

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

MINUTES

September 28, 2023

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 Gibbons called the September 28, 2023 Board of Commissioners meeting to order at 5:02 p.m. A quorum of the Board was present. Chairman Hearn and Commissioner Rousseau were absent.

Invocation and Pledge of Allegiance by Commissioner Edward Gibbons

Vice Chairman Gibbons offered the invocation and led the audience in the Pledge of Allegiance.

Acceptance of Agenda

Vice Chairman Gibbons moved to approve the agenda as written, with the exception of moving agenda item #5 to be discussed after item #1. Commissioner Oddo seconded. The motion passed 3-0. Chairman Hearn and Commissioner Rousseau were absent.

County Attorney Dennis Davenport stated that he was under the impression that the Board would handle agenda item #5 first.

Vice Chairman Gibbons amended his motion and moved to approve the agenda as written, with the exception of moving agenda item #5 to be discussed before item #1. Commissioner Oddo amended his seconded. The motion passed 3-0. Chairman Hearn and Commissioner Rousseau were absent.

Commissioner Maxwell as a point of clarification asked if because there was less than a full Board and only three commissioners present, what qualified as a passing vote. He asked if a 2-1 vote was an approving vote or would a vote have to be 3-0 to pass.

Mr. Davenport stated that a passing vote would have to be a unanimous 3-0 vote.

Commissioner Maxwell continued stating that applicants in attendance for the public hearings did have the right to have their item heard before a full Board, if desired, and had the option of tabling the discussion of their item if they wished to do so. He stated that he wanted the applicants to be aware of their options beforehand and to know what it took to receive an approving vote.

Mr. Davenport stated that was correct and was something they would have been advised to each applicant prior to the beginning of the Public Hearings, so they could make their decision well informed.

Commissioner Maxwell asked if this was true for other agenda items.

Mr. Davenport stated this was just for the rezoning public hearings.

PROCLAMATION/RECOGNITION:
PUBLIC HEARING:

Item #5 was moved at the acceptance of the meeting prior to the discussion of a contingent item being considered during the Public Hearing.

5. Request to accept the right-of-way dedication from Wright Chancy Ebenezer Bypass, LLC.

Mr. Davenport stated that this request stemmed from a rezoning approval form January 13, 2022, about 18-months ago. That rezoning request included two (2) conditions one of which was the right- of- way dedication required for improvements to Ebenezer Bypass and involved the same property in a public hearing item before the Board this evening. Mr. Davenport stated that the petitioner and his counsel were advised that this condition needed to be satisfied prior to the consideration of the rezoning of the property.

Petitioner, Rod Wright, stated that he was prepared to grant the right-of-way dedication to the County along with providing the tax forms for the dedication of property for the Internal Revenue Service.

Commissioner Oddo moved to approve to accept the right-of-way dedication from Wright Chancy Ebenezer Bypass, LLC. Vice Chairman Gibbons seconded. The motion passed 3-0. Chairman Hearn and Commissioner Rousseau were absent.

Planning & Zoning Director Deborah Bell advised that because there was not a full Board present, each petitioners had the option to request that their petition be tabled to the October 26, 2023 Board of Commissioners meeting, provided that the petitioner request that the petition be table prior to any presentation of the item.

Petitioner, Therol R. Brown, agreed to moved forward with the public hearing with less than a full Board.

Petitioner, Rod Wright, agreed to move forward with the public hearing with less than a full Board.

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

1. Consideration of Petition No. 1331-23, Therol R. Brown and Judy R. Brown, Owners, request to rezone 5.42 acres from R-40 to A-R; property is located in Land Lot 60 of the 7th District, and fronts on Ebenezer Road.

Ms. Bell stated that this request was to rezone 5.42 acres from R-40 to A-R; property is located in Land Lot 60 of the 7th District, and fronts on Ebenezer Road. She stated that both staff and the Planning Commission recommended approval of this rezoning request, with no conditions.

Mr. Brown stated that he planned to build a storage building on the property and the A-R zoning provided more flexibility within the building code. He noted that his request complied with the Fayette County Land Use Plan and asked for favorable approval.

No one spoke in opposition.

Commissioner Oddo moved to approve Petition No. 1331-23, Therol R. Brown and Judy R. Brown, Owners, request to rezone 5.42 acres from R-40 to A-R; property is located in Land Lot 60 of the 7th District, and fronts on Ebenezer Road. Vice Chairman Gibbons seconded. The motion passed 3-0. Chairman Hearn and Commissioner Rousseau were absent.

2. Consideration of Petition No. 1332-23. Wright Chancey Ebenezer Bypass, LLC, Rod Wright, agent and Steven Jones, Atty., agent, request to rezone 84.746 acres from C-S to. A-R to develop a single-family residential subdivision; property located in Land Lots 35 and 36 of the 7th District and fronts on Ebenezer Road, Ebenezer Church Road, and Ebenezer Bypass.

Ms. Bell stated that this request was to rezone 84.746 acres from C-S to A-R to develop a single-family residential subdivision; property located in Land Lots 35 and 36 of the 7th District and fronts on Ebenezer Road, Ebenezer Church Road, and Ebenezer Bypass. She added that initially this item was recommended for denial due to the right-of-way dedication condition not being met. Since that was satisfied staff and the Planning commission recommended approval with the following conditions:

1. Each subdivision lot associated with the A-R zoning shall be limited to two (2) driveways.
2. The remnant parcel on the southwest side of Ebenezer Bypass shall be deeded to and accepted by the owners of parcel 0715008 & parcel 07150041 within 60 days or it shall be deeded to the County within 30-days thereafter. She noted that this condition was in place to ensure an illegal parcel was not left behind.
3. Prior to submission of a final plat(s) and irrespective of the number of lots in the plat(s), the developer shall be required to extend the water line between Ebenezer Road and Ebenezer Church Road to provide water service for the lots. The water line extension shall be constructed to the standards outlined in Sec. 12-90. - Mandatory connection to public water system, including the installation of fire hydrants.

Rod Wright noted that as the owner he reserved the right to appeal the decision if his rezoning request was denied. He continued stating that he was requesting approval of rezoning 84.746 acres from C-S to A-R. Mr. Wright stated that he was in agreement with the condition regarding the waterline as well as the driveways however, he was unaware of the remaining condition regarding the remnant parcel dedication. He continued stating that he had been in discussion with the property owners across the street regarding purchasing the property. He stated that he had no plans to ever build on the property and would hopefully end up selling it to the owners across the street. He stated that because of the home value and size of the intended homes in the subdivision he was concerned about what could go in that space and wanted to protect/control that space as much as possible. He stated that the only condition he was hesitant to agree to was the 60-day deadline. He noted that a 6–12-month deadline would be more feasible to finalize his negotiations. Mr. Wright accepted the two other conditions as outlined by Ms. Bell regarding the waterline installation and the driveway limits.

Commissioner Maxwell asked which lot was the unconforming/illegal lot.

Mr. Davenport highlighted a page in the agenda packet backup that showed a map of the lot. He stated that the property in question was a part of the Ebenezer Church Road realignment and was less than 5-acres, because the rezoning request was for a zoning area that required a minimum of 5-acres per lot, this lot would be an illegal lot and needed to be addressed.

Commissioner Maxwell stated that one of his concerns was that from his review of the agenda there was no discussion of this condition prior to today. He asked where this condition came from.

Mr. Davenport stated that the condition came from his office, this afternoon. He elaborated stating that when this was brought to his attention regarding the rezoning and what was presented before the Planning Commission was that this lot should be labeled as “non-developable/ non-conforming” but once zoned A-R, it would actually become an illegal lot because it was less than 5-acres. If the petitioner wanted it rezoned, the County could not in good conscience create an illegal lot in a rezoning. Something would have to be done with the remnant property hence the condition.

Mr. Wright asked if he could donate the property to the Homeowners Association (HOA), if not the County, in a specified timeframe. He stated that 60-days was too short of a window. He reiterated that because of the size and home value of the intended homes in the subdivision he was concerned about what could go in that space and wanted to protect/control that space as much as possible.

Commissioner Oddo asked if there was any difficulty donating the property to the HOA.

Mr. Davenport stated that with the request to be rezoned to A- R and this property being less than 5-acres it would create an illegal lot. He continued stating that the County could not in good conscience create an illegal lot in a rezoning. This violates

County code, and something would have to be done with the remnant property. Mr. Davenport stated that there needed to be a mechanism in place that required the petitioner, in a short period of time, to release the property.

Mr. Wright asked if he could donate the property to the HOA in the original zoning as a buffer.

Mr. Davenport stated that from his perspective, if he wanted to donate the property to the HOA and it be recorded in the deed of records that this lot would not be develop for any purpose but remain in green space in perpetuity, that would solve the problem because it would never be developed. It also would need to be conditioned, and the HOA would need to have the property deeded to them within a time certain of the formation of the HOA.

Commissioner Oddo asked what that timeframe would be to deed it to the HOA.

Mr. Davenport stated as of today the HOA has not been formed but upon the formation of the HOA a reasonable time of 60 days should suffice to have a deed conveyed.

Further discussion continued

Randy Chancy, partner of petitioner, asked how they were supposed to react as a result of receiving this condition at the last minute. He stated that they were aware of the other conditions about a week or two ago. It was difficult to make an informed decision regarding this condition in the moment.

Vice Chairman Gibbons stated that the petitioner had the options of either accepting the conditions as outlined or they could withdraw the request and wait to have the petition heard before a full Board at the next Board Meeting

Mr. Davenport stated that from the legal perspective, he was unaware that the petitioner was not privy to all the conditions. They should have been made aware of all the conditions beforehand. Mr. Davenport stated that withdrawal would not be the appropriate terminology/process, however it could be deferred for 30-day if the Board felt that was a reasonable resolution.

Vice Chairman Gibbons moved to table this item to the October 26, 2023 Board of Commissioner Meeting.

Commissioner Oddo asked if the petitioner wanted the item tabled.

Mr. Wright stated that he would accept the conditions as outlined.

Commissioner Maxwell stated that he still had concerns regarding the last-minute condition.

Mr. Davenport stated as a point of clarification that the condition regarding the property dedication was outlined as 60-90 days, however Mr. Wright did counter that with a timeframe of 6-12-months. With this in mind, the Board was not locked in to the 60-90-day timeframe and had the authority to adjust that timeframe.

Commissioner Oddo moved to approve Petition No. 1332-23. Wright Chancey Ebenezer Bypass, LLC, Rod Wright, agent and Steven Jones, Atty., agent, request to rezone 84.746 acres from C-S to A-R to develop a single-family residential subdivision; property located in Land Lots 35 and 36 of the 7th District and fronts on Ebenezer Road, Ebenezer Church Road, and Ebenezer Bypass, with outlined conditions with the change of condition #2 regarding the remnant parcel on the southwest side of Ebenezer Bypass changing the timeline from 60 days to 6 months with the caveat that the property would be deeded to the County within 30-days if it could not be conveyed to the other property owners. Vice Chairman Gibbon seconded. The motion passed 3-0. Chairman Hearn and Commissioner Rousseau were absent.

PUBLIC COMMENT:

The following citizens Rick Minter, Dorthey Herring, Bobby Ferrell, Alice Jones made comments regarding the proposed special events rules and amendments. Citizens reiterate how great it was to work with Ms. Bell and her team. Comments expressed also included concerns and questions regarding the need to separate agritourism from the other events held within the County, clarification of public hearing procedures and Board involvement, capacity requirements, ingress and egress requirements, and comments regarding the disruption to quality of life, traffic and business operation the Rick Ross car event caused and that it needed to be thoroughly reviewed as these amendments were put into place.

CONSENT AGENDA:

Commissioner Oddo moved to approve the Consent Agenda. Vice Chairman Gibbons seconded. The motion passed 3-0. Chairman Hearn and Commissioner Rousseau were absent.

- 3. Approval of staff's recommendation to adopt final supplemental budget adjustments for the fiscal year ended June 30, 2023, and authorization to adjust and close capital projects, moving remaining funds to project contingency.**
- 4. Approval of the September 14, 2023 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

NEW BUSINESS:

- 5. Request to accept the right-of-way dedication from Wright Chancy Ebenezer Bypass, LLC.**

Item #5 was moved at the acceptance of the meeting prior to the discussion of a contingent item being considered during the Public Hearing.

- 6. Discussion of proposed amendments to the Fayette County Zoning Ordinance, Chapter 110 - Zoning; Article V.- Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone; Sec. 110-169.-Conditional use approval, regarding conditional uses.**

Ms. Bell advised that as a result of discussions over the past few months, the Board of Commissioners instructed staff to develop a revised ordinance addressing special events. On July 6, 2023, and August 3, 2023, the Planning Commission held workshops to discuss a special events ordinance outline. She added that several citizens spoke about the proposed ordinance. Some believed it needed to be stricter and some were concerned that it would place an undue burden on long-time events in the county that have a history of being well-run. Ms. Bell advised that the Planning Commission recommended that staff develop an ordinance that addressed events on a size-based tier system. However, staff had some concerns that this type of ordinance would be compromised by erroneous attendance projections, and that an ordinance allowing staff the ability to determine needs on a case-by-case basis would function better. Staff was requesting direction from the Board of Commissioners before proceeding to develop the ordinance.

Commissioner Oddo stated that he did not realize that a vote was needed but assumed the Board would be providing guidance and feedback.

County Administrator Steve Rapson stated that what was needed from the Board was input and/or guidance in regards to what was presented conceptually prior to it going to legal. He noted that this item was requesting feedback on if what was currently included in the proposed amendments, was what the Board intended.

Commissioner Oddo expressed his concern regarding the number of events as outlined in the proposed amendments but was unsure how it should be addressed. He also expressed concerns and a desire to carve out regulation specific to educational and/or agritourism type events that were outside the for-profit type events. Commissioner Oddo asked how churches hosting events in the C-H and A-R zoned areas would be affected by these amendments and questioned the 25-acre minimum

requirement, noting that he felt it was too high of a standard. He also asked what an example of “facilities/institutions already approved for special events” as discussed on page 100. He asked who the \$1/ticket fee would apply too. Commissioner Oddo concluded stating that he did not want to see one event affect every other event and color how the County handled other events.

Commissioner Maxwell in an effort to address public comments responded to a few questions. He responded to Mrs. Herring’s question regarding Board participation in review of this item. He noted that it was the Board’s goal to develop an ordinance that could be interrupted by the Administration Office removing the Board of Commissioner from the day-to-day operations and approving applications. He stated that once a framework was established the Board could withdraw from the process which was the typically the case. Commissioner Maxwell expressed his concern regarding the allowance of a 3-day event duration, acreage requirement, capacity, entrance and exit requirements etc. He stated that he did not feel all these aspects of special events had been fully flushed and vetted but believed it was off to a good start. He thanked Ms. Jones for her compliment and acknowledged the entire Board and staff for their efforts in dealing with the car show event. He stated that he did not feel ready to vote on anything this evening and added that he believed it would be valuable to have input provided from the other two commissioner not here tonight. He concluded that he felt the ordinance was still in the draft stage and not ready to be forwarded to legal for formatting.

Vice Chairman Gibbons concurred with Commissioner Maxwell comments and stated that what staff was asking was did the Board want them to proceed with changing these affected ordinances.

Vice Chairman Gibbons moved to proceed with appropriate proposed amendments/recommendations to the Fayette County Zoning Ordinance, Chapter 110 - Zoning; Article V.-Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone; Sec. 110-169.-Conditional use approval, regarding conditional uses. Commissioner Maxwell seconded.

Mr. Rapson stated that this ordinance amendment process was extremely complicated. Part of what was missing in the current ordinance was the “teeth” or penalty and enforcement features that would be included in the amended ordinance. This amendment would include language that referenced a communications plan, a sanitation plan, a transportation plan, etc. and allowed for enforceability but could be ratcheted up or down depending on the specified event request. He noted that staff would move forward, and these amendments would be sent electronically to the Board and if they had additional feedback and input, they would be compiled and included in the working document.

Vice Chairman Gibbons moved to proceed with appropriate proposed amendments/recommendations to the Fayette County Zoning Ordinance, Chapter 110 - Zoning; Article V.-Conditional Uses, Nonconformances, and Transportation Corridor Overlay Zone; Sec. 110-169.-Conditional use approval, regarding conditional uses, and bring it back before the Board once ready. Commissioner Maxwell seconded. The motion passed 3-0. Chairman Hearn and Commissioner Rousseau were absent.

7. Presentation by Ross & Associates & Hatley Plans, LLC - Impact Fee Methodology Report.

Ms. Bell stated that Fayette County first adopted the development Impact Fee Ordinance in 2001. This Impact Fee Methodology Report was the first step in the process that access the public facilities and level of services that the County provided to existing residents such as fire protection and parks and recreation. The report focused on what public services would be needed to support the growing population in order to maintain a level of service. It would then be used to update the Capital Improvement Element which was a chapter in the Comprehensive Plan. Ms. Bell advised that the County had contracted with Ross & Associates & Hatley Plans, LLC to do the Methodology Report update and update the Capital Improvement Element.

She added that this was an opportunity for the Board to review and ask questions about the Impact Fee Methodology Report, which is the cornerstone of developing the updated Capital Improvement Element (CIE), a component of the Comprehensive Plan. A draft CIE will be presented to the Board for consideration of a Resolution to Transmit to Atlanta Regional Commission (ARC) for review.

Paige Hatley with Ross & Associates & Hatley Plans, LLC provided the Board an updated Methodology Report. This report focused on the public facilities that will be needed to meet the demands of future growth and development while maintaining the

current level of service enjoyed by residents and businesses in the county currently. The key was that each capital improvement must create new capacity within the system to keep pace with the number of future residents and businesses as the county grows. Ms. Hatley highlighted that the Methodology Report included updated forecasts of population, housing units and employment for the county; capital improvement projects to serve new growth, based on appropriate Level of Service (LOS) standards for each public facility category; the impact cost of new growth and development. She concluded that future discussion would center on the impact fee schedule which included discussion current fees vs. future fees, and what the Board was comfortable in charging for the various service offered via the County as well as reductions in impact fees. This will all be discussed in detail at a future meeting/workshop while the Capital Improvement Element (CIE) was being reviewed by Department of Community Affairs (DCA).

She concluded by outlining the Capital Improvement Element (CIE) transmittal and approval process to include the required public hearing and adoption proceeding.

No vote was taken.

8. Request to approve the Parks and Recreation Selection Committee's recommendation to re-appoint Charles McCollum to the Recreation Commission for a term beginning September 1, 2023 and expiring August 31, 2027.

Parks and Recreation Director Anita Godbee stated that this request was to re-appoint Charles McCollum to the Recreation Commission for a term beginning September 1, 2023 and expiring August 31, 2027. She noted that Mr. McCollum was a life-time resident of Fayette County and was active in both youth and adult sports programs, was a youth sports player parent, and coach; and has served for the past 16-years a Recreation Commissioner.

Vice Chairman Gibbons thanked Mr. McCollum for his willingness to serve.

Vice Chairman Gibbons moved to approve re-appoint Charles McCollum to the Recreation Commission for a term beginning September 1, 2023 and expiring August 31, 2027. Commissioner Oddo seconded. The motion passed 3-0. Chairman Hearn and Commissioner Rousseau were absent.

9. Request to award Contract #2321-S, USGS Water Flow & Stream Monitoring - FY 2024, to the U.S. Department of the Interior for surface water monitoring in the amount of \$247,900.00.

Water System Director Vanessa Tigert stated that this request was to approve USGS Water Flow & Stream Monitoring, which was a requirement of the Water System's Surface Water Withdrawal Permits. The contract amount was \$247,900.

Commissioner Oddo asked for a brief explanation of what this was.

Ms. Tigert stated that special condition requirements in each of the Water System's Surface Water Withdrawal Permits was to monitor reservoir elevations, stream flow and discharge, and water quality indicators on a daily and monthly basis.

Commissioner Oddo moved to approve Request to award Contract #2321-S, USGS Water Flow & Stream Monitoring - FY 2024, to the U.S. Department of the Interior for surface water monitoring in the amount of \$247,900.00. Vice Chairman Gibbons seconded. The motion passed 3-0. Chairman Hearn and Commissioner Rousseau were absent.

10. Request to adopt Ordinance 2023-10 to amend Code of Ordinance; Chapter 102-Building and Building Regulations; Article VI. -Procedures for the Administration of the Plumbing Code; Division 1.-Generally; Sec. 102-917.-Additions, alterations, or repairs, to remain in compliance with Department of Community Affairs (DCA) and meet the Metro Water District - Water Supply Conservation-8 Efficiency Code Requirements.

This item was tabled to the October 26, 2023 Board of Commissioners Meeting.

11. Request to execute the Georgia Power Encroachment Agreement for Easement on the Tactical Driving Course project for 100 feet of right-of-way extending in part through Land Lot 175 of the 5th District.

Project Manager, Tim Symonds stated that The Tactical Driving Course Project was currently underway. However, at the far southeastern end of the driving course a Georgia Power transmission line runs close to the driving course. Part of the fill embankment for the track encroaches into the Georgia Power easement for the transmission lines. Mr. Symonds advised that an application was made to Georgia power for permission to carrying out grading activity on the easement and construct an embankment/shoulder to the track on the easement. The application has been approved by Georgia Power and a formal agreement needs to be executed.

Commissioner Oddo moved to approve to execute the Georgia Power Encroachment Agreement for Easement on the Tactical Driving Course project for 100 feet of right-of-way extending in part through Land Lot 175 of the 5th District. Vice Chairman Gibbons seconded. The motion passed 3-0. Chairman Hearn and Commissioner Rousseau were absent.

12. Request to approve Renewal #2 of Contract #2228-S between Fayette County and Judicial Correction Services (JCS), LLC for probation supervision and rehabilitation services beginning January 1, 2024 and terminating December 31, 2024.

Mr. Rapson stated that this item was requesting approval of Renewal #2 of Contract #2228-S between Fayette County and Judicial Correction Services (JCS), LLC for probation supervision and rehabilitation services.

Commissioner Oddo moved to approve Renewal #2 of Contract #2228-S between Fayette County and Judicial Correction Services (JCS), LLC for probation supervision and rehabilitation services beginning January 1, 2024 and terminating December 31, 2024. Vice Chairman Gibbons seconded. The motion passed 3-0. Chairman Hearn and Commissioner Rousseau were absent.

ADMINISTRATOR'S REPORTS:

A: Contract #2128-B: Annual Contract for Waterline Extension Task Order 24-03: Ellen's Ridge Water Main

Mr. Rapson reminded the Board that the October 12, 2023 Board Meeting had been cancelled. The next Board Meeting would be held Thursday October 26, 2023.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated that there were eight items for Executive Session. Six items involving threatened litigation, one involving real estate acquisition and the review of the September 14, 2023 Executive Session Minutes.

Mr. Davenport advised the Board that the County was informed this week that we had a window of opportunity on a tower lease held at Piedmont Fayette Hospital. He stated that the lease had to be renewed no greater than 24-months and no less than 21-months left in a five-year term and the last day of that window was Saturday, September 30, 2023. He asked for Board approval for a 5-year renewal of the tower lease at Piedmont Fayette Hospital with an effective date of July 1, two years from now.

Vice Chairman Gibbons moved to approve 5-year renewal of the tower lease at Piedmont Fayette Hospital. Commissioner Oddo seconded. The motion passed 3-0. Chairman Hearn and Commissioner Rousseau were absent.

COMMISSIONERS' REPORTS:

Commissioner Oddo

Commissioner Oddo advised all in attendance that tax season was over October 15, he noted if you had not done your taxes this was the time to do so.

EXECUTIVE SESSION:

Six items involving threatened litigation, one involving real estate acquisition and the review of the September 14, 2023 Executive Session Minutes. Commissioner Oddo moved to go into Executive Session. Vice Chairman Gibbons seconded. The motion passed 3-0. Chairman Hearn and Commissioner Rousseau were absent.

The Board recessed into Executive Session at 6:24 p.m. and returned to Official Session at 6:39 p.m.

Return to Official Session and Approval to Sign the Executive Session Affidavit: Vice Chairman Gibbons moved to return to Official Session and for the Chairman to sign the Executive Session Affidavit. Commissioner Oddo seconded. The motion passed 3-0. Chairman Hearn and Commissioner Rousseau were absent.

Approval of the September 14, 2023 Executive Session Minutes: Commissioner Oddo moved to approve September 14, 2023 Executive Session Minutes. Vice Chairman Gibbons seconded the motion. The motion passed 3-0. Chairman Hearn and Commissioner Rousseau were absent.

ADJOURNMENT:

Vice Chairman Gibbons moved to adjourn the September 28, 2023 Board of Commissioners meeting. Commissioner Oddo seconded. The motion passed 3-0. Chairman Hearn and Commissioner Rousseau were absent.

The September 28, 2023 Board of Commissioners meeting adjourned at 6:40 p.m.

Marlena M. Edwards, Chief Deputy County Clerk

Edwards Gibbons, Vice Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 26th day of October 2023. Attachments are available upon request at the County Clerk's Office.

Marlena Edwards, Chief Deputy County Clerk