

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 26, 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

Chairman Hearn called the October 26, 2023 Board of Commissioners meeting to order at 5:02 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. Proclamation encouraging citizens to participate in "Operation Green Light for Veterans" from November 1, 2023 to November 13, 2023 to express our collective appreciation for the public service of all veterans.
2. Recognition of Commissioner Charles Oddo, Fire Chief Jeff Hill, Parks and Recreation Director Anita Godbee, 911 Director Katye Vogt, for completion and award of the Association County Commissioners of Georgia (ACCG) Intergovernmental Relations, Public Safety, Quality Life/Social Issues, and Public Safety Specialty Track Certifications, respectively.

PUBLIC HEARING:

3. Consideration of Petition No. 1333-23, Wen Lin and Jie Lin, Owners, request to rezone 6.63 acres from A-R to R-72; property located in Land Lot 5 of the 5th District, and fronts on State Route 85 and Harp Road.

Commissioner Maxwell moved to approve Petition No. 1333-23, Wen Lin and Jie Lin, Owners, request to rezone 6.63 acres from A-R to R-72; property located in Land Lot 5 of the 5th District, and fronts on State Route 85 and Harp Road. Vice Chairman Gibbons 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 approve the Consent Agenda. Vice Chairman Gibbons seconded. The motion passed 5-0.

4. **Approval of the proposed 2024 Local Maintenance & Improvement Grant (LMIG) project list for unincorporated Fayette County and authorization for the Chairman to sign the LMIG Application and related documents.**
5. **Approval 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)-approval of revised right-of-way plans dated October 12, 2023.**
6. **Approval of the September 28, 2023 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

7. **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.**

Vice Chairman Gibbons moved to approve 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. Commissioner Oddo seconded.

Vice Chairman Gibbons modified his motion to approve to have staff continue to review 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, then bring back before the Board for a final consideration. Commissioner Oddo amended his motion. The motion passed 5-0.

8. **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 at the September 28, 2023 Board of Commissioners Meeting.***

Commissioner Oddo moved to approve 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. Motion failed due to lack of second.

No further action taken.

NEW BUSINESS:

9. **Consideration of a Step Two Annexation Notification from Peachtree City regarding an application from R S Towson Holdings, LLC, to annex approximately 11.4 acres east of Shiloh Manufactured Home Park.**

Vice Chairman Gibbons moved to not object to Step Two Annexation Notification from Peachtree City regarding an application from R S Towson Holdings, LLC, to annex approximately 11.4 acres east of Shiloh Manufactured Home Park. Commissioner Oddo seconded. The motion passed 5-0.

10. **Request to approve the use of General Fund fund balance in the amount of \$610,663, for the purpose of audio-visual modernization for the Griffin Judicial Circuit Fayette County court rooms, with no reimbursement expected from the American Rescue Plan Act (ARPA).**

Vice Chairman Gibbons moved to approve the use of General Fund fund balance in the amount of \$610,663, for the purpose of audio-visual modernization for the Griffin Judicial Circuit Fayette County court rooms, with no reimbursement expected from the American Rescue Plan Act (ARPA). Commissioner Oddo seconded. The motion passed 5-0.

11. Request to award Bid #2300-B Parking Lot Resurfacing Project to The Surface Masters, Inc. in the amount of \$836,968.57 to resurface six (6) Fayette County parking lots.

Commissioner Rousseau moved to approve to award Bid #2300-B Parking Lot Resurfacing Project to The Surface Masters, Inc. in the amount of \$836,968.57 to resurface six (6) Fayette County parking lots. Vice Chairman Gibbons seconded. The motion passed 5-0.

12. Request to award Bid #2316-B to Piedmont Paving, Inc. for FY2024 Full Depth Reclamation (FDR) of Hampton Road and Wilmington Lane in the amount of \$704,858.12.

Vice Chairman Gibbons moved to award Bid #2316-B to Piedmont Paving, Inc. for FY2024 Full Depth Reclamation (FDR) of Hampton Road and Wilmington Lane in the amount of \$704,858.12. Commissioner Rousseau seconded. The motion passed 5-0.

13. Request to award bid #2306-B Pumper Fire Apparatus to FireLine, Inc. for two (2) pumpers in the amount of \$1,479,658, to transfer \$60,118 from Fire Services fund balance and to allocate \$45,000 to apparatus safety equipment to supply both pumpers.

Vice Chairman Gibbons moved to approve bid #2306-B Pumper Fire Apparatus to FireLine, Inc. for two (2) pumpers in the amount of \$1,479,658, to transfer \$60,118 from Fire Services fund balance and to allocate \$45,000 to apparatus safety equipment to supply both pumpers. Commissioner Oddo seconded. The motion passed 5-0.

14. Request to designate vehicle Asset # 10845 (Fleet #23120) and Asset #10847 (Fleet #23130) as surplus and to authorize auctioning both units.

Commissioner Oddo moved to approve to designate vehicle Asset # 10845 (Fleet #23120) and Asset #10847 (Fleet #23130) as surplus and to authorize auctioning both units. Commissioner Rousseau seconded. The motion passed 5-0.

15. Request to award Bid #2314-B FCWS-Trilith Studios Elevated Water Storage Tank to Caldwell Tanks, Inc. in the amount of \$2,786,200 for construction of a new metal elevated water storage tank at the Trilith Studios property and to transfer \$272,870 from R&E to CIP 23WSH.

Vice Chairman Gibbons moved to award Bid #2314-B FCWS-Trilith Studios Elevated Water Storage Tank to Caldwell Tanks, Inc. in the amount of \$2,786,200 for construction of a new metal elevated water storage tank at the Trilith Studios property and to transfer \$272,870 from R&E to CIP 23WSH. Commissioner Oddo seconded. The motion passed 5-0.

16. Request to approve a revised agreement with Georgia Department of Transportation (GDOT) PI 0013726 in the amount of \$1,819,817.10 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 moved to approve a revised agreement with Georgia Department of Transportation (GDOT) PI 0013726 in the amount of \$1,819,817.10 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 seconded. The motion passed 5-0.

17. Request to re-appoint Martin Sas to the Fayette County Transportation Committee to serve a term beginning April 1, 2023 and expiring March 31, 2026.

Commissioner Oddo moved to approve to re-appoint Martin Sas to the Fayette County Transportation Committee to serve a term beginning April 1, 2023 and expiring March 31, 2026. Vice Chairman Gibbons seconded. The motion passed 5-0.

18. Request to extend the name "Ebenezer Church Road" along the newly constructed alignment and change the name of the remaining segment to "Little Way;" and to approve the recommended posted speed limits of 35 mph and 25 mph, respectively, on the two segments of roads.

Vice Chairman Gibbons moved to approve to extend the name "Ebenezer Church Road" along the newly constructed alignment and change the name of the remaining segment to "Little Way;" and to approve the recommended posted speed limits of 35 mph and 25 mph, respectively, on the two segments of roads. Commissioner Oddo seconded. The motion passed 5-0.

19. Request to submit a Safety Equipment Request Form to the Georgia Department of Transportation (GDOT) for donation of traffic signal equipment, estimated value of \$139,100.00, for the 2004 SPLOST Intersection Improvement Project R-19 & R-20 at SR 85 and Highway 85 Connector.

Commissioner Oddo moved to approve to submit a Safety Equipment Request Form to the Georgia Department of Transportation (GDOT) for donation of traffic signal equipment, estimated value of \$139,100.00, for the 2004 SPLOST Intersection Improvement Project R-19 & R-20 at SR 85 and Highway 85 Connector. Commissioner Rousseau seconded. The motion passed 5-0.

20. Request to award Bid #2309-B, Camp Creek Multi-Use Path Phase 1 Project (SPLOST 24TAA) to Redland Grading Company, Inc. in the amount of \$128,857.77.

Vice Chairman Gibbons moved to approve to award Bid #2309-B, Camp Creek Multi-Use Path Phase 1 Project (SPLOST 24TAA) to Redland Grading Company, Inc. in the amount of \$128,857.77. Commissioner Oddo seconded. The motion passed 5-0.

21. Request to accept a Hazard Mitigation Grant Program (HMGP) award in the amount of \$3,842,187.75 plus admin costs of \$37,318.00 to upgrade the Phillips Lake and Kozisek Lake dams to Category 1 standards, to provide the local match of \$1,280,729.25 for an approved project total amount of \$5,122,917.00, and authorization for the County Administrator to sign the award documentation.

Commissioner Rousseau moved to approve to accept a Hazard Mitigation Grant Program (HMGP) award in the amount of \$3,842,187.75 plus admin costs of \$37,318.00 to upgrade the Phillips Lake and Kozisek Lake dams to Category 1 standards, to provide the local match of \$1,280,729.25 for an approved project total amount of \$5,122,917.00, and authorization for the County Administrator to sign the award documentation. Vice Chairman Gibbons seconded. The motion passed 5-0.

22. Request to adopt Resolution 2023-09 urging the Governor and General Assembly of Georgia to continue efforts to reform and improve mental health services for the citizens of Georgia.

Commissioner Oddo moved to approve to adopt Resolution 2023-09 urging the Governor and General Assembly of Georgia to continue efforts to reform and improve mental health services for the citizens of Georgia. Commissioner Rousseau seconded. The motion passed 5-0.

ADMINISTRATOR'S REPORTS:

Board of Assessors Selection Committee

Mr. Rapson advised that they needed a selection committee for the Board of Assessors

Commissioner Rousseau moved to appoint Vice Chairman Gibbons and Commissioner Oddo to the selection committee for the Board of Assessors. Chairman Hearn seconded. The motion passed 5-0.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated that there were five items for Executive Session. Four items involving threatened litigation and the review of the September 28, 2023 Executive Session Minutes.

COMMISSIONERS' REPORTS:

Commissioner Maxwell, Commissioner Rousseau, Commissioner Oddo, and Chairman Hearn made comments.

EXECUTIVE SESSION:

Four items involving threatened litigation and the review of the September 28, 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 6:34 p.m. and returned to Official Session at 6:49 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 September 28, 2023 Executive Session Minutes: Commissioner Oddo moved to approve September 28, 2023 Executive Session Minutes. Vice Chairman Gibbons seconded the motion. The motion passed 5-0.

ADJOURNMENT:

Vice Chairman Gibbons moved to adjourn the October 26, 2023 Board of Commissioners meeting. Commissioner Oddo seconded. The motion passed 5-0.

The October 26, 2023 Board of Commissioners meeting adjourned at 6:51 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 9th day of November 2023. Attachments are available upon request at the County Clerk's Office.

Marlena Edwards, Chief Deputy County Clerk