

## 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

January 23, 2020

6:30 p.m.

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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 2<sup>nd</sup> and 4<sup>th</sup> Thursday of each month at 6:30 p.m.

### Call to Order

Chairman Randy Ognio called the January 23, 2020 Board of Commissioners meeting to order at 6:31 p.m.

### Invocation and Pledge of Allegiance by Commissioner Charles Rousseau

Commissioner Charles Rousseau offered the Invocation and led the audience in the Pledge of Allegiance.

### Acceptance of Agenda

Vice Chairman Charles Oddo moved to accept the agenda with the following changes: to remove item #1 and to move items #12 and #13 up on the agenda before Public Hearing. Commissioner Rousseau seconded. The motion passed 5-0.

### PROCLAMATION/RECOGNITION:

#### 1. Recognition of winners of the 2019 Model Water Tower Competition and Water System Staff.

This item was removed at the beginning of the meeting.

### PUBLIC HEARING:

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

#### 2. Consideration of Petition No. RP-074-19, Richard E Carne, Owner, request approval to revise the Final Plat for Bay Chappell Farms to add one lot to the subdivision by subdividing Lot 36 into two separate lots.

County Attorney Dennis Davenport recused himself from the discussion explaining that two of his senior partners at his firm live in this subdivision. He stated that he felt it was a conflict of interest for him to advise the Board or make any suggestions regarding this matter.

Attorney Laurel Henderson was to present in Mr. Davenport's place. Mr. Davenport left the meeting.

Mr. Richard Carne made comments to the Board regarding this item. The request was to subdivide the lot into two separate lots to have a home built on the lot.

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

Discussion continued.

Commissioner Rousseau moved to approve Petition No. RP-074-19, Richard E Carne, Owner, request approval to revise the Final Plat for Bay Chappell Farms to add one lot to the subdivision by subdividing Lot 36 into two separate lots with the approved condition to do away with the variance currently in place, as long as, the petitioner has approval to subdivide the lot. Vice Chairman Oddo seconded. The motion passed 5-0.

Mr. Davenport returned to the meeting.

- 3. Consideration of Petition No. RP-075-19, Cicely Foster, Owner, request approval to revise the Minor Subdivision Plat for Brooks Farm, consisting of one (1) 16.778 acre lot, by adding 30.718 acres to enlarge the existing lot and create an additional 17 acre lot.**

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

Commissioner Edward Gibbons moved to approve Petition No. RP-075-19, Cicely Foster, Owner, request approval to revise the Minor Subdivision Plat for Brooks Farm, consisting of one (1) 16.778 acre lot, by adding 30.718 acres to enlarge the existing lot and create an additional 17 acre lot. Vice Chairman Oddo seconded. The motion passed 5-0.

- 4. Consideration of Petition No. 1289-19, Jan A. Hutto and Timothy E. Trammell, Owners and Darrell Baker, Agent, request to rezone 2.409 acres from A-R to O-I; located in Land Lot 58 of the 7th District, and fronts on SR 54 West and Ebenezer Road.**

Mr. Darrell Baker made comments regarding this request.

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

Vice Chairman Oddo moved to approve Petition No. 1289-19, Jan A. Hutto and Timothy E. Trammell, Owners and Darrell Baker, Agent, request to rezone 2.409 acres from A-R to O-I; located in Land Lot 58 of the 7th District, and fronts on SR 54 West and Ebenezer Road. Commissioner Gibbons seconded. The motion passed 5-0.

- 5. Consideration of Petition No. 1290-19, Scott and Wendy Marlow, request to rezone 2.83 acres from R-70 Cond. to R-70 Cond.; located in Land Lot 216 of the 4th District, and fronts on Antioch Road and Rosemont Trace.**

Mrs. Wendy Marlow made comments regarding this request.

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

Commissioner Gibbons moved to approve Petition No. 1290-19, Scott and Wendy Marlow, request to rezone 2.83 acres from R-70 Cond. to R-70 Cond.; located in Land Lot 216 of the 4th District, and fronts on Antioch Road and Rosemont Trace. Vice Chairman Oddo seconded. The motion passed 5-0.

**PUBLIC COMMENT:**

Dean Breest made comments regarding an accident on the property and his request to have the county to consider putting in cameras at the intersection. He stated that the insurance company has denied the claims and the church is unable to cover the cost of the damages.

*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.*

### **CONSENT AGENDA:**

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

- 6. Approval to award ITB #1743-B to West Georgia Lighting, Inc. in the amount of \$142,500 for lighting at McCurry Park Soccer Field #21.**
- 7. Approval of the Water Committee's recommendation to close Lake McIntosh Park on May 15, 16 and 17, 2020 for the Greater Atlanta Air Show.**
- 8. Approval of the January 9, 2020 Board of Commissioners Meeting Minutes.**

### **OLD BUSINESS:**

### **NEW BUSINESS:**

- 9. Consideration of a staff's recommendation to re-appoint Page McDonald to the Fayette County Library Board for a four-year term beginning January 1, 2020 and expiring December 31, 2023.**

Vice Chairman Oddo moved to re-appoint Page McDonald to the Fayette County Library Board for a four-year term beginning January 1, 2020 and expiring December 31, 2023. Commissioner Gibbons seconded. The motion passed 5-0.

- 10. Consideration of staff's recommendation to award RFP No. 1670-P; Engineer of Record for Water System Interconnectivity Initiative to Integrated Science and Engineering in the amount of \$383,154.00.**

Commissioner Rousseau moved to approve to award RFP No. 1670-P; Engineer of Record for Water System Interconnectivity Initiative to Integrated Science and Engineering in the amount of \$383,154.00. Vice Chairman Oddo seconded. The motion passed 5-0.

- 11. Consideration to increase existing Contract No. 1522-B Water Tank Repair with Southeastern Tank and Tower, Inc., by \$275,350 for additional repairs and maintenance.**

Commissioner Gibbons moved to approve Contract No. 1522-B Water Tank Repair with Southeastern Tank and Tower, Inc., by \$275,350 for additional repairs and maintenance. Vice Chairman Oddo seconded. The motion passed 5-0.

- 12. Consideration of the County Attorney's recommendation to deny a disposition of tax refund, as requested by Dale and Angela Becker, for tax years 2017-2019.**

This item was moved for discussion, to the beginning of the agenda before Public Comments.

County Attorney Dennis Davenport briefed the Board regarding this item.

Mr. Dale Becker spoke regarding his reasons for asking the Board to make an exception and grant this refund request.

The Board expressed that state law was the reason for their decision and that they were willing to address the possibility of presented legislation that would allow the Board to consider a request with the circumstances similar to this one.

Commissioner Gibbons moved to deny a disposition of tax refund, as requested by Dale and Angela Becker, for tax years 2017-2019. Commissioner Rousseau seconded. The motion passed 5-0.

**13. Consideration of the County Attorney's recommendation to deny a disposition of tax refund, as requested by Elizabeth Hill, for tax years 1984-2019.**

This item was moved for discussion, to the beginning of the agenda before Public Comments.

County Attorney Dennis Davenport briefed the Board regarding this item.

No one spoke regarding this item.

Commissioner Rousseau moved to deny a disposition of tax refund, as requested by Elizabeth Hill, for tax years 1984-2019. Commissioner Gibbons seconded. The motion passed 5-0.

**ADMINISTRATOR'S REPORTS:**

**ATTORNEY'S REPORTS:**

**Notice of Executive Session:** County Attorney Dennis Davenport stated that there was one item for the review of the Executive Session minutes for December 12, 2019.

**COMMISSIONERS' REPORTS:**

Commissioners Maxwell, Rousseau and Chairman Ognio made comments.

**EXECUTIVE SESSION:**

The Board recessed into Executive Session at 8:13 p.m. and returned to Official Session at 8:14 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. The motion passed 5-0.

**Approval of the December 12, 2019 Executive Session Minutes:** Chairman Ognio moved to approve the December 12, 2019 Executive Session Minutes. Vice Chairman Oddo seconded. The motion passed 4-0-1. Commissioner Rousseau abstained.

**ADJOURNMENT:**

Chairman Ognio moved to adjourn the January 23, 2020 Board of Commissioners meeting. Vice Chairman Oddo seconded. The motion passed 5-0.

The January 23, 2020 Board of Commissioners meeting adjourned at 8:20 p.m.

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Tameca P. White, County Clerk