides for the required monitoring of water flow, stream monitoring data for quality, and CFS flow monitoring

Commissioner Rousseau moved to approve Agreement #1569-S between Fayette County and the U. S. Department of the Interior Geological Survey (USGS) that provides for the required monitoring of water flow, stream monitoring data for quality, and CFS flow monitoring in the amount of \$312,500.00 from October 1, 2018 through September 30, 2019. Commissioner Brown seconded. The motion passed 5-0.

18. **Consideration of the proposed 2019 Local Maintenance & Improvement Grant (LMIG) project list for unincorporated Fayette County and authorization for the Chairman to sign the LMIG Application and related documents.**

Commissioner Brown moved to approve the proposed 2019 Local Maintenance & Improvement Grant (LMIG) project list for unincorporated Fayette County and authorization for the Chairman to sign the LMIG Application and related documents. Vice-Chairman Ognio seconded. The motion passed 5-0.

19. **Consideration of staff's recommendation to award Bid #1536-B, Stonewall Roof Replacement Project (# 3565A), to Dusty Greer Roofing, Inc. in the amount of \$218,000.**

Commissioner Oddo moved to approve staff's recommendation to award Bid #1536-B, Stonewall Roof Replacement Project (# 3565A), to Dusty Greer Roofing, Inc. in the amount of \$218,000. Vice-Chairman Ognio seconded. The motion passed 5-0.

PUBLIC COMMENT: None

ADMINISTRATOR'S REPORTS:

County Administrator Steve Rapson briefly reported on the following contracts:

- A. **Contract #1564-S: Design & Specifications for Fire Station 2**
- B. **Contract #1431-P: Transportation Engineer of Record Task Order #9: East Fayetteville Bypass Bridge Design**
- C. **Contract #1221-P: Water System Engineer of Record Task Order #FC-19-06: Waterline Construction Drawings-Veterans Parkway**

ATTORNEY'S REPORTS:

In accordance with the Americans With Disabilities Act, accommodations are available for those who are hearing impaired and/or in need of a wheelchair. The Board of Commissioners Agenda and supporting material for each item is available on-line through the County's website at www.fayettecountyga.gov. This meeting will be telecast on Comcast Cable Channel 23 and on the internet at www.livestream.com.

Notice of Executive Session: County Attorney Dennis Davenport stated there were one item for Executive Session, one item of pending litigation, and the Review of the September 13, 2018 Executive Session Minutes.

COMMISSIONERS' REPORTS:

Commissioner Brown, Commissioner Oddo, Vice Chairman Ognio, Commissioner Rousseau and Chairman Maxwell made comments.

Chairman Eric Maxwell moved to cancel the October 9, 2018 Fayette County Board of Commissioner Meeting. Commissioner Brown seconded. The motion passed 5-0.

EXECUTIVE SESSION:

One Item of Pending Litigation and Review of the September 13, 2018 Executive Session Minutes: Vice-Chairman Ognio moved to go into Executive Session. Commissioner Brown seconded. The motion passed 5-0.

The Board recessed into Executive Session at 8:31 p.m. and returned to Official Session at 8:32 p.m.

Return to Official Session and Approval to Sign the Executive Session Affidavit: Vice Chairman Ognio moved to return to Official Session and for the Chairman to sign the Executive Session Affidavit. Commissioner Brown seconded the motion. The motion passed 5-0.

Attorney Davenport advised Board of a workers' compensation settlement agreement between the County and Ms. Holly Joyner in the amount of \$84,500.

Commissioner Brown moved to sign off on the Settlement Agreement for Ms. Holly Joyner. Vice Chairman Ognio seconded. The motion passed 5-0.

Approval of the September 14, 2017 Executive Session Minutes: Vice Chairman Ognio moved to approve the September 13, 2018 Executive Session Minutes. Commissioner Oddo seconded the motion. The motion passed 5-0.

ADJOURNMENT:

Commissioner Brown moved to adjourn the September 28, 2017 Board of Commissioners meeting. Vice Chairman Ognio seconded the motion. The motion passed 5-0.

The September 27, 2018 Board of Commissioners meeting adjourned at 8:40 p.m.