

BOARD OF COUNTY COMMISSIONERS

Lee Hearn, Chairman
Edward Gibbons, Vice Chairman
Eric K. Maxwell
Charles D. Rousseau
Charles W. Oddo



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

February 22, 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

Chairman Lee Hearn called the February 8, 2024 Board of Commissioners meeting to order at 5:00 p.m. A quorum of the Board was present.

Invocation and Pledge of Allegiance by Commissioner Lee Hearn

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

Acceptance of Agenda

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

PROCLAMATION/RECOGNITION:

- 1. Recognition of Arnold Martin for his seven (7) years of service on the Planning Commission.**

PUBLIC HEARING:

- 2. Consideration of Petition No.1338-24, Jerry Battle, Jr., and Melissa Battle, owners, Randy Boyd, agent, request to rezone 2.14 acres from A-R to R-72 for the purposes of creating a legal, conforming lot to build a single-family home; property located in Land Lot 252 of the 4th District and fronts on McBride Road.**

Commissioner Maxwell moved to approve Petition No.1338-24, Jerry Battle, Jr., and Melissa Battle, owners, Randy Boyd, agent, request to rezone 2.14 acres from A-R to R-72 for the purposes of creating a legal, conforming lot to build a single-family home; property located in Land Lot 252 of the 4th District and fronts on McBride Road, with three (3) outlined conditions. Chairman Hearn seconded.

Commissioner Maxwell moved to table this item to the March 28, 2024 BOC Meeting Vice Chairman Gibbons seconded. The motion passed 5-0.

- 3. Consideration of Petition No. 1339-24, Thomas Crossroads, LLC, owner, Richard Lindsey, agent, request to rezone 5.102 acres from R-70 to C-H (Highway Commercial) for the purposes of locating the septic field for the**

adjacent development, and for other commercial uses; property located in Land Lot 253 of the 4th District and fronts on State Route 85 South.

Commissioner Maxwell moved to approve Petition No. 1339-24, Thomas Crossroads, LLC, owner, Richard Lindsey, agent, request to rezone 5.102 acres from R-70 to C-H (Highway Commercial) for the purposes of locating the septic field for the adjacent development, and for other commercial uses; property located in Land Lot 253 of the 4th District and fronts on State Route 85 South. Motion failed due to lack of second.

Vice Chairman Gibbons moved to deny Petition No. 1339-24, Thomas Crossroads, LLC, owner, Richard Lindsey, agent, request to rezone 5.102 acres from R-70 to C-H (Highway Commercial) for the purposes of locating the septic field for the adjacent development, and for other commercial uses; property located in Land Lot 253 of the 4th District and fronts on State Route 85 South. Motion failed due to lack of second. Commissioner Rousseau seconded. The motion passed 4-1, with Commissioner Maxwell voting in opposition.

- 4. Consideration of Petition No.1340-24, Tommy O. Davis, owner, Darrell Baker, agent, request to rezone 4.03 acres from A-R to C-C (Community Commercial) for the purposes of developing a convenience store with fuel sales and retail space; property located in Land Lot 5 of the 5th District and fronts on SR 85 South, Harp Road and Old Senoia Road.**

Commissioner Maxwell moved to deny Petition No.1340-24, Tommy O. Davis, owner, Darrell Baker, agent, request to rezone 4.03 acres from A-R to C-C (Community Commercial) for the purposes of developing a convenience store with fuel sales and retail space; property located in Land Lot 5 of the 5th District and fronts on SR 85 South, Harp Road and Old Senoia Road. Commissioner Rousseau seconded. The motion passed 5-0.

- 5. Consideration of Petition No. 1341-24, Veterans Parkway and Lees Mill North, LLC, owner, and Jeff Collins, agent, request to rezone 10.95 acres, which is a portion of parcel 0707011, from A-R to R-70, for the purpose of combining it with an existing single-family residential property; property located in Land Lots 14 and 19 of the 7th District.**

Commissioner Maxwell moved to approve Petition No. 1341-24, Veterans Parkway and Lees Mill North, LLC, owner, and Jeff Collins, agent, request to rezone 10.95 acres, which is a portion of parcel 0707011, from A-R to R-70, for the purpose of combining it with an existing single-family residential property; property located in Land Lots 14 and 19 of the 7th District, with outlined conditions. Vice Chairman Gibbons seconded. The motion passed 5-0.

- 6. Consideration of Resolution 2024-03 to Transmit the Fayette County 2023 Annual Report on Fire Services Impact Fees (FY2023), including Comprehensive Plan amendments for updates to the Capital Improvements Element and Short-Term Work Program (FY2024-FY2028) to Atlanta Regional Commission (ARC) for review by Department of Community Affairs (DCA).**

Vice Chairman Gibbons moved to approve Resolution 2024-03 to Transmit the Fayette County 2023 Annual Report on Fire Services Impact Fees (FY2023), including Comprehensive Plan amendments for updates to the Capital Improvements Element and Short-Term Work Program (FY2024-FY2028) to Atlanta Regional Commission (ARC) for review by Department of Community Affairs (DCA). Commissioner Oddo seconded. The motion passed 5-0.

PUBLIC COMMENT:

CONSENT AGENDA:

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

7. **Approval of staff's recommended Mid-Year Budget Adjustments to the fiscal year 2024 budget and approval to close completed Capital, Capital Improvement Plan (CIP) Projects, and Water System CIP Projects.**
8. **Approval to acquire all fee simple right-of-way for the proposed intersection improvement signalized intersection of SR 54 and Tyrone Road (2017 SPLOST 21TAA).**
9. **Approval of the February 8, 2024 Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

10. **Request to review the Impact Fee Ordinance update process and discuss possible amendments to Impact Fees and the Capital Improvement Element (CIE). This item was tabled at the January 25, 2024 Board of Commissioners meeting.**

Vice Chairman Gibbons moved to proceed with option B as outlined in the Impact Fees and the Capital Improvement Element (CIE) presentation. Commissioner Maxwell seconded. The motion passed 4-1, with Commissioner Rousseau voting in opposition.

NEW BUSINESS:

11. **Request for approval to apply for a Georgia Governor's Office of Highway Safety grant in the amount of \$288,153.74.**

Vice Chairman Gibbons moved to approve to apply for a Georgia Governor's Office of Highway Safety grant in the amount of \$288,153.74. Commissioner Oddo seconded. The motion passed 4-1, with Commissioner Rousseau voting in opposition.

12. **Request to approve Task Order 4 for a Not to Exceed (NTE) amount of \$625,822.51, to Practical Design Partners (PDP) to develop Preliminary Roadway and Right of Way Plans and related deliverables for the SR 279 Realignment Project - GDOT PI 0017813 (17TAD).**

Vice Chairman Gibbons moved to approve Task Order 4 for a Not to Exceed (NTE) amount of \$625,822.51, to Practical Design Partners (PDP) to develop Preliminary Roadway and Right of Way Plans and related deliverables for the SR 279 Realignment Project - GDOT PI 0017813 (17TAD). Commissioner Oddo seconded. The motion passed 5-0.

ADMINISTRATOR'S REPORTS:

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Dennis Davenport stated that there were two items for Executive Session. One item involving threatened litigation and the review of the February 8, 2024 Executive Session Minutes.

COMMISSIONERS' REPORTS:

Commissioner Rousseau made comments.

EXECUTIVE SESSION:

One item involving threatened litigation and the review of the February 8, 2024 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 7:37 p.m. and returned to Official Session at 7:47 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 5-0.

Approval of the February 8, 2024 Executive Session Minutes: Commissioner Oddo moved to approve February 8, 2024 Executive Session Minutes. Vice Chairman Gibbons seconded the motion. The motion passed 5-0.

ADJOURNMENT:

Commissioner Oddo moved to adjourn the February 22, 2024 Board of Commissioners meeting. Vice Chairman Gibbons seconded. The motion passed 5-0.

The February 22, 2024 Board of Commissioners meeting adjourned at 7:52 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 14th day of March 2024. Attachments are available upon request at the County Clerk's Office.

Marlena Edwards, Chief Deputy County Clerk