

## 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

September 26, 2024  
5:00 p.m.

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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 2<sup>nd</sup> and 4<sup>th</sup> Thursday of each month at 5:00 p.m.

### OFFICIAL SESSION:

#### **Call to Order**

Vice Chairman Edward Gibbons called the September 26, 2024 Board of Commissioners meeting to order at 5:00 p.m. A quorum of the Board was present. Chairman Lee Hearn and Commissioner Charles Rousseau were 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**

Vice Chairman Edward Gibbons moved to accept the agenda with the exception of moving Public Comment to the end of New Business. Commissioner Eric Maxwell seconded. The motion passed 5-0.

### PROCLAMATION/RECOGNITION:

#### PUBLIC HEARING:

- 1. Consideration of Petition No. 1353-24, The Estate of Richard N. Cates/Carol Denise Cates Mercer, Executrix; request to rezone 4.86 acres from A-R (Agricultural-Residential) to C-C (Community Commercial) for the purpose of constructing a convenience store with fuel pumps; property located in Land Lot 151 of the 5th District and fronts on Banks Road and Highway 54.**

Vice Chairman Gibbons moved to table this item to the October 24<sup>th</sup> BOC Meeting. Commissioner Oddo seconded. The motion passed 3-0.

- 2. Consideration of Petition No. 1354-24, Marion L. Holt, owner; requests to rezone 0.453 acres from A-R to R-45 for the purpose of adding this area to the adjacent parcel; property located in Land Lot 148 of the 7th District and fronts on Palmetto Road.**

Commissioner Oddo moved to allow the withdrawal of Petition No. 1354-24, Marion L. Holt, owner; requests to rezone 0.453 acres from A-R to R-45 for the purpose of adding this area to the adjacent parcel; property located in Land Lot 148 of the 7th District and fronts on Palmetto Road. Vice Chairman Gibbons seconded. The motion passed 3-0.

- 3. Consideration of Petition No. 1355-24, Andrea Pope Camp & Jordan Camp, owners; request to rezone 41.78 acres from A-R to R-75 for the purposes of creating additional lots without any new infrastructure; property located in Land Lot 28 of the 7th District and fronts on Davis Road and Huiet Drive.**

Vice Chairman Gibbons moved to table this item to the October 24<sup>th</sup> BOC Meeting. Commissioner Oddo seconded. The motion passed 3-0

- 4. Consideration of amendments to Chapter 110. Zoning Ordinance, regarding Article V. - Conditional uses, Nonconformances, and Transportation Corridor Overlay Zone. Sec. 110-175. - Special Use of Property.**

Commissioner Oddo moved to approve amendments to Chapter 110. Zoning Ordinance, regarding Article V. - Conditional uses, Nonconformances, and Transportation Corridor Overlay Zone. Sec. 110-175. - Special Use of Property. Commissioner Maxwell seconded. The motion passed 3-0.

- 5. Consideration of amendments to Chapter 110. Zoning Ordinance, regarding Article V. - Conditional uses, Nonconformances, and Transportation Corridor Overlay Zone. Sec. 110-169. - Conditional Use Approval. to add Sec. 110-169, (2)s-1. drug abuse treatment facility as a conditional use in the O-I district.**

Commissioner Oddo moved to approve amendments to Chapter 110. Zoning Ordinance, regarding Article V. - Conditional uses, Nonconformances, and Transportation Corridor Overlay Zone. Sec. 110-169. - Conditional Use Approval. to add Sec. 110-169, (2)s-1. drug abuse treatment facility as a conditional use in the O-I district. Commissioner Maxwell seconded. The motion passed 3-0.

- 6. Consideration of amendments to Chapter 110. Zoning Ordinance, regarding Article IV. - District Use Requirements. Sec. 11-142. - O-I, Office-Institutional District to delete Sec. 110-142. (i) (1)., deleting drug abuse treatment facility as a special use of property allowed in the O-I zoning district, to add (1) Reserved. by adding drug abuse facility as a conditional use in the O-I zoning district.**

Commissioner Oddo amendments to Chapter 110. Zoning Ordinance, regarding Article IV. - District Use Requirements. Sec. 11-142. - O-I, Office-Institutional District to delete Sec. 110-142. (i) (1)., deleting drug abuse treatment facility as a special use of property allowed in the O-I zoning district, to add (1) Reserved. by adding drug abuse facility as a conditional use in the O-I zoning district. Commissioner Maxwell seconded. The motion passed 3-0.

#### **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. Commissioner Maxwell seconded. The motion passed 3-0.

- 7. Approval to adopt final supplemental budget adjustments for the fiscal year ended June 30, 2024, and authorization to adjust and close capital projects, moving remaining funds to project contingency.**
- 8. Request to amend the Memorandum of Understanding (MOU) between Fayette County and the US Soccer Federation (USSF) to enhance five soccer fields at McCurry Park South Soccer for the shared use of USSF team training camps and the County.**
- 9. Approval of the September 12, 2024 Board of Commissioners Meeting Minutes.**

In accordance with the Americans with Disabilities Act, accommodations are available for those who are hearing impaired. The Board of Commissioners Agenda and supporting material for each item is available on-line through the County's website at [www.fayettecountyga.gov](http://www.fayettecountyga.gov). This meeting will be telecast on Comcast Cable Channel 23 and on the internet at <https://vimeo.com/user133262656>.

**OLD BUSINESS:**  
**NEW BUSINESS:**

**10. Request to approve the lease term acceptance to change the monthly fees for a tower site at Downtown Tyrone for Public Safety Radio System (#1428-P), as outlined in the terms and conditions.**

Commissioner Oddo moved to approve the lease term acceptance to change the monthly fees for a tower site at Downtown Tyrone for Public Safety Radio System (#1428-P), as outlined in the terms and conditions. Commissioner Maxwell seconded. The motion passed 3-0.

**11. Request to award Contract #2436-B, Sheriff Watch Office Renovation, to HEC Construction Solutions, LLC in the amount of \$891,038.18 to appoint a General Contractor.**

Commissioner Oddo moved to approve Contract #2436-B, Sheriff Watch Office Renovation, to HEC Construction Solutions, LLC in the amount of \$891,038.18 to appoint a General Contractor. Commissioner Maxwell seconded. The motion passed 3-0.

**12. Request to approve the purchase of office furniture and equipment through the Georgia Statewide Contract for the new Public Health Facility at 245 Booker Avenue, Fayetteville, for a total of \$379,278.06.**

Commissioner Oddo moved to approve the purchase of office furniture and equipment through the Georgia Statewide Contract for the new Public Health Facility at 245 Booker Avenue, Fayetteville, for a total of \$379,278.06. Commissioner Maxwell seconded. The motion passed 3-0.

**13. Request to approve Bid #2450-B, Annual Asphalt Contract to C.W. Matthews, Inc. in the not-to-exceed amount of \$342,007.82.**

Commissioner Oddo moved to approve to award Bid #2450-B, Annual Asphalt Contract to C.W. Matthews, Inc. in the not-to-exceed amount of \$342,007.82. Commissioner Maxwell seconded. The motion passed 3-0.

**14. Request to award Bid #2455-B to the lowest responsive, responsible bidder, Piedmont Paving, Inc, in the amount of \$3,887,451.28 for construction of a multi-use tunnel, retaining walls, and multi-use paths near the intersection of Robinson and Redwine Roads (2017 SPLOST project 17TAI).**

Commissioner Oddo moved to approve to award Bid #2455-B to the lowest responsive, responsible bidder, Piedmont Paving, Inc, in the amount of \$3,887,451.28 for construction of a multi-use tunnel, retaining walls, and multi-use paths near the intersection of Robinson and Redwine Roads (2017 SPLOST project 17TAI). Commissioner Maxwell seconded. The motion passed 3-0.

**ADMINISTRATOR'S REPORTS:**

**Joint Development Authority**

Commissioner Oddo moved to appoint Vice Chairman Gibbons to serve on the Joint Development Authority selection committee. Commissioner Maxwell seconded. Motion passed 3-0.

Commissioner Maxwell moved to appoint Chairman Hearn to serve on the Joint Development Authority selection committee. Commissioner Oddo seconded. The motion passed 3-0.

**October 10, 2024 BOC Meeting**

Vice Chairman Gibbons moved to cancel the October 10<sup>th</sup> BOC Meeting. Commissioner Oddo seconded. The motion passed 3-0.

**ATTORNEY'S REPORTS:**

**Notice of Executive Session:** County Dennis Davenport stated that there were seven items for Executive Session. Five items involving threatened litigation, one item involving pending litigation and the review of the September 22, 2024, Executive Session Minutes.

**COMMISSIONERS' REPORTS:**

**EXECUTIVE SESSION:**

**Five items involving threatened litigation, one item involving pending litigation and the review of the September 22, 2024, Executive Session Minutes.** Commissioner Oddo moved to go into Executive Session. Commissioner Maxwell seconded. The motion passed 3-0.

The Board recessed into Executive Session at 5:34 p.m. and returned to Official Session at 5:56 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 3-0.

**Approval of the September 22, 2024 Executive Session Minutes:** Commissioner Oddo moved to approve September 22, 2024, Executive Session Minutes. Vice Chairman Gibbons seconded the motion. The motion passed 3-0.

**ADJOURNMENT:**

Commissioner Oddo moved to adjourn the September 26, 2024, Board of Commissioners meeting. Vice Chairman Gibbons seconded. The motion passed 3-0.

The September 26, 2024, Board of Commissioners meeting adjourned at 5:34 p.m.

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Marlena Edwards, Chief Deputy County Clerk

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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 24<sup>th</sup> day of October 2024. Attachments are available upon request at the County Clerk's Office.

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Marlena Edwards, Chief Deputy County Clerk