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 24, 2019 Board of Commissioners meeting to order at 6:30 p.m.

Invocation and Pledge of Allegiance by Vice Chairman Charles Oddo
Vice Chairman Charles Oddo offered the Invocation and led the Pledge of Allegiance.

Acceptance of Agenda
Commissioner Charles Rousseau moved to accept the agenda. Vice Chairman Oddo seconded. The motion passed 5-0.

PROCLAMATION/RECOGNITION:

Water System Director Lee Pope introduced South Fayette Water Treatment Plant Manager Joseph Spann. Mr. Spann recognized the Water System staff, teachers and the students that participated in the Model Water Tower Competition. The winning students were:
Cost Effectiveness: “The Cloud”; Sam Cook, Malia Bender, Ian Fisher and Matthew Yi
Presentation/Judges Choie: “Lookin Sharp”; Katarina Thompson and Claire Metcalf
Structural Excellence: “Juggernauts”; Jackson Lovejoy and Daniel Scott
Most Artistic Design: “Cloud Niners”; Caylin Ingram, Claire Lanford, Sofi Fuenmayoor-Diaz and Greta Barrett
Best Engineering Design: “Just Keep Swimming”; Hannah Coleman, Reagan Vetter and Fiyin Makinde
3rd Place Overall: “Gooble Gang”; Emily White, Maddie Shelton and Angela Giovanelli
2nd Place Overall: “Googly Bears; Vaughn Casarez, Britton Kayne and Emma Bednarowski
1st Place Overall: “We is Smart Peoplez”; Matthew Villigar, Benjamin Utt, Yuang Zhang and Matthew D’Morais

2. Proclamation honoring the life and memory of the late Mayor Herb Frady.
Commissioner Eric Maxwell introduced Georgia Representative Josh Bonner who gave a presentation to the Frady family in honor of the late Mayor Herb Frady. Representative Bonner read the proclamation and shared memories of Mr. Frady. The family offered comments and shared memories of Mr. Frady. The family thanked Representative Bonner and the Board. Commissioner Maxwell also shared memories of Mr. Frady.

PUBLIC HEARING:
3. Consideration of a Petition RP-069-18 to revise the Final Plat of Keyland Woods to add one lot to the subdivision by subdividing Lot 1A into two separate lots; property located in Land Lots 25 & 26 of the 5th District and fronts Lockwood Road & SR 92 South.

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

Mr. Dean Webb spoke on behalf of the applicant. He provided a booklet to the Board and County Clerk. He stated that the property was three-and-a-half acres and located on the northeast quadrant of State Route 92 and Lockwood Road in the Keyland Woods Subdivision. The property is zoned R-40, low-density residential on the Future Land Use Map. He stated that the request was to subdivide the property from one lot to two lots and to relocate a house that was on a commercial site next door to the new lot. He stated that both lots met all requirements of the underlying R-40 zoning and both would be consistent with the low-density character area at a minimum of one acre. He continued that code stated that staff must verify that the required information had been submitted and ensure that the request met the underlying zoning requirements. He stated that staff reviewed the application and confirmed the information and recommended approval. He stated that he did not attend the Planning Commission meeting but was made aware of some of the concerns addressed, such as traffic and access. He stated that this was not a rezoning and that was not a factor. He shared information regarding concerns.

No one spoke in favor.

The following spoke in opposition:
George Knight stated that he lived on Lockwood Road for the last 25 years. He stated that he opposed the petition. He continued that the final plat for Keyland Woods was recorded in the 1970’s that called for establishing a neighborhood of three plus acre lots with single family homes. He stated that the surrounding neighborhoods opposed this petition as well. He stated that the builder was not a residential developer. He stated that subdividing the lot would diminish the integrity and possibly the property value of the homes. He stated that he was asking the Board to vote no and deny the petition.

Debora Carson provided a petition of signatures of those against this petition. She stated that she lived at Keyland Drive for 41 years. She stated that the neighborhood was a unique neighborhood. She stated that there were several second-generation families in the neighborhood. She stated that they were not opposed to the change that would be happening. She stated that the roundabout would elevate traffic and help the neighbors. She stated that she was opposed to moving the house to another lot because it would be an eyesore and would look odd. She stated that she hoped the Board would follow the recommendation of the Planning Commission and deny this petition.

Michele Goergen stated that she was a relative newcomer to Keyland Drive. She stated that she was attracted to the layout of the lot sizes of three plus acres, wooded areas and rural fields while still being close to town. She stated that the proposed request would start to degrade the nice, long established neighborhood. She stated that she was not in favor of the proposed revisions to the plat.

Keith Williams stated that he lived on Lockwood Road. He stated that his family moved to the neighborhood in 1979 and he graduated Fayette High School in 1983. He stated that he was a second-generation owner. He stated that all the homes were on three plus acres and that it was a very quiet neighborhood. He stated that when moving to the property there was a reasonable expectation that the final plat would keep all properties at three or more acres. He urged the Board not to make a special exception for the new owner and penalize the other owners. He expressed his concerns.

Dr. Brian Tucker stated that he lived at Chestnut Hill in Peachtree City and that he grew up off Lockwood Road. He thanked the Board for their service. He shared his thought regarding the landscape. He stated that houses on three or four acre lots occupy a special spot in the county because of the landscaping. He continued his comments. He stated that the landscape was important and sending a precedent with the lots subdivided would change the character of the neighborhood, as well as, damage the landscape that made it special. He stated that with all the pressures brought to the county and great opportunities brought by Pinewood, it was important that local communities have a say in their local communities.
Dean Webb stated that the Hyde family were not outsiders. He stated that they lived in Fayette County and owned ten acres in the area. He addressed some of the issues raised.

The home that would be moved had been occupied for nine years but was currently vacant. He stated that it was not in perfect shape but there was no point in fixing it up until it was moved. He stated that the intent was to fix it once it was moved.

He stated that several people stated that they bought their property with the expectation that the lots would stay the same and that the expectation was reasonable. He stated that from a legal standpoint he did not believe that expectation was reasonable. He stated that any investigation into the covenant that apply to the subdivision, or the lack thereof, any investigation into the underlining zoning of the properties and what would be allowed by county code, would prove that.

He stated that the request was consistent with the land use plan and rezoning code. He stated that it was in the staff report.

He stated that the issues raised about traffic, volume and condemnation are really issues that are relevant to the zoning process but this was not a zoning process. He stated that it was a request to subdivide a lot and not a discretionary act. He stated that there were no standards to control the Board’s exercise of discretion in the code. He stated that the code stated that “staff confirms that the information the code required was submitted and the staff confirms that the request is consistent with the underlining zoning” and staff had done that.

Commissioner Maxwell moved to deny Petition RP-069-18 to revise the Final Plat of Keyland Woods to add one lot to the subdivision by subdividing Lot 1A into two separate lots; property located in Land Lots 25 & 26 of the 5th District and fronts Lockwood Road & SR 92 South. Vice Chairman Oddo seconded.

Commissioner Maxwell stated that he had just received the packet that was given to the Board by Mr. Webb. He stated that there was no way he could read it while the presentation was being given. He stated that with the information that he had from the Planning Commission was a 5-0 for denial, it seemed like an easy one to him. (Further comments were inaudible).

Mr. Davenport directed his comment to Commissioner Maxwell, that if there was a reason to deny and he wanted to provide that reason, it was fine to do so on the record.

Commissioner Maxwell continued his comments. (inaudible)

Commissioner Gibbons stated that he concurred with Commissioner Maxwell. He stated that his concern with reviewing the packet given by staff was that it was a potential watershed event. He stated that his concern was that when people passed away and the property bought up and developed. He stated that there was no reason not to preserve a neighborhood that has three and three-and-half acre lots in its current state. He stated that he would vote against this request.

Vice Chairman Oddo stated that one of his concerns with the property was that it was developed. He stated that meant it was changing. He stated that if it was undeveloped it would be a different argument. He stated that this was a case where the final plat should govern as it is and he would be hard pressed to approve a change to the plat.

Chairman Ognio stated that he agreed with the Board. He stated that he would be voting for the motion but against the request.

Commissioner Maxwell moved to deny Petition RP-069-18 to revise the Final Plat of Keyland Woods to add one lot to the subdivision by subdividing Lot 1A into two separate lots; property located in Land Lots 25 & 26 of the 5th District and fronts Lockwood Road & SR 92 South. Vice Chairman Oddo seconded. The motion passed 5-0.

Mr. Randy Boyd spoke regarding this petition. He explained the map to the Board. He stated that the church owned the property to the south and was proposing to take a triangle from each side of the frontage and add it to the back of the property. He stated
that the triangle would be moved to the back to make it a one-acre tract. He stated that Planning Commission and staff recommended approval.

No one spoke in favor or in opposition of this petition.

Commissioner Oddo moved to approve Petition RP-070-18 to revise the Final Plat of North Bend to reconfigure Lot 1 by adding/exchanging property from an adjacent tract; property located in Land Lot 202 of the 5th District and fronts Corinth Road. Commissioner Gibbons seconded. The motion passed 5-0.

CONSENT AGENDA:

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

5. Approval of Resolution 2019-01: Resolution of the Fayette County Commissioners Pledge to Citizens and County Staff on Core Values and Beliefs.

6. Approval of staff’s recommendation to award Proposal #1576-P for Investment Services to Public Trust Advisors, LLC.

7. Water Committee recommendation to close the Lake McIntosh Park on Saturday, March 16, 2019 for the Peachtree City Rowing Club Rowing Scrimmage Event.

8. Approval of the January 10, 2019 Board of Commissioners Meeting Minutes.

OLD BUSINESS:

NEW BUSINESS:

9. Presentation by Fayette County’s auditing firm, Nichols, Cauley & Associates, LLC, of the results of the Fiscal Year 2018 annual audit.

Chief Finance Officer Mary Parrott introduced Gregory Chapman with Nichols, Cauley & Associates. Mr. Chapman stated that he would give the audit for fiscal year 2018. He spoke regarding the results of the audit, financial trends, discussed comments and recommendations and answered questions. The audit was a clean audit; unmodified opinion. He stated that it was his responsibly to determine if the financial statements were reasonably free of material misstatement. He stated that the internal controls are considered when determining the opinion but no opinion was provided on the internal control structure. The single audit was an audit of the federal award grant dollars. A risk assessment was conducted on the federal grants based on the size of the grant and the type of grants. As a part of the audit, the auditors comment on the county’s policies, estimates and disclosures in the financial statements. He stated that regarding the policies, there was a new standard implemented called GASB 75, which refers to the post-employment benefit plan other than pensions; post retirement, health insurance benefits. There was a prior period adjustment made as a result of the new implementation of GASB 75. The material estimates for the county are the uncollectible accounts and the pension and OPEB actuarial assumptions. There were no problems with those. The financial statement disclosures were reviewed to determine if they were consistent with other governments and the required standards and there were no problems with those. There was cooperation from the county management staff and others, including the constitutional officers. There were no disagreements on accounting issues or financial reporting matters. There were some audit adjustments made by the county and the majority of the others were related to GASB 75. Once they receive the evaluation report and once the evaluation arrived the adjustment would be made in the financials. There were no significant issues discussed with management related to the business conditions, plans, or strategies that may have affected the risk assessment. He continued with audit highlights. He stated that the recommendation for the audit under the equitable sharing program was to include a process to review the federal purchases to determine if they were on the federal debarment listing. There was not a compliance issue just an internal control recommendation that was accepted by management. He stated that the following would be
applicable in 2020 due to GASB 84 and would change how the agency funds (tax commissioner, sheriff's office, clerk of courts) are presented in the financials. He also stated that GASB 87 would be applicable in 2021, which dealt with lease agreements to be recoded as a liability under full accrual account. There would be no such thing as operating leases any more.

Commissioner Gibbons thanked staff and Mr. Rapson for doing a great job.

There was no action on this item.

10. **Update from the Region Six Department of Behavioral Health and Developmental Disabilities (DBHDD) Advisory Council.**

Department of Behavioral Health and Developmental Disabilities (DBHDD) Region 6 Advisory Council Vice Chairperson Irene Cheyne stated that she had served on the DBHDD for the past six years as one of three of the representatives for Fayette County. She stated that she served two years as the chairperson, two years as the chair of the Statewide Leadership Council and currently as the Vice Chair for Region Six. She stated that she was the director of a statewide survey being conducted to identify the recovery and independence needs of people with mental illness, addictive diseases and intellectual developmental disabilities in communities throughout Georgia. She shared her personal story and gave an overview of the survey. She encouraged the Board’s support in getting the word out about the survey and having every citizen of Georgia to complete the survey. The survey would include a statewide analysis, a DBHDD regional analysis and a county-by-county analysis. She stated that the Georgia APEX program was successful and Governor Deal included $8.6 million in his 2020 budget for the APEX program to continue and expand the program.

Mr. Rapson stated that with the Board’s approval, staff would place the surveys in different locations and get the information out.

Commissioner Rousseau thanked Mrs. Cheyne for her service and for being transparent with her own issues with her family. He asked Mrs. Cheyne to speak with the Department of Public Health and use that as a medium to raise awareness. He asked if there had been a conversation with the school board about including the service in the school’s service delivery strategy. Mrs. Cheyne stated that she did not know.

Commissioner Rousseau moved that the County Administrator and staff work to place the information and survey associated with the Department of Behavioral Health and Developmental Disabilities (DBHDD) on all various social outreach networks and websites and to speak with the local delegation to make them aware of the APEX dollars going to the schools to address this issue. Vice Chairman Oddo seconded. The motion passed 5-0.

11. **Consideration of a recommendation from Vice Chairman Charles Oddo to nominate Janice Carson, John Woody and Michele Bass Lord to the Fayette County Hospital Authority for consideration of appointment to serve a term beginning June 1, 2018 and expires May 31, 2022.**

Janice Carson, John Woody and Michele Bass Lord was present for comments.

Vice Chairman Oddo moved to approve to nominate Janice Carson, John Woody and Michele Bass Lord to the Fayette County Hospital Authority for consideration of appointment to serve a term beginning June 1, 2018 and expires May 31, 2022. Commissioner Gibbons seconded. The motion passed 5-0.

12. **Consideration of a recommendation from Vice Chairman Charles Oddo to nominate Tami Morris (incumbent), Gina Martin and Michael Rocker to the Fayette County Hospital Authority for consideration of appointment to serve a term beginning June 1, 2018 and expires May 31, 2022.**

Gina Martin was present for comments.
Vice Chairman Oddo moved to approve to nominate Tami Morris (incumbent), Gina Martin and Michael Rocker to the Fayette County Hospital Authority for consideration of appointment to serve a term beginning June 1, 2018 and expires May 31, 2022. Commissioner Gibbons seconded. The motion passed 5-0.

13. Consideration of a new contract with the University of Georgia Cooperative Extension which provides for transitioning two-part time positions currently fully funded through the County budget over to the University of Georgia payroll.

Human Resource Director Lewis Patterson stated that the county contracted with the University of Georgia (UGA) for personnel services in the local Cooperative Extension office. There were six positions in that office and four of the employees are paid through UGA payroll. There were two part-time employees paid through Fayette County payroll and it had been setup this way for many years. He stated that it was awkward to have two employees on Fayette County’s payroll, subject to the policies and procedures of the county and being managed by a UGA employee who was under a different set of policies and procedures. He stated that the request was to transition the two positions to UGA so that everyone would be on the same page.

District Extension Director Sheldon Hammond was present on behalf of University of Georgia. He stated that he concurred with Mr. Patterson that it would make management and fiscal policies easier to have everyone under one contract.

There was zero impact to the budget. The money would be moved from salaries and moved to technical services where the contract was paid from.

Commissioner Maxwell asked if the two part-time positions would remain part-time. Mr. Hammond stated that the intension of UGA was that the positions would remain as part-time positions. He further explained the process. He stated that because the positions were part-time, there were no benefits associated with the positions. Any changes made to the positions to become full-time would be done through a change in the contract.

Commissioner Gibbons moved to approve a new contract with the University of Georgia Cooperative Extension for personnel expenses for the remainder of fiscal year 2019 in the amount of $65,203, authorization of budget amendment moving $12,853 from personnel to technical services and to authorize the chairman to execute all documents. Commissioner Oddo seconded. The motion passed 5-0.

14. Delegation/Appointments by the Chairman for Board appointments to the following:

Commissioner Rousseau requested to postpone the discussion of the Board of Health appointment until he could determine if he would still be available to serve.

Vice Chairman Oddo agreed to continue serving on the Water Committee and Retirement/Pension Committee.

A. Board of Health
B. Water Committee
C. Retirement/Pension Committee

PUBLIC COMMENT: None.

ADMINISTRATOR’S REPORTS:

A. Contract #1586-A: Stonewall New Flooring

Antebellum Way: Mr. Rapson stated that there was an unexpected traffic delay for Antebellum Way that would be posted on the website for the citizens to be aware. The delay was due to the freezing temperatures and saturated soil.
Newton Plantation: He stated that he sent the Board an update regarding Newton Plantation. He stated that he would have Water System Director Lee Pope to send that information to the citizens at Newton Plantation as well.

Peachtree City-Water and Sewer Authority: He stated that due to some of the federal government shut down, there was some concern that residents may be affected because they are not getting a pay check. He stated that staff would like to put in a deferment program for the water department for those that can validate they are a federal employee that was not being paid. The payments would be deferred while they were not getting paid and their water would remain on. Once they get paid, they would settle their accounts for the amount owed minus the penalties and interest. He stated that it had not become a problem but he wanted to bring it to the Board.

Vice Chairman Oddo moved to waive the fees. Commissioner Rousseau seconded.

Commissioner Rousseau asked if there were other areas where that could be done. Mr. Rapson stated the county had discretion in waiving penalties in the area of permits. Commissioner Rousseau stated that he was not for that.

Commissioner Maxwell stated that with the car tags, it would be a similar issue. He stated that there were other examples. He confirmed the process for the water bill.

Commissioner Rousseau stated that he would modify his second, to include “failure to pay within the timeline would cause shutoff and/or penalties and interest.” Mr. Rapson stated that he would email the parameters.

Vice Chairman Oddo moved to waive the fees. Commissioner Rousseau seconded. The motion passed 5-0.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated that there was one item of pending litigation, one item of threatening litigation and the review of the Executive Session Minutes for January 10, 2019.

COMMISSIONERS’ REPORTS:

Vice Chairman Oddo:  
Thanked staff:  
Vice Chairman Oddo thanked Finance Department and staff for another wonderful audit.

Board Appointment Policy:  
He stated that he wanted staff to look at revision to the Board Appointment policy. He stated that he believed that there were some changes that staff could offer to make the policy better. He stated that he would like for staff to look at the policy and bring back some recommendations to the Board.

Vice Chairman Oddo moved to have staff look at Policy 100.19; Board Appointment and bring back some recommendations to the Board. Commissioner Gibbons seconded.

Commissioner Gibbons stated that he thought it was a good idea because he did not want the Board to be the bottleneck that prevented some of the positions from being interviewed and selected. The Board would still have oversight of the process.

Vice Chairman Oddo moved to have staff look at Policy 100.19; Board Appointment and bring back some recommendations to the Board. Commissioner Gibbons seconded. The motion passed 5-0.

Chairman Ognio:  
Public Comments:
Chairman Ognio stated that he would like to look at changing the Public Comment section of the agenda and limit it to five minutes per person.

Chairman Ognio made a motion that Public Comments be limited to five minutes per person.

Commissioner Maxwell asked if the rule would apply to the zoning hearings.

Chairman Ognio stated that he would like to have a ten minute per side maximum for people who come up to the podium and speak. He stated that there were time limits in the past for each side and each side was allowed equal amount of time. He stated that it is not currently working that way and it was best to set up time limits.

Mr. Rapson stated that changes to the public hearing would have to go to the Planning Commission and then through ordinance. He stated that if that was the request, then the Board could direct staff to do that part.

Chairman Ognio stated yes.

Mr. Davenport stated that there were public hearings for things other than zoning, such as alcohol permits. He stated that there were state law requirements for zoning public hearings. He stated that each side had ten minutes per state law and the Board use to have that same limit but allowed unlimited public comments, so it made no sense to have a ten-minute limit under public hearings. The ten-minutes for public hearings were removed. He continued that if the request was for a ten-minute limit, it would have to go to the Planning Commission and then back the Board of Commissioners. He stated that there are other public hearings that are not for zoning and can be treated differently.

Commissioner Rousseau stated that he would encourage the Board to look at the nuances and then present something to the Board. He continued that, in addition, to discuss this at the end of the meeting might do the Board a disservice to vote on this matter at this time. He stated that he would like Mr. Davenport, as parliamentarian and as attorney, to look at those nuances on state law. He stated that he understood this to just be for public comments. He stated that he would hesitate on that because the public was not given the benefit to know that the Board would be making that change.

Chairman Ognio stated that he wanted to give staff direction for the public hearings because it had to go to the Planning Commission. He stated that for the public comments he wanted to limit each person to five minutes.

Commissioner Gibbons stated that he would personally like to see a time limit for the total number. He stated that most of the counties that were in a recent article by the Atlanta Journal Constitution (AJC) gave a comparison of the counties and what they do with their boards. He stated that the only one that was unlimited was Cobb County and the others had a thirty-minute total time limit on the public comments.

Commissioner Rousseau stated that he did not disagree but those mentioned meet during the day and this Board met at night so there were some nuances. They held meetings during business hours and the Board was on “off” hours. He stated that he was not prepared to vote tonight.

Commissioner Gibbons stated that the Board was willing to be available as individuals to meet, along with the expert staff. He stated that most people are looking for an answer and the Board did not answer during public comments. He encouraged people to contact the Board and set up meetings to provide a better answer.

Chairman Ognio stated that the Board met in the evenings and that “tied up” staff and when they had to stay until morning hours and then return that day for work, it was something the Board had to evaluate.

The original motion was withdrawn.
Commissioner Gibbons moved to direct the county attorney and staff to look at policies on public comments, to make them more inline with best practices recommended by the Association of County Commissioners of Georgia, as well as Georgia law. Chairman Ognio seconded. The motion passed 5-0.

Happy Anniversary: Chairman Ognio wished his wife a happy anniversary.

EXECUTIVE SESSION:

Notice of Executive Session: County Attorney Dennis Davenport stated that there was one item of pending litigation, one item of threatening litigation and the review of the Executive Session Minutes for January 10, 2019.

One Item of Pending Litigation, One Item of Threatening Litigation and review of the January 10, 2019 Executive Session Minutes: Chairman Ognio moved to go into Executive Session. Vice Chairman Oddo seconded. The motion passed 5-0. The Board recessed into Executive Session at 9:01 p.m. and returned to Official Session at 9:14 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 passed 5-0.

Approval of the January 10, 2019 Executive Session Minutes: Vice Chairman Ognio moved to approve the January 10, 2019 Executive Session Minutes. Commissioner Gibbons seconded. The motion passed 5-0.

ADJOURNMENT:

Chairman Ognio moved to adjourn the January 24, 2019 Board of Commissioners meeting. Commissioner Rousseau seconded. The motion passed 5-0.

The January 24, 2019 Board of Commissioners meeting adjourned at 9:15 p.m.

___________________________________    ______________________________________
Tameca P. White, 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 February 2019. Referenced attachments are available upon request at the County Clerk’s Office.

_____________________________________
Tameca P. White, County Clerk