

## 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

August 24, 2023

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 August 24, 2023 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 Oddo

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

### Acceptance of Agenda

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

### PROCLAMATION/RECOGNITION:

1. **Recognition of Financial Analyst, Beth Gourley, for earning the Level 1 Local Finance Officer Certification in pursuing professional development in governmental finance, accounting, budgeting, and public finance topics.**
2. **Recognition of Senior Financial Analyst, Michael Quay-Sowah, for earning the Level 1 Local Finance Officer Certification in pursuing professional development in governmental finance, accounting, budgeting, and public finance topics.**
3. **Recognition of Assistant Chief Financial Officer Amanda Schoonover, for earning the Level 2 Local Finance Officer Certification in pursuing professional development in governmental finance, accounting, budgeting, and public finance topics.**

### PUBLIC HEARING:

4. **Consideration of Petition No. RDP-016-23; John K. Pell, Agent for CG & PH, LLC, Owner, request to revise the development plan for Morning Falls Subdivision to remove the undeveloped phase from the subdivision; located in Land Lot(s) 224 of the 13th District and fronts on Gadson Drive.**

No one spoke in favor or opposition.

Commissioner Oddo moved to approve Petition No. RDP-016-23; John K. Pell, Agent for CG & PH, LLC, Owner, request to revise the development plan for Morning Falls Subdivision to remove the undeveloped phase from the subdivision; located in

Land Lot(s) 224 of the 13th District and fronts on Gadson Drive, with conditions as outlined. Vice Chairman Gibbons seconded. The motion passed 5-0.

- 5. Consideration of Petition No. 1329-23, John K. Pell, Agent for CG & PH, LLC, Owner, request to rezone 48.472 acres from C-S to A-R to develop one (1) single family residential lot and open space; located in Land Lot(s) 224 of the 13th District and fronts on Gadson Drive.**

No one spoke in favor or opposition.

Vice Chairman Gibbons moved to approve Petition No. 1329-23, John K. Pell, Agent for CG & PH, LLC, Owner, request to rezone 48.472 acres from C-S to A-R to develop one (1) single family residential lot and open space; located in Land Lot(s) 224 of the 13th District and fronts on Gadson Drive, with conditions as outlined. Commissioner Oddo seconded the motion. The motion passed 5-0.

- 6. Consideration of Petition No. 1330-23, Joshua B. Brewer and Corrie E. Brewer, owners, request to rezone 19.58 acres from PUD-PRL to A-R to construct a single-family residence; located in Land Lot 01 of the 7th District and fronts on Green Meadow Lane.**

No one spoke in favor.

Commissioner Maxwell moved to deny Petition No. 1330-23, Joshua B. Brewer and Corrie E. Brewer, owners, request to rezone 19.58 acres from PUD-PRL to A-R to construct a single-family residence; located in Land Lot 01 of the 7th District and fronts on Green Meadow Lane with no exceptions. Commissioner Rousseau seconded. The motion passed 5-0.

#### **PUBLIC COMMENT:**

#### **CONSENT AGENDA:**

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

- 7. Approval of Water Committee's recommendation to close Lake McIntosh Park on October 6 - 8, 2023 for the Greater Atlanta Air Show.**
- 8. Approval of the Chairman to sign the Equitable Sharing Agreement and Annual Certification as required by the U.S. Department of Justice and the U.S. Department of Treasury.**
- 9. Approval of the purchase of two (2) vehicles as replacement for vehicles that were deemed a total loss by insurance companies.**
- 10. Approval of the July 27, 2023 Board of Commissioners Meeting Minutes.**

#### **OLD BUSINESS:**

In accordance with the Americans with Disabilities Act, accommodations are available for those who are hearing impaired. The Board of Commissioners Agenda and supporting material for each item is available on-line through the County's website at [www.fayettecountyga.gov](http://www.fayettecountyga.gov). This meeting will be telecast on Comcast Cable Channel 23 and on the internet at <https://vimeo.com/user133262656>.

### **11. Update on Crabapple Lane path closure.**

Commissioner Maxwell directed Public Works Director Phil Mallon to do a study on possible access point for connection from Tyrone into Peachtree City. Vice Chairman Gibbons seconded. The motion passed 5-0.

Vice Chairman Gibbons moved to withdraw lawsuit against the City of Peachtree City. Commissioner Oddo seconded. The motion passed 4-1, with Commissioner Maxwell voting in opposition.

### **NEW BUSINESS:**

### **12. Consideration of a Step 2 Annexation Notification from Peachtree City regarding a request from Michael Hyde to annex approximately 52 acres located between end of Stagecoach Road and Spear Road.**

Commissioner Maxwell moved not to object to Step 2 Annexation Notification from Peachtree City regarding a request from Michael Hyde to annex approximately 52 acres located between end of Stagecoach Road and Spear Road. Vice Chairman Gibbons seconded. The motion passed 5-0.

### **13. Request to approve Georgia Department of Transportation (GDOT) Invoice INV-013023, in the amount of \$530,566.16 to supply all construction engineering and contract supervision for water distribution line relocations, adjustments and improvements on State Route 85 from State Route 279 in Fayette County to the county line.**

Vice Chairman Gibbons moved to approve Georgia Department of Transportation (GDOT) Invoice INV-013023, in the amount of \$530,566.16 to supply all construction engineering and contract supervision for water distribution line relocations, adjustments and improvements on State Route 85 from State Route 279 in Fayette County to the county line. Commissioner Rousseau seconded. The motion passed 5-0.

### **14. Request to approve Resolution 2023-07 and approval of the Agreement to Sell and Purchase to acquire from the Fayette County Board of Education, the East Fayette Elementary School (Parcel 05-2404-012); 245 Booker Avenue, Fayetteville, Georgia, located on Land Lot 122 of the 5th District for \$3,000,000.00.**

Vice Chairman Gibbons moved to approve Resolution 2023-07 and approval of the Agreement to Sell and Purchase to acquire from the Fayette County Board of Education, the East Fayette Elementary School (Parcel 05-2404-012); 245 Booker Avenue, Fayetteville, Georgia, located on Land Lot 122 of the 5th District for \$3,000,000.00. Commissioner Rousseau seconded. The motion passed 4-1, with Commissioner Maxwell voting in opposition.

### **ADMINISTRATOR'S REPORTS:**

**A: Contract #2289-S: Crosstown Filter Console VT SCADA Upgrade**

**B: Contract #1867-P: Water System Engineer of Record; Task Order 24-03: Electrical System Condition Assessment and Power Distribution Study**

**C: Contract #1867-P: Water System Engineer of Record; Task Order 24-04: Water System Facilities Visual Structural Assessment**

**D: Contract #2284-S: Audit Services**

**ATTORNEY'S REPORTS:**

**Notice of Executive Session:** County Attorney Dennis Davenport stated that there were seven items for Executive Session. Three items of pending litigation, three items involving threatened litigation and the review of the July 27, 2023 Executive Session Minutes.

**COMMISSIONERS' REPORTS:**

Commissioner Rousseau, Vice Chairman Gibbon, and Commissioner Oddo made comments.

**EXECUTIVE SESSION:**

**Three items of pending litigation, three items involving threatened litigation and the review of the July 27, 2023 Executive Session Minutes.** Commissioner Oddo moved to go into Executive Session. Vice Chairman Gibbons seconded. The motion passed 5-0.

The Board recessed into Executive Session at 6:23 p.m. and returned to Official Session at 7:15 p.m.

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

**Approval of the July 27, 2023 Executive Session Minutes:** Commissioner Oddo moved to approve July 27, 2023 Executive Session Minutes. Vice Chairman Gibbons seconded the motion. The motion passed 5-0.

**ADJOURNMENT:**

Commissioner Oddo moved to adjourn the August 24, 2023 Board of Commissioners meeting. Vice Chairman Gibbons seconded. The motion passed 5-0.

The August 24, 2023 Board of Commissioners meeting adjourned at 7:16 p.m.

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Marlena M. 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 14<sup>th</sup> day of September 2023. Attachments are available upon request at the County Clerk's Office.

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Marlena Edwards, Chief Deputy County Clerk

