

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

December 12, 2024

2:00 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 December 12, 2024 Board of Commissioners meeting to order at 2:00 p.m. A quorum of the Board was present.

Invocation and Pledge of Allegiance by Commissioner Charles Rousseau

Commissioner Charles Rousseau offered the invocation and led the audience in the Pledge of Allegiance

Acceptance of Agenda

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

PROCLAMATION/RECOGNITION:

1. **Recognition of Fayette County 4-Hers who earned top honors at the Cotton Boll Consumer Judging Competition.**
2. **Update from Judge Jason Thompson regarding the Accountability Court and the strategic planning efforts for Fiscal Year (FY)2025 and FY2026.**

PUBLIC HEARING:

3. **Consideration of Petition No. RDP-020-24, Jerry Gable, Owner, and Christine Flanigan, Agent, request to Revise the Development Plan for The Woodlands subdivision to remove the undeveloped acreage from the subdivision; property located in Land Lots 73 and 88 of the 5th District and fronts on South Jeff Davis Drive and Dixon Circle.**

Vice Chairman Gibbons moved to approve Petition No. RDP-020-24, Jerry Gable, Owner, and Christine Flanigan, Agent, request to Revise the Development Plan for The Woodlands subdivision to remove the undeveloped acreage from the subdivision; property located in Land Lots 73 and 88 of the 5th District and fronts on South Jeff Davis Drive and Dixon Circle. Commissioner Oddo seconded. The motion passed 5-0.

4. **Consideration of Petition No. 1357-24, G. Richard Moore, Judith Moore, Elizabeth Anne Moore, Jeanette Isabelle Frei, and Patricia Louise Moore, Trustees of the Moore Living Trust, request to rezone 3.65 acres from R-40 to A-**

R for the purpose of reconfiguring parcels between family members; property located in Land Lot 254 of the 13th District and fronts on Kite Lake Road.

Commissioner Rousseau moved to approve Petition No. 1357-24, G. Richard Moore, Judith Moore, Elizabeth Anne Moore, Jeanette Isabelle Frei, and Patricia Louise Moore, Trustees of the Moore Living Trust, request to rezone 3.65 acres from R-40 to A-R for the purpose of reconfiguring parcels between family members; property located in Land Lot 254 of the 13th District and fronts on Kite Lake Road, with outlined condition. Vice Chairman Gibbons seconded. The motion passed 5-0.

- 5. Consideration of Petition No. 1358-24-A, Brent Holdings, LLC, Applicant, and Daniel Field and Steven Jones, Agents, request to rezone 2.242 acres from A-R to M-1, for the purpose of developing a commerce and industry complex; property located in Land Lot 248 of the 5th District and fronts on State Route 85 North.**

Commissioner Rousseau moved to deny Petition No. 1358-24-A, Brent Holdings, LLC, Applicant, and Daniel Field and Steven Jones, Agents, request to rezone 2.242 acres from A-R to M-1, for the purpose of developing a commerce and industry complex; property located in Land Lot 248 of the 5th District and fronts on State Route 85 North. Vice Chairman Gibbons seconded. The motion passed 3-2, with Chairman Hearn and Commissioner Maxwell voting in opposition.

- 6. Consideration of Petition No. 1358-24-B, Brent Holdings, LLC, Applicant, and Daniel Field and Steven Jones, Agents, request to rezone 55.066 acres from C-H to M-1, for the purpose of developing a commerce and industry complex; property located in Land Lot 248 of the 5th District and fronts on State Route 85 North and Oak Hill Road.**

Commissioner Rousseau moved to deny Petition No. 1358-24-B, Brent Holdings, LLC, Applicant, and Daniel Field and Steven Jones, Agents, request to rezone 55.066 acres from C-H to M-1, for the purpose of developing a commerce and industry complex; property located in Land Lot 248 of the 5th District and fronts on State Route 85 North and Oak Hill Road. Vice Chairman Gibbons seconded. The motion seconded 3-2, with Chairman Hearn and Commissioner Maxwell voting in opposition.

- 7. Consideration of Ordinance 2024-11, amending Chapter 110. Zoning Ordinance, Article VII. Zoning Board of Appeals. Sec. 110-242. - Powers and duties.**

Commissioner Oddo moved to approve Ordinance 2024-11, amending Chapter 110. Zoning Ordinance, Article VII. Zoning Board of Appeals. Sec. 110-242. - Powers and duties. Vice Chairman Gibbons seconded. The motion passed 5-0.

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:

Vice Chairman Gibbons moved to approve the Consent Agenda except for item #12. Commissioner Oddo seconded. The motion passed 5-0.

- 8. Approval of the third amendment and renewal of a contract between Fayette County and the Judicial Correction Services (JCS), LLC for probation supervision and rehabilitation services for State Court beginning January 1, 2025 and terminating December 31, 2025, with an option to renew for five (5) additional one-year terms.**

9. **Approval of the amendment and renewal of a contract between Fayette County and the Judicial Correction Services (JCS), LLC for probation supervision and rehabilitation services for Magistrate Court beginning January 1, 2025 and terminating December 31, 2025, with an option to renew for five (5) additional one-year terms.**
10. **Approval of the amendment and renewal of a contract between Fayette County and the Judicial Correction Services (JCS), LLC for probation supervision and rehabilitation services for Superior Court beginning January 1, 2025 and terminating December 31, 2025, with an option to renew for five (5) additional one-year terms.**
11. **Acknowledgment of Sheriff Barry H. Babb's decision to accept five (5) vehicles from the City of Fayetteville.**
12. **Acceptance of a Subgrant Agreement with the Atlanta Regional Commission (ARC) for an update to the Fayette County 2019 Comprehensive Transportation Plan (CTP) and a grant of \$192,000.**

Commissioner Rousseau moved to add Helmer Road to the list for Fayette County 2019 Comprehensive Transportation Plan list. Vice Chairman Gibbons seconded. 5-0.

Commissioner Oddo moved to approve acceptance of a Subgrant Agreement with the Atlanta Regional Commission (ARC) for an update to the Fayette County 2019 Comprehensive Transportation Plan (CTP) and a grant of \$192,000. Commissioner Rousseau seconded. The motion passed 5-0.

13. **Approval to accept the right-of-way dedication of 1.115 acres along Kenwood Road and Longview Road as shown in the Limited Warranty Deed dated September 5, 2024, recorded in Deed Book 5757, Pages 635-639, per Fayette County Rezoning Resolution No. 1344-24.**
14. **Approval to accept the right of way dedication known as "10' Right-of-Way Dedication #1 0.10 AC" and "10' Right-of-Way dedication #2 0.19 AC" as per the Final Plat of Mill Farms recorded in Plat Book 102, Pages 4-11 and the Deed of Right of Way dated October 3, 2024, recorded in Deed Book 5770, Pages 5-6, per Fayette County Code requirements.**
15. **Approval to accept the right-of-way dedication known as Tract 2, 0.357 acres, shown on the Right of Way Dedication Plat for Christian Brothers Automotive Corp., Rev. 1, dated June 16, 2024, and the quitclaim deed dated August 19, 2024, per Fayette County Rezoning Resolution No. 1143-05.**
16. **Approval to accept the right-of-way dedication of newly constructed internal local roads shown on the Riverbend Overlook Phase II Plat dated January 27, 2022, and the Limited Warranty Deed dated May 11, 2022, per Fayette County Code requirements.**
17. **Approval to accept the right-of-way dedication of newly constructed internal local roads shown on the Riverbend Overlook Phase III Plat dated March 28, 2024, and the Limited Warranty Deed dated June 24, 2024, per Fayette County Code requirements.**
18. **Approval of the November 14, 2024, Board of Commissioners Meeting Minutes.**

OLD BUSINESS:

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. This meeting will be telecast on Comcast Cable Channel 23 and on the internet at <https://vimeo.com/user133262656>.

NEW BUSINESS:

- 19. Request to award Contract #2466-S, Justice Center Buildout - Audio Visual to Sound Principles Pro Multi Media, Inc. in the amount of \$754,700.00, to provide and install audio visual equipment for the third floor of the Justice Center.**

Commissioner Maxwell moved to approve to award Contract #2466-S, Justice Center Buildout - Audio Visual to Sound Principles Pro Multi Media, Inc. in the amount of \$754,700.00, to provide and install audio visual equipment for the third floor of the Justice Center. Commissioner Oddo seconded. The motion passed 5-0.

- 20. Request to approve Contract #2184-B: Redwine, Bernhard, & Peachtree Parkway Roundabout (17TAL); Change Order #2 for McLeRoy, Inc. in the amount of \$188,394.13 and to transfer \$124,726.39 from 17TAG Intersection Improvements.**

Commissioner Rousseau moved to approve Contract #2184-B: Redwine, Bernhard, & Peachtree Parkway Roundabout (17TAL); Change Order #2 for McLeRoy, Inc. in the amount of \$188,394.13 and to transfer \$124,726.39 from 17TAG Intersection Improvements. Vice Chairman Gibbons seconded. The motion passed 5-0.

- 21. Request to accept the 2019 Transportation Improvement Program (TIP) grant award for the construction phase of the FY 2022 Fayette County Resurfacing SPLOST project 21TAC (GDOT PI 0017812) for the amount of \$3,742,256.30, to digitally execute the Construction Agreement with Georgia Department of Transportation (GDOT), and to issue a check payment for GDOT Construction Oversight.**

This item was tabled to the January 9th BOC Meeting.

- 22. Request to award Bid #2488-B, FY25 Resurfacing Project in the amount of \$2,082,362.62 to Blount Construction Co, Inc. to provide milling, crack sealing and resurfacing on various roads in Fayette County.**

Vice Chairman Gibbons moved to approve to award Bid #2488-B, FY25 Resurfacing Project in the amount of \$2,082,362.62 to Blount Construction Co, Inc. to provide milling, crack sealing and resurfacing on various roads in Fayette County. Commissioner Oddo seconded. The motion passed 5-0.

- 23. Request to award Bid #2492-B Micro Surfacing in the amount of \$1,676,500 to Asphalt Paving Systems, Inc. to provide Micro Surfacing on various roads in Fayette County.**

Commissioner Oddo moved to approved to award Bid #2492-B Micro Surfacing in the amount of \$1,676,500 to Asphalt Paving Systems, Inc. to provide Micro Surfacing on various roads in Fayette County. Vice Chairman Gibbons seconded. The motion passed 5-0.

- 24. Request to award Contract #2489-B; Fayette County Tactical Driving Course - Phase II Infield Construction in the amount of \$2,421,698.61 to Piedmont Paving Inc. to construct additional track sections for PIT maneuvers to be performed and instructed and installation of two viewing towers.**

Vice Chairman Gibbons moved to approve to award Contract #2489-B; Fayette County Tactical Driving Course - Phase II Infield Construction in the amount of \$2,421,698.61 to Piedmont Paving Inc. to construct additional track sections for PIT maneuvers to be performed and instructed and installation of two viewing towers. Commissioner Oddo seconded. The motion passed 5-0.

- 25. Consideration of Option #1, to have the Fayette County Marshal's Office to occupy the Old Courthouse or Option #2, to enter an agreement to have the Fayette County Historical Society occupy the additional space on the 2nd and 3rd floors.**

This item was tabled to the January 9th BOC Meeting.

- 26. Ordinance 2024-10 to amend Fayette County Code of Ordinance, Chapter 8-Business; Article IV. -Personal Care Homes and Community Living Arrangements; Sec. 8-94.- Operational procedures.; (a), to amend the maximum number of residents allowed in personal care homes and community living arrangements.**

Vice Chairman Gibbons moved to approve Ordinance 2024-10 to amend Fayette County Code of Ordinance, Chapter 8-Business; Article IV. -Personal Care Homes and Community Living Arrangements; Sec. 8-94.- Operational procedures.; (a), to amend the maximum number of residents allowed in personal care homes and community living arrangements. Commissioner Oddo seconded. 5-0.

ADMINISTRATOR'S REPORTS:

Animal Control Phase II

Mr. Rapson stated that the phase II conceptual plan will be posted online along with hosting engagement meetings to garner citizen feedback and input.

Christmas Holiday Closure

Mr. Rapson reminded everyone of the upcoming Christmas Holiday closure noting that county offices would be closed December 23-27, 2024.

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 November 14, 2024, Executive Session Minutes.

COMMISSIONERS' REPORTS:

Commissioner Maxwell, Commissioner Rousseau, Commissioner Odd, Vice Chairman Gibbons, and Chairman Hearn made comments.

EXECUTIVE SESSION:

Five items involving threatened litigation, one item involving pending litigation, and the review of the November 14, 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 4:19 p.m. and returned to Official Session at 4:41 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 November 14, 2024 Executive Session Minutes: Vice Chairman Gibbons moved to approve November 14, 2024, Executive Session Minutes. Commissioner Rousseau seconded the motion. The motion passed 5-0.

ADJOURNMENT:

Commissioner Oddo moved to adjourn the December 12, 2024, Board of Commissioners meeting. Vice Chairman Gibbons seconded. The motion passed 5-0.

The December, 2024, Board of Commissioners meeting adjourned at 4:42 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 9th day of January 2025. Attachments are available upon request at the County Clerk's Office.

Marlena Edwards, Chief Deputy County Clerk