

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

ACTION AGENDA

January 25, 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.

OFFICIAL SESSION:

Call to Order

Vice Chairman Gibbons called the January 25, 2024 Board of Commissioners meeting to order at 5:01 p.m. A quorum of the Board was present. Chairman Hearn was absent.

Invocation and Pledge of Allegiance by Commissioner Eric Maxwell

Commissioner Eric Maxwell offered the invocation and led the audience in the Pledge of Allegiance.

Acceptance of Agenda

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

PROCLAMATION/RECOGNITION:

1. **Presentation by Fayette County's auditing firm, Nichols, Cauley & Associates, LLC, of the results of the Fiscal Year 2023 annual audit.**

PUBLIC HEARING:

2. **Second of two Public Hearings for the consideration of an application for a Special Use of Property at 1008 Hwy 54 W to operate a Drug Abuse Treatment Facility, in accordance with Sec. 110-175.**

Commissioner Oddo moved to approve an application for a Special Use of Property at 1008 Hwy 54 W to operate a Drug Abuse Treatment Facility, in accordance with Sec. 110-175. Commissioner Rousseau seconded. The motion passed 4-0. Chairman Hearn was absent.

3. **Consideration of Petition No. 1336-23, Andres Felipe Gallo; Curtis Ryan Thomas; Savanna Gallo; Sheffey Cochran, owners, request to rezone 1.3 acres from A-R to C-H for the purposes of developing commercial uses; property located in Land Lot 69 & 70 of the 5th District and fronts on GA Hwy 85 South.**

Commissioner Maxwell moved to deny Petition No. 1336-23, Andres Felipe Gallo; Curtis Ryan Thomas; Savanna Gallo; Sheffey Cochran, owners, request to rezone 1.3 acres from A-R to C-H for the purposes of developing commercial uses; property located in Land Lot 69 & 70 of the 5th District and fronts on GA Hwy 85 South. Commissioner Rousseau seconded. The motion passed 4-0. Chairman Hearn as absent.

- 4. Consideration of Petition No. 1337-23, Javier Torres Fernandez, owner; Nathan Dockery, agent, request to rezone 2.40 acres from A-R to R-20 for the purposes of building a single-family residence; property located in Land Lot 55 of the 5th District and fronts on Hilo Road.**

Commissioner Odo moved to approve Petition No. 1337-23, Javier Torres Fernandez, owner; Nathan Dockery, agent, request to rezone 2.40 acres from A-R to R-20 for the purposes of building a single-family residence; property located in Land Lot 55 of the 5th District and fronts on Hilo Road, with outlined conditions. Vice Chairman Gibbons seconded. The motion passed 4-0. Chairman Hearn as absent.

- 5. Consideration of an amendment to the Fayette County Zoning Ordinance, Chapter 110 - Zoning; Article V., Sec. 110-169. regarding conditional uses.**

Commissioner Oddo moved to approve an amendment to the Fayette County Zoning Ordinance, Chapter 110 - Zoning; Article V., Sec. 110-169. regarding conditional uses. Commissioner Maxwell seconded. The motion passed 4-0. Chairman Hearn was absent.

PUBLIC COMMENT:

CONSENT AGENDA:

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

- 6. Approval of a request from the County Clerk for authorization to file the required Certificate of Appointment indicating that the Fayette County Democratic Party has appointed Zach Livsey to the Board of Elections for a four-year term commencing February 1, 2024 and expiring January 31, 2028.**
- 7. Approval of a request from the County Clerk for authorization to file the required Certificate of Appointment indicating that the Fayette County Republican Party has appointed Sharlene Alexander to the Board of Elections for a four-year term commencing February 1, 2024 and expiring January 31, 2028.**
- 8. Approval of a disposition of tax refund, as requested by Patrick Murray, in the amount of \$284.24 for tax years 2020, 2021 and 2022.**
- 9. Approval of a disposition of tax refund, as requested by Keshia Knight Pulliam, in the amount of \$77.37 for tax year 2022.**
- 10. Approval of a disposition of tax refund, as requested by MIKLO IRA LLC, in the amount of \$237.44 for tax years 2022.**
- 11. Approval of a disposition of tax refund, as requested by Antonio Wilkins, in the amount of \$409.92 for tax years 2020, 2021 and 2022.**

12. Approval of a disposition of tax refund, as requested by Solomone Fukuoka, in the amount of \$454.87 for tax years 2021 and 2022.
13. Approval of a disposition of tax refund, as requested by Carrilyn D. Strickland Arnold, in the amount of \$4,311.11 for tax years 2020, 2021 and 2022.
14. Approval of a disposition of tax refund, as requested by Russell and Jacqueline Hall, in the amount of \$1,466.29 for tax years 2020, 2021 and 2022.
15. Approval of a disposition of tax refund, as requested by Hector Morales, in the amount of \$5,078.58 for tax years 2020, 2021 and 2022.
16. Approval of a disposition of tax refund, as requested by Jerry Knowles, in the amount of \$1,219.84 for tax years 2017, 2018 and 2019.
17. Approval to award Bid #2348-B: 2017 SPLOST; Stormwater Category II, Tier II; 19SBQ Downing Court Culvert Replacement to the lowest responsive, responsible bidder, F.S. Scarbrough, LLC, in the amount of \$117,706.35 and to transfer \$64,473 from 19SBO - Davis Road.
18. Approval to award Bid #2336-A for Lake Kedron Dam Intake Sluice Gate to Zion Marine Inc., in the not-to-exceed amount of \$62,700 for replacement of Lake Kedron Dam exterior sluice gate and to transfer \$22,700 from CIP 8CSSC to CIP 24WSE.
19. Approval of Ironside Locates Contract 2258-B; Utility Locating change order with a not-to-exceed amount of \$105,000 to provide production utility locating of Water System infrastructure.
20. Approval of the January 11, 2024 Board of Commissioners Meeting Minutes.

OLD BUSINESS:

NEW BUSINESS:

21. Review the Impact Fee Ordinance update process and discuss possible amendments to Impact Fees and the Capital Improvement Element (CIE).

Tabled to the February 15, 2024 BOC Meeting

22. Request to approve the Planning Commission Selection Committee's recommendation to appoint Boris Thomas to the Planning Commission to fill an unexpired term expiring December 31, 2024, and the subsequent term beginning January 1, 2025 and expiring December 31, 2027, per County Policy 100.19; Board Appointment.

Commissioner Oddo moved to approve to appoint Boris Thomas to the Planning Commission to fill an unexpired term expiring December 31, 2024, and the subsequent term beginning January 1, 2025 and expiring December 31, 2027, per County Policy 100.19; Board Appointment. Commissioner Rousseau seconded. The motion passed 4-0. Chairman Hearn was absent.

23. Request to award Contract 2337-P, Fayette County Fire & EMS Classroom Building and Training Tower Construction Manager at Risk, to MEJA Construction, Inc. for the initial contract amount of \$475,000 which includes General Conditions and General Requirements and the Construction Manager fee.

Commissioner Oddo moved to approve to award Contract 2337-P, Fayette County Fire & EMS Classroom Building and Training Tower Construction Manager at Risk, to MEJA Construction, Inc. for the initial contract amount of \$475,000 which includes General Conditions and General Requirements and the Construction Manager fee. Vice Chairman Gibbons seconded. The motion passed 4-0. Chairman Hearn was absent.

24. Request to award Bid #2344-B: Foxhall Farms Stormwater Replacement to the lowest responsive, responsible bidder, Hughes Site Works, LLC in the amount of \$309,281.38.

Commissioner Oddo moved to approve to award Bid #2344-B: Foxhall Farms Stormwater Replacement to the lowest responsive, responsible bidder, Hughes Site Works, LLC in the amount of \$309,281.38. Commissioner Maxwell seconded. The motion passed 4-0. Chairman Hearn was absent.

ADMINISTRATOR'S REPORTS:

Mr. Rapson advised that a selection committee was needed for the Board of Health.

Commissioner Maxwell moved to approve Chairman Hearn and Vice Chairman Gibbon to serve as the selection committee for the Board of Health. Commissioner Rousseau seconded. The motion passed 4-0. Chairman Hearn was absent.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated that there were five items for Executive Session. Two items involving threatened litigation, two involving pending litigation and the review of the January 11, 2024 Executive Session Minutes.

COMMISSIONERS' REPORTS:

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

EXECUTIVE SESSION:

Two items involving threatened litigation, two involving pending litigation and the review of the January 11, 2024 Executive Session Minutes. Commissioner Oddo moved to go into Executive Session. Vice Chairman Gibbons seconded. The motion passed 4-0. Chairman Hearn was absent.

The Board recessed into Executive Session at 6:11 p.m. and returned to Official Session at 6:47 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 4-0. Chairman Hearn was absent.

Approval of the January 11, 2024 Executive Session Minutes: Commissioner Oddo moved to approve January 11, 2024 Executive Session Minutes. Vice Chairman Gibbons seconded the motion. The motion passed 4-0. Chairman Hearn was absent.

ADJOURNMENT:

Commissioner Oddo moved to adjourn the September 28, 2023 Board of Commissioners meeting. Vice Chairman Gibbons seconded. The motion passed 4-0. Chairman Hearn was absent.

The January 25, 2024 Board of Commissioners meeting adjourned at 6:47 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