

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

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.

4-H & Youth Development Agent, Cara Rhoad, recognized and congratulated Fayette County 4-H'ers who earned top honors at the Cotton Boll Consumer Judging Competition. She explained that the Cotton Boll Consumer Judging Competition (CBCJ) program equipped young people with valuable knowledge and skills, including understanding the importance of cotton in agriculture, promoting cotton in local communities, making informed consumer choices, and developing critical thinking and problem-solving abilities. The team, comprised of first-time competitors, made a significant impact, earning top honors. Gideon tied for 1st place in Cloverleaf High individual competition, Christian tied for 2nd place in the Junior High individual competition, and Cameron tied for 6th place in the Senior High individual competition.

2. Update from Judge Jason Thompson regarding the Accountability Court and the strategic planning efforts for Fiscal Year (FY)2025 and FY2026.

Chairman Hearn stated that Judge Thompson reached out and advised that he would not be available to attend the meeting but sent State Court representatives to provide the update.

Accountability Court Coordinator, Jourdan Crawford, provided the Board a brief Accountability Court update and overview. Ms. Crawford highlighted both the DUI/Drug Court and Veterans Treatment Court programs, the treatment plans and requirements,

and program goals. Brian noted several events and activities the Accountability Courts participated in, including the annual Kickball game, Senior "Citizen" Prom, and highlighted that participants hosted a holiday giveback. Participants gathered essential items for members of the community, specifically victims of domestic violence. He stated that Accountability Court staff attended the annual Council of Accountability Court Judges (CACJ) Conference in Athens, where they received training. They concluded thanking the Board for their support.

Commissioner Rousseau asked how many slots were available for participants of Veterans Court.

Brian stated that there was not a limit on the number of available Veterans Court slots, however, participants have to meet eligibility requirements before being approved for enrollment.

Commissioner Rousseau asked if there had been any statistics on the effectiveness of the Veterans Court program as it related to mental health, particularly suicide prevention.

Brian stated that as a retired veteran he took special interest in this program and the success of its participants and noted that the recidivism rate of the graduates of program was one of the lowest in the state of Georgia. He added that there had been zero suicides or suicidal tendencies from those that graduated the program based on the information that was being tracked.

PUBLIC HEARING:

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

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.

Ms. Bell stated that this request was to revise the Development Plan for the Woodlands subdivision to remove the undeveloped acreage from the subdivision. She explained that the lot was a legal lot of record and met or exceeded the requirements of the R-45 zoning district. It was currently zoned R-45 Conditional; any conditions of zoning applicable to this parcel would be addressed at a later date. Ms. Bell stated that the Woodlands subdivision was developed in phases between 1988 and 2006. Phase VII was the last phase to be built and platted. Tract D, which was the subject of this request, contains 28.45 acres. It was the last piece of the original development plan, but no infrastructure was ever installed. Staff noted that frontage on Dixon Circle was limited, and no subdivision of this parcel would be approved unless the required road frontage was provided by the developer of the parcel. On November 7, 2024, the Planning Commission recommended approval of the request because this area remains undeveloped, and the parcel was not embedded within the interior of the subdivision but has independent road access. Staff also recommended approval of the revised Development Plan.

Christine Flanigan, petitioner representative, stated that this request stemmed from the desire of the property owner to sell the property. Prior to doing so, however, they needed the property to be unified. She continued that a rezoning application would be forth coming in the upcoming month.

Michael Jorgensen of Fayetteville expressed his concerns as a Woodlands subdivision resident. He stated that he was not in opposition of the request but was concerned about what would happen once the property was sold, particularly regarding the lake. He noted that the lake was privately owned by 19 residents on the Woodland subdivision side. They have been maintaining it including fish stocking, algae control, etc. since 1988 and worked well with the current owner. However, if sold he wanted to know how a good relationship could be maintained. He also expressed concern about the standard of housing that would be allowed to be built on the property once sold, because this would have a direct impact on Woodland subdivision residents' property value.

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.

Ms. Bell stated that this request was to rezone 3.65 acres from R-40 to A-R for the purpose of reconfiguring parcels between family members. The property was a legal lot of record in the R-40 zoning district. The family owned two (2) larger parcels (#1302 046 and #1302 051) that were already zoned A-R. The larger parcels were originally planned to be a residential subdivision, so they do not have the appropriate road frontage. By rezoning this 3.65-acre parcel, they would be able to reconfigure the existing parcels to provide the necessary road frontage. Ms. Bell stated that there was also a guest house on one parcel that was modified and exceeded the maximum allowable square footage for guest houses. The proposed reconfiguration would provide a separate parcel for this structure, thereby bringing it into compliance. No additional parcels would be created at this time. She noted that as defined in the Fayette County Comp Plan, low density residential (1 Unit/1 Acre) was designated for the area, so the request for A-R zoning was appropriate as it was a less intensive use. Both staff and the Planning Commission recommended conditional approval of the request for a zoning of A-R, Agricultural-Residential District, subject to the following condition: 1. The recombination plat for parcels 1302-051, 1302-046 and 1302-036 shall be submitted for staff review and approved and recorded within 90 days of approval of the rezoning.

No one spoke in favor or opposition.

Commissioner Rousseau asked the applicant if he accepted the condition as outlined.

George Richard Moore agreed to the condition as described.

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.

Ms. Bell advised that items #5 & #6 were related but involved two separate parcels and would be voted on separately. She stated that this request was to rezone 2.242 acres from A-R to M-1, for the purpose of developing a commerce and industry complex with small buildings ranging in size from approximately 12,000 sq. ft. to 20,000 sq. ft. and a distribution warehouse of approximately 260,000 sq. ft. to the rear of the property. She noted that this request was a joint rezoning application with an adjacent 55.066-acre tract, under Petition No. 1358-24-B. She noted that the two parcels that are the subject of these requests would result in a total project of approximately 57 acres. Ms. Bell stated that as defined in the Fayette County Comprehensive Plan, Commercial was designated for this area, so the request for M-1 zoning was not appropriate. Both staff and the Planning Commission recommended denial of the request. However, if the request was approved, staff recommended the following conditions: 1. All parcels that are the subject of this petition shall be combined by a recorded final plat within 90 days of the approval of the petition or prior to the submittal of a site development plan, whichever comes first. Ms. Bell provided the Board with visuals of the subject property including topography and aerial maps.

Steven L. Jones with Taylor English Duma LLC stated that these were two related rezoning applications for a commerce industry center. He noted that the property was in a "commercial/industrial" corridor. Mr. Jones stated that the Comp Plan designated that this property and this corridor was right for industrial, commercial and other non-residential development. He noted that there had

been precedential rezoning when the Board approved a similar M-1 rezoning request about two years prior, consistent with the outlined subset of the Comprehensive Plan. He stated that the proposal was to develop a commerce and industry complex under the M-1 zoning. He stated that they had extensive discussions with the economic development sector of the county and there were no manufacturing facilities in the county for industries that would want to locate to Fayette County. He highlighted that the commerce complex would house a variety of buildings ranging in sizes from about 9,0000 sq. ft. to over 200,0000 sq. ft. allowing the property to accommodate any potential user that may want to relocate here. The larger building would be designed to be subdivided to accommodate a wide range of businesses. In reviewing the current zoning map Mr. Jones stated that there was developing trend or push in this corridor towards M-1 zoning, although there was C-H zoning consistent with the zoning presently applied to the property along the State Route 85 corridor but the uses trend more toward industrial uses as opposed to commercial uses. Mr. Jones highlighted the Comp Plan as noted on page GC-11, -21, explained that State Route 85 North of Fayetteville was designated as a nonresidential corridor area. It further stated that *“this area extends from the city limits of Fayetteville north to the county line. It provides an area where a variety of nonresidential uses including commercial, office, and light industrial are appropriate. The area contains opportunity for infill, redevelopment and new development. In this area, the Comp. Plan anticipated “a large amount of nonresidential development (office, commercial and industrial) on both sides of [the] roadway.” (p. GC-11); and Applicable zoning districts . . . Include M-1, Light Industrial.” (p. GC-11).* As previously mentioned, Mr. Jones noted the precedential rezoning approval of Petition No. 1319-22, which was a similar M-1 rezoning request although a smaller acreage footprint. Mr. Jones provided an overview of current businesses and industries along the State Route 85 corridor and highlighted some of the permitted uses allowed in the M-1 zoning which included

- Light manufacturing, including
 - Electronic device assembly
 - Assembly of products from previously prepared materials
 - Bottling and/or canning plant
 - Ceramic products
 - Light sheet metal products
 - Manufacturing of food, cosmetics and pharmaceutical products
 - Machine/welding shop
 - Other manufacturing, processing, packaging or handling of similar nature (not noxious uses)
 - Production and/or sales of commercial/industrial hardware

- Medical laboratory
- Restaurant supply
- TV/movie/media production
- Blueprinting and/or graphics services
- Building construction/contracting and related activities
- Cabinet manufacturing, sales, repair, and/or installation
- Grading service
- Land development firms
- Landscaping service

Mr. Jones stating that the proposed larger building on the complex could be used as a data center which was needed and could be a potential use. He concluded stating that he was available to the Board if they had any questions.

No one spoke in favor.

The following citizens/residents made comments in opposition: Julianna Terpstra and Elaine Kilgore

Comments in opposition included concerns regarding wildlife care, stormwater runoff, increased traffic, no desire for data centers, the desire to maintain a residential feel to Fayetteville not becoming too commercialized,

Mr. Jones stating in regard to concerns about stormwater runoff that there was both state law and county ordinance requirements in place that the development would have to adhere to, be it storm water ponds and/or infrastructure. Regarding concerns of residents in the neighboring subdivision, he noted that an undisturbed buffer was required to help maintain the residential subdivision to the south of the proposed property. Previous businesses and industries in the corridor have failed which was what initiated this rezoning request and for these factor, Mr. Jones asked for the Board's favorable approval of the requests.

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.

Commissioner Oddo stated that one of his concerns was that this would be changing the Land Use Plan from the dais. There was a Land Use Plan review in place where these types of evaluations could be appropriately analyzed. He noted that the area was made up of commercial businesses that had been in place for decades. He stated that he was hesitant and did not want this corridor to end up like Oakley Boulevard in Fairburn, which had become a transportation issue. Commissioner Oddo stated that he was not negating this type of development, however, he did not feel this was the best place to put it.

Commissioner Rousseau stated that this was an excellent presentation and noted that he would love to see something in this corridor because it had been stagnant and there should be some new growth and development in the area. However, this request was inconsistent with the Land Use Plan. The previously mentioned M-1 approval was approved with the intent to maintain a corridor. This approval would expand beyond that. Commissioner Rousseau stated as highlighted by Commissioner Oddo there was a review process in place. He noted that Mr. Logan, who provided comments, participated in the most recent comp review; there were also business community leaders, developers, realtors, and civic agents who had not had the opportunity to review and evaluate this type of approval. He stated that he would love to have this corridor added to the list for the upcoming comprehensive review to garner citizen input to help determine what would be a good fit for the area. He reiterated that he loved the concept that something needed to be done. Commissioner Rousseau stating that he did share environmental concerns as mentioned by residents' comments. He noted that roadway upgrades were planned for the area. These upgrades would include curbing, lighting, potential pathways with construction set to begin in the future. He stated that he agreed with something being done in the area, however, he was not in favor of arbitrarily changing the Land Use Plan without citizen feedback and input.

Commissioner Maxwell stated that his line of thinking was similar to Commissioner Rousseau as it related to that corridor. He noted that he had been in the community for about 52 years and before that in Clayton County and was very familiar with the intersection/corridor. He noted that he had always wanted there to be a distinct and visible difference when you enter Fayetteville from Clayton County. He stated that he assumed that this development would be a "pretty" and a visually appealing complex as you enter the County. Commissioner Maxwell stated that the data center, as mentioned in the presentation, was just a potential option for the type of business permitted under this zoning and would not be anywhere near as large as the current one being built in the middle of the County. Commissioner Maxwell stated that his concern was that sometimes the time to act was "now." He wondered what else could be put in that corridor if not this type of use. He concluded that he did not want to miss an opportunity.

Commissioner Rousseau stated that considering this request was difficult and sometimes timing was a major factor in making a decision. He noted that in his opinion the guiding principle called the Comprehensive Plan provided the Board their responsibility on how to proceed and what outline to follow.

Vice Chairman Gibbons stated that when reviewing this request, the first thing he thought of was Oakley Industrial Boulevard and he did not want another one of those, especially here in Fayette County.

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.

Ms. Bell reiterated that agenda items #5 & #6 were related but involved two separate parcels and would be voted on separately. This request was to rezone 55.066 acres from C-H to M-1, for the purpose of developing a commerce and industry complex. Ms. Bell stated that as defined in the Fayette County Comprehensive Plan, Commercial was designated for this area, so the request for M-1 zoning was not appropriate. Both staff and the Planning Commission recommended denial of the request. However, if the request was approved, staff recommended the following conditions: 1. All parcels that are the subject of this petition shall be combined by a recorded final plat within 90 days of the approval of the petition or prior to the submittal of a site development plan, whichever comes first. 2. Oak Hill Road is a County Local Road on the Fayette County Thoroughfare Plan. The developer shall dedicate land, as needed, to provide 30 feet of right-of-way as measured from the existing centerline of Oak Hill Road. The Right of way dedication shall be completed within 90 days of rezoning. 3. Article XII. - Watershed Protection Ordinance shall apply to the tracts presented in the rezoning case 1358-24 and these new buffers will be applied during development. Ms. Bell provided the Board with visuals of the subject property including topography and aerial maps.

Mr. Jones stated that his previous comments apply to this application as well and he was available for any question of the Board.

No one spoke in favor.

The following citizens/residents made comments in opposition: Julianna Terpstra, Elaine Kilgore, Issac Logan

Comments in opposition included concerns regarding wildlife care, stormwater runoff, increased traffic, no data centers, the desire to maintain a residential feel to Fayetteville not becoming too commercialized, approval of a larger buffer.

Mr. Jones in response to comments stated that the buffer requirement was 75 feet. In response to concerns regarding traffic he noted that currently the C-H zoning was highway commercial and a consumer facing zoning which generated more traffic as opposed to the requested M-1 zoning would be an extremely low traffic producing zoning.

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.

Ms. Bell stated that this request was for an amendment to address the powers and duties of the Zoning Board of Appeals. Under the current ordinance, the Zoning Board of Appeals may deem an illegal lot a nonconforming lot. However, no lot was eligible for a variance to lot size, lot width or road frontage. The proposed amendment provided criteria for variances for unimproved nonconforming lots and clarification regarding variances allowed for improved illegal lots. Both staff and the Planning Commission recommended approval of the amendment.

No one spoke in favor or opposition.

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:

5-Member Election Board

The following citizens made comments regarding a wanting a Five-Member Elections Board: Cathy Vaught, Randy Ognio, Mariam Yacoub, Joseph Smith, Jessica Whelan, and Suzanne Brown

Commenter concerns regarding Five-Member Elections Board included: maintaining quorum requirements, training, better communication, and stronger/better political representation.

Chairman Hearn stated that he would be willing to meet with Ms. Vaught and others to discuss their concerns in detail.

Commissioner Maxwell stated that he would like to know about the discussions of that meeting. He also stated that he had some concerns regarding who made the decision on how that membership was comprised and felt that should reside with the Board of Commissioners. Commissioner Maxwell stated that the Board of Elections had always (to his knowledge) ran efficiently in the past and this was the first time this type of request had been proposed but he was open to considering it.

Commissioner Rousseau stated that he shared Commissioner Maxwell's sentiments as well as concerns regarding who and how the membership was comprised and felt that that responsibility should remain with the Board and not be decided by the Probate Judge.

Chairman Hearn stated that he would keep the Board involved and informed in the discussions.

Commissioner Rousseau continued stating that he was open minded to the idea of a Five-member Elections Board. He noted that staff was responsible for election laws and the Elections Board was responsible with carrying out said law, not setting policy. He stated that the Board had to be careful when reviewing political issues around elections. These processes were important and had to be maintain and not compromised.

Vice Chairman Gibbons stated that he agreed with the sentiment of Commissioner Maxwell in that the Board of Elections had always (to his knowledge) run efficiently in the past, this past year was a unique situation.

Commissioner Oddo stated that his biggest concerns was regarding the need for communication. He noted comments regarding the need for the Elections Board to be able to speak to each other without the fear of violating quorum laws.

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 asked Public Works Director Phil Mallon if the list included in the County 2019 Comprehensive Transportation Plan (CTP) was complete or could roads be added.

Mr. Mallon stated that the list was considered a draft list that could be modified via direction of the Board or through more informal discussions. If approved, the next step would be to create the request for proposal that would include a more in-depth scope-of-work and where roads could be added or removed.

Commissioner Rousseau stated he wanted to confirm that there would be another opportunity to add roads of interest to this list in the future, before the grant application was submitted.

Mr. Mallon stated under a normal process he would not bring that scope-of-work back before the Board for approval, unless otherwise directed.

Commissioner Rousseau moved to add Helmer Road to the list for Fayette County 2019 Comprehensive Transportation Plan list. Vice Chairman Gibbons seconded. The motion passed 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:

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.

David Jaegar, with Mallett Consultant- Project manager for the Justice Center buildout stated that this request was 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. He stated that Sound Principals had an ongoing relationship with the County. In 2013, Sound Principles participated in a request for proposal that included nine proposals to preform similar work in the Commissioner's Chambers. Subsequently, the county has had additional projects with Sound Principles including a project in 2020, at the Justice Center to bring the audio/visual equipment into compliance needed during the COVID Pandemic. Most recently, in 2023, Sound Principles was contracted to bring the equipment up to current standards and installed remote meeting equipment, displays, video process, recording and audio/visual equipment in the courtrooms on the second floor of the courthouse. Mr. Jaeger stated that this request was to expand that standard and level of service and equipment to the third floor. He noted that based on a pricing analysis performed by the Purchasing Department, it the cost per courtroom was a 14% savings. Mr. Jaeger stated that approval of this request would provide significant benefit in the way of continuity of the system at 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.

Mr. Mallon stated that this request was for approval of a change order of the recently completed roundabout at the intersection of Redwine Road, Bernhard Road, & Peachtree Parkway in the amount of \$188,394.13. He stated that this would cover overages from several of the bid items quantity estimates, and there were a few incidental items that included changing the type of sod and expanding the amount of sod needed for the project. Mr. Mallon stated that this item also included a request to transfer \$124,726.39 from 17TAG.

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.

Chairman Hearn complimented staff and the contractor for their efficiency and time management. He noted that this project was completed quickly and extended a job well done.

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.

Mr. Mallon stated that this was to formally 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

Vice Chairman Gibbons moved to approve 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. Commissioner Rousseau seconded.

Commissioner Maxwell asked if this grant included any projects in Peachtree City.

Mr. Mallon stated, "yes".

Commissioner Maxwell asked if there was a time constraint in approving this request or could this be postponed to the first meeting in January 2025.

Mr. Mallon stated yes, this could be delayed to early January.

Vice Chairman Gibbons asked if tabled and if a non-favorable decision was made by Peachtree City could the grant be accepted without the funding for Peachtree city projects, which was not something he would advocate for.

Mr. Mallon stated that would not be easy to do and would at the least set the entire project back and potentially jeopardize the funding.

Vice Chairman Gibbons added that doing this could also require the resubmittal of the entire grant application.

Mr. Mallon stated, "it could".

Commissioner Maxwell moved to table this item to the January 9 Board Meeting. Motion passed 3-2, with Vice Chairman Gibbons and Commissioner Rousseau voting in opposition.

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.

Roads Department Director, Steve Hoffman stated that this request was 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. He noted that this project would include resurfacing of eight (8) roads totaling 6.5 miles.

Vice Chairman Gibbons moved 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.

Chairman Hearn stated that he knew resurfacing was temperature sensitive and wanted to ensure the work was not performed in the colder months January- March.

Mr. Hoffman stated that this would be for work to be performed in the spring season before the end of the fiscal year.

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.

Mr. Hoffman stated that this request was 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. He noted that this Micro Surfacing project would cover about 12.6 miles.

Commissioner Oddo moved to approve 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.

Chairman Hearn stated that although he was aware that this Micro Surfacing was helping stretch County dollars, he would like staff to closely monitor how these roads with micro surfacing-maintained vs those with traditional resurfacing.

Mr. Hoffman stated that they currently performed road evaluation both in-house and via a third-party company.

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.

Tim Symonds, Project Manager, stated that this request was 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. Mr. Symonds stated that Phase I of the Tactical Driving Course was recently completed. Since then, the Sheriff Office and the training center was upgraded to a regional training academy. As a result, some additional features needed to be added to the Tactical Driving Course. Phase II would include the development of the infield to construct an inner loop and an additional track section to provide a place for PIT maneuvers to be performed and instructed; as well as the installation of two viewing towers. Mr. Symonds stated that the project was posted for bid and five qualified bids were received. Piedmont Paving Inc. was the lowest responsive bidder.

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.

Chairman Hearn stated that he was delighted to see Piedmont Paving Inc. as the lowest bidder.

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.

Commissioner Maxwell moved to table this item to the January 9 Board meeting. The motion passed 5-0.

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.

County Attorney Dennis Davenport state that this request was 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. He noted that this amendment would only be increasing the number of residents from three (3) to four (4). This change was consistent with state

law.

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:

Hot Projects Update

Mr. Rapson stated that the Hot Projects report was forwarded to the Board and included updates on the Water System AMI project update, Parks and Recreation multi-use facility, Starr's Mill School Tunnel, Coastline Bridge improvements, Cedar Trail culvert replacement, the Public Health Building, and storm water updates. He noted that the Antioch Road/Hampton Road 4-way stop was installed and was operational. He extended a major kudos to the Public Works and Road Department team for a job well done.

Animal Control Phase II

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

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 Maxwell extended a Merry Christmas to everyone.

Commissioner Rousseau

Commissioner Rousseau extended a Happy Holidays to everyone, in particular those who have lost loved ones.

He also extended a thank you the Fayette County team for a job well done throughout the year.

Commissioner Rousseau relayed his congratulations to his colleagues who recently won their re-election as they continue to represent the citizens of this community.

Commissioner Oddo

Commissioner Oddo wished everyone a Merry Christmas and Happy New Year and noted that it had been a long year but full of accomplishments.

Vice Chairman Gibbons

Vice Chairman Gibbons wished everyone a Merry Christmas and Happy Holidays and thanked staff for their hard work and dedication to the County.

Commissioner Rousseau

Commissioner Rousseau acknowledged Senator-elect Kenya Wicks who was in attendance and extended a congratulations on her election and a thank you for the future work she would do for the community.

Chairman Hearn

Chairman Hearn extended a thank you to staff for their hard work and dedication and stated that the Christmas week off was the Board's way of showing their appreciation.

Chairman Hearn expressed his appreciation for his colleagues on the Board. He stated that the comradery was welcomed and appreciated.

He concluded relaying discussions from a recent meeting with Georgia Department of Transportation about the crossing of the wetlands of the East Fayetteville Bypass project. He stated it was a productive meeting, and they left with ideas on how to move forward with the project.

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