

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

August 27, 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 August 27, 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 Chairman Randy Ognio

Chairman Randy Ognio offered the Invocation and led the Board and audience in the Pledge of Allegiance.

Acceptance of Agenda

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

PROCLAMATION/RECOGNITION:

1. Presentation of the 200th Celebration Christmas Ornament in celebration of the county's bicentennial.

Alice Reeves, of the Historical Society and Vicki Turner, local artist, presented to the Board the 200th Celebration Christmas Ornament designed by Vicki Turner. Mrs. Reeves stated that the ornaments will be available for sale at Mainstreet and the Historical Society, as a souvenir of the momentous occasion.

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.

2. Consideration of Resolution 2020-08 adopting the 2020 Property Tax Millage Rates.

Fayette County Chief Financial Officer Sheryl Weinmann stated that as required by the state of Georgia, advertisement of the 2020 Property Tax Digest was posted in the paper on August 19, 2020. The 2019 Digest was \$6,351,075,145. There was a small growth in real property of 5.18%, personal property of 11.57%, and in other of 15.82%. There was a decrease of 15.58 in motor vehicles. Ms. Weinmann stated that exemptions increased largely due to veterans' applications for exemptions. She stated that there were reassessment increases of \$175,477,520, leaving a positive change in the Net Digest of 5.06%. She stated that as a

result of Fayette County deciding to rollback, the County would not be taking advantage of the reassessment, as a result, the increase would be less than 5.06%. The 2020 Digest was \$6,672,714,734. Ms. Weinmann stated that the changes in taxable digest had increased slightly over the past few years as a result of growth from new homes, building, and/or personal property in the area. The taxable Digest variances between 2019 at \$449,405,947 and 2020 at \$321,639,589 which was a result of the County not rolling back the millage rate. This year the County would rollback, taking advantage of the growth within the digest. Ms. Weinmann stated that the proposed 2020 Millage Rate would remain the same for Fire Services at 3.070, Emergency Medical Services at 0.456, and 911 Services at 0.210 and the General Fund Maintenance & Operations would be rolled back 0.115 to 4.392 for a decrease of 2.62%. She concluded that the cumulative effect of the rollback since 2014 was \$39.7M. Ms. Weinmann asked that the Board to adopt Resolution 2020-08 adopting the 2020 Property Tax Millage Rates.

No one spoke in favor or opposition.

Commissioner Maxwell asked for clarification from the Fayette County Board of Education regarding the millage rate. He stated that from the information provided, the Maintenance and Operations was 19.15 mills and Debt Services was 1.18 mills. He added that his calculations resulted in a millage rate of over 20 mills. Commissioner Maxwell stated that he was under the impression that 20 mills were the limit.

Fayette County School Board Chief Financial Officer Thomas Gray stated that the 20 mills limit was for maintenance and operations only. He added that there was no limit for the bond portion.

Commissioner Maxwell asked when the millage rate was approved by the Fayette County Board of Education.

Mr. Gray stated that the Board of Education approved the millage rate on Monday, August 24, 2020 at their regularly scheduled meeting.

Commissioner Maxwell stated that he asked because the letter setting the millage rate approved by the Board of Education was not included in the Board of Commissioners' meeting package for review for the August 27, 2020 meeting. He stated that this caused him concern. He added that his goal was to ensure the Board of Commissioners had ample time to review all pertinent information regarding an agenda item, as well as ensuring that citizens are provided the same information. He expressed that this was of heightened concern because the topic of discussion was regarding a tax issue.

County Administrator Steve Rapson stated that the Board of Commissioners was not approving the Fayette County Board of Education's millage rate, it was adopting it as a part of the Property Tax Millage Rates Resolution, which was a State requirement. Mr. Rapson stated that the County was notified by the Board of Education, along with the municipalities of their approved millage rate. This information was compiled and included on the Tax Bill.

Commissioner Maxwell stated that his concern was why the Board was receiving the information regarding the approved Board of Education millage rate so close to the deadline, seemingly late.

Mr. Gray stated that the timing of the approval of the Board of Education millage rate was based on when the Tax Digest was received from the Fayette County Tax Commissioner. He added that advertisement requirements must be met as well as various hearings must be held per State Law prior to approval and adoption of the millage rate. He stated that based on these factors, the August 27, 2020 Board of Commissioners Meeting was the soonest the millage rate could be presented to the Board.

Commissioner Maxwell stated that he wanted citizens to know that the Board of Commissioner was not approving a tax increase. He added that the Board of Education was a separate agency who approve their own millage rate, policies, and procedures.

Commissioner Gibbons moved to approve Resolution 2020-08 adopting the 2020 Property Tax Millage Rates. Vice Chairman Oddo seconded. The motion passed 5-0.

County Attorney Dennis Davenport recused himself from discussions from items #3 and #4, due to the fact that two partners from his Law Firm live in the subdivision being considered. Attorney Laurel Henderson would provide counsel regarding these items. Mr. Davenport left the Board of Commissioners Meeting.

3. Consideration of Petition No. RP-076-20, William T. Murphy and Richard E. Carne, Owners, and Steven L. Jones, Agent, request to revise the Final Plats (Phases One and Two) of Bay Chappell Farms Subdivision to add property to Bay Chappell Farms Subdivision, create an additional lot in Bay Chappell Farms Subdivision, and change the principal use on a lot labeled Recreational Area (Bay Chappell Farms Phase Two) to residential use; property located in Land Lot 167 of the 4th District and fronts on Stable Creek Road.

Community Development Director Pete Frisina stated the next two items were companion items that would be read and discussed together, but suggested public comments be taken separately. Mr. Frisina stated that for both staff and Planning Commission the recommendation was to approve item #3 with three conditions and item #4 with one condition.

Steven L. Jones, petitioners' agent, reiterated that items #3 and #4 were companion items and were simple cases but included some complicated factors. Mr. Jones stated that the presentation provided in the package outlined the properties in Bay Chappell Farms Subdivision in questions. He provided a chronological history of the properties and corresponding developments in question. Mr. Jones stated that earlier in 2020 the Board approved a conceptual revision to the plat for Bay Chappell Farms, to allow Mr. Carnes's property to be divided into two separate lots, allowing Mr. Carnes' daughter and son-on-law to build a residential home, further referenced as the Williams parcel. Mr. Jones stated that the need for these petitions was because Mr. Murphy was left with an 8.5-acre flag portion and a 1.5-acre flagpole portion of land which essentially could not be used. He stated that the Fayette County Code required access from a road on which the Murphy's parcel has frontage, which was not economically feasible to run a driveway that length and was not practical because of the water courses covering the flagpole portion of land. Mr. Jones stated that when considering these factors, the simple solution would be to utilize the lot labeled Recreational Area, also owned by Mr. Murphy. He added it was never used as a recreational area. Mr. Murphy had reached out to the neighborhood regarding his request and had not received any objections. Mr. Jones stated that some of the aforementioned water courses also affected the Williams parcel and with that in mind, Mr. Murphy and Mr. Williams have comprised an agreement. Mr. Jones stated that Mr. Murphy agreed to sell 2 acres of the flag portion of his lot to Mr. Williams to create a larger lot, not affected by the water course. He stated that the package also provided a conceptual plan overlying the proposed lots with the lots as they currently exist. Mr. Jones stated that the plat revision would remove a lot of land between the four (4) parcels creating three (3) parcels. Mr. Carnes' parcel would take part of the 25-foot flagpole lot allowing him to add an accessory garage structure. Mr. Jones state that the Williams parcel, lot 2, would take the 2 acres from the flag portion of Mr. Murphy's parcel and a little bit of the recreational area also owned by Mr. Murphy. He stated that lot 3 would include the remainder of the flag portion lot plus part of the recreational area and a little bit of the Williams parcel that was needed to give this lot the required 100 feet of road footage. Mr. Jones stated to accomplish this request the plat would have to be revised. Mr. Jones stated that a lot cannot be added to the subdivision without the plat being revised. Mr. Jones stated that both Planning and Zoning, staff and the Planning Commission recommended the requests for approval subject to three (3) conditions:

1. That the proposed lots will maintain a front yard setback of 75 feet and the revised plat shall indicate the 75 foot front yard setback.
2. That use of that 2.11 acre Recreation Area by the underlying fee owner(s) is limited to construction of no more than two total driveways to service proposed Lot 2 and Lot 3 (as shown on the Concept Plan submitted with the Applications).
3. That the revised final plat shall indicate the area of the 2.11-acre Recreation Area in relationship to proposed Lots 2 and 3.

Mr. Jones stated that the applicant consented to the conditions.

Mr. Jones continued that as highlighted the Fayette County zoning ordinance there cannot be a split zoned parcel. He stated that would be the case with each newly created parcel as a part of the request. Mr. Jones explained that was the purpose of the companion application requesting rezoning to create and maintain consistency. He stated that regarding the rezoning application condition, Lot 3, as indicated on the lot layout Concept Plan, shall maintain a minimum five (5) acre (217,800 square feet) lot size.

The applicant consented to that condition as well. Mr. Jones also stated that the applicant would impose an additional condition upon the Murphy parcel that the home to be erected on proposed Lot 3 shall conform to the size restrictions of the original subdivision covenants.

Chairman Ognio asked about the remaining property of the 25-foot flagpole lot, left out of the newly created Lot 1.

Mr. Jones stated that there was four (4) lots that front the remaining property. Mr. Jones stated that they had reached out to those property owners and as of yet, one property owner had responded and would quick claim an additional 25-foot buffer. Mr. Jones stated they would continue to reach out to the property owner and the land would eventually be disposed of.

Vice Chairman Oddo asked for clarification regarding the request for rezoning. Vice Chairman Oddo stated that from his understanding the Bay Chappell Farms Subdivision was zoned A-R according to the Land Use Plan. Vice Chairman Oddo asked why the zoning could not remain A-R. His desire was to preserve the Land Use Plan.

Mr. Jones stated that was an option, however that option would create inconsistency with other lots within the Bay Chappell Farms subdivision. He stated that the outcome of the request would result in the average lot size of these three (3) newly formed lots would be over five (5) acres. He stated that the net effect of the request does comply with the Future Land Use Map. Mr. Jones stated that if requested by the Board, the applicants would consider the A-R zoning instead, however that would create an issue with one of the parcels as it relates to minimum acreage.

Vice Chairman Oddo asked Mr. Frisina if the Future Land Use Plan for the subdivision was A-R or residential low-density.

Mr. Frisina stated that the Future Land Use Plan called for one (1) unit per five (5) acres and it does not specifically A-R, however A-R was the 5-acre zoning district. He stated that the Land Use Plan was a density as opposed to minimum lot size.

Mr. Jones stated that the net effect of the request does comply with the Future Land Use Map. He stated that the lot to be created on the Murphy parcel would comply. Mr. Jones stated that the lots that currently exist within Bay Chappell Farms as approved by the Board would be consistent with the neighborhood. Mr. Jones stated that the added condition: that Lot 3, as indicated on the lot layout Concept Plan, shall maintain a minimum five (5) acre (217,800 square feet) lot size, to Petition No. 1292-20 application further indicates the Land Use Plan compliance. Mr. Jones outlined and explained a potential alternate zoning request that could accomplish the petitions goal and relieve concerns expressed by Vice Chairman Oddo of maintaining the Future Land Use Map.

Vice Chairman Oddo asked if there were any condition regarding the smaller lots to ensure they could not be subdivided.

Mr. Jones stated that practically Lot 2 could not be subdivided based on road frontage and practically Lot 1, although having ample road frontage, could not be subdivided due to its configuration and limited depth. He stated that both Mr. Carne and Mr. Murphy were open to consenting to that condition.

Attorney Laurel Henderson stated that the goal of these items was to comprise a solution that would be consistent with what the Board had approved in the past. Mrs. Henderson stated that the goal of consistency was needed from two different directions. She stated that because the land would become a part of an existing subdivision, there was a need for it to be consistent with the subdivision. She stated that because the land that would be brought into the subdivision was created for a less dense area under the Comprehensive Plan, the goal was to maintain consistency with the Comprehensive Plan also. Mrs. Henderson stated that the application was to rezone to the category of the subdivision from the agricultural zoning. In addition, there was a requirement that a lot cannot contain split zoning. Mrs. Henderson stated that with all factors considered and requirements met with the outlined conditions, the proposed request would be consistent from the two different perspectives. Mrs. Henderson mentioned that the recreational area conditions were primarily included as a protective measure for the County to ensure that if any issues arise between private property owners regarding the recreational area, the County would not be drawn in or involved. She concluded that the goal of the requests was to maintain consistency with in the subdivision, as well as the Comprehensive Plan.

Vice Chairman stated that his concern was the potential for the smaller lots to be subdivided, although unlikely.

Mr. Jones stated he was authorized on behalf of Mr. Carne and Mr. Murphy to consent an additional condition that Lots 2 and 3 never be subdivided.

Commissioner Rousseau stated that his concerns were similar to Vice Chairman Oddo, with the need to preserve the Future Land Use Plan. He stated that if the applicant was amenable to the added condition, he would recommend adding it as part of the request.

Mr. Richard Carne reiterated that even without the condition, it would be nearly impossible to subdivide the land into usable lots due to land configuration restraints and the water course/ flooding issues. He stated that he had reached out to several of his neighbors regarding his requests and had received no objections.

No one spoke in favor or opposition.

Commissioner Gibbons moved to approve Petition No. RP-076-20, William T. Murphy and Richard E. Carne, Owners, and Steven L. Jones, Agent, request to revise the Final Plats (Phases One and Two) of Bay Chappell Farms Subdivision to add property to Bay Chappell Farms Subdivision, create an additional lot in Bay Chappell Farms Subdivision, and change the principal use on a lot labeled Recreational Area (Bay Chappell Farms Phase Two) to residential use; property located in Land Lot 167 of the 4th District and fronts on Stable Creek Road, with five conditions (5):

1. That the proposed lots will maintain a front yard setback of 75 feet and the revised plat shall indicate the 75 foot front yard setback.
2. That use of that 2.11 acre Recreation Area by the underlying fee owner(s) is limited to construction of no more than two total driveways to service proposed Lot 2 and Lot 3 (as shown on the Concept Plan submitted with the Applications). The owner(s) of Lots 2 and 3 shall not site any permanent improvements, other than the driveways to service Lot 2 and Lot 3, in such manner as to leave the remaining areas of the Recreation Area parcel free for passive recreation by the owners of all lots in Bay Chappell Subdivision, and no current or future owner of Lot 2 or Lot 3 shall substantially interfere with the use of the Recreation Area by any current or future owner of any other lot in Bay Chappell Farms Subdivision for recreation purposes. Substantial interference shall include, but not be limited to, the erection of a fence excluding access to the Recreation Area. Additionally, before a revised final plat is recorded, the current owners of any portion of Lots 1, 2, and 3 shall indemnify and hold harmless the County from any and all future claims related to (1) the County's approval of the Applications that include the 2.11 acre Recreation Area; and (2) the extinguishment of the original 25 foot strip connecting Lot 3 with Chappell Road.
3. That the revised final plat shall indicate the area of the 2.11 acre Recreation Area in relationship to proposed Lots 2 and 3.
4. That proposed Lots 2 and 3 shall not be further subdivided.
5. That the home to be erected on proposed Lot 3 shall conform to the size restrictions of the original subdivision covenants. (Bay Chappell Farm Covenants recorded in Book 654 Page 793-794: No single-story home shall be constructed on any Lot unless such Home shall have at least twenty five hundred (2,500) square feet of heated living space; and no multi-story or split-level Home shall be constructed on any Lot unless such Home shall have at least three thousand (3,000) square feet of heated living space.

Vice Chairman Oddo seconded. The motion passed 5-0.

4. **Consideration of Petition No. 1292-20, William T. Murphy, Owner, and Steven L. Jones, Agent, request to rezone 10.00 acres from A-R to R-72 to add property to the Bay Chappell Farms Subdivision; property is located in Land Lot 167 of the 4th District and fronts on Chappell Road. *This petition was tabled at the August 27, 2020 Board of Commissioners meeting.***

Kristine James of Fayetteville, asked would there be an additional entrance to the subdivision. Mrs. James also asked what was the proposed home size and value of the proposed lot created as part of the request.

Mr. Jones stated in response to Mrs. James that there would not be an additional subdivision entrance created. Mr. Jones stated that that the homes built would be comparable in home size and value to those in the subdivision, with the condition that the home to be erected on proposed Lot 3 shall conform to the size restrictions of the original subdivision covenants.

Mr. Frisina stated that in reference to RP-076-20, the Board was requesting that Lots 1 and 2 could not be further subdivided. Vice Chairman Oddo stated that was his preference.

Mr. Frisina stated that he would use the format, to say, Lots 2 and 3 as indicated on the lot layout concept plan could not be subdivided.

Mr. Jones stated that the applicant agreed to all the proposed conditions.

Commissioner Gibbons moved to approve Petition No. 1292-20, William T. Murphy, Owner, and Steven L. Jones, Agent, request to rezone 10.00 acres from A-R to R-72 to add property to the Bay Chappell Farms Subdivision; property is located in Land Lot 167 of the 4th District and fronts on Chappell Road, with one (1) condition that Lot 3, as indicated on the lot layout Concept Plan, shall maintain a minimum five (5) acre (217,800 square feet) lot size. Vice Chairman Oddo seconded. The motion passed 5-0.

5. Consideration of Petition No. RP-077-20, Joe L. Brown Estate -Ted W. Brown (Executor), Owner, and George Cocolos, Agent, request to revise the Final Plat of Autumn Lake Estates Subdivision to add property to the Autumn Lake Estates Subdivision and create two (2) additional lots in Autumn Lake Estates Subdivision; property is located in Land Lot 34 of the 4th District and fronts on Village Lake Court.

Mr. Frisina stated that both Planning and Zoning staff and Planning Commission recommend approval.

Mr. George Cocolos the petitioners' agent stated that the request was to revise the Final Plat of Autumn Lake Estates Subdivision to add property to the Autumn Lake Estates Subdivision and create two (2) additional lots in Autumn Lake Estates Subdivision. Mr. Cocolos stated that the purpose for the addition of the two lots was to provide safety and improve the aesthetic for the existing neighborhood. He stated that the property had approximately 500 feet of road frontage on the 85 Connector and approximately 1,000 feet of road frontage on Village Lake Court. He stated that this created accessibility challenges and although Village Lake Court was a public road, it was an internal road, and developed for the Autumn Lake Estate Subdivision. Mr. Cocolos stated that from a practical standpoint and a safety and aesthetic perspective, the request was to gain access to the road frontage on Village Lake Court. He stated that as a current homeowner he had witnessed several automobile accidents including a fatality and safety was a major concern. Mr. Cocolos stated that the proposal was presented to the Autumn Lakes Subdivision Homeowners Association Board and the Architectural Review Committee with unanimous approval by both entities. Mr. Cocolos also advised that he had also reached out to the remaining homeowner regarding the request and received no objections.

No one spoke in favor or opposition.

Vice Chairman Odd ask as clarification if there was a zoning change as part of the request.

Mr. Cocolos stated, "No".

Commissioners Rousseau asked if all the homeowners, apart of the Autumn Lake Estate Subdivision, had been notified of the proposed request. He stated that he had some concerns and was hesitant to provide Board approval when acknowledgments from all the homeowners had not been acquired. He stated that based on past experience he had seen situations where issues arose when assessments were unknowingly established and went unpaid as a result liens that had to be issued on properties.

Commissioner Rousseau expressed his appreciation to Mr. Cocolos for his efforts and due diligence in reaching out to his neighbors, but acknowledged that he still had concerns.

Commissioner Gibbons moved to approve of Petition No. RP-077-20, Joe L. Brown Estate -Ted W. Brown (Executor), Owner, and George Cocolos, Agent, request to revise the Final Plat of Autumn Lake Estates Subdivision to add property to the Autumn Lake Estates Subdivision and create two (2) additional lots in Autumn Lake Estates Subdivision; property is located in Land Lot 34 of the 4th District and fronts on Village Lake Court. Vice Chairman Oddo seconded. The motion passed 5-0.

6. Consideration of Resolution 2020-07; amendments to the Land Use Element and Future Land Use Plan Map of the Fayette County Comprehensive Plan for the Flat Creek Trail Corridor.

Mr. Frisina stated that items #6 and #7 were companion items and would be discussed together. He stated that in 2019 a resident who lived on Flat Creek Trail Corridor, approached the Planning and Zoning Department and the Planning Commission and asked if the County would allow an office/institutional zoning on the Corridor. Mr. Frisina stated that via conversation with area property owners and upon analysis conducted by staff and the Planning Commission, it was determined that this Corridor (this area was State Route 54 North to the southern portion of Tyrone Road) included eighteen (18) lots fronting the roadway-eight (8) on the east side and ten (10) on the west side. Mr. Frisina stated that about 60% of the properties either have a non-residential use or non-residential zoning in place, leaving 8 properties zoned residential that are used as residents or are vacant. He stated that in looking at the characteristics of the road it had become mainly a cut through or access road to get from State Route 54 to major intersections on Tyrone Road and vice versa. Mr. Frisina stated that this intersection was also included on the Transportation Plan for intersection improvements with two proposed options: #1. A lighted signalized intersection or #2. A roundabout. Either option would also change road characteristics and traffic flow along the Corridor. The recommendation was to create a Flat Creek Trail Corridor, which was addressed under the Future Land Use Plan. The properties would be land used for residential which was one (1) unit per two (2) acres with an added consideration for homes or properties to be considered for office/institutional development. Mr. Frisina stated that this would be for existing home that could be converted and/or future homes that could be developed on a vacant piece of land if it was zoned O-I. He stated that what was put in place was an overlay zone, which goes into the ordinance and controls the type of development that could happen. Mr. Frisina stated that the standards for this would be similar to other highway/corridor overlay zones, where the architectural standard for any new structure would have to look residential, which would include a pitch peak roof, doors and windows of a residential characteristics, siding of residential characteristics. Mr. Frisina stated that this Resolution would add verbiage to the Land Use Element and labeling to the Future Land Use Plan Map.

Commissioner Gibbons asked based on what the proposed corridor lots currently look like. These amendments are setting conditions so that if land was sold in the future a standard was established to maintain consistency of the Corridor.

Mr. Frisina stated that was correct. Mr. Frisina added that there was a small area on the west side of the road just south of the Fire Station of about 18 acres that could be developed, but would have to be at the (1) unit per two (2) acres requirement and could not fit many houses.

Chairman Ognio asked how parking would be determined as part the Flat Creek Trail Corridor.

Mr. Frisina stated that most of the non-residential use, mainly the places of worship, had parking set in the front of the building and was not deemed out of character for the Corridor.

Chairman Ognio asked if the properties desiring to be offices had to be rezoned O-I.

Mr. Frisina stated yes, the property owner would have to apply and go through a public hearing.

Mr. Frisina stated that both Planning and Zoning staff and the Planning Commission recommended approval.

No one spoke in favor or opposition.

Vice Chairman Oddo moved to approve Resolution 2020-07; amendments to the Land Use Element and Future Land Use Plan Map of the Fayette County Comprehensive Plan for the Flat Creek Trail Corridor. Commissioner Gibbons seconded the motion passed 5-0.

7. Consideration of Ordinance 2020-05; amendments to the Fayette County Zoning Ordinance for the Flat Creek Trail Corridor Overlay Zone.

No one spoke in favor or opposition.

Commissioner Gibbons moved to approve Ordinance 2020-05; amendments to the Fayette County Zoning Ordinance for the Flat Creek Trail Corridor Overlay Zone. Vice Chairman Oddo seconded. The motion passed 5-0.

8. Consideration of Ordinance 2020-06; amendments to Section 110-127 EST Zoning District.

Mr. Frisina stated that this ordinance was a house keeping measure to remove a redundant paragraph from Section 110-127 EST Zoning District.

No one spoke in favor or opposition.

Vice Chairman Oddo moved to approve Ordinance 2020-06; amendments to Section 110-127 EST Zoning District. Commissioner Gibbons seconded. The motion passed 5-0.

PUBLIC COMMENT:

Heidi Danis of Fayetteville, expressed her frustration regarding the current voting location, she added that in her opinion housing the election on the second floor was wrong and created challenges for all Fayette County voters but especially the elderly and disabled. Ms. Danis urged the Board to ensure Fayette County citizens have a decent, proper and safe voting facility.

Pearline Booth-Green of Fayetteville, expressed her desire to have a large voting facility that would accommodate the additional equipment, printers and scanners and appropriately host citizens without them feeling crowded or discouraged due to long lines.

Chandra Wright of Fayetteville, stated as mentioned before there were added challenges created by the new machines, the ongoing pandemic, and the potential for long lines as a result of an anticipated large turnout of voters. Mrs. Wright asked the Board to host the election in a room spacious enough to combat all the previously stated issues. She expressed her desire for the Board to host a free, fair, and safe election.

Susan Samson of Fayetteville, expressed her concerns regarding safety as it relates to voting in the upcoming election. Mrs. Samson asked the Board to find a solution that would benefit the health and safety of all Fayette County voters.

Karen Rands of Peachtree City, asked that the Board to relocate the current designated polling location to a larger ground level space that is more easily accessible to all voters and accommodate the need to protect citizens voting in-person.

CONSENT AGENDA:

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

9. **Approval of staff's recommendation to declare 19 vehicles, two (2) Hustler mowers and one (1) Trailer as unserviceable and sell the assets online utilizing contracted auction services with all proceeds to be returned to the vehicle replacement fund.**
10. **Acknowledgment of/and authorization from the Board of Commissioners to sign the Equitable Sharing Agreement and Annual Certification as required by the US Department of Justice and the US Department of the Treasury.**
11. **Approval to award Task Order FC-21-02 Sludge Collector Design and Bid Phase Services under Contract No. 1221-P Water System Engineer of Record, in the amount of \$170,000 to produce design documents, technical specifications and final contract documents for bidding.**
12. **Approval of Resolution 2020-09 to adopt the Fayette County 2019 Annual Report on Fire Services Impact Fees (FY2019), including Comprehensive Plan amendments for updates to the Capital Improvements Element and Short-Term Work Program (FY2020-FY2024.)**
13. **Approval of the August 13, 2020 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

NEW BUSINESS:

14. **Consideration of staff's recommendation to approve Contract #1812-S: SagesGov Plan Review, Permitting & Inspection Software, in the amount of \$449,236.00 for a five-year term with an option to renew for one additional five-year term.**

Commissioner Gibbon asked as a point of clarification regarding the dashboard project if it was a one-time cost.

Mr. Tafoya stated yes. Mr. Tafoya stated that the dashboard would be utilized by the permit technicians as a sorting tool and organizer for correspondence and emails.

Commissioner Gibbons moved to staff's recommendation to approve Contract #1812-S: SagesGov Plan Review, Permitting & Inspection Software, in the amount of \$449,236.00 for a five-year term with an option to renew for one additional five-year term. Vice Chairman Oddo seconded. The motion passed 5-0.

15. **Consideration of staff's recommendation to award Contract #1861-S to Sound Principles to provide and install A/V equipment in the courtrooms and jail, in the not-to-exceed amount of \$79,503.51 and to reallocate \$80,000 from General Fund Project Contingency to a CIP Project for State, Probate, Juvenile, Magistrate, Superior Courts and the Jail for A/V equipment to facilitate virtual court proceedings.**

County Administrator Steve Rapson stated that due to COVID-19, the courts were changing the way they handled court sessions. Mr. Rapson stated that the courts were using video conferencing, Zoom meetings, and the like to facilitate virtual proceedings, thereby limiting contact and minimizing risk of virus infection. He stated that these changes made it necessary to upgrade their A/V equipment. He stated that the request included upgrades to State, Probate, Juvenile, Magistrate, Superior Courts and the Jail.

Commissioner Rousseau asked if these funds could be re-cooped in the next wave of the Cares Act.

Mr. Rapson stated that they may be able to be re-cooped in "Phase 3" of the Cares Act.

Vice Chairman Oddo moved to approve staff's recommendation to award Contract #1861-S to Sound Principles to provide and install A/V equipment in the courtrooms and jail, in the not-to-exceed amount of \$79,503.51 and to reallocate \$80,000 from

General Fund Project Contingency to a CIP Project for State, Probate, Juvenile, Magistrate, Superior Courts and the Jail for A/V equipment to facilitate virtual court proceedings. Chairman Ognio seconded. Discussion followed.

Vice Chairman Oddo amended the motion and moved to approve staff's recommendation to award Contract #1861-S to Sound Principles to provide and install A/V equipment in the courtrooms and jail, in the not-to-exceed amount of \$79,503.51 and to reallocate \$80,000 from General Fund Project Contingency to a CIP Project for State, Probate, Juvenile, Magistrate, Superior Courts and the Jail for A/V equipment to facilitate virtual court proceedings; and to re-coop funds via the Cares Act when available. Chairman Ognio seconded amended the motion passed 5-0.

ADMINISTRATOR'S REPORTS:

Region Six Mental Health Board

Mr. Rapson stated that he needed a selection committee for Region Six Mental Health Board to host interviews for an open position.

Chairman Ognio moved to select Vice Chairman Oddo and Commissioner Rousseau for the Region Six Mental Health Board selection committee. Commissioner Gibbons seconded. The motion passed 5-0.

Legislative Leadership Conference

Mr. Rapson stated that the 2020 Legislative Leadership Conference would be held virtually but the policy agenda would need to be adopted. Mr. Rapson stated that the Board needed to appoint a delegate.

Commissioner Rousseau moved to appoint Chairman Ognio as the 2020 Legislative Leadership Conference delegate. Commissioner Gibbons seconded. The motion passed 5-0.

Department of Correction Board

Mr. Rapson acknowledged that Sheriff Barry Babb was appointed by Governor Kemp to serve on the Department of Correction Board.

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. He stated that the update included details regarding Fire Station #2 and Fire Station #4 projects, Kenwood culvert replacements and other projects.

Cares Act Funding

Mr. Rapson expressed his appreciation for Fayette County Chief Financial Officer Sheryl Weinmann and her efforts to capture Cares Act funding for the County. He advised the Board that the County was anticipating about 1.1M in Emergency Medical Service, \$921,000 in the General Fund, \$675,000 in Fire Services.

Fire Services

Mr. Rapson advised the Board that Fire Chief David Scarbrough had tenured his retirement for September 25th.

Animal Shelter

Mr. Rapson advised the Board that the Animal Shelter /Peachtree City merge track evaluation was moving forward and staff would be providing recommendation in the coming weeks.

Elections Location Concerns

Mr. Rapson stated in response to public comment concerns regarding the County's polling location, that he had been in communication with the Elections Board Chairman Daryl Hick and this issue had not been discussed at their recent meeting. Mr. Rapson stated that although this issue would be discussed, currently there would be advanced voting available to citizens and an

upcoming agenda item would be presented to the Board at the September 10th BOC Meeting regarding placement absentee voting ballot boxes as alternate voting options. Mr. Rapson did acknowledge that the new machines could create challenges that could lead to longer lines, but this would be the case regardless of venue. He stated that although the chambers was not an option there was consideration being given to the Library.

ATTORNEY'S REPORTS: None

COMMISSIONERS' REPORTS:

Vice Chairman Oddo

Al Gilbert

Vice Chairman Oddo expressed his condolences to the Family of Al Gilbert as a loyal and dedicated member of the Planning and Zoning Commission. He added his thoughts and prayer were with his loved ones.

Feed the Hungry

Vice Chairman Oddo stated that he and his wife participated in the Feed the Hungry event hosted by the First United Methodist Church, where 30,000 meals were collected and assembled. He wanted to acknowledge the First United Methodist Church for their efforts and hard work.

200th Celebration Christmas Ornament

He acknowledged how beautiful the 200th Celebration Christmas ornament was. He wished everyone an enjoyable Labor Day weekend and encouraged all to stay safe.

Commissioner Gibbons

Commissioner Gibbons stated that he wanted to shout out and commend Lee Ann Bartlett of Finance and Katye Vogt and Amber Smith from 911. He stated that while attended Lifelong Leadership training sponsored by the Association of County Commissioners of Georgia (ACCG) in LaGrange the previous week, he was proud to see the quality and caliber of the staff of Fayette County. He added that they were head and shoulders ahead of their peers.

Commissioner Rousseau

Party Houses

Commissioner Rousseau expressed the need to revive or be more aggressive to the work associated with determining and eliminating the "party houses". He stated that occurrences are beginning to rise excessively at a known "party house" in Northridge and the established ordinances have gone ignored. Commissioner Rousseau asked for Board support regarding the enhanced review of this issue and applicable ordinance.

Town of Brooks' Water System

Commissioner Rousseau suggested in reference to the letter from the Town of Brooks to relinquish their Care Act allocation to the County, that those funds could be set aside or earmarked for the potential acquisition of the Town of Brooks' private water system.

200th Celebration Committee

Commissioner Rousseau asked in reference to the 200th Celebration Ornament how they were being produced, once purchased where would those funds be allocated, and whose controlling those funds. He asked that consideration be given to establishing a 200th Celebration Committee to ensure diversity and a well-rounded look at how to appropriately celebrate Fayette County's bicentennial.

Chairman Ognio

2020 Census

Chairman Ognio encouraged Fayette County citizens who had not already done so to participate in the 2020 Census.

2020 Legislative Package

Chairman Ognio asked for input from the Board regarding the 2020 Legislative.

Piedmont Fayette Hospital

Chairman Ognio stated that as a part of a recent video conference with Piedmont Fayette Hospital, it was mention to encourage citizens to come to the Hospital when needed if experiencing a medical issue. Chairman Ognio stated that the Hospital urged citizen to not wait to seek assistance this could potentially heightened risks. He added that the hospital was safe and prepared to care for citizens in need of medical care.

Election Ballot Boxes

Chairman Ognio stated that the Board of Election did asks him to present to the Board of Commissioners a request to approve \$6,000 towards the purchase Absentee Ballot Boxes. He added the fear in waiting until the September 10th BOC Meeting would cause a delay in the purchase and would mean the Absentee Ballot Boxes would not be delivered in time to be useful for the upcoming election.

Mr. Rapson explained that this was not a state mandate but was a recommendation. He stated that it was being suggested that these ballot boxes would enhance voter turnout by providing an alternate way to vote in light of the pandemic. He stated that it was required that the ballot boxes would be located at a municipal building with video surveillance

Chairman Ognio moved to approve Board of Elections request for \$6000 for the purchase and set up of Elections Ballot Boxes.

Discussion ensued regarding the rushed request and the lack of information provided by the Board of Elections to the Board of Commissioners and to the public regarding the Absentee Ballot Boxes. Discussion was considered regarding the restrictive turnaround time to ensure the boxes could be purchase and delivered in time.

Chairman Ognio withdrew his motion.

The Board agreed to hold a Special Called Meeting on August 31, 2020 to discuss the Absentee Ballot Boxes and to hear from the Board of Elections regarding the matter.

EXECUTIVE SESSION: None

ADJOURNMENT:

Commissioner Gibbons seconded moved to adjourn the August 27, 2020 Board of Commissioners Meeting. Vice-Chairman Oddo seconded. The motion passed 5-0.

The August 27, 2020 Board of Commissioners Meeting adjourned at 9:11 p.m.

Marlena Edwards, 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 10th day of September 2020. Referenced attachments are available upon request at the County Clerk's Office.

Marlena Edwards, Deputy County Clerk