

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

October 24, 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 October 24, 2024 Board of Commissioners meeting to order at 5:00 p.m. A quorum of the Board was present. Commissioner Eric Maxwell and Commissioner Charles Oddo were absent.

Invocation and Pledge of Allegiance by Chairman Lee Hearn

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

Acceptance of Agenda

Vice Chairman Edward Gibbons moved to accept the agenda. Commissioner Charles Rousseau seconded. The motion passed 3-0. Commissioner Eric Maxwell and Commissioner Charles Oddo were absent.

PROCLAMATION/RECOGNITION:

PUBLIC HEARING:

1. Consideration of Resolution 2024-11 adopting the 2024 Property Tax Millage Rate.

Vice Chairman Gibbons moved to approve Resolution 2024-11 adopting the 2024 Property Tax Millage Rate. Commissioner Rousseau seconded. The motion passed 3-0. Commissioner Maxwell and Commissioner Oddo were absent.

2. 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 w/fuel pump; property located in Land Lot 151 of the 5th District, fronts on Banks Rd and Hwy 54. This petition was tabled at the September 26, 2024 Board of Commissioners meeting.

Vice Chairman Gibbons moved to defer 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 w/fuel pump; property located in Land Lot 151 of the 5th District, fronts on Banks Rd and Hwy 54. To the November 14, 2024 meeting

Vice Chairman Gibbons withdrew his motion.

Vice Chairman Gibbons moved to defer 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 w/fuel pump; property located in Land Lot 151 of the 5th District, fronts on Banks Rd and Hwy 54, to the January 23, 2025 meeting. Commissioner Rousseau seconded. The motion passed 3-0. Commissioner Maxwell and Commissioner Oddo were absent.

- 3. Consideration of Petition No. 1355-24, Andrea Pope Camp and Jordan Camp, Owners; Randy Board, Agent, request to rezone 41.78 acres from A-R to R-75 for the purpose 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. This petition was tabled at the September 26, 2024 Board of Commissioners meeting.**

Commissioner Rousseau moved to defer Petition No. 1355-24, Andrea Pope Camp and Jordan Camp, Owners; Randy Board, Agent, request to rezone 41.78 acres from A-R to R-75 for the purpose 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 to January 23, 2025 meeting. Vice Chairman Gibbons seconded. The motion passed 3-0. Commissioner Maxwell and Commissioner Oddo were absent.

- 4. Consideration of a Development Plan for a Manufactured Home Park for property consisting of three (3) parcels (#0704 002; #0704 004; 0704 052), with a combined area of 26.74 acres, located in Land Lot 26 of the 7th District and fronts State Route 54 West.**

Vice Chairman Gibbons moved to approve withdrawal of a Development Plan for a Manufactured Home Park for property consisting of three (3) parcels (#0704 002; #0704 004; 0704 052), with a combined area of 26.74 acres, located in Land Lot 26 of the 7th District and fronts State Route 54 West. Commissioner Rousseau seconded. The motion passed 3-0. Commissioner Maxwell and Commissioner Oddo were absent.

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:

Vice Chairman Gibbons moved to approve the Consent Agenda with the exception of item 12. Commissioner Rousseau seconded. The motion passed 3-0. Commissioner Maxwell and Commissioner Oddo were absent.

- 5. Approval to award Change Order #8: Preventive Maintenance for Existing Radios to E.F. Johnson and to allocate \$144,841.95 from Contingencies and Enhancements in the Public Safety Radio System (#1428-P) to Maintenance and Support for additional preventative maintenance services to secure services and equipment for existing radios.**
- 6. Approval of Board of Assessors' recommendation to approve a disposition of tax refund, as requested by Joseph Redley, in the amount of \$354.89 for tax year(s) 2023.**
- 7. Approval of Board of Assessors' recommendation to approve a disposition of tax refund, as requested by Steven Kruczek, in the amount of \$1,209.84 for tax year(s) 2021, 2022, 2023.**
- 8. Approval of Board of Assessors' recommendation to approve a disposition of tax refund, as requested by John Terrell (Terrick Holdings), in the amount of \$3,543.12 for tax year(s) 2021, 2022, 2023.**
- 9. Approval of disposition of tax refund, as requested by Joel P. Volle, in an adjusted amount of \$318.33 for tax year(s) 2021, 2022 and 2023.**

- 10. Approval of a supplemental federal grant for the DUI Accountability Court from the Governor's Office of Highway Safety, in the amount of \$35,000.**
- 11. Approval to increase the current fee schedule allowing for the Fayette County Environmental Health Department to adjust fees comparable to surrounding counties.**
- 12. Approval of the September 26, 2024 Board of Commissioners Meeting Minutes.**

Chairman Hearn moved to approve the September 26, 2024 Board of Commissioners Meeting Minutes. Vice Chairman Gibbons seconded. The motion passed 3-0. Commissioner Maxwell and Commissioner Oddo were absent.

OLD BUSINESS:

NEW BUSINESS:

- 13. Request to approve the proposed Intergovernmental Agreement (IGA) between Fayette County and Clayton County for the Roundabout Project at South Jeff Davis, County Line, Inman, and North Bridge Roads (2004 SPLOST R-8A).**

Vice Chairman Gibbons moved to approve the proposed Intergovernmental Agreement (IGA) between Fayette County and Clayton County for the Roundabout Project at South Jeff Davis, County Line, Inman, and North Bridge Roads (2004 SPLOST R-8A). Commissioner Rousseau seconded. The motion passed 3-0. Commissioner Maxwell and Commissioner Oddo were absent.

- 14. Request to award Bid #2428-B, Fayette County Resurfacing Program FY 2022 to the lowest responsive and responsible bidder, ER Snell Contractor Inc., for the amount of \$3,530,969.02 (2017 SPLOST 21TAC), contingent upon concurrence from the Georgia Department of Transportation (GDOT).**

Commissioner Rousseau moved to approve to award Bid #2428-B, Fayette County Resurfacing Program FY 2022 to the lowest responsive and responsible bidder, ER Snell Contractor Inc., for the amount of \$3,530,969.02 (2017 SPLOST 21TAC), contingent upon concurrence from the Georgia Department of Transportation (GDOT). Vice Chairman Gibbons seconded. The motion passed 3-0. Commissioner Maxwell and Commissioner Oddo were absent.

- 15. Request to award Contract #2461-B HA 5, High Density Mineral Bond to Holbrook Asphalt, Inc. in the amount of \$299,495.02.**

Commissioner Rousseau moved to approve to award Contract #2461-B HA 5, High Density Mineral Bond to Holbrook Asphalt, Inc. in the amount of \$299,495.02. Vice Chairman Gibbons seconded. The motion passed 3-0. Commissioner Maxwell and Commissioner Oddo were absent.

- 16. Request to approve the revision to Fayette County Code Chapter 104-Development Regulations; Article IV. Floodplain Management; Sec. 104-87- Provisions for flood damage reduction to maintain the county's Federal Emergency Management Agency (FEMA) Community Rating Service level.**

Vice Chairman Gibbons moved to approve revision to Fayette County Code Chapter 104-Development Regulations; Article IV. Floodplain Management; Sec. 104-87- Provisions for flood damage reduction to maintain the county's Federal Emergency Management Agency (FEMA) Community Rating Service level. Commissioner Rousseau seconded. The motion passed 3-0. Commissioner Maxwell and Commissioner Oddo were absent.

ADMINISTRATOR'S REPORTS:

A: Contract 2378-S: Water System Engineer of Record; Task Order 25-03: Trilith Booster Pump Station

B: Contract 2378-S: Water System Engineer of Record; Task Order 25-04; Chlorine Disinfection Upgrade

ATTORNEY'S REPORTS:

Notice of Executive Session: Assistant County Ali Cox stated that there were nine items for Executive Session. Four items involving threatened litigation, one item involving pending litigation, three items involving real estate acquisition, and the review of the September 26, 2024, Executive Session Minutes.

COMMISSIONERS' REPORTS: Commissioner Rousseau, Vice Chairman Gibbons, and Chairman Hearn made comments.

EXECUTIVE SESSION:

Four items involving threatened litigation, one item involving pending litigation, three items involving real estate acquisition, and the review of the September 26, 2024, Executive Session Minutes. Vice Chairman Gibbons moved to go into Executive Session. Chairman Hearn seconded. The motion passed 3-0.

The Board recessed into Executive Session at 6:08 p.m. and returned to Official Session at 6:42 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. Commissioner Maxwell and Commissioner Oddo were absent.

Approval of the September 26, 2024 Executive Session Minutes: Vice Chairman Gibbons moved to approve September 26, 2024, Executive Session Minutes. Commissioner Rousseau seconded the motion. The motion passed 3-0. Commissioner Maxwell and Commissioner Oddo were absent.

ADJOURNMENT:

Vice Chairman Gibbons moved to adjourn the October 24, 2024, Board of Commissioners meeting. Commissioner Rousseau seconded. The motion passed 3-0. Commissioner Maxwell and Commissioner Oddo were absent.

The October 24, 2024, Board of Commissioners meeting adjourned at 6:42 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 14th day of November 2024. Attachments are available upon request at the County Clerk's Office.

Marlena Edwards, Chief Deputy County Clerk