

BOARD OF COUNTY COMMISSIONERS

Lee Hearn
Edward Gibbons
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

January 11, 2024

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.

ORGANIZATIONAL SESSION:

Call to Order by County Attorney Dennis Davenport

County Attorney Dennis Davenport called the January 11, 2024 Organizational Meeting of the Board of Commissioners to order at 5:00 p.m. A quorum of the Board was present. He stated that according to Section 2-52 of the Fayette County Code, the county attorney had the duty and responsibility to open the first meeting of the year. He explained the process for electing the Chairman of the Board. Commissioner Edwards Gibbons was absent.

Election of Board Chairman for the year 2024

County Attorney Dennis Davenport opened the floor for nominations for Chairman of the Board of Commissioners.

Commissioner Eric Maxwell nominated Commissioner Lee Hearn as Chairman.

Commissioner Eric Maxwell moved to close the floor for nominations. Commissioner Charles Oddo seconded. The motion passed 4-0. Commissioner Edwards Gibbons was absent.

Commissioner Eric Maxwell moved to elect Commissioner Lee Hearn as Chairman. Commissioner Charles Rousseau seconded. The motion passed 4-0. Commissioner Edwards Gibbons was absent.

Mr. Davenport turned the nominations over to Chairman Hearn.

Election of Board Vice Chairman for the year 2024

Chairman Hearn asked for nominations for Vice Chairman.

Commissioner Charles Oddo nominated Commissioner Edward Gibbons as Vice Chairman.

Commissioner Eric Maxwell moved to close the floor for nominations. Commissioner Charles Oddo seconded. The motion passed 4-0. Commissioner Edwards Gibbons was absent.

Commissioner Eric Maxwell moved to elect Commissioner Edward Gibbons as Vice Chairman. Commissioner Charles Oddo seconded. The motion passed 4-0. Commissioner Edwards Gibbons was absent.

OFFICIAL SESSION:

Invocation and Pledge of Allegiance by Commissioner Edward Gibbons

Chairman Lee Hearn offered the Invocation and led the Pledge of Allegiance.

Acceptance of Agenda

Commissioner Maxwell moved to accept the agenda, with the change of moving the discussion of item #14 before public hearings. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Edwards Gibbons was absent.

PROCLAMATION/RECOGNITION:

1. Recognition of the Fayette County Annual Merry Door and Wreath Decorating Contest winners.

County Administrator Steve Rapson recognized and presented trophies to the Fayette County Annual Merry Door and Wreath Decorating Contest winners as follows, 1st Place Door Decoration - Building Safety, 1st Place Wreath Decoration - Criminal Investigation Division-Sheriff's Office, and Best Overall - Criminal Investigation Division-Sheriff's Office. He stated that this was a highly anticipated annual event that helped build teamwork, creativity, comradery, and a little healthy competition amongst the departments during the holiday season and brought a festive appearance to the County Complex and offices.

PUBLIC HEARING:

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

2. **Consideration of Petition No.1335-23A, Veterans Parkway and Lee's Mill South, LLC, Owner; and Fayette County Development Authority, Agent, request to rezone 22.9674 acres from R-70 to A-R for a recreational facility; property located in Land Lot(s) 224 & 225 of the 5th District and fronts on Veterans Parkway.**

Ms. Bell stated that the following hearings were for four (4) parcels that were part of a single project. She continued stating that the hearing information would be presented collectively with Petition No. 1335-23A but each of the petitions would require its own hearing and vote. Ms. Bell stated that this request was for Petition No.1335-23A, Veterans Parkway and Lee's Mill South, LLC, Owner; and Fayette County Development Authority, Agent, request to rezone 22.9674 acres from R-70 to A-R for a recreational facility; property located in Land Lot(s) 224 & 225 of the 5th District and fronts on Veterans Parkway. She added that there were recommended conditions for each of the petitions that varied slightly and she would outline those with each applicable petition after she provided the presentation.

Mr. Davenport stated that there was less than a full Board and advised the petitioner that they would need to have at least three votes to approve the rezonings. He asked the Petitioner if they wished to defer consideration of the public hearings to the next meeting with a full Board.

Applicant representative with the Development Authority, Nikki Vanderslice, advised that they would like to proceed.

Ms. Bell stated that these hearings involved a series of four parcels identified as separate cases A, B, C, and D, located at the intersection of Veterans Parkway and Lee's Mill Road. She briefly outlined the location map as well as noted that as seen, there were some remnant parcels on the eastside of Veterans Parkway which would be consolidated in this project. She stated that most of the property within this area was zoned R-70, with some R-45 and C-S nearby. Ms. Bell stated that the Future Land Use Map showed the property as rural residential and conservation area. She outlined the environmental conditions which included: floodplain management and wetlands, the transportation overview which highlighted the right-of-way acquisition, traffic data, and sight distance requirements; and additional department comments from the Water System Environmental Health, Fire, and Georgia Department of Transportation (GDOT). Ms. Bell stated that the first public hearing for this series of petitions was held before the Fayette County Planning Commission on December 7, 2023. The Planning Commission recommended approval of the rezoning for all four (4) petitions.

Ms. Bell listed the recommended conditions for Petition No.1335-23A as follows:

1. The owner/developer shall prepare a Traffic Impact Study for review and approval by Fayette County. The study shall determine the traffic impacts caused by the development and identify transportation projects to mitigate the impacts. The owner/developer shall pay for the design, permitting, and construction of all mitigation projects identified in the study. The details of project identification, schedule, delivery, cost, etc. shall be determined by a Memorandum of Understanding between Fayette County and the owner/developer.
2. The project shall have a maximum of four curb cuts along the Veterans Parkway Road frontage: two serving the property on the west and two serving the property on the east. If two curb cuts are utilized for the property to the east (Parcel A), then at least one of the entrances shall be aligned with an entrance to the west.
3. All parcel remnants of parcels 0707 011 and 0708 042 located on the east side of Veterans Parkway shall be combined with Parcel 0542 005 within six (6) months of approval of rezoning, or prior to the submittal of a site plan or permit application for any phase of the project, whichever comes first.
4. For any parcel fronting Veterans Parkway that requires water service, the developer shall install a 16-in diameter water line on the east side of Veterans Parkway, beginning at the tie-in at Lee's Mill Road and Veterans Parkway intersection and extending to the northern boundary of the parcel on Veterans Parkway. All costs, including bores underneath roads, shall be the responsibility of the developer.

Nikki Vanderslice, with Fayette County Development Authority, stated that she was aware that each of the petitions would be discussed and voted on individually but made a few opening comments related to the request as a whole to help shed some light on what was before the Board. She highlighted a major Board decision made in 2008 that deemed the "road to nowhere", now a major thoroughfare in the County known as Veterans Parkway. She noted that the decision to approve Veterans Parkway was part of a vision and good for the long-term health of the community and set the stage for where the County stood today. Ms. Vanderslice discussed how the decision to approve Veterans Parkway led to Trilith Studios locating in Fayette County and it becoming home to the filming industry. As a result, the community has a more diverse dining, shopping, and residential experience. Ms. Vanderslice highlighted contributions gained via Trilith Studios to include a \$1.3M gain to the tax digest last year. She briefly outlined the new QTS project and its future benefits to the Fayette County community. Ms. Vanderslice advised that the items before the Board would be a major decision and would have a long-term effect on Fayette County. She stated that the United States Soccer Federation selected Fayette County for its national training center and corporate headquarters. She acknowledged that the selection process was not perfect and added that if there had not been a project announcement on December 7, 2023, because of none disclosure agreements (NDA), she would not been at liberty to discuss what the property was going to be used for and could only discuss the specific rezoning requests. Ms. Vanderslice stated that during the final selection process there were various round table meetings and unfortunately both Chairman Hearn and Mr. Rapson were out of town and unavailable to attend the day these were scheduled. She noted that the United States Soccer Federation were interested in becoming community partners and good neighbors. She stated that there would not be a stadium and would be a training facility for the 27 national teams, who currently trained all over the United States. Should these rezonings be approved these athletes would be training in Fayette County, Georgia. The United States Soccer Federation was working with an architect, an engineer, and developer to design a site that would meet their needs and was a positive addition to the community. She continued stating that the facility expected to have 12-14 fields to serve 27 national teams. She stated that there may be a cafeteria of sorts. There was no mention of alcohol sales at the facility. If done right, the potential sales tax revenue this facility could garner, not merely via property tax but as a result of the ripple effect this would have on the community at large. She stated the Fayette County Development Authority has included language in the Memorandum of Understanding (MOU) stipulating that the property was for United States Soccer Federation training facility and that there would be no sewer if not. In conclusion, Ms. Vanderslice, on behalf of the Development Authority, committed to providing an opportunity for neighbors to meet with the United States Soccer Federation prior to the finalization of any plans. She asked the Board not to constrain the ability to deliver this project on time, which is a timeline of built and delivery, prior to the 2026 World Cup, putting Fayette County on the world map. She asked the Board to take on a visionary leadership role in reviewing these petitions.

Commissioner Rousseau noted that although the Chairman and County Administrator were unavailable for the meetings with the United States Soccer Federation, he would have appreciated an invitation, and he would have made himself available for a meeting of such magnitude. He asked how many acres of wetlands were located on the property.

Ms. Vanderslice stated that the property totaled 321 acres and of that, there was about 120 acres in the 200-year floodplain.

Commissioner Rousseau asked about the wetlands specifically.

Ms. Vanderslice stated that the wetlands was incorporated in the floodplain acreage.

Commissioner Rousseau stated that this would leave a little over 200 acres available for development.

Ms. Vanderslice stated that was correct.

Commissioner Rousseau commended the Fayette County Development Authority for offering community neighbors and constituents the opportunity to meet with United States Soccer Federation, if approved. This would provide an opportunity to discuss some of the ancillary issues a project like this would create such as lighting and traffic. He extended an invitation to assist in any way he could. He stated that he would be interested in seeing plans regarding traffic as it related to school traffic specific and was concerned about environmental restrictions and protecting the wetlands, streams, and floodplains. He noted that some fields could be developed in some floodplains.

Ms. Vanderslice stated that was correct, depending on certain criteria.

Commissioner Rousseau stated that he would also be looking at and concerns about water runoff.

Ms. Vanderslice stated that they had been provided with some conceptual building ideas related to the design which included a 2-level 200,000 sq. ft. building, which means that most of what would happen on this property would not be impervious surfaces but fields.

Commissioner Rousseau stated that he also had concerns related to traffic on Veterans Parkway with plans for a roundabout in the area and potential for a 4-way stop at the intersection of Westbridge Road/ Veterans Parkway/ State Route 92 to mitigate issues when making a right turn. He noted that he hoped Georgia Department of Transportation was close to finishing their assessment and study.

The following citizens made comments in favor of this project: Alice Jones, Bryan McDermott, Steve Weeman, Charles Greaves

Citizen's comments in favor of this project stated that the US Soccer Federation was seeking a remote and quiet atmosphere for this facility, and this was an ideal location. Commenters also highlighted an opportunity for engagement and access on a global level for the local soccer community. Commenters stated that this project would put Fayette County on the international map and create job opportunity. Ms. Jones stated that she would like to see some education provided to citizens regarding how to approach roundabouts.

The following citizens made comments in opposition of this project: Doug Burcher, John Fonzo, Mike Iverson, and Ed Wyatt

Citizen's comments in opposition of this project included concerns regarding lighting, increase in traffic, and noise. Commenters also noted the need for privacy with potential buffers, concerns regarding facility access, and concerns regarding the need to increase alternative forms of transportation.

Ms. Vanderslice provided the Board an arial map highlighting the proposed property in response to citizen's comments. She noted that for current property owners, concerns about the wetland, nothing would change and for other property owners who relayed concerns regarding privacy and noise mitigation, they would not be looking at a building. She noted that if the rezoning

was approved, a traffic study would be done on Lee's Mill Road and any subsequent findings would be appropriately addressed. She reiterated that this rezoning was a step in the process and if approved without restrictive conditions would allow the developer the opportunity to thoroughly vet the land and create a suitable facility design.

Commissioner Maxwell noted that there were several citizens that did not squarely fit into either in favor or opposition of this project but had some concerns and was hesitant as to how this would work. He stated that this project put him in an unfamiliar position because usually there was coordination between the County and the developers. Commissioner Maxwell stated that he did not know anything about this project. However, he had begun to hear whispers and while attending a recent meeting, the Development Authority Chair, Darryl Hicks and other attendees knew more about the project than he did. He noted that this was not a project that was initiated via the Board of Commissioner but one that began with the Development Authority and or via an inquisition to the Development Authority. Commissioner Maxwell stated that he was on the Board back when the "road to nowhere" – Veterans Parkway was built. He noted that was a major decision and was put in place well before 2008. He continued stating that as a result of approving Veterans Parkway he and his fellow Board members were kicked out of office. Commissioner Maxwell recalled the comment "build the road they would come". He stated that he did not know then the ramifications that decision [to build Veterans Parkway] would have on the county. Commissioner Maxwell stated that he did not know Trilith, Georgia Military College or the United States Soccer Federation would seek to station facilities in Fayette County. He stated that while he was not against the United States Soccer Federation training facility he was frustrated with the lack of transparency and lack of information regarding this request. Commissioner Maxwell stated that it was difficult to make such a huge decision for the County with limited information because this type of facility would have a major long-term impact, specifically for resident who live in that area. He acknowledged that he was for the project but expressed his displeasure with receiving documents at the last minute. It made it difficult to process all the information to make an informed decision. He acknowledged that with previous applicants this was frowned upon and caused issues with county residents regarding transparency.

Ms. Vanderslice stated that her providing the documents today was in an effort to provide location visuals and clarity and not a presentation of additional information than what was originally included in the agenda package.

Commissioner Maxwell asked Mr. Davenport if the Board could require that the main entrance of this facility be located off Veterans Parkway as a condition of this rezoning.

Mr. Davenport stated that the current item being discussed was parcel A and only fronted on Veterans Parkway so any condition related to Lee's Mill would have no effect on this rezoning.

Commissioner Maxwell stated that he understood the technical aspect of his question. But reiterated that as it related to the project as a whole and for whichever applicable parcel, could the Board make a condition that required the facility entrance to be located on Veterans Parkway and not on Lee's Mill Road.

Mr. Davenport stated yes.

Commissioner Maxwell asked if buffers could also be required as a condition of the rezoning.

Mr. Davenport stated that would be more difficult because the request was to rezone from R-70 to A-R which was a less intense zoning district. He noted that typically when using buffers, the goal was to shield adjacent properties from a hostile use such as an M-1 or commercial zoning. He added that this request would simply be A-R butting up to residential using buffers in this instance was something the Board had never done before.

Commissioner Maxwell asked about stipulations regarding lighting.

Mr. Davenport stated that lighting was typically handled at the development phase and would be minimized with respect to adjacent property.

Commissioner Maxwell asked about fencing.

Mr. Davenport again noted that this rezoning was for A-R adjacent to residential and if a fence was required it typically was used to buffer or separate a hostile use from an adjacent residential which was not the case with this property.

Commissioner Maxwell asked if a fencing requirement was established where the fencing would be placed.

Mr. Davenport stated that that would be the decision of the property owner.

Commissioner Maxwell expressed his concern regarding the size of the facility and the number of fields located there and stated that he had heard varying numbers.

Ms. Vanderslice stated that as far as she knew they were wanting 12-14 fields and added that there had been a few conceptual designs circulating but nothing had been finalized.

Commissioner Maxwell expressed his concern related to grandstand and/or facility capacity. He asked if a condition could be placed that required a limit to capacity for the facility and no grandstands.

Mr. Davenport stated that if the vote was to approve this rezoning to A-R the property owner had the right to develop their property consistent with any use permitted in A-R and/or any conditional use permitted in A-R, without any additional restrictions. He added that any conditioning within A-R itself would probably not be supported legally.

Commissioner Maxwell stated that this was the basis of his concern. He did not know definitively what was going there and how it would impact traffic in the area. He stated it was a beautiful concept picture but there was a lot of unknown.

Ms. Vanderslice stated that this initial process was for the rezoning and as such focused strictly on if the requested zoning was appropriate. She stated that she was happy to be able to disclose the intended purpose of the property but reiterated that this development was in the early stages of the process and information on specifics was limited, especially until it was appropriately rezoned.

Commissioner Rousseau stated, as a point of clarification, that what was being discussed and considered was only a schematic design and until this development went through the process and performed the necessary surveys and analysis the Board was in the dark as to any specifics.

Ms. Bell stated that was correct.

Commissioner Rousseau stated with this in mind, what could fit on these 200 acres had not been decided. He noted that Ms. Vanderslice commented to, on behalf of the applicant, community involvement and engagement as this project went through the development phase, if the rezoning was approved. Commissioner Rousseau asked if this community meeting commitment could be added as a condition of the rezoning.

Mr. Davenport stated that this would imply that the commitment to meet would also have an accompanying commitment to implement what was heard during this meeting.

Commissioner Rousseau stated that would not be feasible because there was not a way to determine what the comments would be.

Mr. Davenport stated that there was no actual enforcement of this condition and outside of that, raise unnecessary questions on the backend regarding if the condition was met or not. He stated that typically prior to rezonings, property owners and developers would meet with the community, although not required, to create comradery establishing a smooth transition through the rezoning process.

Commissioner Rousseau reiterated his position stating that he fully expected community engagement with this developer and was anticipating community meetings that would open the door to dialogue and discussion between the two parties.

Ms. Vanderslice stated that Commissioner Rousseau had her word that the community meetings would take place.

Commissioner Rousseau reiterated previous comments related to receiving documents at the last minute and not having time to properly vet and review the information to make an informed decision.

Commissioner Oddo stated that from his analysis he did not feel there was any actual angst or disapproval of the soccer facility however there was a desire for the concerns of the community to be heard and the need for transparency and collaboration. He stated that he would like to support this project but was hesitant due to the lack of information.

Ms. Vanderslice stated that she was committed to hosting the community meetings as discussed and reiterated previous comments related to the US Soccer Federation wanting to be good partners and neighbors in the community. She also noted that the outcome of this meeting would determine next steps regarding development design.

Commissioner Hearn stated that in light of citizen concerns he fully supported developing a partnership with the US Soccer Federation and initiating conversation and discussion related to setbacks, buffers, curb cuts, fencing, traffic, etc.

Ms. Vanderslice concluded asking for Board approval of this rezoning.

Further discussion continued.

Commissioner Rousseau asked for the conditions for Petition No.1335-23A.

Mr. Rapson stated listed the applicable conditions as follows:

1. The owner/developer shall prepare a Traffic Impact Study for review and approval by Fayette County. The study shall determine the traffic impacts caused by the development and identify transportation projects to mitigate the impacts. The owner/developer shall pay for the design, permitting, and construction of all mitigation projects identified in the study. The details of project identification, schedule, delivery, cost, etc. shall be determined by a Memorandum of Understanding between Fayette County and the owner/developer.
2. The project shall have a maximum of four curb cuts along the Veterans Parkway Road frontage: two serving the property on the west and two serving the property on the east. If two curb cuts are utilized for the property to the east (Parcel A), then at least one of the entrances shall be aligned with an entrance to the west.
3. All parcel remnants of parcels 0707 011 and 0708 042 located on the east side of Veterans Parkway shall be combined with Parcel 0542 005 within 6 months of approval of rezoning, or prior to the submittal of a site plan or permit application for any phase of the project, whichever comes first.
4. For any parcel fronting Veterans Parkway that requires water service, the developer shall install a 16-in diameter water line on the east side of Veterans Parkway, beginning at the tie-in at Lee's Mill Road and Veterans Parkway intersection and extending to the northern boundary of the parcel on Veterans Parkway. All costs, including bores underneath roads, shall be the responsibility of the developer.

Commissioner Rousseau asked if the applicant was amenable to the outlined conditions.

Ms. Vanderslice stated, yes.

The Board recessed the meeting.

Chairman Hearn reconvened the BOC Meeting.

The Board continued with the following public hearing before making a vote.

Commissioner Rousseau moved to approve Petition No.1335-23A, Veterans Parkway and Lee's Mill South, LLC, Owner; and Fayette County Development Authority, Agent, request to rezone 22.9674 acres from R-70 to A-R for a recreational facility; property located in Land Lot(s) 224 & 225 of the 5th District and fronts on Veterans Parkway with the outlined conditions. Commissioner Oddo seconded.

Commissioner Oddo reiterated that his second was on the basis that the committed community engagement meetings would occur.

Commissioner Maxwell urged the Development Authority to ensure a member of the development team was present at future presentations.

Further discussion continued.

Commissioner Rousseau moved to approve Petition No.1335-23A, Veterans Parkway and Lee's Mill South, LLC, Owner; and Fayette County Development Authority, Agent, request to rezone 22.9674 acres from R-70 to A-R for a recreational facility; property located in Land Lot(s) 224 & 225 of the 5th District and fronts on Veterans Parkway with the outlined conditions. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Edwards Gibbons was absent.

3. Consideration of Petition No.1335-23B, Veterans Parkway and Lee's Mill South, LLC, Owner; and Fayette County Development Authority, Agent, request to rezone 237.4382 acres from R-70 to A-R for a recreational facility; property located in Land Lot(s) 224 of the 5th District and Land Lot(s) 13, 14, 18, and 19 of the 7th District and fronts on Veterans Parkway and Lee's Mill Road.

Ms. Bell stated that this was a request to rezone 237.4382 acres from R-70 to A-R for a recreational facility; property located in Land Lot(s) 224 of the 5th District and Land Lot(s) 13, 14, 18, and 19 of the 7th District and fronts on Veterans Parkway and Lee's Mill Road. She continued stating that the Planning Commission recommended conditional approval and staff recommended conditional approval with seven (7) conditions.

1. Lees Mill Road is a Minor Arterial per the Fayette County Thoroughfare Plan. The owner/developer shall dedicate right-of-way, as needed, to provide 50 feet as measured from the existing centerline of Lees Mill Road. Submittal of the warranty deed and legal descriptions shall be submitted to the Environmental Management Department prior to approval of a final plat for the properties.

2. The owner/developer shall prepare a Traffic Impact Study for review and approval by Fayette County. The study shall determine the traffic impacts caused by the development and identify transportation projects to mitigate the impacts. The owner/developer shall pay for the design, permitting, and construction of all mitigation projects identified in the study. The details of project identification, schedule, delivery, cost, etc. shall be determined by a Memorandum of Understanding between Fayette County and the owner/developer.

3. The project's primary construction entrance/exit shall be located on Veterans Parkway. A secondary temporary construction entrance, however, may be approved by Public Works if necessary for construction entrance/exit until completion of the installation of the stream crossing and entrance on Veterans Parkway. If approved, all construction traffic entering and leaving the Lees Mill Road construction entrance shall be to the east (i.e., towards Veterans Parkway). Once the entrance on Veterans Parkway and the stream crossing are constructed, all construction traffic shall be directed to use it for entrance and exit, and the temporary entrance shall be closed to daily use within 14 days of written notice from Public Works.

4. The project shall have a maximum of four curb cuts along the Veterans Parkway Road frontage: two serving the property on the west and two serving the property on the east. If two curb cuts are utilized for the property to the east (Parcel A), then at least one of the entrances shall be aligned with an entrance to the west.

5. The project shall have a maximum of one curb cut onto Lees Mill Road.

6. All parcels on the west side of Veterans Parkway shall be combined into a single parcel within 6 months of approval of rezoning, or prior to the submittal of a site plan or permit application for any phase of the project, whichever comes first.

7. For any parcel fronting Veterans Parkway that requires water service, the developer shall install a 16-in diameter water line on the east side of Veterans Parkway, beginning at the tie-in at Lee's Mill Road and Veterans Parkway intersection and extending to the northern boundary of the parcel on Veterans Parkway. All costs, including bores underneath roads, shall be the responsibility of the developer.

Ms. Vanderslice reserved her comments for rebuttal, if needed.

Commissioner Rousseau asked if the applicant was amenable to the outlined conditions.

Ms. Vanderslice stated, yes.

Chairman asked for comments in favor of this petition.

The following commenters made comments in favor of the rezoning: Michelle Iverson

Comments included concerns regarding understanding the conditions of the petition.

The following citizens made comments in opposition to the rezoning: Mike Iverson, Doug Burcher, John Fonzo, Ed Wyatt, Christian Jendrasac.

Comments in opposition included concerns regarding project transparency, lack of information, noise mitigation, the need for undisturbed natural buffer, the need for community meetings, environmental/wetland concerns, the need for Lee's Mill Road access restrictions, fencing requirement, the need for entrance gates, lighting concerns. Several citizens reiterated that they were not against the project but needed more information, clarity, and community engagement.

Ms. Vanderslice reiterated her commitment to the Board and the community to host a community engagement meeting to garner resident concerns, input, and insight.

Commissioner Rousseau moved to approve Petition No.1335-23B, Veterans Parkway and Lee's Mill South, LLC, Owner; and Fayette County Development Authority, Agent, request to rezone 237.4382 acres from R-70 to A-R for a recreational facility; property located in Land Lot(s) 224 of the 5th District and Land Lot(s) 13, 14, 18, and 19 of the 7th District and fronts on Veterans Parkway and Lee's Mill Road with outlined conditions. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Edwards Gibbons was absent.

4. Consideration of Petition No.1335-23C, Veterans Parkway and Lee's Mill South, LLC, Owner; and Fayette County Development Authority, Agent, request to rezone 39.6621 acres from R-70 to A-R for a recreational facility; property is located in Land Lot(s) 224 & 225 of the 5th District and Land Lot(s) 15 of the 7th District and fronts on Veterans Parkway and Lee's Mill Road.

Ms. Bell stated that this item was a request to rezone 39.6621 acres from R-70 to A-R for a recreational facility; property is located in Land Lot(s) 224 & 225 of the 5th District and Land Lot(s) 15 of the 7th District and fronts on Veterans Parkway and

Lee's Mill Road. She continued stating that the Planning Commissioner recommended conditional approval and staff recommended conditional approval with seven (7) conditions. Ms. Bell listed the conditions as follows:

1. Lees Mill Road is a Minor Arterial per the Fayette County Thoroughfare Plan. The owner/developer shall dedicate right-of-way, as needed, to provide 50 feet as measured from the existing centerline of Lees Mill Road. Submittal of the warranty deed and legal descriptions shall be submitted to the Environmental Management Department prior to approval of a final plat for the properties.
2. The owner/developer shall prepare a Traffic Impact Study for review and approval by Fayette County. The study shall determine the traffic impacts caused by the development and identify transportation projects to mitigate the impacts. The owner/developer shall pay for the design, permitting, and construction of all mitigation projects identified in the study. The details of project identification, schedule, delivery, cost, etc. shall be determined by a Memorandum of Understanding between Fayette County and the owner/developer.
3. The project's primary construction entrance/exit shall be located on Veterans Parkway. A secondary temporary construction entrance, however, may be approved by Public Works if necessary for construction entrance/exit until completion of the installation of the stream crossing and entrance on Veterans Parkway. If approved, all construction traffic entering and leaving the Lees Mill Road construction entrance shall be to the east (i.e., towards Veterans Parkway). Once the entrance on Veterans Parkway and the stream crossing are constructed, all construction traffic shall be directed to use it for entrance and exit, and the temporary entrance shall be closed to daily use within 14 days of written notice from Public Works.
4. The project shall have a maximum of four curb cuts along the Veterans Parkway Road frontage: two serving the property on the west and two serving the property on the east. If two curb cuts are utilized for the property to the east (Parcel A), then at least one of the entrances shall be aligned with an entrance to the west.
5. The project shall have a maximum of one curb cut onto Lees Mill Road.
6. All parcels on the west side of Veterans Parkway shall be combined into a single parcel within 6 months of approval of rezoning, or prior to the submittal of a site plan or permit application for any phase of the project, whichever comes first.
7. For any parcel fronting Veterans Parkway that requires water service, the developer shall install a 16-in diameter water line on the east side of Veterans Parkway, beginning at the tie-in at Lee's Mill Road and Veterans Parkway intersection and extending to the northern boundary of the parcel on Veterans Parkway. All costs, including bores underneath roads, shall be the responsibility of the developer.

Jeff Collins with Rochester and Associates civil engineering stated that this project was in the beginning stages of development with the first steps being the rezoning. He acknowledged that the applicant was aware of some of the concerns and mentioned that they were fully on board with meeting the necessary conditions as it related to performing a traffic study, facility access, curb cuts, and lighting mitigation.

Commissioner Rousseau asked if the applicant was amenable to the outlined conditions.

Ms. Vanderslice stated, yes.

Chairman Hearn asked for comments in favor of this petition.

The following commenters made comments in favor of the rezoning: Bryan McDermott

Commenters stated that this facility would probably not cause as much issue as residents are worried about.

The following citizens made comments in opposition to the rezoning: Christian Jendrasac, Allen Ham, Jamie Wyatt, Ed Wyatt

Comments in opposition included concerns regarding project transparency, lack of information, and the need for community engagement, the need for privacy, lighting concerns, buffer concerns, facility access.

Ms. Vanderslice expressed her hesitation for the Board to add conditions to the rezoning request and stated that the applicant was open to discussion as the development continued if the rezoning was approved.

Commissioner Rousseau moved to approve Petition No.1335-23C, Veterans Parkway and Lee's Mill South, LLC, Owner; and Fayette County Development Authority, Agent, request to rezone 39.6621 acres from R-70 to A-R for a recreational facility; property is located in Land Lot(s) 224 & 225 of the 5th District and Land Lot(s) 15 of the 7th District and fronts on Veterans Parkway and Lee's Mill Road with outlined conditions. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Edwards Gibbons was absent.

5. Consideration of Petition No.1335-23D, Veterans Parkway and Lee's Mill South, LLC, Owner; and Fayette County Development Authority, Agent, request to rezone 18.4863 acres from R-70 to A-R for a recreational facility; property is located in Land Lot(s) 14 & 15 of the 7th District and fronts on Lee's Mill Road.

Ms. Bell stated that this was a request to rezone 18.4863 acres from R-70 to A-R for a recreational facility; property is located in Land Lot(s) 14 & 15 of the 7th District and fronts on Lee's Mill Road. She continued stating that the Planning Commission recommended conditional approval and staff recommended conditional approval with five (5) conditions. Ms. Bell listed the conditions as follows:

1. Lees Mill Road is a Minor Arterial per the Fayette County Thoroughfare Plan. The owner/developer shall dedicate right-of-way, as needed, to provide 50 feet as measured from the existing centerline of Lees Mill Road. Submittal of the warranty deed and legal descriptions shall be submitted to the Environmental Management Department prior to approval of a final plat for the properties.
2. The owner/developer shall prepare a Traffic Impact Study for review and approval by Fayette County. The study shall determine the traffic impacts caused by the development and identify transportation projects to mitigate the impacts. The owner/developer shall pay for the design, permitting, and construction of all mitigation projects identified in the study. The details of project identification, schedule, delivery, cost, etc. shall be determined by a Memorandum of Understanding between Fayette County and the owner/developer.
3. The project's primary construction entrance/exit shall be located on Veterans Parkway. A secondary temporary construction entrance, however, may be approved by Public Works if necessary for construction entrance/exit until completion of the installation of the stream crossing and entrance on Veterans Parkway. If approved, all construction traffic entering and leaving the Lees Mill Road construction entrance shall be to the east (i.e., towards Veterans Parkway). Once the entrance on Veterans Parkway and the stream crossing are constructed, all construction traffic shall be directed to use it for entrance and exit, and the temporary entrance shall be closed to daily use within 14 days of written notice from Public Works.
4. The project shall have a maximum of one curb cut onto Lees Mill Road.
5. All parcels on the west side of Veterans Parkway shall be combined into a single parcel within 6 months of approval of rezoning, or prior to the submittal of a site plan or permit application for any phase of the project, whichever comes first.

Ms. Vanderslice had no additional comments.

Commissioner Rousseau asked if the applicant was in agreement of the conditions.

Ms. Vanderslice stated that she was in agreement to the conditions as outlined.

Chairman asked for comments in favor of this petition.

No one spoke in favor.

Fayette County Development Authority Chair Daryl Hicks reiterated his commitment to host the community engagement meeting between the citizens and the developer.

Mr. Rapson reiterated previous comment stating that this was only the beginning stages of this project and as the development work through the process more information would become available and provided to the Board for review, discussion and required approvals.

Commissioner Rousseau moved to approve Petition No.1335-23D, Veterans Parkway and Lee's Mill South, LLC, Owner; and Fayette County Development Authority, Agent, request to rezone 18.4863 acres from R-70 to A-R for a recreational facility; property is located in Land Lot(s) 14 & 15 of the 7th District and fronts on Lee's Mill Road with outlined conditions. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Edwards Gibbons was absent.

The Board recessed the meeting.

Chairman Hearn reconvened the meeting.

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 as written. Commissioner Rousseau seconded. The motion passed 4-0. Commissioner Edwards Gibbons was absent.

- 6. Approval of authorization to sign checks combining any of the following two signatures for transactions at or above \$5,000.00: Chairman, Vice-Chairman, County Administrator.**
- 7. Approval of authorization to sign checks for transactions in the amount of \$4,999.99 or less: Chairman, Vice-Chairman, County Administrator.**
- 8. Approval of the Chairman, Vice-Chairman, and the County Administrator to execute contracts, resolutions, agreements, or other documents approved by and on behalf of the Board of Commissioners.**
- 9. Approval of Resolution 2024-01, establishing qualifying fees for the 2024 elections in Fayette County.**
- 10. Approval for Fayette County Fire & Emergency Services to proceed with an emergency purchase in the amount of \$103,682 for one (1) Fire Squad vehicle.**
- 11. Approval to accept the Enhancement and Innovation supplemental grant awarded to the Accountability State Court DUI program in the amount of \$6,000.**
- 12. Approval of the December 14, 2023 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

- 13. Approval of Resolution 2023-11 to accept a donation of approximately 29.94 acres of property; 9.18 acres at Crimson Trace-Phase 3 subdivision and 20.76 acres at Yates Crossing-Phase 1 subdivision, located in Land Lots 12, 13, and 20 of the 7th District. This item was tabled at the December 14, 2023 Board of Commissioners meeting.**

Public Works Director advised that the property was surveyed and there was no required maintenance need, the property was natural.

Mr. Davenport advised that in review of the legal description as recorded in the courts it was determined that there was an error in the legal description, related to the page number in the deed book, that needed to be corrected. He stated that his office was in the process of having the correction initiated.

Commissioner Rousseau moved to approve Resolution 2023-11 to accept a donation of approximately 29.94 acres of property; 9.18 acres at Crimson Trace-Phase 3 subdivision and 20.76 acres at Yates Crossing-Phase 1 subdivision, located in Land Lots 12, 13, and 20 of the 7th District. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Edwards Gibbons was absent.

NEW BUSINESS:

- 14. Request for authorization to issue the Fayette County Public Facilities Authority Revenue Bonds (Fayette County Projects), Series 2024, with an issuance amount of \$33,100,000.**

Fayette County Chief Financial Officer Sheryl Weinman stated that before the Board was a request for approval for the issuance of Bonds, related to certain 2023 SPLOST projects, namely, financing the acquisition, construction and equipping of all or a portion of: a multi-use recreation facility, Justice Center renovations, Kozisek and Longview dam improvement projects, and a backup E-911 Center. She continued stating that staff's recommendations were to proceed with the bonds issuance and advised that they had met with the Public Facilities Authority to authorize to move forward with the bond yield of 2.24. She stated that before the Board was approval of the resolution which will authorize the intergovernmental agreement (IGA) between Fayette County and Fayette County Public Facilities Authority. These bonds will be issued for the benefit of the County to help move forward with some of the 2023 SPLOST projects. Approving this resolution will allow staff proceed with the bond issuance with a closing date of February 8, 2024. Ms. Weinman stated that as a part of this process staff had to met with rating agencies and in this case met with Moody's Investor Services, verify the County's rating. She proudly acknowledged the Fayette County AAA Bond rating was reaffirmed and Fayette County was one of only seven counties to achieve this level rating.

Mr. Rapson stated that during these discussions regarding the County's finances, budget, and debt with Moody's Investor Services they were amazed to see that the County was not only able to increase Public Safety salaries over 30% as well as remaining staff over 25%, and still maintain a AAA rating was unheard of. He added that this spoke volumes to the effort and dedication of our Finance Department and County Directors that help make this possible. Mr. Rapson concluded that he was very proud of this rating.

Commissioner Oddo asked how many years in row had the County achieved this rating.

Ms. Weinman stated that the County had been AAA rated since 2014.

Chairman Hearn stated that this was a great accomplishment and was one of the things that helped increase the County's borrowing power. He thanked staff for a job well done.

Mr. Rapson briefly outlined the bond issuance process and how it would work. He noted that with these bonds issuance the County was essentially borrowing \$35M to advance fund eligible 2023 SPLOST projects. These funds would be spent over the next three years. As a result of the bond issuance process the County would receive a potential investment earnings of \$2.0M.

County Attorney Dennis Davenport asked as a point of clarification for an insertion to this request to include approval of the resolution to issue these bonds and adopts the intergovernmental agreement and applicable documentation.

Commissioner Maxwell moved to approve to adopt the resolution for authorization to issue the Fayette County Public Facilities Authority Revenue Bonds (Fayette County Projects), Series 2024, with an issuance amount of \$33,100,000, with the condition that Stifel, Nicolaus & Company serve as Underwriters; Murray, Barnes, Finister, LLP serve as Bond Counsel; and McNally, Fox, Grant & Davenport P.C. serve as the County Attorney. Commissioner Oddo seconded. The motion passed 4-0. Commissioner Edwards Gibbons was absent.

ADMINISTRATOR'S REPORTS:

Hot Projects

Mr. Rapson stated that the Hot Projects report was forwarded to the Board and included updates on the Redwine Road multi-use path, Parks and Recreation multi-use facility, Redwine Road/Bernhard Road/Peachtree Parkway roundabout.

Happy Birth Birthday Human Resources Director Lewis Patterson

Mr. Rapson extended a Happy birthday to Mr. Patterson

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 December 14, 2023.

COMMISSIONERS' REPORTS:

Commissioner Rousseau

Commissioner Rousseau extended his thoughts to Vice Chairman Gibbons. He also encouraged participation in the upcoming Martin Luther King Day parade, happening on Monday January 15th in Fayetteville. He extended his condolence to surrounded counties and municipalities who have lost officers in the line of duty in recent weeks.

Chairman Hearn

Chairman Hearn thanked staff for the hanging in there at this extended meeting.

EXECUTIVE SESSION:

One item involving real estate acquisition and the review of the Executive Session minutes for December 14, 2023.

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

The Board recessed into Executive Session at 9:00 p.m. and returned to Official Session at 9:12 p.m.

Return to Official Session and Approval to Sign the Executive Session Affidavit: Commissioner Rousseau moved to return to Official Session and for the Chairman to sign the Executive Session Affidavit. Chairman Hearn seconded the motion. The motion passed 4-0. Commissioner Edwards Gibbons was absent.

Approval of the December 14, 2023 Executive Session Minutes: Commissioner Oddo moved to approve the December 14, 2023 Executive Session Minutes. Commissioner Rousseau seconded the motion. The motion passed 4-0. Commissioner Edwards Gibbons was absent.

ADJOURNMENT:

Commissioner Oddo moved to adjourn the January 12, 2024 Board of Commissioners meeting. Vice Chairman Gibbons seconded the motion. The motion passed 4-0. Commissioner Edwards Gibbons was absent.

The January 11, 2024 Board of Commissioners meeting adjourned at 9:13 p.m.

Marlena 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 25th day of January 2024. Attachments are available upon request at the County Clerk's Office.

Marlena Edwards, Chief Deputy County Clerk