

## 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

October 27, 2022

5:00 p.m.

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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 2<sup>nd</sup> and 4<sup>th</sup> Thursday of each month at 5:00 p.m.

### Call to Order

Chairman Lee Hearn called the October 27, 2022 Board of Commissioners meeting to order at 5:00 p.m. A quorum of the Board was present. Commissioner Maxwell was absent.

### Invocation and Pledge of Allegiance by Commissioner Charles Oddo

Commissioner Charles Oddo offered the invocation and led the Pledge of Allegiance.

### Acceptance of Agenda

Commissioner Charles Oddo moved to accept the agenda as written. Vice Chairman Gibbons seconded. The motion passed 4-0. Commissioner Maxwell was absent.

### PROCLAMATION/RECOGNITION:

1. Proclamation encouraging citizens to participate in "Operation Green Light for Veterans" from November 7, 2022 to November 13, 2022 as a way to express our collective appreciation for the public service of all veterans.
2. Recognition of Leah Williamson and J.R. Ramos for their efforts and support of the Water Guardians volunteer program.

### PUBLIC HEARING:

3. Consideration of Petition No. 1322-22, Robert C. Shell, Owner; LDO Fayette, LLC, represented by Patrice Frady, Agent, request to rezone 12.582 acres from A-R to C-C to develop a convenience store with fuels sales and with retail tenant space; property located in Land Lot 8 of the 6th District and fronts on Padgett Road and S.R. 85/74. This item was tabled at the September 22, 2022 Board meeting.

Vice Chairman Gibbons moved to table to the December 8, 2022 BOC Meeting. Commissioner Rousseau seconded.

4. Consideration of Petition No. 1323-22, Johnnie K. Holland, Owner; Randy Boyd, Agent. Request to rezone 8.056 acres from A-R to R-45 to develop 4 single-family residential lots; property located in Land Lot(s) 254 of the 5th District.

Vice Chairman Gibbons moved to table to the December 8, 2022 BOC Meeting. Commissioner Rousseau seconded.

- 5. Consideration of Petition No.1324-22-A; Tyrone 54, LLC & BBWJ, LLC, Owners; Matt Dahlhauser, Agent request to rezone 5.615 acres from C-C to C-H to develop a multi-use commercial center, including a convenience store, car wash, interior access self-storage and a quick-serve restaurant with drive-through; property located in Land Lot(s) 25 & 26 of the 7th District.**

Vice Chairman Gibbons moved to table to the December 8, 2022 BOC Meeting. Commissioner Rousseau seconded.

- 6. Consideration of Petition No. 1324-22-B; Tyrone 54, LLC & BBWJ, LLC, Owners; Matt Dahlhauser, Agent request to rezone 5.615 acres from C-C to C-H to develop a multi-use commercial center, including a convenience store, car wash, interior access self-storage and a quick-serve restaurant with drive-through; property located in Land Lot(s) 26 of the 7th District.**

Vice Chairman Gibbons moved to table to the December 8, 2022 BOC Meeting. Commissioner Rousseau seconded.

- 7. Consideration of Petition No. 1324-22-C; Tyrone 54, LLC & BBWJ, LLC, Owners; Matt Dahlhauser, Agent request to rezone 1.993 acres from C-C to C-H to develop a multi-use commercial center, including a convenience store, car wash, interior access self-storage and a quick-serve restaurant with drive-through; property located in Land Lot(s) 25 of the 7th District.**

Vice Chairman Gibbons moved to table to the December 8, 2022 BOC Meeting. Commissioner Rousseau seconded.

- 8. Consideration of Petition No.1324-22-D; Tyrone 54, LLC & BBWJ, LLC, Owners; Matt Dahlhauser, Agent request to rezone 1.948 acres from C-C to C-H to develop a multi-use commercial center, including a convenience store, car wash, interior access self-storage and a quick-serve restaurant with drive-through; property located in Land Lot(s) 25 of the 7th District.**

Vice Chairman Gibbons moved to table to the December 8, 2022 BOC Meeting. Commissioner Rousseau seconded.

- 9. Consideration of Petition No.1325-22, Eric K. Maxwell, Owner; Randy Boyd, Agent; request to rezone 8.49 acres from A-R to R-75 to develop three (3) single-family residential lots; property located in Land Lot(s) 2 of the 5th District.**

Vice Chairman Gibbons moved to approve Petition No.1325-22, Eric K. Maxwell, Owner; Randy Boyd, Agent; request to rezone 8.49 acres from A-R to R-75 to develop three (3) single-family residential lots; property located in Land Lot(s) 2 of the 5th District. Commissioner Oddo seconded. The motion passed 4-0.

#### **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:**

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

- 10. Approval of a request from Fayette County Juvenile Court to accept a grant award from the Criminal Justice Coordinating Council in the amount of \$50,000 for the Delinquency Prevention Grant.**

11. **Approval for staff to acquire all fee simple right-of-way and easements for the proposed multi-use path and tunnel at the intersection of Redwine Road and Robinson Road (2017 SPLOST 17TAI).**
12. **Approval to add a pole mounted street light to the Princeton Chase subdivision in Fayette County's Street Light Program.**
13. **Approval of the Third Amendment to Reciprocal Lease Agreement for the tower located at Rising Star; 431 Porter Road.**
14. **Approval of the October 13, 2022 Board of Commissioners Meeting Minutes.**

**OLD BUSINESS:**

**NEW BUSINESS:**

15. **Consideration of the City of Fayetteville's annexation of three parcels totaling 8.291 acres and the rezoning of said property from C-H (Highway Commercial) and A-R (Agricultural-Residential) to C-3 (Highway Commercial) zoning; property located at 135 and 145 Walker Parkway and 1373 Highway 85 North (Parcel ID Numbers 0538 092, 0538 081, and 0538 026).**

Vice Chairman Gibbons moved to approve City of Fayetteville's annexation of three parcels totaling 8.291 acres and the rezoning of said property from C-H (Highway Commercial) and A-R (Agricultural-Residential) to C-3 (Highway Commercial) zoning; property located at 135 and 145 Walker Parkway and 1373 Highway 85 North (Parcel ID Numbers 0538 092, 0538 081, and 0538 026). Commissioner Rousseau seconded. The motion passed 4-0. Commissioner Maxwell was absent.

16. **Request from the Griffin Judicial Circuit Chief Judge Fletcher Sams to apply, on behalf of the circuit, for year two of ARPA grant funds for the purpose of addressing backlogs of court cases and approval for Fayette County to pay an estimated upfront cost of \$343,382.**

Vice Chairman Gibbons moved to approve request from the Griffin Judicial Circuit Chief Judge Fletcher Sams to apply, on behalf of the circuit, for year two of ARPA grant funds for the purpose of addressing backlogs of court cases and approval for Fayette County to pay an estimated upfront cost of \$343,382. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Maxwell was absent.

17. **Request to approve the Recreation Commission's recommendation of the Parks and Recreation Multi-use Facility floor plan and architecture elevation style.**

Commissioner Rousseau moved to approve the Recreation Commission's recommendation of the Parks and Recreation Multi-use Facility floor plan and architecture elevation style. Vice Chairman Gibbons seconded. The motion passed 4-0. Commissioner Maxwell was absent.

18. **Request to approve an Intergovernmental Agreement (IGA) with Clayton County for repairs to the Helmer Road Bridge over Camp Creek and the allocation of \$77,000 from SPLOST 17TAC to SPLOST 23TAA (Infrastructure Preservation and Improvements).**

Commissioner Rousseau moved to approve Intergovernmental Agreement (IGA) with Clayton County for repairs to the Helmer Road Bridge over Camp Creek and the allocation of \$77,000 from SPLOST 17TAC to SPLOST 23TAA (Infrastructure Preservation and Improvements). Vice Chairman Gibbons seconded. The motion passed 4-0. Commissioner Maxwell was absent.

**ADMINISTRATOR'S REPORTS:**

- A. **Contract #1979-S: Stryker Maintenance Agreement; Change Order #2: Power Cots & Stair Chair Maintenance Agreements**
- B. **Contract #1981-Q: SR 279 Realignment – Engineering & Design; Task Order #2 Public Involvement Meeting**
- C. **Contract #2071-S: Siemens Automation Service Agreement; Change Order #1: Desigo CC Software Upgrade (Revised)**

**ATTORNEY'S REPORTS:**

**Notice of Executive Session:** County Attorney Dennis Davenport stated that there were two items for Executive Session. One item involving real estate acquisition and the review of the Executive Session minutes for September 27, 2022.

**COMMISSIONERS' REPORTS:**

Commissioner Oddo made comments.

**EXECUTIVE SESSION:**

**One item involving real estate acquisition and the review of the Executive Session minutes for September 27, 2022.**

Commissioner Oddo moved to go into Executive Session. Vice Chairman Gibbons seconded. The motion passed 4-0. Commissioner Maxwell was absent.

The Board recessed into Executive Session at 6:15 p.m. and returned to Official Session at 6:25 p.m.

**Return to Official Session:** 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 4-0. Commissioner Maxwell was absent.

**Executive Session Minutes:** Commissioner Oddo moved to approve the September 27, 2022 Executive Session Minutes. Vice Chairman Gibbons seconded. The motion passed 4-0. Commissioner Maxwell was absent.

**ADJOURNMENT:**

Commissioner Oddo moved to adjourn the October 13, 2022 Board of Commissioners meeting. Vice Chairman Gibbons seconded. The motion passed 5-0.

The October 13, 2022 Board of Commissioners meeting adjourned at 5:15 p.m.

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Marlena Edwards, Chief Deputy County Clerk

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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 10<sup>th</sup> day of November 2022. Attachments are available upon request at the County Clerk's Office.

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Marlena Edwards, Chief Deputy County Clerk