

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



AGENDA

September 11, 2025
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
Invocation and Pledge of Allegiance by Vice Chairman Edward Gibbons
Acceptance of Agenda

PROCLAMATION/RECOGNITION:

PUBLIC HEARING:

PUBLIC COMMENT:

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:

1. Approval to add Arbrovale Phase II Subdivision to Fayette County's Street Light Program. (pages 3-6)
2. Approval of the proposed 2026 Local Maintenance & Improvement Grant (LMIG) project list for unincorporated Fayette County and authorization for the Chairman to sign the LMIG Application and related documents. (pages 7-10)
3. Approval of August 28, 2025 Board of Commissioners Meeting Minutes. (pages 11-21)

OLD BUSINESS:

4. Request to award Contract No. 2535-P; Emergency Generators for Crosstown Water Treatment Plant to Georgia Power for purchase and installation of two fixed generators and transfer switch for a not-to-exceed amount of \$4,228,090.00. This item was tabled at the August 28, 2025 Board of Commissioners meeting. (pages 22-26)

NEW BUSINESS:

5. Consideration of an Annexation Notification from the Town of Brooks regarding a request to annex Parcel No. 0407 013 and Parcel No. 0407 013B, for a total of 46.064 acres, located in Land Lot 39 of the 4th District and fronting on Hardy Road. (pages 27-51)
6. Request to award Contract #2532-P: Security Camera System Maintenance and Support, to A3 Communications, Inc., in the not to exceed amount of \$125,894.00, to provide maintenance to the County's existing network of security cameras and a transfer of \$100,894 from General Fund Project Contingency to Capital Improvement Project (CIP) 37270483-541210-257AC. (pages 52-53)
7. Request to authorize the delegation of settlement authority to the County Manager for individual claims not exceeding \$5,000. (pages 54-55)

ADMINISTRATOR'S REPORTS:

ATTORNEY'S REPORTS:

COMMISSIONERS' REPORTS:

EXECUTIVE SESSION:

ADJOURNMENT:

COUNTY AGENDA REQUEST

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Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval to add Arbrovale Phase II Subdivision to Fayette County's Street Light Program.

Background/History/Details:

The property owners in the subdivision known as Arbrovale Phase II are petitioning the Board of Commissioners to add Arbrovale Phase II Subdivision into the Fayette County Street Light Program.

The Board of Commissioners created Fayette County Street Light Districts in September 1983. The street light ordinance was amended in November 2014 to require a \$100 application fee and prepayment of two (2) years worth of street light bills to cover expenses incurred by Fayette County until the charges could be recouped with the tax bills. Arbrovale Phase II has paid Fayette County the required amounts and presented a petition representing 100% approval in Arbrovale Phase II.

The estimated monthly charge is \$74. Arbrovale Phase II has paid the \$100 application fee and the first two (2) years prepayment for street lights. The twenty (20) parcels in Arbrovale Phase II will join the existing twenty-eight (28) parcels in the Arbrovale street light district on the 2026 Property Tax Bill. The anticipated street light assessment for the forty-eight (48) parcels in the Arbrovale street light district on the 2026 Property Tax Bill is \$52 per parcel.

What action are you seeking from the Board of Commissioners?

Approval to add Arbrovale Phase II Subdivision to Fayette County's Street Light Program.

If this item requires funding, please describe:

These additional lights will cost \$73.50 per month per Coweta Fayette EMC. Arbrovale Phase II has prepaid the amounts required to become a street light district until the cost may be added onto the property tax bill and the county reimbursed.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

FAYETTE COUNTY PETITION FOR STREET LIGHTING

WE, THE UNDERSIGNED, ALL BEING PROPERTY OWNERS OF THE STREET LIGHT DISTRICT Arborvale Phase II, DO HEREBY PETITION THE FAYETTE COUNTY BOARD OF COMMISSIONERS FOR THE PLACEMENT OF STREET LIGHTS THROUGH OUR SUBDIVISION OR STREET(S).

EACH OF US DOES HEREBY PLEDGE AND CONSENT TO THE LEVYING OF A LIEN BY FAYETTE COUNTY AGAINST PROPERTY WE OWN FOR THE PURPOSE OF PAYMENT OF THE COST OF AND OPERATING THE STREET LIGHTS. THERE ARE 20 NUMBER OF LOTS CURRENTLY EXISTING IN STREET LIGHT DISTRICT Arborvale Phase II, AND EACH OWNER AS SHOWN ON THE TAX RECORDS HAS AFFIRMATIVELY SIGNED THIS PETITION OR INDICATION FOR DISAPPROVAL IS NOTED HEREIN.

THIS PETITION REPRESENTS 20 AFFIRMATIVE VOTES, OR 100 % OF THIS DISTRICT TO BE EFFECTED IN THIS REQUEST. YOUR SIGNATURE ON THIS PETITION INDICATED THAT YOU HAVE READ AND FULLY UNDERSTAND THE REQUIREMENTS FOR APPROVAL OF A STREET LIGHT DISTRICT.

PERSONALLY APPEARED BEFORE ME, A NOTARY PUBLIC, THE UNDERSIGNED AFFIANT, WHO SAYS ON OATH THAT HE, SHE IS ONE OF THE SUBSCRIBING WITNESSES TO THE WITHIN INSTRUMENT; THAT EACH OF SAID WITNESSES SAY THE EXECUTION AND DELIVERY OF THE SAME BY EACH GRANTOR THEREIN FOR THE PURPOSE SET FORTH; AND THAT EACH OF SAID WITNESSES SIGNED THE SAME AS PURPORTED.

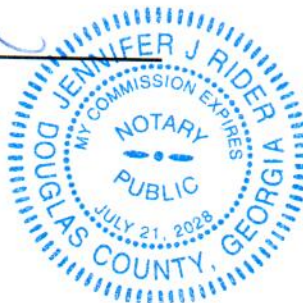
SWORN TO AND SUBSCRIBED BEFORE ME,

THIS 19th DAY OF August, 2025.

(SUBSCRIBING WITNESS)

NOTARY PUBLIC

FAYETTE COUNTY, STATE OF GEORGIA



REQUIREMENTS FOR APPROVAL OF A STREETLIGHT DISTRICT

In order for a Streetlight District to be formed, the following steps are necessary:

1. Obtain Petition Forms from the Environmental Management Department.

All property owners in the subdivision must be contacted and they must sign "Yes" or "No" concerning the installation of street lighting and billing by Fayette County upon their tax bills. Only the property owner's signature will be accepted. If both husband and wife are joint legal owners, both signatures will be required - a "Mr. & Mrs." signature is not acceptable. Each owner must sign individually. In the event that a property owner cannot be personally contacted, the receipt from a registered letter will be accepted. No signature may be withdrawn from the Petition after it is filed with the County Engineer's Office. The purpose of the witness' signature is to verify the property owner's signature, if in question. Percentages will be calculated based on individual lots whose owners sign affirmatively, divided by the total number of platted lots in the district. The petition must contain not less than ten (10) property owners representing not less than sixty-six and two-thirds percent (66-2/3%) affirmative signatures of the property owners within the district to be established. A petition may however, be brought by less than ten (10) property owners where such represents one hundred percent (100%) affirmative signatures of the property owners within the district to be established.

2. A diagram from the relevant electric company indicating where the district's street lights are installed, type of light, and estimated monthly cost for such lights.
3. The completed Petition and \$100 Application Fee is returned to Environmental Management where it is checked to ensure requirement compliance. The petition will be denied if it does not meet such requirements of a 66-2/3% affirmative vote. Petitions meeting requirements will be presented to the Board of Commissioners at an official Bi-Monthly Meeting for approval or disapproval.
4. Prepayment for the first two (2) years of electric costs to cover street light expenses until fees may be recouped on the property tax bill.

The objective of the Fayette County Street Lighting Program is to illuminate the streets of participating subdivisions in accordance with standards of the American National Standard Practice for Roadway Lighting, 1973. It is not the objective of this program to illuminate private property.

The Fayette County Street Lighting Program will be administered by the County Environmental Management's Office, 140 Stonewall Avenue West, Suite 203, Fayetteville, GA 30214. Telephone: (770)305-5410.

There are two power companies serving Fayette County: Georgia Power Company and Coweta-Fayette EMC. Their rates vary slightly.

In order for a Developer to have a proposed subdivision approved as a Streetlight District, the plat for such subdivision must be approved and made a part of the County's Official Tax Records.

Property owners within a street light district will be billed annually on their County Tax Bill for the previous year's use of lights. Cost for street lighting shall be annual operating costs plus a 20% Administration Fee. The charges shall be levied on a "per lot" basis.

FAYETTE COUNTY STREET LIGHTING PROGRAM SIGNATURE SHEET

12-31

Lot #(s)

GRANGE FAYETTE, LLC

Property Owner(s)

(Street & No.)

Signature

Signature

Yes No (Check yes or no for each Address signature)

☒ ☐

☐ ☐

Witness

Lot #(s)

Property Owner(s)

(Street & No.)

Signature

Signature

Yes No (Check yes or no for each Address signature)

☐ ☐

☐ ☐

Witness

COUNTY AGENDA REQUEST

Page 7 of 55

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Approval of the proposed 2026 Local Maintenance & Improvement Grant (LMIG) project list for unincorporated Fayette County and authorization for the Chairman to sign the LMIG Application and related documents.

Background/History/Details:

The Georgia Department of Transportation's LMIG program is designed to help local governments make needed improvements to local and state roads. Fayette County's LMIG formula amount for FY 2026 is \$1,096,550.28.

In accordance with LMIG program guidelines, County staff has prepared a project list in excess of this amount. The focus of the 2026 list is on roadway pavement maintenance; including asphalt resurfacing, milling, patching, micro surfacing and striping. A minimum 30 percent match (\$328,965.08) of the LMIG funding is required on all projects.

Fayette County's LMIG application and project list must be submitted to GDOT by January 1, 2026. A check for the grant, up to \$1,096,550.28, will then be sent to Fayette County.

Fayette County received \$969,141.51 for 2025 LMIG annual amount.

What action are you seeking from the Board of Commissioners?

Approval of the proposed 2026 Supplemental Local Maintenance & Improvement Grant (LMIG) project list for unincorporated Fayette County and authorization for the Chairman to sign the LMIG Application and related documents for the Chairman to sign the LMIG Application and related documents.

If this item requires funding, please describe:

Road Department will require a transfer of \$164,516 from the Road Department to account 10040220-521316-LMG26 to fulfill the match requirements, if approved.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:



LEE HEARN, Chairman
BOARD OF COMMISSIONERS
140 Stonewall Avenue West, Ste. 100
Fayetteville, Georgia 30214
770-305-5122
lhearn@fayettecountyga.gov

September 12, 2025

Ms. Brandy Spiller
Local Government Coordinator
115 Transportation Blvd
Thomaston, GA 30286

RE: Fayette County – 2026 LMIG request and status update of 2025 LMIG Projects

Dear Ms. Spiller,

Enclosed is Fayette County's Local Maintenance & Improvement Grant (LMIG) application package for 2026. Our project list (attached) includes asphalt resurfacing, full depth reclamation, micro surfacing, mineral bond and mill patching.

2024 Local Road Assistance Administration funds (LRA) Update – Fayette County has completed 100% of the 2024 LRA and we are currently preparing the *Statement of Final Expenditures* document for your approval by the end of the month.

2025 LMIG Status Update – Fayette County has completed 100% of the 2025 LMIG and we are currently preparing the *Statement of Final Expenditures* document for your approval by the end of the month.

2026 Local Road Assistance Administration funds (LRA) Update – Fayette County is currently in the process of expending these funds on the approved project list submitted May 8, 2025 and is currently expected to have this grant closed out by June 30, 2026.

Please call Bradley Klinger at 770-320-6039 or bklinger@fayettecountyga.gov if you need any additional information pertaining to this request.

Fayette County remains appreciative of the LMIG program. It is administered well and the money it provides to local governments is essential for maintaining off-system infrastructure.

Sincerely,

Lee Hearn, Chairman
Fayette County Board of Commissioners

Enclosures

**GEORGIA DEPARTMENT OF TRANSPORTATION LOCAL MAINTENANCE & IMPROVEMENT
GRANT (LMIG) APPLICATION FOR FISCAL YEAR 2026
TYPE OR PRINT LEGIBLY. ALL SECTIONS MUST BE COMPLETED.**

LOCAL GOVERNMENT AFFIDAVIT AND CERTIFICATION

I, _____ (Name), the _____ (Title), on behalf of _____ (Local Government), who being duly sworn do swear that the information given herein is true to the best of his/her knowledge and belief. Local Government swears and certifies that it has read and understands the LMIG General Guidelines and Rules and that it has complied with and will comply with the same.

Local government further swears and certifies that it has read and understands the regulations for the Georgia Planning Act (O.C.G.A. § 45-12-200, et seq.), Service Delivery Strategy Act (O.C.G.A. § 36-70-20, et seq.), Immigration Sanctuary Policies; prohibition; penalties (O.C.G.A. § 36-80-23), and the Local Government Budgets and Audits Act (O.C.G.A. § 36-81-7 et seq.) and will comply in full with said provisions. Local government further swears and certifies that the roads or sections of roads described and shown on the local government's Project List are dedicated public roads and are part of the Public Road System in said county/city. Local government further swears and certifies that it complied with federal and/or state environmental protection laws and at the completion of the project(s), it met the match requirements as stated in the Transportation Investment Act (TIA) (O.C.G.A. § 48-8-240).

Further, the local government shall be responsible for any claim, damage, loss or expense that is attributable to negligent acts, errors, or omissions related to the designs, drawings, specifications, work and other services furnished by or on behalf of the local government pursuant to this Application ("Loss"). To the extent provided by law, the local government further agrees to hold harmless and indemnify the DEPARTMENT and the State of Georgia from all suits or claims that may arise from said Loss.

If the local government fails to comply with these General Guidelines and Rules, or fails to comply with its Application and Certification, or fails to cooperate with the auditor(s) or fails to maintain and retain sufficient records, the DEPARTMENT may, at its discretion, prohibit the local government from participating in the LMIG program in the future and may pursue any available legal remedy to obtain reimbursement of the LMIG funds. Furthermore, if in the estimation of the DEPARTMENT, a project shows evidence of failure(s) due to poor workmanship, the use of substandard materials, or the failure to follow the required design and construction guidelines as set forth herein, the Department may pursue any available legal remedy to obtain reimbursement of the allocated LMIG funds or prohibit local government from participating in the LMIG program until such time as corrections are made to address the deficiencies or reimbursement is made. All projects identified on the Project list shall be constructed in accordance with the Department's Standard Specifications of Transportation Systems (Current Edition), Supplemental Specifications (Current Edition), and Special Provisions.

Local Government:

_____ (Signature)

_____ (Print)

Mayor / Commission Chairperson

_____ (Date)

LOCAL GOVERNMENT SEAL (required):

E-Verify Number

Sworn to and subscribed before me,

This ____ day of _____, 20____.

In the presence of:

NOTARY PUBLIC

My Commission Expires:

NOTARY PUBLIC SEAL (required):

**CERTIFICATION OF COMPLIANCE WITH
ANNUAL IMMIGRATION REPORTING REQUIREMENTS/
NO SANCTUARY POLICY/FEDERAL LAW ENFORCEMENT COOPERATION**

By executing this document, the undersigned duly authorized representative of the Local Governing Body, certifies that the Local Governing Authority:

- 1) has filed a compliant Annual Immigration Compliance Report with the Georgia Department of Audits & Accounts ("GDA&A") for the preceding calendar year required by O.C.G.A. § 50-36-4(b), or has been issued a written exemption from GDA&A from doing so;
- 2) has not enacted a "Sanctuary Policy" in violation of O.C.G.A. § 36-80-23(b); and,
- 3) is in compliance with O.C.G.A. §§ 35-1-17 et seq. regarding its obligation to cooperate with federal immigration enforcement authorities to deter the presence of criminal illegal aliens.

As an ongoing condition to receiving funding from the Georgia Department of Transportation, the Local Governing Body shall continue to remain fully compliant with O.C.G.A. §§ 50-36-4, 36-80-23 and 35-1-17 et seq. for the duration of time the subject agreement is in effect.

Signature of Authorized Officer or Agent

Printed Name of Authorized Officer or Agent

Title of Authorized Officer or Agent

Date

Form Date - May 10, 2024

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 28, 2025
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 28, 2025 Board of Commissioners meeting to order at 5:00 p.m. A quorum of the Board was present.

Invocation and Pledge of Allegiance by Commissioner Charles Rousseau

Commissioner Charles Rousseau 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 written. Commissioner Charles Oddo seconded. The motion passed 5-0.

PROCLAMATION/RECOGNITION:**PUBLIC HEARING:**

Planning and Zoning Director Debbie Bell read the Public Hearing process and procedures.

1. **Consideration of a Petition 1364-25-A, 1246 Hwy. 314, Fayette Co, LLC, Owner, and Xavier Hill, Agent, request to rezone 45.412 acres from R-40 (Single-Family Residential) to A-R (Agricultural-Residential). On August 12, 2025, the applicant submitted a request to withdraw this rezoning petition.**

Ms. Bell stated that the applicant requested the petition be withdrawn.

Vice Chairman Gibbons moved to allow withdrawal. Commissioner Oddo seconded. Motion passed 5-0.

2. **Consideration of a Petition 1364-25-B, 1246 Hwy. 314 Fayette Co, LLC, Owner, and Xavier Hill, Agent, request to rezone 45.412 acres from R-40 (Single-Family Residential) to A-R (Agricultural-Residential). On August 12, 2025, the applicant submitted a request to withdraw this rezoning petition.**

Ms. Bell advised that the applicant requested the petition be withdrawn.

Vice Chairman Gibbons moved to allow withdrawal. Commissioner Oddo seconded. Motion passed 5-0.

3. Consideration of Petition 1365-25, Parcel 0724 002, fronting on Coastline Road; Piper Nichole Victoria Hill and Edward Gene Gibbons, Jr., Owners, request to rezone 53.81 acres from R-70 (Single-Family Residential) to A-R (Agricultural-Residential).

Mrs. Bell stated that this item was a request to rezone 53.81 acres from R-70 (Single-Family Residential) to A-R (Agricultural-Residential).

Vice Chairman Gibbons recused himself from discussion because he is part owner of the property and left the Commission Chambers.

Mrs. Bell stated that this item was a request to rezone 53.81 acres from R-70 (Single-Family Residential) to A-R (Agricultural-Residential). She stated that the lot was a legal lot and would meet or exceed the requirements of the A-R zoning district. The Future Land Use Map designated the area as Rural Residential-2, which allowed a maximum density of 1 unit per 2 acres. Since A-R was a less intense use, allowing a maximum density of 1 unit per 5 acres, the request to rezone to A-R was appropriate and consistent with the Future Land Use Map and Comprehensive Plan. Both staff and the Planning Commission recommended approval of the request to rezone to A-R. Mrs. Bell briefly reviewed arial, environmental, topographical and zoning maps of the parcel associated with the request.

Mrs. Hill (Gibbons) provided some background for what prompted the purchase of this property for this project. She stated that she was the first female wounded warrior injured in both wars. She stated that during recovery from her injuries she determined that there were no programs available to her. Not only that, but she was typically alone, aside from the assistance from her husband and loyal K-9 companion which went on for five years. She stated that she suffered a traumatic brain injury which caused her to lose memory of 4-5 years of her life. She continued that from this experience she birthed "Healing for Heroes". Mrs. Hill stated that her program trains dogs for veterans but more than that, it's a mind, body, and soul program and included much more than dog training. She stated that "Healing for Heroes" was a national non-profit organization dedicated to improving the lives of those in need, serving active-duty military personnel, first responders, veterans, and their families as well as local animal shelters by rescuing suitable dogs for training. The request before the Board aimed at providing a safe and tranquil environment for 1-week training classes to be held approximately once a month. She stated that currently the organization did not have a permanent facility to conduct training and relied on outside venues limiting their outreach and availability. Currently there was a lodging expense absorbed by the program during the training, she noted that in the future she would like to provide temporary housing on-site to accommodate those needs. She concluded asking for the Board favorable approval of this request.

The following citizens made comments in favor of the rezoning request: Athena Feliciano, Susan Hall, Brandy Spore.

Comments reiterated the fact that the "Healing for Heroes" program saved their lives. Commenters stated that not only does this organization care about their clients, but they provide a service that helped them operate day-to-day life. These service dogs once trained retrieve medication, provide crisis alerts, companionship, emotional support and so much more at no cost to the families.

The following citizens made comments in opposition: Tammy Williams, Sterling Patterson, Melissa McCloud, Audrey Wilson, Garrett Deets, James Johnson, Charles Willerson, Ebonie Hirst, George Fields, Leonard Cason, John Culbreath, and Erin McClendon-Madena.

Commenters acknowledged that the program and organization was amazing and the work with the veterans and rescue dogs was admirable. However, their main concern was that this was a potential business in a residential area. Residents stated that they worried about potential noise, concerns regarding clients who may suffering from anxiety, anger, memory loss, and PTSD (post-traumatic stress disorder), roaming the area, dogs roaming lost in the neighborhood, and the potential for decreased property value because of the facility in their backyards. Also, concerns about other potential uses of the property once rezoned if the property was sold in the future. Commenters reiterated that while this was a wonderful organization with amazing services, they felt this facility would be better established somewhere else.

Mrs. Hill, in response to the comments, stated that she loved the natural feel of the property and was not planning on cutting down many trees aside from 1-acre of land. She also noted that in her opinion the nearby trailer park community was diminishing the property value more than her planned training facility would. She added that her intent was to build a house which would serve as the training facility. Mrs. Hill stated that she had policemen/security at every class who would handle any on-site disturbances or issues. Mrs. Hill stated that there was a protocol for those allowed in the program. She stated that her clients were vetted via the Veterans Administration (VA) as viable clients. Mrs. Hill noted that her most at-risk clients were middle-aged African American women and those with aging disease i.e. diabetes, heart disease, and POTTS. She stated her goal was to service those in need specifically veterans, first responders, civilians, the disable and their families. She stated that the training facility would be double insulated to mitigate noise, noting that dogs do not remain on-site outside of training weeks, with kennels inside the facility.

Commissioner Oddo stated that he appreciated the interest from the citizens in the community but was having difficulty understanding the negative aspect to this rezoning. Similar to a rezoning request from a few years ago for a drug treatment facility near a residential area which has not had any issues since being established. He stated that as a Board they always tried to reduce density which this rezoning would accomplish.

Commissioner Rousseau stated that he also appreciated residence showing up and expressing their concerns regarding this request. He stated that approving this request would create more intense use that was not consistent with a residential community. Commissioner Rousseau stated that when there were these types of requests, his suggestion was for the applicant to meet with the community ahead of the Planning and Zoning meeting to garner community feedback which could help in developing a partnership establishing potential agreements and calm concerns. Noting that with this rezoning this property would be open to a wide range of uses and while not the intent could affect the neighboring residents for years to come if the owner decided to sell in the future. Commissioner Rousseau stated, in agreement to comments, while he was not against the program, he had concerns about if it was an appropriate fit for the area. He stated that he wanted consideration to be given to protecting the interest of the community as opposed to one singular project.

Commissioner Maxwell asked Mrs. Hill where on the property the training facility would be constructed.

Mrs. Hill, using the maps provided in the agenda package, outline where she planned on building the training facility.

Commissioner Maxwell asked if the facility would be gated to ensure the dogs would be maintained on-site.

Mrs. Hill stated yes, the property would be double gated.

Commissioner Maxwell asked if the fencing would be visible from the back of the neighborhood.

Mrs. Hill stated no.

Commissioner Maxwell asked how high the fencing would be.

Mrs. Hill stated 6-ft.

Commissioner Maxwell stated that during his review of this request he visited the area and neighboring subdivision which was beautiful. He asked Mrs. Hill if her intent was to [negatively] impact on the neighborhood.

Mrs. Hill stated not at all.

Commissioner Maxwell stated that the Board approved a drug treatment facility a few years ago that also garnered some controversy being so close to a residential community. As part of the approval, a condition was added that a fence be added on the property. He asked Mrs. Hill if she would be willing to construct a fence around the training facility.

Mrs. Hill stated yes, she would be willing to construct a fence around the training facility, adding that this was part of the plan to ensure she would never lose a dog.

Commissioner Maxwell asked if she rescued dogs from the Fayette County Animal Shelter.

Mrs. Hill stated yes, now she did.

Commissioner Maxwell asked how the dogs were evaluated as suitable for the training program.

Mrs. Hill stated that she relied heavily on the recommendation of staff and volunteers of the shelter who engaged with the dogs regularly and knew the personality of the animals. She also stated that there was temperament testing available as well as in person screening testing specifically to determine the dog's disposition with children.

Commissioner Maxwell stated that he received emails expressing concern regarding the disposition of the veterans participating in the program, specifically those that may suffer from PTSD. He asked if her clients were a risk to the community.

Mrs. Hill stated, No. She continued that these individuals were vetted via the Veterans Administration (VA). She noted that she was provided with their medical history, medication list, and diagnostic information where she can gain a better understanding of their character. She added that they would also fill out detailed intake paperwork so she could determine their service needs. A lot of her clients suffered from Parkinsons, diabetes, seizures, and/or are physically disable.

Commissioner Maxwell stated that this request was for a "down zoning" to a less dense zoning, which was more desirable. These types of requests were typically approved.

Chairman Hearn thanked those present for their participation, their guidance and input was appreciated. He stated that if this was a small parcel he would be more reluctant to support it but because of the size of the property there were a lot of built-in buffers, noting the topography. As a result, there were limits of what could be built on the property. He stated that while he heard and understood both sides of the discussion, his heart moved him to support the program. Not only did it adhere to County requirement, but it was a program supporting a notable cause. The property had plenty of space to house the training facility without impacting the neighboring community.

Commissioner Maxwell moved to approve Petition 1365-25, Parcel 0724 002, fronting on Coastline Road; Piper Nichole Victoria Hill and Edward Gene Gibbons, Jr., Owners, request to rezone 53.81 acres from R-70 (Single-Family Residential) to A-R (Agricultural-Residential), with the condition that a fence be placed once the facility was constructed. Oddo seconded.

Mrs. Hill agreed to the condition.

Commissioner Maxwell moved to approve Petition 1365-25, Parcel 0724 002, fronting on Coastline Road; Piper Nichole Victoria Hill and Edward Gene Gibbons, Jr., Owners, request to rezone 53.81 acres from R-70 (Single-Family Residential) to A-R (Agricultural-Residential), with the condition that a fence be placed once the facility was constructed. Oddo seconded. The motion passed 3-1, with Commissioner Rousseau voting in opposition.

Vice Chairman Gibbons returned to the Board Meeting. Chairman Hearn motioned for a 5-minute recess. Commissioner Rousseau left the Board meeting.

- 4. Consideration of Petition No. 1366-25, Jerry M. Gable, Owner, & Christine Flanigan, Agent, request to rezone 31.144 acres from R-45 Conditional (Single-Family Residential) to A-R (Agricultural-Residential).; property located in Land Lots 73 & 88 of the 5th District and fronts on S. Jeff Davis Drive and Dixon Circle.**

Mrs. Bell stated that this request was to rezone 31.144 acres from R-45 Conditional (Single-Family Residential) to A-R (Agricultural-Residential); property located in Land Lots 73 & 88 of the 5th District and fronts on S. Jeff Davis Drive and Dixon Circle. As defined in the Fayette County Comprehensive Plan, Low Density Residential (1 unit/1 acre) was designated for this area, so the request for A-R zoning was appropriate, as it required a much lower density, with a 5-acre minimum lot size. She stated that the Planning Commission recommended conditional approval with conditions as outlined:

1. The existing house on the parcel does not meet the building setback requirements for A-R and shall be demolished within 180 days of approval of the rezoning or prior to application for any future rezonings or minor final plats, whichever comes first.
2. The owner/developer shall dedicate land to Fayette County as needed to provide a minimum 50-ft of right of way as measured from the existing centerline of South Jeff Davis Road for the full width of the parcel. This dedication shall be completed within 180 days of approval, or prior to the submittal of a final plat, whichever comes first.
3. No new parcels may be created unless and until a paved road, constructed to County Standards and with a 60' dedicated right-of-way, is constructed at the present end of Dixon Circle as shown on the survey provided with the application.

Mrs. Bell noted that that staff discussed these conditions with the applicant's agent, and they accepted the conditions. Staff also recommended conditional approval. Mrs. Bell briefly reviewed the arial, topographical and zoning maps and survey of the property associated with the request. She noted that the reason for the last condition stemmed from the fact that the end of Dixon Circle did not contain enough right-of-way to subdivide the property.

Ms. Christine Flanigan stated that the rezoning request would benefit the community, creating a less dense zoning which would help restrict the number of homes that could be built. She stated that the owner wanted to sell the property and there were two prospective buyers. Once rezoned they would work with Mr. McCue to comprise a land swap plan so that there was an enough acreage on the Dixon Road side of the property. She concluded asking for the Board's approval.

James McCue stated that he was neutral about the rezoning but appreciated the fact that it would help limit the number of homes allowed to be built on the property. He noted that there were discussions about possible land swap but did have concerns about the cul-de-sac developing into a road in the future and having the property rezoned back to R-45 and building more houses.

Michael Jorgensen stated that he was a Woodlands resident and was on the fence regarding approving this rezoning he stated that his primary concern was how the lake would be maintained. He suggested adding a fourth condition requiring either developer or future property owners to contribute to the management and maintenance of the lake or deny the request.

Charles Bennett expressed his opposition to the rezoning request outlining concerns related to the property topography and the need to properly assess the land.

Mrs. Bennett echoed her husband's concerns stating that the topography of the property needed to be evaluated.

Commissioner Oddo asked about maintenance of Emerald Lake noting that a County Dam was also located in that area.

County Attorney Dennis Davenport stated that the County had done a Dam upgrade project in the late 90's, it was located under Emerald Lake Drive as part of the right-of-way. He noted that Emerald Lake was a private lake owned by the property owners in the Woodlands and the property being discussed as part of this rezoning request.

Commissioner Oddo asked if the Board could place a condition on private property.

Mr. Davenport stated that it was difficult to place a condition when only one side of the agreement was present.

Commissioner Oddo moved to approve Petition No. 1366-25, Jerry M. Gable, Owner, & Christine Flanigan, Agent, request to rezone 31.144 acres from R-45 Conditional (Single-Family Residential) to A-R (Agricultural-Residential); property located in Land Lots 73 & 88 of the 5th District and fronts on S. Jeff Davis Drive and Dixon Circle, including three outlined conditions. Vice Chairman Gibbons seconded. The motion passed 4-0. Commissioner Rousseau was absent.

PUBLIC COMMENT:

Charles Bennett of Fayetteville expressed his appreciation for the vision for Fayette County as it related to zoning and encouraged the Board to keep maintaining it the way they were.

Larry Younginer of Fayetteville expressed his concerns regarding State Route 279 and the need for road improvements regarding speed and potential widening. He also expressed his interest in unincorporated Fayette County developing a sewer system.

CONSENT AGENDA:

Vice Chairman Gibbons moved to approve the Consent Agenda. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Rousseau was absent.

5. **Approval of Board of Assessors' recommendation to approve a disposition of tax refund, as requested by Mary Burns, in the amount of \$291.11 for tax year 2023.**
6. **Approval of Board of Assessors' recommendation to approve a disposition of tax refund, as requested by Matt Geipel, in the amount of \$1,086.74 for tax year 2024.**
7. **Approval of Board of Assessors' recommendation to approve a disposition of tax refund, as requested by Tracy Henders, in the amount of \$4,319.67 for tax years 2022, 2023, and 2024.**
8. **Approval of Board of Assessors' recommendation to approve a disposition of tax refund, as requested by Board of Assessors for Christina Munro, in the amount of \$401.28 for tax year 2024.**
9. **Approval of Board of Assessors' recommendation to approve a disposition of tax refund, as requested by Ann Railsback, in the amount of \$634.00 for tax year 2024.**
10. **Approval of Board of Assessors' recommendation to approve a disposition of tax refund, as requested by Angela Salemi, in the amount of \$1,682.89 for tax year 2024.**
11. **Approval of Board of Assessors' recommendation to approve a disposition of tax refund, as requested by Carrie Sanders, in the amount of \$310.95 for tax year 2023.**
12. **Approval of Board of Assessors' recommendation to approve a disposition of tax refund, as requested by Board of Assessors for Mary Sargent, in the amount of \$1,015.79 for tax years 2023 and 2024.**
13. **Approval to accept the right-of-way dedication known as "10' R/W Dedication," and the newly constructed internal local road known as "Dansby Way", for a total of 1.81 acres, as shown on the Bernhard Farms Final Plat, recorded July 21, 2025, in Plat Book 102, Pages 172-174 and the Deed of Right of Way, dated January 7, 2025, per Fayette County Code requirements.**
14. **Approval to accept the right-of-way dedication known as "Right-of-Way Dedication, 0.12 Acres," as shown on the Plat prepared for Rabai Investments, LLC, dated February 21, 2025, and the Warranty Deed dated March 31, 2025, per Fayette County Code requirements.**

15. Approval to accept the newly constructed internal local roads known as Huntcliff Drive, Bent Willow Lane, Laurel Crest Drive, and Longwood Drive, as shown on the Final Plat of Huntcliff Manor - Phase I, recorded June 11, 2024 in Plat Book 101, Pages 650-655 and the Right of Way Deed, dated June 27, 2024, per Fayette County Code requirements.
16. Approval to accept the right-of-way dedication known as "10' Right-of-Way Dedication Strip 0.9653 AC," as per the Minor Final Plat for QTS Fayetteville I, LLC recorded in Plat Book 101, Page 656 and the Quitclaim Deed dated February 20, 2025, recorded in Deed Book 5814, Pages 250-254.
17. Approval to accept the right-of-way dedication known as "Right-of-Way Dedication to Fayette County .07808 AC," as per the Right-of-Way Dedication Plat for QTS Fayetteville I, LLC recorded in Plat Book 101, Page 553 and the Quitclaim Deed dated March 13, 2025, recorded in Deed Book 5814, Pages 247-249.
18. Approval to accept the right-of-way dedication known as "Right of Way Dedication Tract 4,533 SQFT," shown on the Plat for Iris Williams, recorded in Plat Book 52, Page 117, and the Warranty Deed dated February 13, 2025, per Fayette County Code requirements.
19. Approval to add Bernhard Farms subdivision to Fayette County's Street Light Program.
20. Approval of the Water Committee's recommendation to close Lake McIntosh Park on October 9 - 12, 2025, for the Greater Atlanta Air Show.
21. Approval of August 14, 2025 Board of Commissioners Meeting Minutes.

OLD BUSINESS

NEW BUSINESS:

22. Consideration of a request from Jeff Lindsey Communities, developer of Bernhard Farms, seeking authorization for the use of motorized cart travel on Dansby Way within the subdivision, in accordance with Article III Motorized Carts of the Fayette County Code.

Mrs. Bell stated that this request was seeking Board approval to authorize use of motorized cart travel on Dansby Way within Bernhard Farms. Once the streets have been approved, staff would update the list of streets authorized for motorized cart use and forward a copy to the Sheriff's Department for enforcement and to Public Works Department for the posting of proper signage.

Vice Chairman Gibbons moved to approve request from Jeff Lindsey Communities, developer of Bernhard Farms, seeking authorization for the use of motorized cart travel on Dansby Way within the subdivision, in accordance with Article III Motorized Carts of the Fayette County Code. Commissioner Oddo seconded. The motion 4-0. Commissioner Rousseau was absent.

23. Request to award Contract #2584-B; Justice Center Buildout-Construction to Eastern Builders Inc., in the amount of \$12,380,341.40.

Project Manager David Jaeger stated that bids have been received in response to the Purchasing Department's Invitation to Bid #2584-B for Construction Services related to the Justice Center Renovation Project. Construction would include building the vacant 3rd floor, renovation of selected spaces to be repurposed on the 1st and 2nd floors and site work related to the expansion of the Judge's Parking Lot. All bids and low-bidder references have been reviewed by the Project Manager and Architect of Record, resulting in staff recommendation to award a contract for construction services to the low bidder, Eastern Builders. The recommendation included all work within the Base Bid, plus items in alternate bid items #1 and #2 for a total awarded contract amount of \$12,380,341.40.

Vice Chairman moved to approve to award Contract #2584-B; Justice Center Buildout-Construction to Eastern Builders Inc., in the amount of \$12,380,341.40. Commissioner Oddo seconded.

Commissioner Oddo asked if the approximate \$12M would complete the entire project.

As a point of clarification, Mr. Jeager asked if he meant other items of work outside of the building.

Commissioner Oddo clarified and asked if once the project was completed, and these funds were expended, would the building be functional.

Mr. Jeager stated, yes. He noted that the overall project budget was about \$14.5M with furniture, design fees, the construction phase, etc., so there was still funding available for all those features of the project.

Vice Chairman moved to approve to award Contract #2584-B; Justice Center Buildout-Construction to Eastern Builders Inc., in the amount of \$12,380,341.40. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Rousseau was absent.

Commissioner Maxwell left the Board meeting.

24. Request to approve a twenty (20) year lease term acceptance with the option of three (3) additional five (5) year terms, for a tower site at Huddleston Road for Public Safety Radio System (1428-P), as outlined in the terms and conditions.

911 Director Kayte Vogt stated that this item was seeking approval of a twenty (20) year lease term acceptance with the option of three (3) additional five (5) year terms, for a tower site at Huddleston Road for Public Safety Radio System for the upgrade of the Public Safety Radio System. This location would be the first of two sites updating the system design to allow for better overall coverage. Relocating equipment from Willowbend to the subject tower would improve radio coverage in the western sector of the county. Staff worked diligently to provide the best lease rates available to Fayette County. The equipment upgrade on the additional site would bolster the capability of Fayette County's P25 radio system.

Vice Chairman Gibbons moved to approve a twenty (20) year lease term acceptance with the option of three (3) additional five (5) year terms, for a tower site at Huddleston Road for Public Safety Radio System (1428-P), as outlined in the terms and conditions. Commissioner Oddo seconded. The motion passed 3-0. Commissioner Maxwell and Commissioner Rousseau were absent.

25. Request to approve a twenty (20) year lease term acceptance with the option of four (4) additional five (5) year terms, for a tower site at Commerce Street/Highway 138 for Public Safety Radio System (1428-P), as outlined in the terms and conditions.

Ms. Vogt continued stating this item was to upgrade the Public Safety Radio System seeking approval of a twenty (20) year lease term acceptance with the option of four (4) additional five (5) year terms, for a tower site at Commerce Street/Highway 138 for Public Safety Radio System. This location would be the second of two sites updating the system design to allow for better overall coverage. Adding the subject tower to the current configuration would improve radio coverage in the northeast sector of the county.

Vice Chairman Gibbons moved to approve a twenty (20) year lease term acceptance with the option of four (4) additional five (5) year terms, for a tower site at Commerce Street/Highway 138 for Public Safety Radio System (1428-P), as outlined in the terms and conditions. Oddo seconded. The motion passed 3-0. Commissioner Maxwell and Commissioner Rousseau were absent.

26. Request to submit a Rural and Tribal Assistance Pilot Program (RTA) grant application to the U.S. Department of Transportation's Build America Bureau for engineering and design services up to \$2,500,000.

County Administrator Steve Rapson stated that this item was seeking approval to submit a Rural and Tribal Assistance Pilot Program (RTA) grant application to the U.S. Department of Transportation's Build America Bureau for engineering and design services up to \$2,500,000.

Vice Chairman Gibbons moved to approve to submit a Rural and Tribal Assistance Pilot Program (RTA) grant application to the U.S. Department of Transportation's Build America Bureau for engineering and design services up to \$2,500,000. Commissioner Oddo seconded. The motion passed 3-0. Commissioner Maxwell and Commissioner Rousseau were absent.

27. Request to approve Change Order No.1 to ARCADIS Contract #2378-S; Task Order 25-04, in the amount of \$114,058.00, to provide additional detailed design services to finalize the Chlorine Disinfection and Chemical Upgrades Projects for both Crosstown and South Fayette Water Treatment Plants for a total not-to-exceed amount of \$313,985.00.

Water System Director Vanessa Tigert stated that this item was requesting approval of Change Order No.1 to ARCADIS Contract #2378-S; Task Order 25-04, in the amount of \$114,058.00, to provide additional detailed design services to finalize the Chlorine Disinfection and Chemical Upgrades Projects for both Crosstown and South Fayette Water Treatment Plants for a total not-to-exceed amount of \$313,985.00.

Vice Chairman Gibbons moved to approve Change Order No.1 to ARCADIS Contract #2378-S; Task Order 25-04, in the amount of \$114,058.00, to provide additional detailed design services to finalize the Chlorine Disinfection and Chemical Upgrades Projects for both Crosstown and South Fayette Water Treatment Plants for a total not-to-exceed amount of \$313,985.00. Commissioner Oddo seconded. The motion passed 3-0. Commissioner Maxwell and Commissioner Rousseau were absent.

28. Request to award Contract No. 2535-P; Emergency Generators for Crosstown Water Treatment Plant to Georgia Power for purchase and installation of two fixed generators and transfer switch for a not-to-exceed amount of \$4,228,090.00.

Vice Chairman Gibbon moved to table discussion of this item until the September 11th BOC meeting. Commissioner Oddo seconded. The motion passed 3-0. Commissioner Maxwell and Commissioner Rousseau were absent.

29. Request to enter into a revised agreement with Georgia Department of Transportation (GDOT) PI 0013726 in the amount of \$2,041,498.22 to supply all construction engineering and contract supervision for water distribution line relocations, adjustments and improvements on State Routes 74 and 54 in Peachtree City.

Ms. Tigert stated that this item was seeking Board approval to enter into a revised agreement with Georgia Department of Transportation (GDOT) PI 0013726 in the amount of \$2,041,498.22 to supply all construction engineering and contract supervision for water distribution line relocations, adjustments and improvements on State Routes 74 and 54 in Peachtree City.

Commissioner Oddo moved to approve revised agreement with Georgia Department of Transportation (GDOT) PI 0013726 in the amount of \$2,041,498.22 to supply all construction engineering and contract supervision for water distribution line relocations, adjustments and improvements on State Routes 74 and 54 in Peachtree City. Vice Chairman Gibbons seconded. The motion passed 3-0. Commissioner Maxwell and Commissioner Rousseau were absent.

30. Request to award Contract No. 2571-B; Trilith Tank Booster Pump Station to Sol Construction, LLC in the amount of \$1,620,000.00 for construction of the booster pump station for newly constructed metal elevated water storage tank at the Trilith Studios property.

Ms. Tigert stated that this item was seeking Board approval to award Contract No. 2571-B; Trilith Tank Booster Pump Station to Sol Construction, LLC in the amount of \$1,620,000.00 for construction of the booster pump station for newly constructed metal elevated water storage tank at the Trilith Studios property.

Vice Chairman Gibbons moved to approve to award Contract No. 2571-B; Trilith Tank Booster Pump Station to Sol Construction, LLC in the amount of \$1,620,000.00 for construction of the booster pump station for newly constructed metal elevated water storage tank at the Trilith Studios property. Commissioner Oddo seconded. The motion passed 3-0. Commissioner Maxwell and Commissioner Rousseau were absent.

31. Request to approve the Access Road Agreement with the Town of Brooks, the Fayette County Board of Education, and Liberty Tech Charter School, Inc.

Mr. Rapson stated that this request seeking approval for the Access Road Agreement with the Town of Brooks, the Fayette County Board of Education, and Liberty Tech Charter School, Inc. in regard to developing a road behind the Town of Brooks through to the school system. He noted that there had been a modification to the agreement from the Fayette County Board of Education. Once signed a notice to proceed would be sent out to staff to begin construction.

Commissioner Oddo moved to approve the Access Road Agreement with the Town of Brooks, the Fayette County Board of Education, and Liberty Tech Charter School, Inc. Vice Chairman Gibbons seconded. The motion passed 3-0. Commissioner Maxwell and Commissioner Rousseau were absent.

ADMINISTRATOR'S REPORTS:

A: Contract 2552-B; Utility Locating

B: Contract 2561-A; Dried Residuals Removal

C: Contract 2573-S; SeaQuest

D: Contract 2589-A; Vegetation Grinding Services

E: Contract 2594-A; Dust Control Services

F: Contract 2603-A; Starrs Mill Renovation

ACCG Voting Delegate

Mr. Rapson advised that they needed a voting delegate for the 2025 ACCG Legislative Conference in October.

Vice Chairman Gibbons moved to appoint Commissioner Oddo as the 2025 ACCG Legislative Conference voting delegate. Chairman Hearn seconded. The motion passed 3-0. Commissioner Maxwell and Commissioner Rousseau were absent.

Board of Health

Mr. Rapson advised that they needed a selection committee to fill a newly vacant position of the Board of Health.

Chairman Hearn motioned to appoint Vice Chairman Gibbons and Commissioner Oddo to the Board of Health selection committee. Commissioner Oddo seconded. The motion passed 3-0. Commissioner Maxwell and Commissioner Rousseau were absent.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Dennis Davenport stated that there were six items for Executive Session. Three items involving threatened litigation, two items involving pending litigation, and the review of the July 24, 2025 Executive Session Minutes.

COMMISSIONERS' REPORTS:

Commissioner Oddo

Commissioner Oddo stated that tonight was a great example of the rezoning process. He noted that there was no right or wrong in situations like this and the Board worked diligently to consider all aspects of the request and make their best judgement in accordance with the County requirements and code. He stated he knew they could not make everyone happy.

Vice Chairman Gibbons

Vice Chairman Gibbons stated that although he was not present for the discussion he was amazed that it took that long to decide on a program designed to help active-duty military personnel, first responders, veterans, and their families live a better life.

EXECUTIVE SESSION:

Three items involving threatened litigation, two items involving pending litigation, and the review of the August 14, 2025 Executive Session Minutes. Vice Chairman Gibbons moved to go into Executive Session. Commissioner Oddo seconded. The motion passed 3-0. Commissioner Maxwell and Commissioner Rousseau were absent.

The Board recessed into Executive Session at 7:28 p.m. and returned to Official Session at 7:36 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 3-0. Commissioner Maxwell and Commissioner Rousseau were absent.

Approval of July 24, 2025 Executive Session Minutes: Commissioner Oddo moved to approve July 24, 2025 Executive Session Minutes. Vice Chairman Gibbons seconded the motion. The motion passed 3-0. Commissioner Maxwell and Commissioner Rousseau were absent.

ADJOURNMENT:

Commissioner Oddo moved to adjourn the August 28, 2025, Board of Commissioners meeting. Vice Chairman Gibbons seconded. The motion passed 3-0. Commissioner Maxwell and Commissioner Rousseau were absent.

The August 28, 2025, Board of Commissioners meeting adjourned at 7:37 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 11th day of September 2025. Attachments are available upon request at the County Clerk's Office.

Marlena Edwards, Chief Deputy County Clerk

COUNTY AGENDA REQUEST

Page 22 of 55

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Request to award Contract No. 2535-P; Emergency Generators for Crosstown Water Treatment Plant to Georgia Power for purchase and installation of two fixed generators and transfer switch for a not-to-exceed amount of \$4,228,090.00. This item was tabled at the August 28, 2025 Board of Commissioners meeting.

Background/History/Details:

The Crosstown Water Treatment plant is a critical facility that partially provides potable drinking water to Tyrone, Peachtree City, Woolsey, Brooks, City of Fayetteville and the unincorporated county. The Crosstown WTP is permitted to produce 13.5 million gallons per day. In order for the Crosstown Plant to continuously supply potable water to its customers, it must have a reliable source of emergency power. This plant is vulnerable to all types of weather and technical events that cause power outages, sometimes for extended periods. The current generator, installed in 1986, is undersized. Additionally, the County incurs costs to install underground fuel storage tank leak protection to adhere to Georgia EPD requirements.

Georgia Power will provide engineering and design plans, as-built drawings, start-up and commissioning and a standby generator during construction. Each Cummins gaseous fuel generator comes with a five year warranty. Georgia Power partners with RavenVolt who designs, engineers and manufactures its own line of switchgears and will provide all the system integration at the plant.

What action are you seeking from the Board of Commissioners?

Approval to award Contract No. 2535-P; Emergency Generators for Crosstown Water Treatment Plant to Georgia Power for purchase and installation of two fixed generators and transfer switch for a not-to-exceed amount of \$4,228,090.00.

If this item requires funding, please describe:

Funding is available in CIP 507-40400-542540-22WSC. The available balance is \$4,722,493.00

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

Georgia Power will need invoice per the categories restricted in the grant.



Purchasing Department
140 Stonewall Avenue West, Ste 204
Fayetteville, GA 30214
Phone: 770-305-5420
www.fayettecountyga.gov

To: Steve Rapson

From: Ted L. Burgess 

Date: August 28, 2025

Subject: Contract #2535-P: Emergency Generators for Crosstown Water Treatment Plant

On January 9, 2025 the Georgia Emergency Management and Homeland Security Agency (GEMA) advised the county that we had been awarded FEMA Hazard Mitigation Grant Program funds, designated grant #HMGP 4501-0089, to purchase and install two fixed generators at the Crosstown Water Treatment Plant.

The Water System was interested in expediting the procurement and construction process as much as possible. To facilitate their needs, it was decided to issue a Request for Proposals (RFP) to award a single, all-inclusive contract for a firm to supply, deliver, and install the two generators, including engineering or other ancillary services.

The Purchasing Department issued RFP #2535-P for this purpose. Notice of the opportunity was emailed to 189 companies. Another 835 were contacted through the web-based Georgia Procurement Registry, who had registered under commodity codes 69043 (Generators, Over 25 MW, Power Plant, Including Parts and Accessories), 90638 (General Construction, Architectural Services), and 92531 (Electrical Engineering, Including Cogeneration Design Services). The offer was also advertised through Fayette News, Georgia Local Government Access Marketplace and the county website. In compliance with Federal procurement rules, the Purchasing Department notified six companies from the Small Business Administration database.

Three companies submitted proposals. An Evaluation Committee, composed of subject matter experts from the Water System, scored the Technical Merit portions of the proposals using the evaluation criteria in the RFP. The criteria included (1) project understanding and proposed approach, (2) company's expertise and experience, (3) the project team, and (4) proposed schedule. The Purchasing Department added scores for the Pricing portion, for a combined total score (Attachment 1).

After receipt of the proposals and scores, it was determined that pricing for the contract must be tracked by the seven categories of expense contained in the grant award. The Purchasing Department requested each of the proposing companies to submit the details of their proposed price. One company did not provide the price by category, so they had to be determined non-responsive.

The Water System recommends the company with the best-scoring proposal, Georgia Power Company. They do not have a previous contract with the county, so a Contractor Performance Evaluation is not available. In compliance with federal requirements, staff verified that Georgia Power Company does not have any active suspensions or debarments listed on the Federal database at SAM.gov.

Funding for the project is as follows:

Federal (FEMA) funds	\$3,728,318.63	90%
State funds	165,703.05	4%
Local share	<u>248,554.58</u>	6%
Total grant and match	\$4,142,576.26	
Additional local funds	<u>85,513.74</u>	
Total contract amount	\$4,228,090.00	

Specifics of the proposed contract are as follows:

Contract Name	2535-P: Emergency Generators for Crosstown WTP	
Contractor	Georgia Power Company	
Contract Amount	\$4,228,090.00	
Budget:		
Org Code	50740400	Water System CIP
Object	542540	Water CIP
Project	22WSC	Health & Safety Generator
Available	\$4,722,493.00	As of 8/11/2025

PROPOSAL #2535-P:Emergency Generators for Crosstown Water Treatment Plant
EVALUATION SCORING SHEET

Summary

		MAX POINTS	Sol Construction	Georgia Power	River2Tap, Inc. / Arcadis
TECHNICAL MERIT:					
1	Project understanding & the proposed approach	25	12.5	18.6	Non-Responsive*
2	Company's background & experience	15	8.5	14.4	
3	The project team	20	11.0	16.5	
4	Proposed Schedule	10	7.0	4.4	
Total Points - Technical Merit		70	39.0	53.9	

Proposed Price

\$4,195,000.00	\$4,228,090.00
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Technical Score

70%

39.0

53.9

Price Score

30%

30.0

29.8

Total Score

69.0

83.6

* River2Tap did not provide the requested price detail by category, as requested via memo of 8/26/2025.

Proposal #2535-P: Emergency Generators for Crosstown Water Treatment Plant
By Category
Georgia Power Company

Generator	Address	Shipping & Installation	Generator	Fuel Tank & Fuel Line	Concrete Pad For Generator/ eHouse Pad & Support	Fuel for Initial Testing & Startup	Facility Transfer Switch & Connections	Engineering (Electrical commissioning, Mobilization, Demo/Relocation, Design, Construction, Permitting)	Total Project Cost
A. FEMA-APPROVED NOT-TO-EXCEED GRANT									
1	3500 TDK Blulevard, Peachtree City, GA 30269	\$292,295.34	\$647,800.00	\$114,720.00	\$13,677.76	31,500.00	\$304,082.85	\$674,377.68	\$2,078,453.63
2	3500 TDK Blulevard, Peachtree City, GA 30269	\$292,295.34	\$647,800.00	\$114,720.00	\$13,677.76	31,500.00	\$304,082.85	\$674,377.68	\$2,078,453.63
Total		\$584,590.68	\$1,295,600.00	\$229,440.00	\$27,355.52	\$63,000.00	\$608,165.70	\$1,348,755.36	\$4,156,907.26
B. YOUR PRICE PROPOSAL									
1	3500 TDK Blulevard, Peachtree City, GA 30269	\$291,635.33	\$646,700.00	\$113,623.51	\$56,434.63	30,000.00	\$302,075.85	\$673,575.68	\$2,114,045.00
2	3500 TDK Blulevard, Peachtree City, GA 30269	\$291,635.33	\$646,700.00	\$113,623.51	\$56,434.63	30,000.00	\$302,075.85	\$673,575.68	\$2,114,045.00
Total		\$583,270.66	\$1,293,400.00	\$227,247.02	\$112,869.26	\$60,000.00	\$604,151.70	\$1,347,151.36	\$4,228,090.00

\$85,513.74

COUNTY AGENDA REQUEST

Page 27 of 55

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Consideration of an Annexation Notification from the Town of Brooks regarding a request to annex Parcel No. 0407 013 and Parcel No. 0407 013B, for a total of 46.064 acres, located in Land Lot 39 of the 4th District and fronting on Hardy Road.

Background/History/Details:

The Town of Brooks has received a request for annexation of the above-referenced property. The applicant proposes to rezone this property to RA - Residential-Agricultural, under the Town of Brooks Zoning Ordinance. The current Fayette County zoning is A-R, Agricultural Residential and the County's Future Land Use Plan designation is Agricultural-Residential. The proposed land use and zoning under the Town of Brooks is RA (Residential-Agricultural), which is analogous to the County's A-R zoning, with only minor differences.

Although there are no specific points of objection from County Staff, Engineering Department and Environmental Health do have some items noted in their assessments of the request. These are included in the accompanying Staff Report.

The Town of Brooks is scheduled to hold public hearings to consider the request on September 15, 2025, and on October 20, 2025.

Staff is presenting a brief assessment of the property and potential concerns related to annexation of the property. There are no objections from staff.

What action are you seeking from the Board of Commissioners?

Approval of an Annexation Notification from the Town of Brooks regarding a request to annex Parcel No. 0407 013 and Parcel No. 0407 013B, for a total of 46.064 acres, located in Land Lot 39 of the 4th District and fronting on Hardy Road.

If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

To: Steve Rapson, County Manager

From: Debbie Bell

Date: August 27, 2025

Re: Town of Brooks Annexation Request for Parcels #0407 013 and #0407 013B – Dollar Estate on Hardy Road

GENERAL DESCRIPTION

The Town of Brooks has received a request for annexation of Parcel No. 0407 013 and Parcel No. 0407 013B. The annexation application indicates that the total property is 46.064 acres. The property is currently zoned A-R, Agricultural-Residential, and the Fayette County Future Land Use Plan designates the area as Agricultural-Residential (1 Unit/5 Acres). The proposed zoning under the Town of Brooks is RA, Residential Agricultural(1 Unit/5 Acres). The Town of Brooks will hold Public Hearings of the annexation request on September 15, 2025, at 6:30 PM, and on October 20, 2025, at 6:30 PM.

Subject Parcel(s)

Location	Parcel ID	Acreage	Current Zoning	County Land Use Designation	Proposed City Zoning & Land Use
Hardy Road	0407 013	44.62	A-R	Agricultural-Residential	RA (Res-Ag)
Hardy Road	0407 013B	2.8	A-R	Agricultural-Residential	RA (Res-Ag)

The proposed annexation would not create an island. One parcel is currently landlocked and it is unclear whether it will have access to Hardy Road. The annexation application does not include a concept plan.

The parcel is bounded by the following uses and zoning:

Direction	Acreage	Zoning	Use	Comprehensive Plan
North	89	Brooks - RA	Wooded, undeveloped	Town of Brooks: Res-Ag – 1 Unit/5 acres
South	10	A-R	Residential	Agricultural-Residential – 1 Unit/5 Acres
East	100+	A-R	Residential	Agricultural-Residential – 1 Unit/5 Acres
West	50	A-R	Wooded, undeveloped	Agricultural-Residential – 1 Unit/5 Acres

HISTORY

The property has not been the subject of a previous rezoning request or annexation application.

Tax maps indicate parcel 0407 013 was approximately 24 acres in 1975 and 0407 013B contained approximately 24 acres. I have been unable to locate a deed for 0407 013B in its present configuration. Records indicate the structure on 0407 013B was constructed in 1983 and the parcels appear to have been modified sometime after this date, leaving 0407 013 with 46+/- acres but no road frontage and 0407 013B with road frontage but only +/- 2.8 acres.

Parcel 0407 013 was modified in such a way that it does not have any road frontage. All lots are required to have a minimum of 100 feet of frontage on a public or private road built to County Standards.

Parcel 0407 013B is zoned A-R; this zoning district has a minimum lot size of have 5.0 acres, so it does not meet the minimum lot size requirement.

Because these changes occurred after November 13, 1980, both parcels are considered illegal lots by County standards. They would require reconfiguration to bring the parcels into compliance with County zoning standards.

DEPARTMENTAL COMMENTS

Planning and Zoning:

The proposed zoning and land use categories under the Town of Brooks are generally consistent with the County's zoning and land use plans and staff has no objection.

The county governing authority may by majority vote to object to the annexation because of a material increase in burden upon the county. The material increase in burden upon the county must be directly related to any one or more of the following:

- (1) The proposed change in zoning or land use;
- (2) Proposed increase in density; and
- (3) Infrastructure demands related to the proposed change in zoning or land use.

The objection shall document the nature of the objection specifically providing evidence of any financial impact forming the basis of the objection. Delivery of services may not be a basis for a valid objection but may be used in support of a valid objection if directly related to one or more of the subjects enumerated in (1), (2), and (3) above.

In order for an objection to be valid, the proposed change in zoning or land use must:

- (1) Result in:
 - (A) A substantial change in the intensity of the allowable use of the property or a change to a significantly different allowable use; or
 - (B) A use which significantly increases the net cost of infrastructure or significantly diminishes the value or useful life of a capital outlay project, as such term is defined in Code Section 48-8-110, which is furnished by the county to the area to be annexed; and
- (2) Differ substantially from the existing uses suggested for the property by the county's comprehensive land use or permitted for the property pursuant to the county's zoning ordinance or its land use ordinances.

DEPARTMENTAL COMMENTS

Fire/EMS: No objections.

Building Safety: No objections.

Water System: No comments.

Environmental Health: The current Brooks wastewater system will most likely not have the capacity to sustain the development of this property, depending on future use.

Public Works/Engineering Comments:

Parcel 0407 013B – 295 Hardy Road

- The parcel has approximately 180 feet of road frontage on Hardy Road. According to the Fayette County Thoroughfare Plan, Hardy Road is classified as a Collector Road, which requires a minimum 80-foot right-of-way. Based on DB 62-PG 135 (PR5967), an 80-foot right-of-way has already been dedicated to Fayette County.
- In accordance with Fayette County Floodplain Ordinances, any new building development must provide a minimum finished floor elevation during the permitting process due to flood plain shown on the lake of the adjacent parcel.
- According to Fayette County GIS, there are no state waters present on this parcel.

Parcel 0407 013 – 297 Hardy Road

- This parcel does not have direct road frontage on Hardy Road. Access to this parcel is provided via a driveway access easement located on Parcel 0407 026, as shown in a survey by Ronald Godwin dated July 15, 2025.
- Currently, any new development on this parcel must comply with all applicable Fayette County development regulations.
- Fayette County GIS indicates the presence of state waters and wetlands, as defined by the National Wetlands Survey.
- The site also contains areas designated as Groundwater Recharge Zones.
- While the parcel is not within a FEMA-designated floodplain, it does include areas identified as 100-year floodplain per the 2013 Dewberry Limited Flood Study.

Development Requirements (Fayette County)

The annexation documents include a survey indicating that the two parcels are to be combined.

- If developed within Fayette County Parcel 0407 013 must comply with all applicable county ordinances including Floodplain Management, Watershed Protection, Dam and Artificial Barrier Design Specifications and Permit Requirements, and Post Construction Stormwater Management for New Development.
- Per the Dam and Artificial Barrier Design Specifications of the Fayette County

code

"No public roadway, right-of-way, and/or utilities except stormwater shall be located on any dam or impoundment." Additionally, proposed driveway access must meet the requirements shown in this section of the ordinance.

- Any access route that traverses protected wetlands or state waters must meet all local, state, and federal regulations. Also, road or driveway stream crossings should be designed sufficiently to protect against overtopping during storm events.
- Any new site access to Hardy Road would require approval from Fayette County Public Works Department and would be subject to the applicable regulations for the new development.

Environmental Management: No objections.

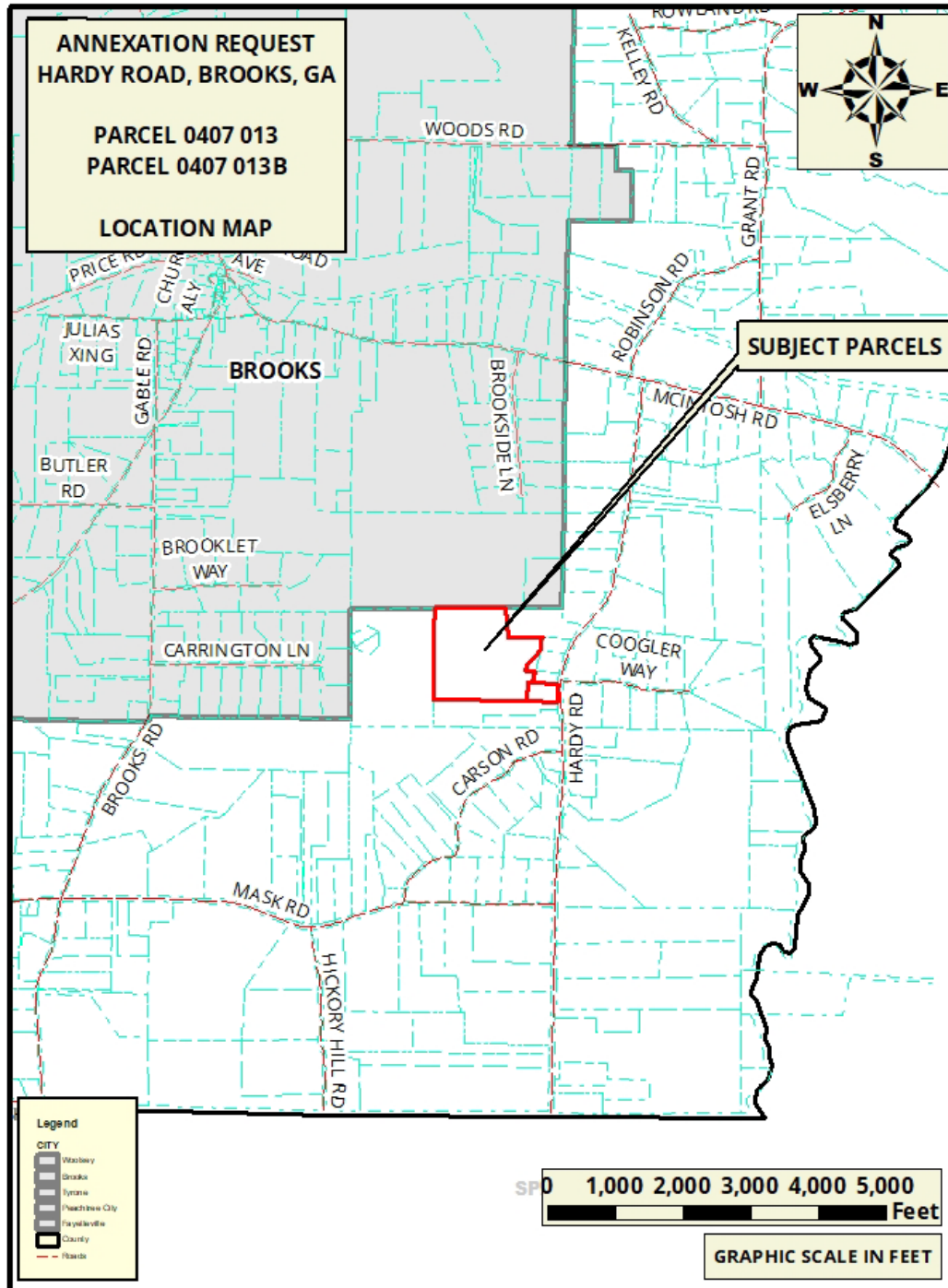
Emergency Management: No comments.

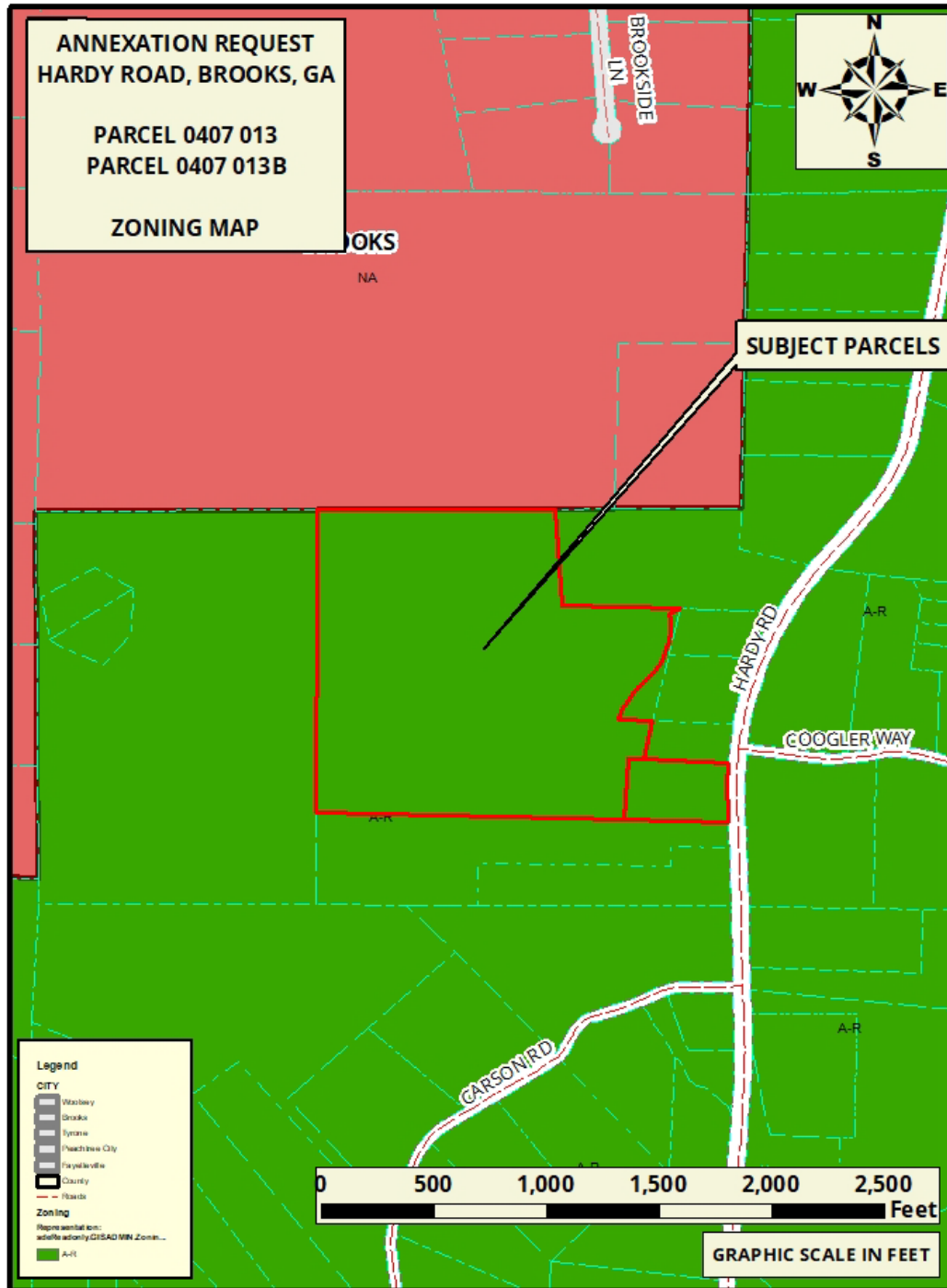
Board of Education: No comments.

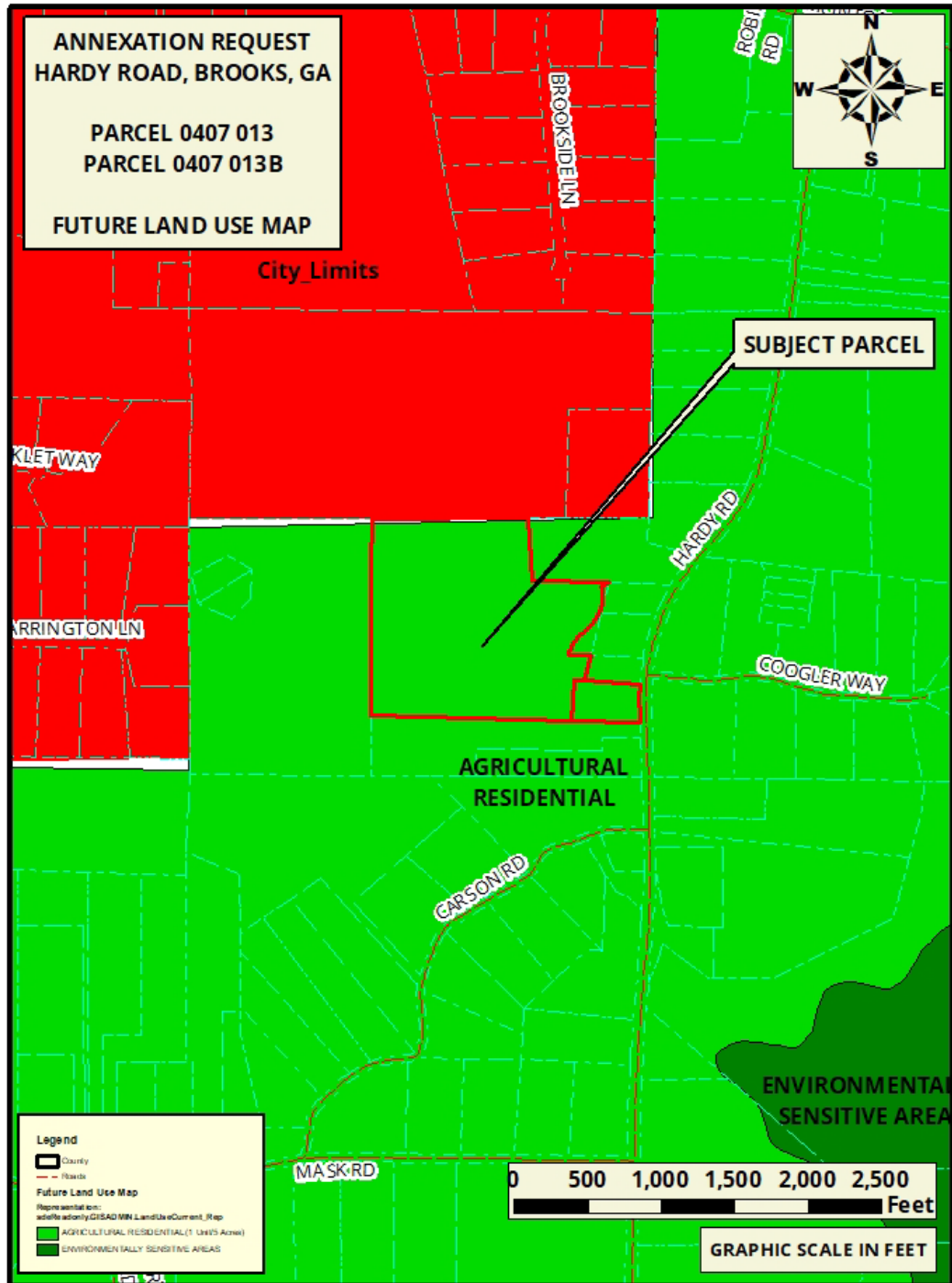
Planning & Zoning: No objections.

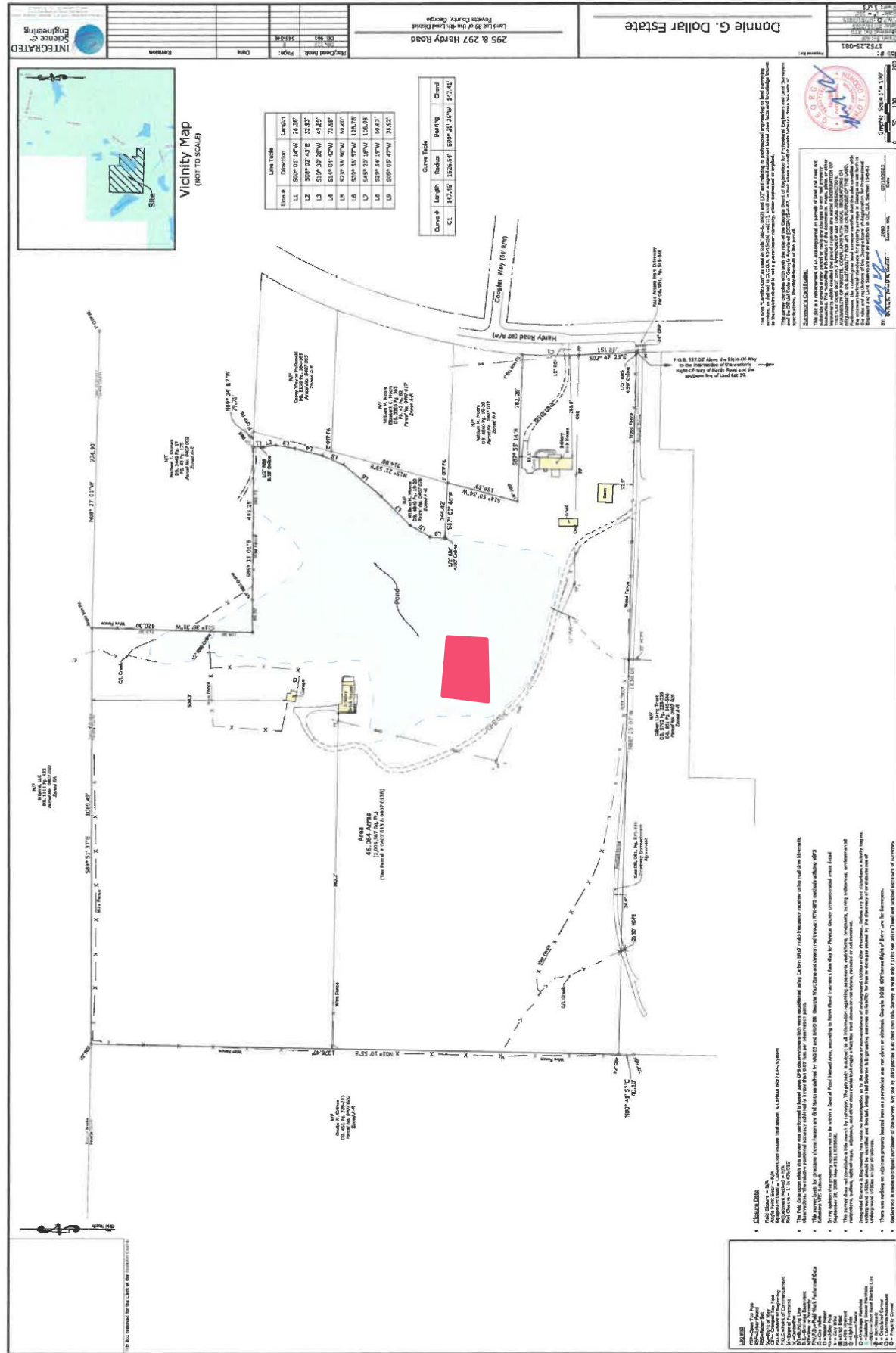
SUMMARY & RECOMMENDATIONS:

The subject property is currently zoned A-R in the County, with a 5-acre minimum lot size, and the proposed zoning under Town of Brooks' regulations is for a similar zoning district, R-A, which also has a 5-acre minimum lot size. Staff has no objections related to the request other than the Environmental Health concerns noted above.









STATE LAW**TITLE 36. LOCAL GOVERNMENT****PROVISIONS APPLICABLE TO MUNICIPAL CORPORATIONS ONLY****CHAPTER 36. ANNEXATION OF TERRITORY****ARTICLE 7. PROCEDURE FOR RESOLVING ANNEXATION DISPUTES****36-36-113. Objection to annexation; grounds and procedures**

- (a) The county governing authority may by majority vote to object to the annexation because of a material increase in burden upon the county directly related to any one or more of the following:
 - (1) The proposed change in zoning or land use;
 - (2) Proposed increase in density; and
 - (3) Infrastructure demands related to the proposed change in zoning or land use.
- (b) Delivery of services may not be a basis for a valid objection but may be used in support of a valid objection if directly related to one or more of the subjects enumerated in paragraphs (1), (2), and (3) of subsection (a) of this Code section.
- (c) The objection provided for in subsection (a) of this Code section shall document the nature of the objection specifically providing evidence of any financial impact forming the basis of the objection and shall be delivered to the municipal governing authority by certified mail or statutory overnight delivery to be received not later than the end of the thirtieth calendar day following receipt of the notice provided for in Code Section 36-36-111.
- (d) In order for an objection pursuant to this Code section to be valid, the proposed change in zoning or land use must:
 - (1) Result in:
 - (A) A substantial change in the intensity of the allowable use of the property or a change to a significantly different allowable use; or
 - (B) A use which significantly increases the net cost of infrastructure or significantly diminishes the value or useful life of a capital outlay project, as such term is defined in Code Section 48-8-110, which is furnished by the county to the area to be annexed; and
 - (2) Differ substantially from the existing uses suggested for the property by the county's comprehensive land use or permitted for the property pursuant to

the county's zoning ordinance or its land use ordinances.

36-36-114. Arbitration panel; composition and membership

- (a) Not later than the fifteenth calendar day following the date the municipal corporation received the first objection provided for in Code Section 36-36-113, an arbitration panel shall be appointed as provided in this Code section.
- (b) The arbitration panel shall be composed of five members to be selected as provided in this subsection. The Department of Community Affairs shall develop three pools of arbitrators, one pool which consists of persons who are currently or within the previous six years have been municipal elected officials, one pool which consists of persons who are currently or within the previous six years have been county elected officials, and one pool which consists of persons with a master's degree or higher in public administration or planning and who are currently employed by an institution of higher learning in this state, other than the Carl Vinson Institute of Government. The pool shall be sufficiently large to ensure as nearly as practicable that no person shall be required to serve on more than two panels in any one calendar year and serve on no more than one panel in any given county in any one calendar year. The department is authorized to coordinate with the Georgia Municipal Association, the Association County Commissioners of Georgia, the Council of Local Governments, and similar organizations in developing and maintaining such pools.
- (c) Upon receiving notice of a disputed annexation, the department shall choose at random four names from the pool of municipal officials, four names from the pool of county officials, and three names from the pool of academics; provided, however, that none of such selections shall include a person who is a resident of the county which has interposed the objection or any municipal corporation located wholly or partially in such county. The municipal corporation shall be permitted to strike or excuse two of the names chosen from the county officials pool; the county shall be permitted to strike or excuse two of the names chosen from the municipal officials pool; and the county and municipal corporation shall each be permitted to strike or excuse one of the names chosen from the academic pool.
- (d) Prior to being eligible to serve on any of the three pools, persons interested in serving on such panels shall receive joint training in alternative dispute resolution together with zoning and land use training, which may be designed and overseen by the Carl Vinson Institute of Government in conjunction with the Association County Commissioners of Georgia and the Georgia Municipal Association, provided such training is available.
- (e) At the time any person is selected to serve on a panel for any particular annexation dispute, he or she shall sign the following oath: "I do solemnly swear or affirm that I will faithfully perform my duties as an arbitrator in a fair and impartial manner without favor or affection to any party, and that I have not and will not have any ex

parte communication regarding the facts and circumstances of the matters to be determined, other than communications with my fellow arbitrators, and will only consider, in making my determination, those matters which may lawfully come before me."

36-36-115. Meetings of arbitration panel; duties; findings and recommendations; compensation

- (a) (1) The arbitration panel appointed pursuant to Code Section 36-36-114 shall meet as soon after appointment as practicable and shall receive evidence and argument from the municipal corporation, the county, and the applicant or property owner and shall by majority vote render a decision which shall be binding on all parties to the dispute as provided for in this article not later than the sixtieth day following such appointment. The meetings of the panel in which evidence is submitted or arguments of the parties are made shall be open to the public pursuant to Chapter 14 of Title 50. The panel shall first determine the validity of the grounds for objection as specified in the objection. If an objection involves the financial impact on the county as a result of a change in zoning or land use or the provision of maintenance of infrastructure, the panel shall quantify such impact in terms of cost. As to any objection which the panel has determined to be valid, the panel, in its findings, may establish reasonable zoning, land use, or density conditions applicable to the annexation and propose any reasonable mitigating measures as to an objection pertaining to infrastructure demands.
- (2) In arriving at its determination, the panel shall consider:
 - (A) The existing comprehensive land use plans of both the county and city;
 - (B) The existing land use patterns in the area of the subject property;
 - (C) The existing zoning patterns in the area of the subject property;
 - (D) Each jurisdiction's provision of infrastructure to the area of the subject property;
 - (E) Whether the county has approved similar changes in intensity or allowable uses on similar developments in other unincorporated areas of the county;
 - (F) Whether the county has approved similar developments in other unincorporated areas of the county which have a similar impact on infrastructure as complained of by the county in its objection; and
 - (G) Whether the infrastructure or capital outlay project which is claimed adversely impacted by the county in its objection was funded by a county-wide tax.

- (3) The county shall provide supporting evidence that its objection is consistent with its land use plan and the pattern of existing land uses and zonings in the area of the subject property.
- (4) The county shall bear at least 75 percent of the cost of the arbitration. The panel shall apportion the remaining 25 percent of the cost of the arbitration equitably between the city and the county as the facts of the appeal warrant; provided, however, that if the panel determines that any party has advanced a position that is substantially frivolous, the costs shall be borne by the party that has advanced such position.
- (5) The reasonable costs of participation in the arbitration process of the property owner or owners whose property is at issue shall be borne by the county and the city in the same proportion as costs are apportioned under paragraph (4) of this subsection.
- (6) The panel shall deliver its findings and recommendations to the parties by certified mail or statutory overnight delivery.
- (b) If the decision of the panel contains zoning, land use, or density conditions, the findings and recommendations of the panel shall be recorded in the deed records of the county with a caption describing the name of the current owner of the property, recording reference of the current owner's acquisition deed and a general description of the property, and plainly showing the expiration date of any restrictions or conditions.
- (c) The arbitration panel shall be dissolved on the tenth day after it renders its findings and recommendations but may be reconvened as provided in Code Section 36-36-116.
- (d) The members of the arbitration panel shall receive the same per diem, expenses, and allowances for their service on the committee as is authorized by law for members of interim legislative study committees.
- (e) If the panel so agrees, any one or more additional annexation disputes which may arise between the parties prior to the panel's initial meeting may be consolidated for the purpose of judicial economy if there are similar issues of location or similar objections raised to such other annexations or the property to be annexed in such other annexations is within 2,500 feet of the subject property.

36-36-116. Appeal

The municipal or county governing authority or an applicant for annexation may appeal the decision of the arbitration panel by filing an action in the superior court of the county within ten calendar days from receipt of the panel's findings and

recommendations. The sole grounds for appeal shall be to correct errors of fact or of law, the bias or misconduct of an arbitrator, or the panel's abuse of discretion. The superior court shall schedule an expedited appeal and shall render a decision within 20 days from the date of filing. If the court finds that an error of fact or law has been made, that an arbitrator was biased or engaged in misconduct, or that the panel has abused its discretion, the court shall issue such orders governing the proposed annexation as the circumstances may require, including remand to the panel. Any unappealed order shall be binding upon the parties. The appeal shall be assigned to a judge who is not a judge in the circuit in which the county is located.

36-36-117. Annexation after conclusion of procedures; remedies for violations of conditions

If the annexation is completed after final resolution of any objection, whether by agreement of the parties, act of the panel, or court order as a result of an appeal, the municipal corporation shall not change the zoning, land use, or density of the annexed property for a period of one year unless such change is made in the service delivery agreement or comprehensive plan and adopted by the affected city and county and all required parties. Following the conclusion of the dispute resolution process outlined in this article, the municipal corporation and an applicant for annexation may either accept the recommendations of the arbitration panel and proceed with the remaining annexation process or abandon the annexation proceeding. A violation of the conditions set forth in this Code section may be enforced thereafter at law or in equity until such conditions have expired as provided in this Code section.

36-36-118. Abandonment of proposed annexation; remedies for violations of conditions

If at any time during the proceedings the municipal corporation or applicant abandons the proposed annexation, the county shall not change the zoning, land use, or density affecting the property for a period of one year unless such change is made in the service delivery agreement or comprehensive plan and adopted by the affected city and county and all required parties. A violation of the conditions set forth in this Code section may be enforced thereafter at law or in equity until such period has expired. After final resolution of any objection, whether by agreement of the parties, act of the panel, or any appeal from the panel's decision, the terms of such decision shall remain valid for the one-year period and such annexation may proceed at any time during the one year without any further action or without any further right of objection by the county.



Town of Brooks

961 Hwy 85 Connector, PO Box 96
Brooks, Georgia, 30205
770-719-7666

REZONING/ANNEXATION APPLICATION

File Number: _____ (to be filled in by Town Clerk)

Project Name: DONNIE G. DOLLAR ESTATE

Project Address: 295 - 297 HARDY RD., BROOKS, GA 30205

Description of project: REZONE/ANNEX 46 ACRES INTO TOWN OF BROOKS

Applicant Name: DAWN SCARBROUGH, AGENT for DONNIE G. DOLLAR ESTATE

Applicant Address: 20E THOMAS GRACE ANNEX LN., SHARPSBURG, GA 30277

Applicant Phone Number: 678-429-2903 Fax Number: _____

Parcel #: 0407013 & 0407013B E-Mail Address: dawnscarbrough@remax.net

Dawn Scarbrough Affirms that he is/ she is/ they are the owners/ specifically
authorized agent of the subject property legally described as follows:

Tax parcel numbers 0407 013 and 0407 013B totalling 46.064 acres aka

295 Hardy Road and 297 Hardy Road, Brooks, Fayette County, GA

Provide exact information to locate the property for which you propose a change:

Tax District Number: 4th Tax Map Number: Land Lot 39

Parcel Number: 0407013 & 0407013B Size of Subject Property: 46.064 Acres

What is the current Fayette County zoning on this property? AR

What new zoning do you propose for this property? RA

Applicant respectfully petitions the Town of Brooks Zoning Board and Mayor and Town Council to rezone this property from its zoning classification(s) and tender herewith the sum of \$ 250.00 to cover all expenses of the public hearing. Applicant petitions the above-named to change its zoning annex the property into the Town of Brooks.

classification from AR to RA.

Date Paid: 8/20/25

The Town of Brooks Zoning Board will hold a public hearing at Town Hall located at 961 Hwy 85 Connector, Brooks, Georgia, to consider the rezoning application and make a recommendation to the Town Council.

The Zoning Board Meeting will be held at 6:30 p.m. on _____ to consider the application for rezoning of said property from AR to RA zoning classification and make a recommendation to the Town Council.

The Mayor and Town Council will hold two public hearings at Town Hall located at 961 Hwy 85 Connector, Brooks, Georgia, to consider the rezoning application.

The Town Council Meeting for the first public hearing will be held at 6:30 p.m. on _____ to consider the application for rezoning of said property from AR to RA zoning classification.

The Town Council Meeting for the second public hearing will be held at 6:30 p.m. on _____ to consider the application for rezoning of said property from AR to RA zoning classification.

Signature of the Applicant:

Dan Syl, Agent

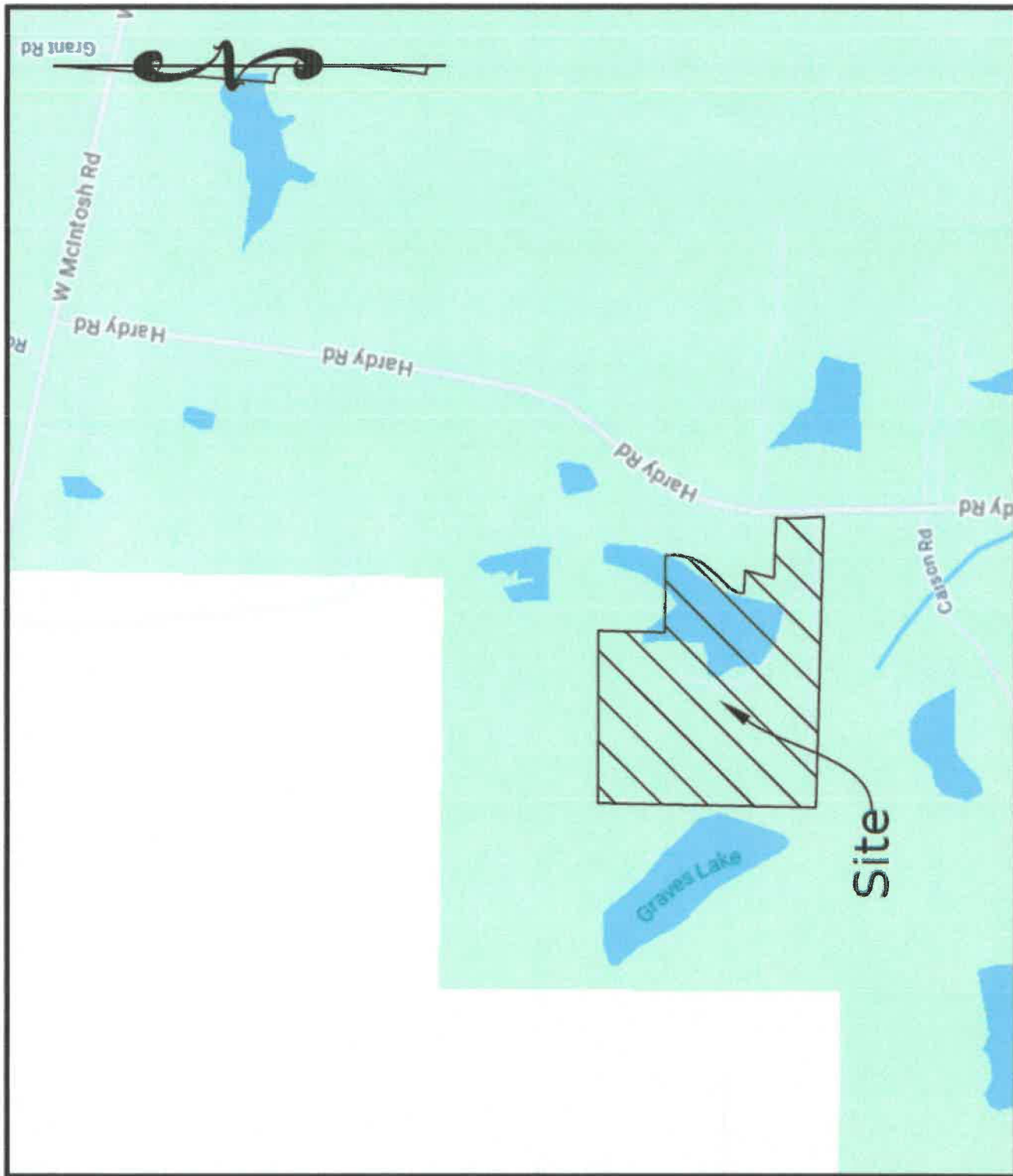
Signature of Town Clerk

Corey Sp

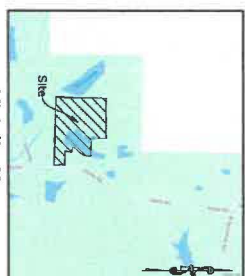
Date:

8/20/2025

All annexation and rezoning must go to the Town Council for two readings for final approval or denial.



Vicinity Map
(NOT TO SCALE)



Curve Table				
Curve #	Length	Radius	Bearing	Chord
C1	147.46'	1525.54'	S89°35'36"W	147.11'

[illegible]

#2: 1752.25-081 Donnie G. Dollar Estate	295 & 297 Hardy Road Land Lot 39 of the 4th Land District Fayette County, Georgia	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>Plat/Deed Book</th> <th>Page</th> <th>Date</th> <th>Revision</th> </tr> <tr> <td>DB 961</td> <td>545-548</td> <td></td> <td></td> </tr> </table>	Plat/Deed Book	Page	Date	Revision	DB 961	545-548			INTEGRATE Science & Engineering
Plat/Deed Book	Page	Date	Revision								
DB 961	545-548										

Legal Description

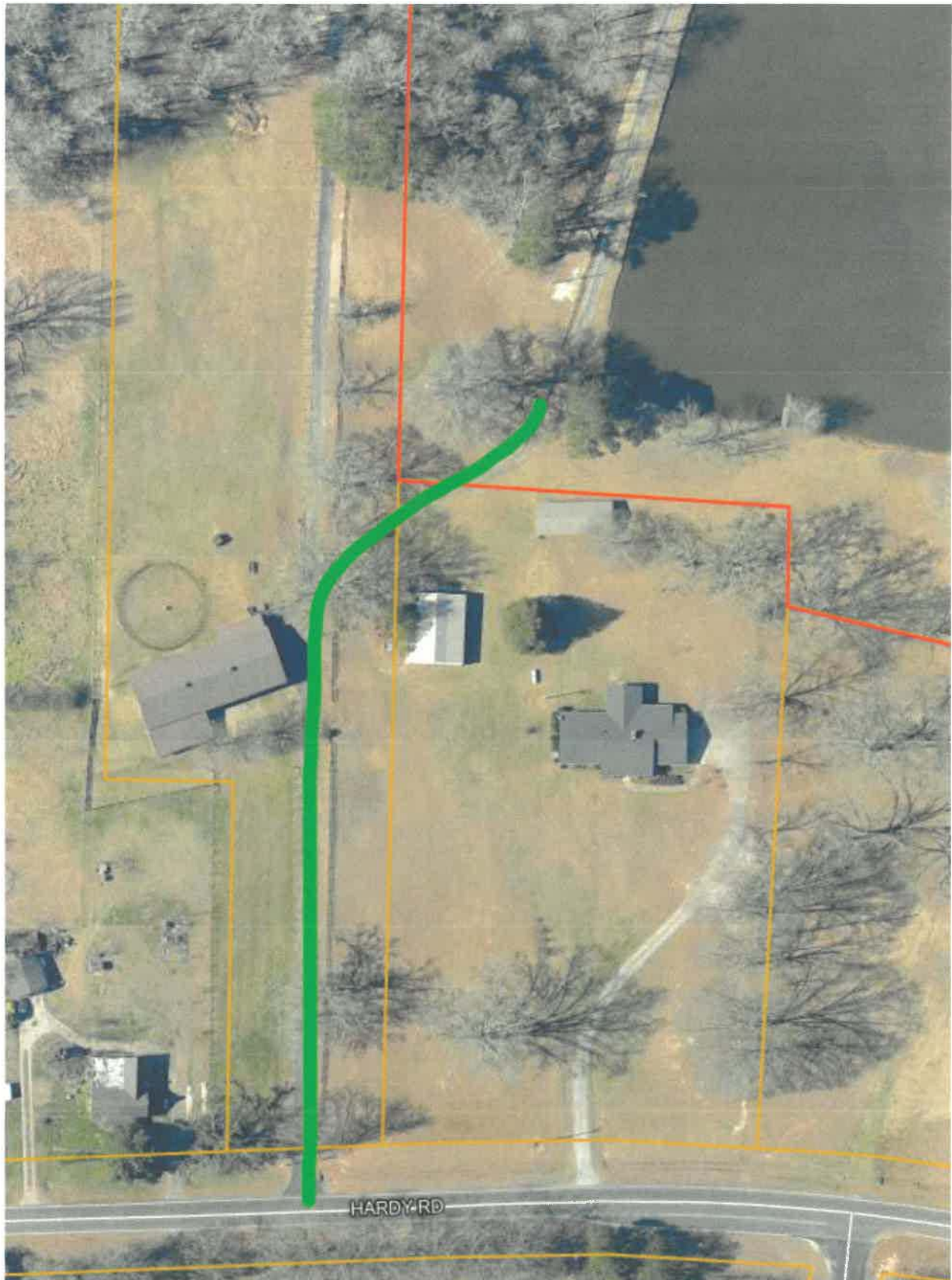
Tract I

Parcel No. 0407 013 & 0407 013B

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 39, 4th District, Fayette County, Georgia, and containing 46.064 acres, as per plat of survey prepared by Ronald T. Godwin, Registered Land Surveyor, dated 07/15/2025 and being more particularly described as follows:

Beginning at a point on the right-of-way of Hardy Road, 337.05 feet north from the intersection of the westerly Right-Of-Way of Hardy Road and the southern line of Land Lot 39, and being the TRUE POINT OF BEGINNING;

Thence proceed North 88° 25' 07" West a distance of 1836.05 feet to a ½" rebar found; Thence proceed North 01° 10' 55" East a distance of 1378.47 feet to a ½" rebar found; Thence proceed South 89° 51' 37" East a distance of 1089.49 feet to an Angle Iron found; Thence proceed South 01° 38' 31" West a distance of 310.50 feet to a ½" rebar set on line; Thence proceed South 01° 38' 31" West a distance of 109.50 to a point in the pond; Thence proceed South 89° 33' 01" East a distance of 86.50 feet to a ½" rebar set on line; Thence proceed South 89° 33' 01" East a distance of 398.75 feet to a ½" rebar set; Thence proceed South 00° 01' 14" West a distance of 18.03 feet to a ½" rebar set; Thence proceed South 00° 01' 14" West a distance of 8.35 feet to a point along the pond bank; Thence proceed South 08° 02' 43" East a distance of 32.93 feet to a point along the pond bank; Thence proceed South 10° 30' 28" West a distance of 49.59 feet to a point along the pond bank; Thence proceed South 14° 04' 42" West a distance of 73.98 feet to a point along the pond bank; Thence proceed South 23° 56' 50" West a distance of 60.40 feet to a point along the pond bank; Thence proceed South 39° 58' 57" West a distance of 128.78 feet to a point along the pond bank; Thence proceed South 45° 20' 16" West a distance of 106.95 feet to a point along the pond bank; Thence proceed South 29° 54' 19" West a distance of 60.83 feet to a point along the pond bank; Thence proceed South 05° 05' 47" West a distance of 38.92 feet to a point along the pond bank; Thence proceed South 87° 07' 48" East a distance of 4.00 feet to a ½" rebar found; Thence proceed South 87° 07' 48" East a distance of 140.42 feet to a 1" open top pipe found; Thence proceed South 14° 50' 34" West a distance of 188.59 feet to a ¼" rebar found; Thence proceed South 87° 55' 14" East a distance of 382.26 feet to a 1" square rod found on the Westerly Right-Of-Way of Hardy Road; Thence proceed along said Right-Of-Way 147.46 feet, along a curve, curving to right, said curve having a radius of 1526.54 feet, and a chord bearing South 00° 35' 36" West and a chord distance of 147.41 feet to a point and being the TRUE POINT OF BEGINNING.



DRIVEWAY ENCROACHMENT AGREEMENT**STATE OF GEORGIA****COUNTY OF FAYETTE**

THIS AGREEMENT, made this 27th day of December 1994, between Scott L. Delong and Susie L. Delong party of the first part, and Donnie G. Dollar, party of the second part,

WITNESSETH:

THAT WHEREAS said first and second parties own adjoining properties on Land Lot 39, 4th District, Fayette County, said first party's property being known as 303 Hardy Road, Brooks, Georgia; there currently being an area of driveway for use of first parties, part of said driveway being located on property of second parties by 10.6 feet, to 21.7 feet and 19.5 feet at the point of the driveway where the encroachment ends, said driveway being shown on plat of survey attached hereto as Exhibit "A", and made a part hereof.

THEREFORE, said parties in consideration of the sum of One Dollar (\$1.00) paid by party of the first part to party of the second part and other valuable considerations the receipt and sufficiency of which is hereby acknowledged the party of the first part does hereby release and abandon to the said second parties' all their rights, title and interest in and to any and all portions of said driveway on second parties' property shown on said plat.*

This agreement constitutes a covenant running with the title to both of said properties.

IN WITNESS WHEREOF said parties have hereunto set their hands and seals.

Signed, sealed and delivered
in the presence of:

[Signature]
Witness
[Signature]
Notary Public
JUNE 18 1995
CLARK COUNTY, GEORGIA

[Signature] (SEAL)
Scott L. Delong
[Signature] (SEAL)
Susie L. Delong

Signed, sealed and delivered
in the presence of:

[Signature]
Witness
[Signature]
Notary Public
MAY 8 1995
CLARK COUNTY, GEORGIA

[Signature] (SEAL)
Donnie G. Dollar

* Party of the first part and Party of the second part agree that they will jointly use the road frontage access which is owned by party of the first part.

FILED & RECORDED
FAYETTE COUNTY, GA.

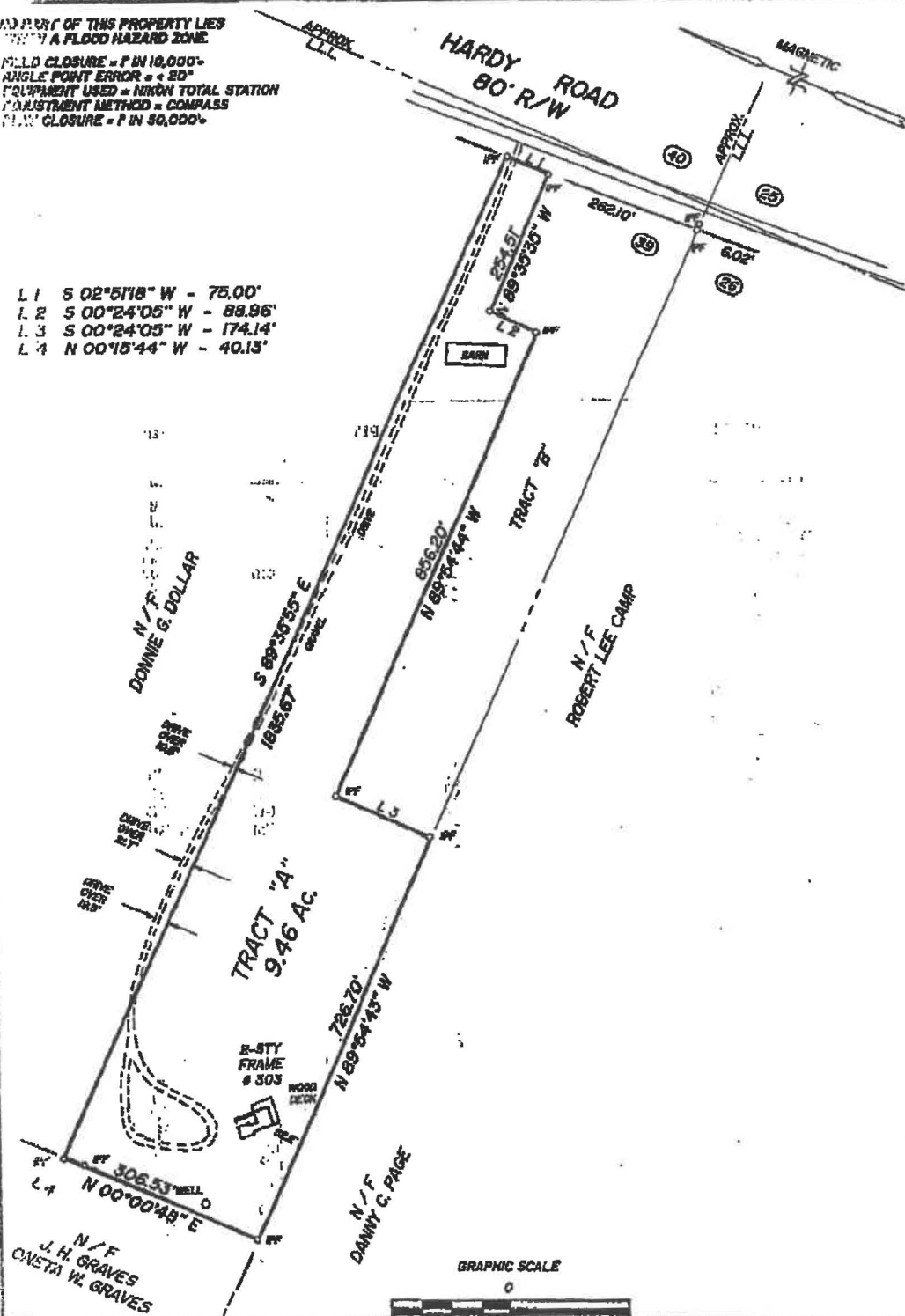
'95 JAN 6 AM 11 14

CLERK OF SUPERIOR COURT

BOOK 961 PAGE 545

Book: 961 Page: 545 Seq: 1

L 1 S 02°51'18" W - 75.00'
L 2 S 00°24'05" W - 88.96'
L 3 S 00°24'05" W - 174.14'
L 4 N 00°15'44" W - 40.13'



FINAL OPINION, THE PLAY IS A CORRECT REPRESENTATION OF THE LAND FLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.



LAND LOT: 39	SCALE: 1" = 200'
DISTRICT: 4 th	DATE: DEC. 20, 1994
SECTION:	DRAWN BY: RC
COUNTY: FAYETTE	CHECKED BY: GMG
STATE: GEORGIA	JOB NO.: OT-94506



BROOKS CITY LIMIT

BROOKS

DOLLAR SURROUNDING



1	ONETA W. GRAVES	47+ acres vacant land
2	HILLPINE LLC	89+ acres vacant land (in city limits)
3	MATTHEW DUMAS	8.8 acres w/house, 253 Hardy Rd
4	CASEY WAYNE McDONALD	1.82 acres w/house, 271 Hardy Rd
5	WILLIAM MOORE	4.86 ac (3 parcels) w/house, 275 Hardy Rd
6	TIMOTHY PAUL STRAND	14.78 ac (2 parcels) w/house, 105 Coogler Way (just purchased 8/12/25)
7	GILBERT LIVING TRUST	9.45 acres w/house, 303 Hardy Rd

COUNTY AGENDA REQUEST

Page 52 of 55

Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Request to award Contract #2532-P: Security Camera System Maintenance and Support, to A3 Communications, Inc., in the not to exceed amount of \$125,894.00, to provide maintenance to the County's existing network of security cameras and a transfer of \$110,188 from General Fund Project Contingency to Capital Improvement Project (CIP) 37270483-541210-257AB.

Background/History/Details:

Fayette County expanded their surveillance camera system in their parks and buildings beginning in 2015. During that time the system has grown to include 255 cameras in 15 locations across the county. However, due to age and technological advances, the system is now suffering a failure of 58 cameras (23% failure rate).

Previously, the installation company would come out and repair the system when repair was needed, but we have started experiencing delays in response times and unresolved issues.

Proposals were sought for a maintenance contract. Nine companies submitted proposals.

There is currently a CIP for camera maintenance for \$25,000 (37270483-541210-257AB). Available funding in that project is \$15,706. To cover the cost of the contract, additional funding would be required as a transfer from General Fund Project Contingency for \$110,188.

Contract includes \$68,544 for the annual maintenance contract, an estimated support cost of \$7,350, and an estimated \$50,000 for camera replacement.

What action are you seeking from the Board of Commissioners?

Approval to award Contract #2532-P: Security Camera System Maintenance and Support, to A3 Communications, Inc., in the not to exceed amount of \$125,894.00, to provide maintenance to the County's existing network of security cameras and a transfer of \$110,188 from General Fund Project Contingency to Capital Improvement Project (CIP) 37270483-541210-257AB.

If this item requires funding, please describe:

Funding of \$15,706 available in 257AB and a transfer of \$110,188 from General Fund Project Contingency.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:



Purchasing Department
 140 Stonewall Avenue West, Ste 204
 Fayetteville, GA 30214
 Phone: 770-305-5420
 www.fayettecountyga.gov

To: Steve Rapson

Through: Ted L. Burgess *AW for TB*

From: Sherry White *AW*

Date: September 11, 2025

Subject: Contract #2532-P: Security Camera System Maintenance & Support

The Purchasing Department issued Request for Proposal #2532-P to secure a contractor to provide maintenance to the county's existing network of security cameras. Notice of the opportunity was advertised through the web-based Georgia Procurement Registry, 1100 were contacted, who had registered under commodity codes #03528 (Cameras and Accessories, Aerial Photograph), #68002 (Access Control Systems and Security Systems), #68087 (Surveillance Cameras and Counter-surveillance Equipment and Supplies), #90977 (Special Construction: Observatory, Security, Special Rooms, etc.), and #91438 (Electrical). The offer was also advertised through Georgia Local Government Access Marketplace, the County website and the local newspaper.

Nine companies submitted bids (Attachment 1).

The Marshal Office recommends rewarding A3 Communications Inc. A Contractor Performance Evaluation is not available since they have never contracted with the county. Their references were checked, and the results were satisfactory. The contract will be awarded \$75,894.00 to cover the maintenance agreement along with a contingency of \$50,000.00 to replace outdated and non-federal compliant cameras.

Specifics of the proposed contract are as follows:

Contract Name	2532-P: Security Camera System Maint. and Support		
Contractor	A3 Communications Inc		
Contract Amount	\$125,894.00		
Budget:			
Fund	372	CAPITAL	
Org Code	70483	CODE ENFORCEMENT	
Object	541210	OTHER IMPROVEMENT	
Project	257AB	SECURITY CAMERA REVITALIZATION	
Available	\$15,706.95	As of 9/4/2025	
Requested Transfer	<u>110,187.05</u>	from GF Contingency	
Available	\$125,894.00	After BOC approval of transfer	

COUNTY AGENDA REQUEST

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Department:

Presenter(s):

Meeting Date:

Type of Request:

Wording for the Agenda:

Request to authorize the delegation of settlement authority to the County Manager for individual claims not exceeding \$5,000.

Background/History/Details:

The County periodically receives claims from residents and business owners for property damage allegedly caused by County operations.

These claims commonly involve:

Damage to mailboxes or signage

Vehicle damage, often resulting from debris projected by mowing equipment

Water leaks or cleanup costs associated with meter installations

To ensure timely and efficient resolution of such matters, staff recommends that the Board of Commissioners formally authorize the delegation of settlement authority to the County Manager for individual claims not exceeding \$5,000. This would allow the County Manager, in consultation with appropriate staff and legal counsel as needed, to review, evaluate, and approve settlements for minor property damage claims without requiring separate Board action for each case.

What action are you seeking from the Board of Commissioners?

Approval to authorize the delegation of settlement authority to the County Manager for individual claims not exceeding \$5,000.

If this item requires funding, please describe:

Not applicable.

Has this request been considered within the past two years?

If so, when?

Is Audio-Visual Equipment Required for this Request?*

Backup Provided with Request?

*** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.**

Approved by Finance

Reviewed by Legal

Approved by Purchasing

County Clerk's Approval

Administrator's Approval

Staff Notes:

Property Insurance Claims Procedure

Purpose

This process should be used for minor property damage claims involving potential County liability. It ensures a consistent, transparent, and accountable approach to handling such incidents.

Step-by-Step Procedure

1. Initial Incident Reporting

- When property damage occurs, County personnel must immediately notify the Marshal's Office.
- Do not request quotes from the citizen or homeowner at the time of the incident.

2. Marshal's Report Distribution

- The Marshal's Office will prepare an incident report and provide any related documentation
- This report should be sent to:
Department Head, Safety Director, CFO

3. Liability Determination

- Upon review of the Marshal's report, if it is determined that the County is liable, the process will proceed to the next step.
- If the County is not liable, the claim is closed with appropriate documentation including a letter to the claimant by the Safety Director and Finance.

4. Request for Repair Quotes

- Once liability is confirmed, requests for repair quotes will be initiated.
- A minimum of three quotes are required unless otherwise directed.

5. Quote Review

- The Safety Director will review the quote(s) received in consultation with the Department Head to assess reasonableness and accuracy.
- If the Safety Director and Department Head agree to authorize reimbursement, the approval and all related documentation should be sent to Finance for final approval.

6. Approval Process

- Finance will prepare a claim reimbursement package and provide it to the County Manager for review and approval. The County Manager is authorized to approve claims if the total amount does not exceed \$5,000.
- If the amount exceeds \$5,000, the claim must be referred to Legal for formal determination before proceeding.

7. Payment and Finalization

- Upon administrative approval:
- Finance will process the payment through Accounts Payable.
- The citizen/homeowner will be contacted to pick up the check once it is ready.
- At the time of pickup, the citizen/homeowner must sign a Covenant Not to Sue.