

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

MINUTES

September 26, 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 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 3-0. Chairman Hearn and Commissioner Rousseau were absent.

PROCLAMATION/RECOGNITION: None.

PUBLIC HEARING:

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

- 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.**

Ms. Bell advised that because there was less than a full Board present, the petitioner elected to table the public hearing to the October 24, 2024 Board of Commissioners meeting.

Vice Chairman Gibbons moved to table this item to the October 24th BOC Meeting. Commissioner Oddo seconded. The motion passed 3-0. Chairman Hearn and Commissioner Rousseau were absent.

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.

Ms. Bell advised that the Petitioner requested this rezoning item be withdrawn.

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. Chairman Hearn and Commissioner Rousseau were absent.

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.

Ms. Bell advised that because there was less than a full Board present, the petitioner elected to table this public hearing to the October 24, 2024 BOC meeting.

Vice Chairman Gibbons moved to table this item to the October 24th BOC Meeting. Commissioner Oddo seconded. The motion passed 3-0. Chairman Hearn and Commissioner Rousseau were absent.

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.

Ms. Bell stated that in accordance with amendments to the state zoning procedures law, with this request staff was presenting recommendation to delete section 110 -175 2a. Which would delete drug treatment facility as a special use of property in its entirety. She continued that this amendment would bring the County's ordinance into alignment with updated state requirements.

No one spoke in favor or opposition to this item.

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. Chairman Hearn and Commissioner Rousseau were absent.

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.

Ms. Bell stated that with the approval of the previous item, deleting drug abuse facility as a special use of property in the outlined section of the ordinance, this request would define an appropriate place for it in the ordinance. This request was to add Sec. 110-169, (2)s-1. drug abuse treatment facility as a conditional use in the O-I district, with the same requirements that it had before, other than the deletion of items that would be monitored by the state regarding state licensure.

No one spoke in favor or opposition to this item.

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. Chairman Hearn and Commissioner Rousseau were absent.

- 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.**

Ms. Bell stated that this was a sister item to the previous request and was an amendment 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. Chairman Hearn and Commissioner Rousseau were absent.

PUBLIC COMMENT:

Michael Brantley of Fayetteville expressed his concern about a tree on and/or near his property that due to issues at his property and the pending bad weather, could fall on the neighboring play area and he wanted to make the Board aware of it. He asked if Commissioner Rousseau would be willing to come out and walk his property and review the concerns he had.

Cynthia Sacracino expressed her appreciation for County staff and the new programs at the animal shelter. She also suggested additional fencing around the property to maintain the safety of the animals.

CONSENT AGENDA:

Commissioner Oddo moved to approve the Consent Agenda. Commissioner Maxwell seconded. The motion passed 3-0. Chairman Hearn and Commissioner Rousseau were absent.

- 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.**

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.**

911 Communications Director Katye Vogt stated that this request was for approval to amend the lease terms changing the monthly fee for a tower site at Downtown Tyrone for Public Safety Radio System (#1428-P). She noted that equipment was being changed at the site and due to a change in leasable real estate on the tower, the monthly fee rate would increase.

Commissioner Oddo asked what were the changes that would be made to the equipment.

Ms. Vogt stated that basically they were updating to a bigger antenna and moving it higher on the tower.

Vice Chairman noted that these changes would improve connectivity for the county's first responders which included Fire, Emergency Management & Services, and Law Enforcement.

Ms. Vogt stated that was correct, this was a higher power transmit antenna.

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. Chairman Hearn and Commissioner Rousseau were absent.

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.

Project Manager, Tim Symonds, stated that this project would consist of the refurbishment and renovation of parts of the Fayette County Sheriff's Office premises. He noted that the current Watch Office was located to the rear of the offices. This project would create a public-facing entry way for visitors to the Sheriff's Office with the Watch Office Records department being realigned to provide a single-point public facing entry into the Sheriff's Office.

Commissioner Oddo asked if this project was being financed via SPLOST.

Mr. Symonds stated yes.

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. Chairman Hearn and Commissioner Rousseau were absent.

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.

Mr. Symonds stated that this request was to purchase furniture for the new Public Health Facility. He noted that only minimal furniture currently used would be repurposed for the new facility. Additionally, both the size and scope of services being offered was being increased which meant more furniture. Mr. Symonds stated that in working with a Georgia state pricing contractor via Staples who sourced the furniture, there would be three (3) separate purchase orders that would be specified by company (HON, Kimball, and CME) and the type of furniture they provided office furniture, medical equipment/furniture, and medical exam tables. He stated that this phase of the project was on a tight timeline because state contracts get busy towards the end of the year. He stated that there was a 10–12-week lead time, which would put the County in good shape as long as the order was placed by the beginning of October, to ensure the furniture is available and ready once renovations are completed at the end of December.

Commissioner Oddo asked what would happen with the old furniture.

Mr. Symonds advised that most of the existing furniture would be disposed of with a minimal portion being repurposed at the new facility, and at the discretion of the Health Department since it was their furniture.

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. Chairman Hearn and Commissioner Rousseau were absent.

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.

Public Works Director Phil Mallon advised that this was a familiar request that was submitted annually to approve annual asphalt contract. This asphalt was used for in-house projects.

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. Chairman Hearn and Commissioner Rousseau were absent.

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).

Mr. Mallon stated that this project was a long time coming and he was very excited to present it, for approval. He noted that a project of this magnitude took a lot of work behind the scenes and the efforts of many different departments. He thanked the Environmental Management Department, Finance Department, as well as the Purchasing Department for their assistance. Mr. Mallon stated that if approved, the expectation, as outlined in the contract, was to have the tunnel completed by the beginning of the 2025/2026 school year.

Commissioner Maxwell noted the cost of the project and asked what was included in the project to account for the expense.

Mr. Mallon stated in addition to roadway paving, the tunnel itself was a very expensive component of the project and there was also large-scale retaining walls on both sides of the road that contributed to the cost of the project.

Commissioner Maxwell asked about the drainage system of the tunnel.

Mr. Mallon stated that the tunnel would have a uniform grade and as a result, water should never pond. There would also be two drains at each entrance of the tunnel to mitigate water from entering the tunnel and routing water under Redwine Road to the receiving stream.

Commissioner Maxwell asked if the tunnel would be built on site.

Mr. Mallon stated that the tunnel would be pre-cast, being built off site, brought in and set in place. He noted that this was done in an effort to limit the amount of time the road would be closed.

Commissioner Maxwell asked about lighting for the tunnel.

Mr. Mallon stated that there would be pole lighting along the entrance to the path as you near the tunnel as well as lighting within the tunnel.

Commissioner Maxwell asked if there would be guard rails in place to prevent cars from running into the path to the tunnel.

Mr. Mallon stated that the large retaining wall could cause a significant hazard so there would be a concrete barrier over the tunnel itself, with guardrails in place beyond the tunnel.

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. Chairman Hearn and Commissioner Rousseau were absent.

ADMINISTRATOR'S REPORTS:

Hot Projects Update

Mr. Rapson stated that the Hot Projects report was forwarded to the Board and included updates on the Parks and Recreation multi-use facility, Coastline Bridge improvements, and a Water System AMI project update.

Joint Development Authority

Mr. Rapson that he needed a selection committee for an open position on the Joint Development Authority.

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

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

October 10, 2024 BOC Meeting

Vice Chairman Gibbons moved to cancel the October 10th Board of Commissioners Meeting. Commissioner Oddo seconded. The motion passed 3-0. Chairman Hearn and Commissioner Rousseau were absent.

Hurricane Helene Inclement Weather County Closure

Mr. Rapson advised that out of abundance of caution, because Hurricane Helene was approaching the area, County offices would be closed tomorrow, September 27th due to inclement weather.

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:

Vice Chairman Gibbons

Vice Chairman Gibbons urged everyone to keep our public safety and essential staff in prayer as the hurricane nears the area.

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. Chairman Hearn and Commissioner Rousseau were absent.

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. Chairman Hearn and Commissioner Rousseau were absent.

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. Chairman Hearn and Commissioner Rousseau were absent.

ADJOURNMENT:

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

The September 26, 2024, Board of Commissioners meeting adjourned at 5:34 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 24th day of October 2024. Attachments are available upon request at the County Clerk's Office.