

BOARD OF COUNTY COMMISSIONERS

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



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, 2026
5:00 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 5:00 p.m.

OFFICIAL SESSION:

Call to Order

Chairman Lee Hearn called the August 27, 2026, Board of Commissioners meeting to order at 5:01 p.m. A quorum of the Board was present.

Invocation and Pledge of Allegiance by Commissioner Eric Maxwell

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

Acceptance of Agenda

Vice Chairman Edward Gibbons moved to approve the agenda as presented. Commissioner Charles Oddo seconded. The motion passed 5-0.

PROCLAMATION/RECOGNITION:

PUBLIC HEARING:

Planning and Zoning Director Deborah Bell read the Introduction to Public Hearings.

- 1. Consideration of Petition 1382-26, Linda Waites, Owner, and Michele Hoff, Agent, requesting to rezone Parcel No. 0903 007 (54.46 acres) from R-70 (Single-Family Residential) to A-R (Agricultural-Residential); property located in Land Lot 6 of the 9th District and fronts on Milam Rd. This item was tabled at the June 25, 2026, Board of Commissioners meeting.**

Planning and Zoning Director Deborah Bell stated that this item was to rezone Parcel No. 0903 007, consisting of 54.46 acres in Land Lot 6 of the 9th District and fronting on Milam Road, from R-70, Single-Family Residential, to A-R, Agricultural-Residential. Ms. Bell explained that the property had been rezoned from A-R to R-70 as part of a county-initiated blanket rezoning in 1973. Although the zoning classification changed, the property remained largely undeveloped and continued to be used for residential and agricultural purposes. The existing residence and accessory structures met or exceeded the requirements of the A-R zoning district. Ms. Bell noted that the Future Land Use Map designated the area for low-density residential development with a minimum lot size of one acre. The map also identified environmentally sensitive areas along the stream on the eastern portion of the property. Ms. Bell stated that staff determined that the requested A-R zoning was less intensive than the future land-use designation and would not adversely affect the environmentally sensitive areas. She concluded that staff recommended approval.

The applicants' neighbor stated that the property contained two barns, chickens, and horses and had historically been agricultural. The owner could no longer physically or financially maintain the property, and the current residential zoning had prevented the agent from obtaining permits associated with the existing agricultural uses.

No one spoke in favor or opposition.

Vice Chairman Gibbons moved to approve Petition 1382-26, Linda Waites, Owner, and Michele Hoff, Agent, requesting to rezone Parcel No. 0903 007 (54.46 acres) from R-70 (Single-Family Residential) to A-R (Agricultural-Residential); property located in Land Lot 6 of the 9th District and fronts on Milam Rd. Commissioner Oddo seconded. The motion passed 5-0.

PUBLIC COMMENT:

Ms. Leslie Neil of Peachtree City addressed the Board regarding agenda item #13, the removal of the homestead exemption from the residence she owned with her husband, Mr. Alfonso Martinez. Ms. Neil stated that both names appeared on the original homestead-exemption application, although only her husband signed the application. Ms. Neil explained that Mr. Martinez had been removed from the property deed in 2015 for asset-protection purposes. She later learned that the homestead exemption had also been removed at that time. Ms. Neil stated that she had remained on the deed since 2007 and believed the exemption should have continued in her name. She requested a refund for the three years permitted by statute and noted that the couple believed they had overpaid their property taxes for approximately ten years.

Chairman Hearn advised Ms. Neil that the refund request appeared as Item No. 13 under New Business and would be considered later in the meeting.

CONSENT AGENDA:

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

2. **Approval of Board of Assessors' recommendation to approve a disposition of tax refund, as requested by Michele Ball, in the amount of \$4,528.76 for tax year(s) 2023, 2024, and 2025.**
3. **Approval of Board of Assessors' recommendation to approve a disposition of tax refund, as requested by Robert Miller, in the amount of \$1,092.30 for tax year 2025.**
4. **Approval of Board of Assessors' recommendation to approve a disposition of tax refund, as requested by Chase Shelton, in the amount of \$363.42 for tax year 2025.**
5. **Approval of Board of Assessors' recommendation to approve a disposition of tax refund, as requested by Sarah Williams in the amount of \$1,000.28 for tax year 2025.**
6. **Approval of Board of Assessors' recommendation to approve a disposition of tax refund, as requested by Terri Wright, in the amount of \$396.12 for tax year 2025.**
7. **Approval of the August 13, 2026, Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

NEW BUSINESS:

8. **Request to approve the proposed 2027 Local Maintenance & Improvement Grant (LMIG) project list for unincorporated Fayette County.**

Public Works, Director Phill Mallon stated that this request was for approval of the proposed 2027 Local Maintenance and Improvement Grant project list for unincorporated Fayette County. He explained that the annual project list contained more projects than the anticipated grant could fund, which provided flexibility if project needs or conditions changed.

Mr. Mallon reported that the anticipated 2027 LMIG allocation was approximately six percent greater than the previous year.

Chairman Hearn noted that LMIG was administered by the Georgia Department of Transportation and funded through motor-fuel tax revenue.

Vice Chairman Gibbons moved to approve the proposed 2027 Local Maintenance & Improvement Grant (LMIG) project list for unincorporated Fayette County. Commissioner Oddo seconded. The motion passed 5-0.

9. Request to approve Contract #2018-P: Public Works Engineer of Record, Change Order #1 (not to exceed \$512,160.20) to POND for completion of final design and NEPA requirements for the Sandy Creek Road at Ellison Road Roundabout (Project #25TAB) and reallocation of \$476,965.95 from the 2017 SPLOST Project #17TAG (Intersection Safety Improvements) to Project #25TAB.

Mr. Mallon stated that this item was requesting approval of Change Order No. 1 to Contract No. 2018-P, Task Order No. 64, to continue design services for a proposed roundabout at Sandy Creek Road and Ellison Road.

He stated that the construction phase of the project had received federal safety implementation grant funding. Design expenses would be paid from SPLOST funds. Mr. Mallon explained that the use of federal funds required the County to complete a full National Environmental Policy Act analysis, which increased the project's design costs.

Chairman Hearn asked staff to move the project slightly south, if feasible, to avoid railroad impacts and the related coordination expenses and delays. Mr. Mallon confirmed that the consultant would make every effort to avoid railroad impacts.

Vice Chairman Gibbons moved to approve Contract #2018-P: Public Works Engineer of Record, Change Order #1 (not to exceed \$512,160.20) to POND for completion of final design and NEPA requirements for the Sandy Creek Road at Ellison Road Roundabout (Project #25TAB) and reallocation of \$476,965.95 from the 2017 SPLOST Project #17TAG (Intersection Safety Improvements) to Project #25TAB. Commissioner Oddo seconded. The motion passed 5-0.

10. Request to accept a \$1,000,000 federal-aid grant for the PE phase of the Sandy Creek Road Path Project, approve the Project Framework Agreement (PFA) with Georgia Department of Transportation (GDOT) for PI 0021593, and allocate \$250,000 from 2017 SPLOST (17TAJ) for the local match.

Mr. Mallon requested acceptance of a \$1 million federal-aid grant for the preliminary-engineering phase of the Sandy Creek Road Multi-Use Path project. He also requested the transfer of \$250,000 from the 2017 SPLOST path-project funds to provide the required local match. The proposed path would connect Veterans Parkway to the project intersection north of QTS. Mr. Mallon reported that approximately 55 percent of the project was located in unincorporated Fayette County and 45 percent was located within a municipality. An intergovernmental agreement addressing the sharing of project costs would be presented to the Board at a later date.

Commissioner Rousseau asked whether the time between the announcement of the grant award and the beginning of project activity could be shortened. Mr. Mallon explained that several months typically elapsed between the announcement and the receipt and execution of the formal grant agreement. Substantive work would begin following the award of the engineering contract.

Commissioner Oddo noted that the local matching funds had already been collected through SPLOST and would leverage federal funding at approximately a five-to-one ratio.

Vice Chairman Gibbons move to approve to accept a \$1,000,000 federal-aid grant for the PE phase of the Sandy Creek Road Path Project, approve the Project Framework Agreement (PFA) with Georgia Department of Transportation (GDOT) for PI 0021593, and allocate \$250,000 from 2017 SPLOST (17TAJ) for the local match. Commissioner Oddo seconded. The motion passed 5-0.

11. Request to accept a \$640,000 federal-aid grant on behalf of the City of Fayetteville for the Preliminary Engineering (PE) phase of the Woodland Link Path Project, approval of the Project Framework Agreement (PFA) with Georgia Department of Transportation (GDOT) (PI 0021591), and to allocate \$160,000 from 2017 SPLOST (17TAJ) for the local match, which will be fully reimbursed by the City of Fayetteville.

Mr. Mallon stated that this item was requesting acceptance of a \$640,000 federal-aid grant on behalf of the City of Fayetteville, approval of the project framework agreement, and allocation of \$160,000 from the 2017 SPLOST funds for the required local match. The Woodland Link project would connect the Spring Hill Elementary School area, located near the proposed City Center development, through wooded areas to The Ridge Nature Area. The conceptual route crossed both City-owned and County-owned property. He noted that all County funds used for the project would be reimbursed through the federal grant or by the City of Fayetteville.

Commissioner Oddo asked whether the path would connect near the cul-de-sac at Quail Hollow. Mr. Mallon explained that the route remained conceptual and could be adjusted. He agreed that a connecting stub could benefit nearby residents and committed to discussing the matter with the City.

Commissioner Charles Rousseau expressed support for the City's progress and encouraged the County to accelerate planning for paths in unincorporated Fayette County. He emphasized the importance of creating connectivity between the County and its municipalities.

Vice Chairman Gibbons moved to approve to accept a \$640,000 federal-aid grant on behalf of the City of Fayetteville for the Preliminary Engineering (PE) phase of the Woodland Link Path Project, approval of the Project Framework Agreement (PFA) with Georgia Department of Transportation (GDOT) (PI 0021591), and to allocate \$160,000 from 2017 SPLOST (17TAJ) for the local match, which will be fully reimbursed by the City of Fayetteville. Commissioner Oddo seconded. The motion passed 5-0.

12. Request to award Contract #2378-S: Water System Engineer of Record: Task Order 27-03 to Arcadis U.S. for engineering services during the Crosstown Water Treatment Plant Solids Handling Upgrade project, in the not-to-exceed amount of \$284,976.

Water System Director, Vanessa Tigert, requested approval of a task order with Arcadis U.S., Inc., the County's engineer of record, in an amount not to exceed \$284,976. The task order provided for the design of the next phase of the Crosstown Water Treatment Plant Solids Handling upgrade, including a new sludge thickener. She explained that the existing sludge thickener had been constructed in 1986 and designed for the plant's former permitted capacity of 4.2 million gallons per day. The plant was capable of producing approximately 13 million gallons per day and was pursuing high-rate approval to increase its capacity to 18 million gallons per day.

The proposed thickener would process residue produced when the plant's eight filters were backwashed and would reduce the frequency and expense of dredging the lagoon. Ms. Tigert clarified that the increased treatment capacity would use the County's existing available water supply.

Vice Chairman Gibbons praised the Water System's water quality and recognized the work performed by Water System employees.

Vice Chairman Gibbons moved to approve to award Contract #2378-S: Water System Engineer of Record: Task Order 27-03 to Arcadis U.S. for engineering services during the Crosstown Water Treatment Plant Solids Handling Upgrade project, in the not-to-exceed amount of \$284,976. Commissioner Oddo seconded. The motion passed 5-0.

13. Consideration of the Board of Assessors' recommendation to deny a disposition of tax refund, as requested by Leslie Neal.

Chief Appraiser LeAnne Bartlett reported that the original homestead exemption application listed Ms. Leslie Neil and Mr. Alfonso Martinez, but only Mr. Martinez had signed the application. She explained that the Assessor's Office had historically treated the person signing the application as the applicant controlling the exemption.

Ms. Bartlett stated that several deeds had transferred ownership of the property between the parties. None of the documents received by the Assessor's Office identified Ms. Neil and Mr. Martinez as spouses. Based on the available documentation, the Assessor's Office and the County Attorney determined that County staff had not committed an error that would qualify for a refund under the applicable statute.

County Attorney Dennis Davenport explained that property ownership and eligibility for a homestead exemption were separate matters. A property owner was required to apply for the exemption by April 1 to receive it for that tax year. When the individual who signed the application was removed from the deed, the exemption was removed, and the remaining owner was responsible for submitting a new application.

Mr. Davenport stated that the statutory exception requiring notice to a surviving spouse did not apply to the circumstances presented. Ms. Bartlett confirmed that Ms. Neil had reapplied and could receive the homestead exemption going forward. The matter before the Board concerned only the requested retroactive refund.

Ms. Neil responded that both owners' names appeared on the original application, which provided only one signature line. She stated that Georgia law appeared to require only one homeowner to apply for the exemption. Ms. Neil suggested revising the County's application to provide signature lines for all applicants.

The Board acknowledged the difficulty of the situation but stated that its decision had to be consistent with the law and applied uniformly throughout the County.

Commissioner Maxwell moved to approve recommendation to deny a disposition of tax refund, as requested by Leslie Neal. Commissioner Rousseau seconded. The motion passed 5-0.

ADMINISTRATOR'S REPORTS:

A. Contract 27010-S: DA (District Attorney) and Clerk of Court Vault – Rolling File

Assistant County Administrator Jason Tinsley advised the Board that the meeting packet included administrative authorization for the purchase of rolling file systems for the Clerk of Courts as part of the Justice Center renovation and buildout.

ACCG Legislative Leadership Conference- Voting Delegate

Mr. Rapson also asked the Board to designate a voting delegate for the Association County Commissioners of Georgia Legislative Leadership Conference. Commissioner Charles Oddo was identified as the Commissioner expected to attend.

Vice Chairman Gibbons moved to appoint Commissioner Oddo as Fayette County's voting delegate for the ACCG Legislative Leadership Conference. Commissioner Rousseau seconded. The motion passed 5-0.

Hot Projects

Mr. Tinsley stated that he provided the Board with the Hot Topics updates to the Parks and Recreation Multi-Use Facility, multipurpose facility, Darren Drive culvert replacement, Cross Creek culvert replacement, Brandon Mill Circle culvert

replacement, Justice Center buildout, Kenwood Road and Morning Bridge, the Crosstown Generator Project, and the Senior Center Project.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated that there were three items for Executive Session: two items involving pending litigation and the review of the August 13, 2026, Executive Session Minutes.

COMMISSIONERS' REPORTS:

Commissioner Oddo

Commissioner Oddo commended and acknowledged a Court intern for attending the meeting to observe the Board's procedures.

Vice Chairman Gibbons

Vice Chairman Gibbons thanked County staff and his fellow Commissioners. He stated that County employees consistently provided the Board with the information necessary to make sound decisions and effectively serve the community.

Chairman Hearn

Chairman Hearn welcomed Paul Oddo, a former Fayetteville City Council member, and recognized the progress he had made in recovering from a serious accident.

EXECUTIVE SESSION:

Two items involving pending litigation and the review of August 13, 2026, Executive Session Minutes. Vice Chairman Gibbons moved to go into Executive Session. Commissioner Oddo seconded. The motion passed 5-0.

The Board recessed into Executive Session at 5:39 p.m. and returned to Official Session at 6:30 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 passed 5-0.

Settlement Agreement

County Attorney Dennis Davenport presented a proposed workers' compensation settlement involving former County employee Mr. Jorge Ramirez. Mr. Davenport stated that Mr. Ramirez had been injured and had consulted an attorney regarding his workers' compensation claim. Mr. Ramirez's attorney and the County's workers' compensation attorney participated in mediation and reached a proposed settlement.

The settlement provided a payment of \$25,000 to Mr. Ramirez and included a waiver of subrogation. Mr. Ramirez would also be required to execute the County's standard release documents. The release would contain a confidentiality provision and an agreement that Mr. Ramirez would not seek future employment with Fayette County.

Vice Chairman Gibbons moved to approve the settlement agreement in the amount \$25,000 for Jorge Ramirez. Commissioner Oddo seconded. The motion passed 5-0.

Approval of the August 13, 2026, Executive Session Minutes: Commissioner Oddo moved to approve the August 13, 2026, Executive Session Minutes, with outlined grammar and formatting edits. Vice Chairman Gibbons seconded. The motion passed 5-0.

ADJOURNMENT:

Vice Chairman Gibbons moved to adjourn the August 27, 2026, Board of Commissioners meeting. Commissioner Oddo seconded. The motion passed 5-0.

The August 27, 2026, Board of Commissioners meeting adjourned at 6:32 p.m.

Marlena Edwards, Chief Deputy County Clerk

Lee Hearn, 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 2026. Attachments are available upon request at the County Clerk's Office.

Marlena Edwards, Chief Deputy County Clerk