

BOARD OF COUNTY COMMISSIONERS

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



FAYETTE COUNTY, GEORGIA

Steve Rapson, County Administrator
Dennis A. Davenport, County Attorney
Tameca P. Smith, County Clerk
Marlena Edwards, Chief Deputy County Clerk

140 Stonewall Avenue West
Public Meeting Room
Fayetteville, GA 30214

ACTION AGENDA

February 24, 2022
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.

Call to Order

Vice Chairman Edward Gibbons called the February 24, 2022 Board of Commissioners meeting to order at 5:00 p.m. A quorum of the Board was present.

Invocation and Pledge of Allegiance by Vice Chairman Edward Gibbons

Vice Chairman Edward Gibbons offered the Invocation and led the Board and audience in the Pledge of Allegiance.

Acceptance of Agenda

Vice Chairman Gibbons moved to accept the agenda as written with the addition of item #22. Consideration of the approval of grant funds awarded to the Griffin Judicial Circuit. Commissioner Oddo seconded. The motion passed 5-0.

PROCLAMATION/RECOGNITION:

PUBLIC HEARING:

Commissioner Oddo recused himself from discussion of item #1 and left the public meeting room.

1. **Consideration of Petition No. RP-079-22, Justin M. Brown, Owner, and Brad C. Barnard, Agent, request to revise the Major Final Plat of Platinum Ridge Subdivision by adding 19.3 acres of property from an adjacent tract to an existing 5.09 acre lot; property located in Land Lot 62 of the 7th district and fronts Platinum Ridge Pointe.**

Vice Chairman Gibbons moved to approve Petition No. RP-079-22, Justin M. Brown, Owner, and Brad C. Barnard, Agent, request to revise the Major Final Plat of Platinum Ridge Subdivision by adding 19.3 acres of property from an adjacent tract to an existing 5.09 acre lot; property located in Land Lot 62 of the 7th district and fronts Platinum Ridge Pointe. Commissioner Maxwell seconded. The motion passed 4-0-1, Commissioner Oddo recused himself.

Commissioner Oddo returned to the Public Meeting room.

2. **Consideration of Petition No. 1313-21 A, Phillip & Thomas Real Estate Holdings, LLC, Owner, and William T. James, Agent, request to rezone 2.09 acres from R-70 to R-45 to develop a residential subdivision; property is located on Land Lot 21 of the 7th District and fronts in Eastin Road and Sandy Creek Road.**

Commissioner Oddo moved to deny Petition No. 1313-21 A, Phillip & Thomas Real Estate Holdings, LLC, Owner, and William T. James, Agent, request to rezone 2.09 acres from R-70 to R-45 to develop a residential subdivision; property is located on Land Lot 21 of the 7th District and fronts in Eastin Road and Sandy Creek Road. Vice Chairman Gibbons seconded. The motion passed 5-0.

- 3. Consideration of Petition No. 1313-21 B, Phillip & Thomas Real Estate Holdings, LLC, Owner, and William T. James, Agent, request to rezone 2.09 acres from R-70 to R-45 to develop a residential subdivision; property located in Land Lot 21 of the 7th District and fronts on Eastin Road.**

Vice Chairman Gibbons moved to deny Petition No. 1313-21 B, Phillip & Thomas Real Estate Holdings, LLC, Owner, and William T. James, Agent, request to rezone 2.09 acres from R-70 to R-45 to develop a residential subdivision; property located in Land Lot 21 of the 7th District and fronts on Eastin Road. Commissioner Oddo seconded. The motion passed 5-0.

- 4. Consideration of Petition No. 1316-21 A, Elaine S. Powers, Owner, and Richard P. Lindsey, Agent, request to rezone 1.68 acres from A-R to C-C to develop a Commercial Retail Center; property located in Land Lot 8 of the 6th District, and fronts on SR 85 South and SR 74 South.**

Commissioner Maxwell moved to approve Petition No. 1316-21 A, Elaine S. Powers, Owner, and Richard P. Lindsey, Agent, request to rezone 1.68 acres from A-R to C-C to develop a Commercial Retail Center; property located in Land Lot 8 of the 6th District, and fronts on SR 85 South and SR 74 South. Vice Chairman Gibbons seconded. The motion passed 3-2, with Commissioner Oddo and Commissioner Rousseau voting in opposition.

- 5. Consideration of Petition No. 1316-21 B, DARRS, LLC, Owner, and Richard P. Lindsey, Agent, request to rezone .09 acres from A-R to C-C to develop a Commercial Retail Center; property located in Land Lot 8 of the 6th District, and fronts on SR 85 South and SR 74 South.**

Commissioner Maxwell moved to approve Petition No. 1316-21 B, DARRS, LLC, Owner, and Richard P. Lindsey, Agent, request to rezone .09 acres from A-R to C-C to develop a Commercial Retail Center; property located in Land Lot 8 of the 6th District, and fronts on SR 85 South and SR 74 South. Vice Chairman Gibbons seconded. The motion passed 3-2, with Commissioner Oddo and Commissioner Rousseau voting in opposition.

- 6. Consideration of Petition No. 1316-21 C, Estate of Yvonee B. Hammett, Owner, and Richard P. Lindsey, Agent, request to rezone 0.42 acres from A-R to C-C to develop a Commercial Retail Center; property located in Land Lot 8 of the 6th District, and fronts on SR 85 South and SR 74 South.**

Commissioner Maxwell moved to approve Petition No. 1316-21 C, Estate of Yvonee B. Hammett, Owner, and Richard P. Lindsey, Agent, request to rezone 0.42 acres from A-R to C-C to develop a Commercial Retail Center; property located in Land Lot 8 of the 6th District, and fronts on SR 85 South and SR 74 South. Vice Chairman Gibbons seconded. The motion passed 3-2 with Commissioner Oddo and Commissioner Rousseau voting in opposition.

- 7. Consideration of Petition No. 1316-21 D, Edna Ann Hayes-Edwards, Owner, and Richard P. Lindsey, Agent, request to rezone 0.41 acres from A-R to C-C to develop a Commercial Retail Center; property located in Land Lot 8 of the 6th District, and fronts on SR 85 South and SR 74 South.**

Commissioner Maxwell moved to approve Petition No. 1316-21 D, Edna Ann Hayes-Edwards, Owner, and Richard P. Lindsey, Agent, request to rezone 0.41 acres from A-R to C-C to develop a Commercial Retail Center; property located

in Land Lot 8 of the 6th District, and fronts on SR 85 South and SR 74 South. Vice Chairman Gibbons seconded. The motion passed 3-2, Petition No. 1316-21 D, Edna Ann Hayes-Edwards, Owner, and Richard P. Lindsey, Agent, request to rezone 0.41 acres from A-R to C-C to develop a Commercial Retail Center; property located in Land Lot 8 of the 6th District, and fronts on SR 85 South and SR 74 South.

- 8. Consideration of Petition No. 1316-21 E, Laverne Hand Starr & Buddy Hand, Owners, and Richard P. Lindsey, Agent, request to rezone 1.08 acres from A-R to C-C to develop a Commercial Retail Center; property located in Land Lot 8 of the 6th District, and fronts on SR 85 South and SR 74 South.**

Commissioner Maxwell moved to approve Petition No. 1316-21 E, Laverne Hand Starr & Buddy Hand, Owners, and Richard P. Lindsey, Agent, request to rezone 1.08 acres from A-R to C-C to develop a Commercial Retail Center; property located in Land Lot 8 of the 6th District, and fronts on SR 85 South and SR 74 South. Vice Chairman Gibbons seconded. The motion passed 3-2, Petition No. 1316-21 E, Laverne Hand Starr & Buddy Hand, Owners, and Richard P. Lindsey, Agent, request to rezone 1.08 acres from A-R to C-C to develop a Commercial Retail Center; property located in Land Lot 8 of the 6th District, and fronts on SR 85 South and SR 74 South.

- 9. Consideration of Petition No. 1317-22, Kenneth L Ennis, Owner, and Jahnee Prince, Agent, request to rezone 10.002 acres from C-H Conditional to C-H to amend Condition(s) 1-4 to develop a self-storage facility; property located in Land Lot (s) 69 & 70 of the 5th District, and fronts on SR 85 South.**

Vice Chairman Gibbons moved to approve Petition No. 1317-22, Kenneth L Ennis, Owner, and Jahnee Prince, Agent, request to rezone 10.002 acres from C-H Conditional to C-H to amend Condition(s) 1-4 to develop a self-storage facility; property located in Land Lot (s) 69 & 70 of the 5th District, and fronts on SR 85 South with two conditions. Commissioner Rousseau seconded. The motion passed 5-0.

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:

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

- 10. Approval of staff's recommended Mid-Year Budget Adjustments to the fiscal year 2022 budget and approval to close completed Capital Improvements Plan (CIP) Projects.**
- 11. Approval of an agreement between CSX Transportation Inc, Fayette County, and the Georgia Department of Transportation for the Coastline Road Railroad Bridge replacement (GDOT PI 0015647 / 2004 SPLOST B-1).**
- 12. Approval of the February 10, 2022 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

NEW BUSINESS:

- 13. Consideration of the Selection Committee's recommendation to appoint Gary Rower to the Fayette County Board of Elections for a term beginning February 1, 2022 and expiring January 31, 2026.**

Vice Chairman Gibbons moved to approve to appoint Gary Rower to the Fayette County Board of Elections for a term beginning February 1, 2022 and expiring January 31, 2026. Commissioner Rousseau seconded. The motion passed 5-0.

14. Consideration of staff's recommendation to extend the existing Transfer Station Operations Agreement with Waste Management Inc. for an additional 180 days.

Commissioner Oddo moved to approve to extend the existing Transfer Station Operations Agreement with Waste Management Inc. for an additional 180 days. Vice Chairman Gibbons seconded. The motion passed 5-0.

15. Consideration of staff's recommendation to award RFP #2019-P Parks & Recreation Multi-use Facility for Architectural & Engineering Services to Lose Design, LLC in the amount of \$535,000 and approval to transfer \$159,386.34 available surplus from various Capital Improvement Projects, and \$100,000 from Recreation Maintenance and Operations.

Commissioner Rousseau moved to approve to award RFP #2019-P Parks & Recreation Multi-use Facility for Architectural & Engineering Services to Lose Design, LLC in the amount of \$535,000 and approval to transfer \$159,386.34 available surplus from various Capital Improvement Projects, and \$100,000 from Recreation Maintenance and Operations. Vice Chairman Gibbons seconded. The motion passed 5-0.

16. Consideration of the County Attorney's recommendation to approve the disposition of tax refund, as requested by Richard Hand, for tax years 2018, 2019, 2020 in the aggregated amount of \$406.82.

Commissioner Rousseau moved to approve the disposition of tax refund, as requested by Richard Hand, for tax years 2018, 2019, 2020 in the aggregated amount of \$406.82. Vice Chairman Gibbons seconded. The motion passed 5-0.

17. Consideration of the County Attorney's recommendation to approve the disposition of tax refund, as requested by Kelly Brooks, for tax year 2020 in the amount of \$1,075.87.

Vice Chairman Gibbons moved to approve the disposition of tax refund, as requested by Kelly Brooks, for tax year 2020 in the amount of \$1,075.87. Commissioner Oddo seconded. The motion passed 5-0.

18. Consideration of the County Attorney's recommendation to approve the disposition of tax refund, as requested by Heather Scott, for tax years 2018, 2019 and 2020 in the aggregated amount of \$994.96.

Commissioner Rousseau moved to approve the disposition of tax refund, as requested by Heather Scott, for tax years 2018, 2019 and 2020 in the aggregated amount of \$994.96. Vice Chairman Gibbons seconded. The motion passed 5-0.

19. Consideration of the County Attorney's recommendation to approve the disposition of tax refund, as requested by Pamela Bouie, for tax years 2018 and 2019 in the aggregated amount of \$1,070.91.

Commissioner Rousseau moved to approve the disposition of tax refund, as requested by Pamela Bouie, for tax years 2018 and 2019 in the aggregated amount of \$1,070.91. Vice Chairman Gibbons seconded. The motion passed 5-0.

20. Consideration of the County Attorney's recommendation to deny the disposition of tax refund, as requested by Generations Auto Body and Restoration LLC, for tax year 2020.

Commissioner Rousseau moved to approve denial of the disposition of tax refund, as requested by Generations Auto Body and Restoration LLC, for tax year 2020. Vice Chairman Gibbons seconded. The motion passed 5-0.

21. Consideration of the County Attorney's recommendation to deny the disposition of tax refund, as requested by Diana Ross-McCullough, for tax year 2019.

Commissioner Rousseau moved to approve denial the disposition of tax refund, as requested by Diana Ross-McCullough, for tax year 2019. Vice Chairman Gibbons seconded. The motion passed 5-0.

22. Consideration of the approval of grant funds awarded to the Griffin Judicial Circuit in the amount of \$789,969, effective March 1, 2022, and approval to pay the County's portion of \$196,042.

Commission Rousseau moved to approve grant funds awarded to the Griffin Judicial Circuit in the amount of \$789,969, effective March 1, 2022, and approval to pay the County's portion of \$196,042. Vice Chairman Gibbons seconded. The motion passed 5-0.

ADMINISTRATOR'S REPORTS:

A: Georgia County Internship Program Grant Agreement – Association County Commissioners of Georgia (ACCG) Civic Affairs Foundation, Inc. – State Court

B: Georgia County Internship Program Grant Agreement – Association County Commissioners of Georgia (ACCG) Civic Affairs Foundation, Inc. – Solicitor General Office

C: Georgia County Internship Program Grant Agreement – Association County Commissioners of Georgia (ACCG) Civic Affairs Foundation, Inc. – Water System

ATTORNEY'S REPORTS:

COMMISSIONERS' REPORTS: Commissioner Rousseau made comments.

EXECUTIVE SESSION:

ADJOURNMENT:

Chairman Hearn moved to adjourn the February 24, 2022 Board of Commissioners meeting. Vice Chairman Gibbons seconded the motion. The motion passed 5-0.

The February 24, 2022 Board of Commissioners meeting adjourned at 5:55 p.m.

Marlena M. Edwards, Chief Deputy County Clerk

Lee Hearn, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 10th day of March 2022. Referenced attachments are available upon request at the County Clerk's Office.

Marlena Edwards, Deputy County Clerk