

BOARD OF COUNTY COMMISSIONERS

Lee Hearn, Chairman
Edward Gibbons, Vice Chairman
Eric K. Maxwell
Charles W. Oddo
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

ACTION AGENDA

January 28, 2021
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 October 22, 2020, 2020 Board of Commissioners meeting to order at 6:30 p.m. A quorum of the Board was present. Chairman Lee Hearn and Commissioner Charles Rousseau attended the meeting virtually via Microsoft Teams as allowed during the pandemic.

Invocation and Pledge of Allegiance by Commissioner Eric Maxwell

Commissioner Eric Maxwell offered the Invocation and led the Board and audience in the Pledge of Allegiance.

Acceptance of Agenda

Commissioner Charles Oddo moved to accept the agenda as written. Commissioner Eric Maxwell seconded. The motion passed 5-0.

PROCLAMATION/RECOGNITION:

PUBLIC HEARING:

1. **Consideration of staff's recommendation to approve a new 2021 Retail Alcohol Beer and Wine License (C20-00657) for Edward Wyatt, doing business as South Fayette Station, which is located at 1552 Hwy 85 S, Fayetteville, Georgia 30215. The Board voted to continue this item at the December 10, 2020 Board of Commissioners meeting.**

Commissioner Oddo moved to approve to withdraw request for a new 2021 Retail Alcohol Beer and Wine License (C20-00657) for Edward Wyatt, doing business as South Fayette Station, which is located at 1552 Hwy 85 S, Fayetteville, Georgia 30215. Commissioner Maxwell seconded. The motion passed 5-0.

2. **Consideration of staff's recommendation to approve a new 2021 Retail Alcohol Beer and Wine License (C21-00016) for Harvey Strickland III, doing business as Berry Mart Inc., which is located at 1467 Hwy 92 North Fayetteville, GA 30214.**

Vice Chairman Gibbons moved to approve a new 2021 Retail Alcohol Beer and Wine License (C21-00016) for Harvey Strickland III, doing business as Berry Mart Inc., which is located at 1467 Hwy 92 North Fayetteville, GA 30214. Commissioner Oddo seconded. The motion passed 5-0.

3. Consideration of Ordinance 2021-01, amendments to Chapter 110. Zoning Ordinance, Regarding Sec. 110-173. – Transportation Corridor Overlay Zone concerning the SR54 West Overlay Zone.

Commissioner Oddo moved to approve Ordinance 2021-01, amendments to Chapter 110. Zoning Ordinance, Regarding Sec. 110-173. – Transportation Corridor Overlay Zone concerning the SR54 West Overlay Zone. Commissioner Maxwell seconded. The motion passed 5-0.

4. Consideration of Ordinance 2021-02, amendments to Chapter 110. Zoning Ordinance, Regarding Sec. 110-105. – Standards for Telecommunications Antennas and Towers.

Commissioner Oddo moved to approve Ordinance 2021-02, amendments to Chapter 110. Zoning Ordinance, Regarding Sec. 110-105. – Standards for Telecommunications Antennas and Towers. Vice Chairman Gibbons seconded. The motion passed 5-0.

5. Consideration of Petition RDP-015-20 to revise the Development Plan of Whitewater Creek Planning Unit Development (PUD) to reduce the 100-foot front yard setback on Redwine Road to 65 feet on Lot 117 - Final Plat of Highgrove on Whitewater Creek Phase Four.

Vice Chairman Gibbons moved to approve Petition RDP-015-20 to revise the Development Plan of Whitewater Creek Planning Unit Development (PUD) to reduce the 100-foot front yard setback on Redwine Road to 65 feet on Lot 117 - Final Plat of Highgrove on Whitewater Creek Phase Four. Commissioner Oddo seconded. The motion passed.

6. Consideration of Petition No. 1302-20, Charlotte Hearn, Owner, request to rezone 2.00 acres from A-R to R-70 to develop one (1) residential lot; property located in Land Lot 18 of the 9th District and fronts on SR 92 North. The applicant has requested to withdraw the petition.

Commissioner Oddo moved to approve withdrawal of Petition No. 1302-20, Charlotte Hearn, Owner, request to rezone 2.00 acres from A-R to R-70 to develop one (1) residential lot; property located in Land Lot 18 of the 9th District and fronts on SR 92 North. The applicant has requested to withdraw the petition. Commissioner Maxwell seconded. The motion passed 5-0.

PUBLIC COMMENT:

Frank Gardner made public comments.

Chairman Lee Hearn lost internet reception and was disconnected from the meeting.

CONSENT AGENDA:

Commissioner Oddo moved to accept the Consent Agenda as written. Commissioner Maxwell seconded. The motion passed 4-0.

7. Approval of staff's recommended Mid-Year Budget Adjustments to the FY 2021 budget and approval to close completed Capital Improvements Plan (CIP) Projects.

8. Approval of staff's recommendation to award Contract #1867-P to Arcadis, Inc. to perform engineering services on an as-needed basis for the Water System and Solid Waste department for the period ending June 30, 2022, and with the provision for two one-year renewals, in amounts to be determined by each task order as assigned.

9. **Approval of staff's recommendation to adopt Ordinance 2021-03 that adds Section 28-18 to Article I of Chapter 28, Fayette County Code of Ordinance establishing provisions pertaining to detecting unauthorized use of water from private fire lines.**
10. **Approval of staff's recommendation to adopt Ordinance 2021-04 that adds Section 28-19 to Article I of Chapter 28, Fayette County Code of Ordinance establishing provisions pertaining to landscape irrigation system requirements.**
11. **Approval of a request from Kristie King, Tax Commissioner, to provide an updated resolution giving authority to the Tax Commissioner to waive penalties and interest.**
12. **Approval of the January 14, 2021 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

NEW BUSINESS:

13. **Consideration of recommendation from the Selection Committee comprised of Fayette County Staff, to appoint Jim Poff to the Fayette County Water Committee to an unexpired term expiring December 31, 2021 and the subsequent term beginning January 1, 2022, expiring December 31, 2025, as allowed per county Policy 100.19; Board Appointment.**

Commissioner Oddo moved to approve the Selection Committee comprised of Fayette County Staff, to appoint Jim Poff to the Fayette County Water Committee to an unexpired term expiring December 31, 2021 and the subsequent term beginning January 1, 2022, expiring December 31, 2025, as allowed per county Policy 100.19; Board Appointment. Commissioner Maxwell seconded. The motion passed 4-0.

14. **Consideration of staff's recommendation to award Contract #1879-B, Contractor Resurfacing FY21, to E.R. Snell Contracting, Inc. in the amount of \$864,679.74.**

Vice Chairman Gibbons moved to approve Contract #1879-B, Contractor Resurfacing FY21, to E.R. Snell Contracting, Inc. in the amount of \$864,679.74. Commissioner Oddo seconded. The motion passed 4-0.

Chairman Lee Hearn reconnected to the BOC Meeting via phone conference.

Delegation/Appointments by the Chairman for board appointments to the following:

A. Board of Health

Chairman Hearn appointed Vice Chairman Gibbons to serve on the Fayette County Board of Health.

Commissioner Rousseau moved to approve Commissioner Edward Gibbons to serve as Chairman Hearn Board of Health appointee.

Commissioner Oddo asked if the appointments needed to be voted on.

Ali Cox from the County Attorney's Office stated that the appointments did not need a vote by the Board

B. Water Committee

Chairman Hearn appointed himself to serve on the Fayette County Water Committee.

C. Retirement/Pension Committee

Chairman Hearn appointed Commissioner Maxwell to serve on the Fayette County Retirement/Pension Committee.

ADMINISTRATOR'S REPORTS:

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Ali Cox stated there were two items for executive session. There was one item of pending litigation and the review of the January 14, 2021 Executive Session Minutes for consideration in Executive Session.

COMMISSIONERS' REPORTS:

Commissioner Maxwell, Commissioner Oddo, Commissioner Rousseau, and Chairman Hearn made comments.

EXECUTIVE SESSION:

One item of pending litigation and the review of the January 14, 2021 Executive Session Minutes for consideration in Executive Session. Commissioner Oddo moved to go into Executive Session. Commissioner Maxwell seconded. The motion passed 5-0.

The Board recessed into Executive Session at 7:36 p.m. and returned to Official Session at 8:00 p.m.

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

Approval of the January 14, 2021 Executive Session Minutes: Commissioner Oddo moved to approve the January 14, 2021 Executive Session Minutes. Vice Chairman Gibbons seconded the motion. The motion passed 5-0.

ADJOURNMENT:

Commissioner Oddo moved to adjourn the January 28, 2021 Board of Commissioners meeting. Vice Chairman Gibbons seconded the motion. The motion passed 5-0.

The January 28, 2021 Board of Commissioners meeting adjourned at 8:00 p.m.

Marlena M. Edwards, Chief Deputy County Clerk

Lee Hearn, Chairman