

## 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

January 23, 2025  
5:00 p.m.

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Welcome to the meeting of your Fayette County Board of Commissioners. Your participation in County government is appreciated. All regularly scheduled Board meetings are open to the public and are held on the 2<sup>nd</sup> and 4<sup>th</sup> Thursday of each month at 5:00 p.m.

### OFFICIAL SESSION:

#### **Call to Order**

Vice Chairman Edward Gibbons called the January 23, 2025 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**

Commissioner Maxwell moved to accept the agenda as written except for item #1. Commissioner Charles Oddo seconded. The motion passed 3-0

### PROCLAMATION/RECOGNITION:

1. **Presentation by Fayette County's auditing firm, Nichols, Cauley & Associates, LLC, of the results of the Fiscal Year 2024 annual audit.**

This item was pulled from the agenda.

### PUBLIC HEARING:

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 pumps; property located in Land Lot 151 of the 5th District, fronts on Banks Rd and Hwy 54. This petition was tabled at the October 24, 2024 meeting.**

Commissioner Maxwell moved to deny 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 pumps; property located in Land Lot 151 of the 5th District, fronts on Banks Rd and Hwy 54. Commissioner Oddo seconded. The motion passed 3-0.

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 October 24, 2024 meeting.**

Commissioner Maxwell moved to defer this item to the February 27<sup>th</sup> BOC meeting. Commissioner Oddo seconded. The motion passed 3-0.

**PUBLIC COMMENT:**

*Speakers will be given a five (5) minute maximum time limit to speak before the Board of Commissioners about various topics, issues, and concerns. Speakers must direct comments to the Board. Responses are reserved at the discretion of the Board.*

**CONSENT AGENDA:**

Commissioner Oddo moved to approve the Consent Agenda. Commissioner Maxwell seconded. The motion passed 3-0.

4. **Acceptance of Sheriff Babb's decision to accept eight vehicles from the Town of Tyrone (Tyrone Police Department).**
5. **Approval of Board of Assessors' recommendation to approve a disposition of tax refund, as requested by James M. Ivey, in the amount of \$77.22 for tax year(s) 2022 and 2023.**
6. **Approval of Board of Assessors' recommendation to approve a disposition of tax refund, as requested by Randy Johnson, in the amount of \$4,860.05 for tax year(s) 2022, 2023, and 2024.**
7. **Approval of Board of Assessors' recommendation to approve a disposition of tax refund, as requested by Glendae Tuthill, in the amount of \$773.12 for tax year 2023.**
8. **Approval to accept the right-of-way dedication known as "Right-of -Way Dedication 2, 0.032 Acres" as shown on the Minor Final Plat of The Alvarez Estate, recorded in Plat Book 101, Pages 482-483, and the Quitclaim Deed dated June 26, 2023 per Fayette County Code requirements.**
9. **Approval to accept the right-of-way dedication known as "R/W Dedication Tract, 0.536 Acres" shown on the Minor Final Plat for Atha Acres, recorded in Plat Book 101, Page 335, and the Warranty Deed dated March 2, 2023 per Fayette County Code requirements.**
10. **Approval to accept the right-of-way dedication known as "R/W Next to 044701002," 0.08 Acres, shown on the Minor Final Plat for Brandon Harp, recorded in Plat Book 52, Page 106, and the Warranty Deed dated March 9, 2023 per Fayette County Code requirements.**
11. **Approval to accept the right-of-way dedication known as "Tract Two Right of Way dedication to Fayette County, 0.419 Acres" shown on the Minor Final Plat, DG Fayetteville, as recorded in Plat Book 101, Page 564, and the Warranty Deed dated October 11, 2023 per Fayette County Code requirements.**
12. **Approval to accept the right-of-way dedication known as "Tract B, 0.08 Acres" shown on the Plat for Javier Torres Fernandez, dated February 6, 2024, and the Quitclaim Deed dated November 26, 2024 per Fayette County Code requirements.**

13. Approval to accept the right-of-way dedication known as "New R/W dedication, 0.114 Acres" shown on the Minor Final Plat for County Line Estates, recorded in Plat Book 101, Pages 315-316, and the Quitclaim Deed dated November 11, 2023 per Fayette County Code requirements.
14. Approval to accept the right-of-way dedication known as "New R/W dedication, 0.068 Acres" shown on the Minor Final Plat for County Line Estates South, recorded in Plat Book 101, Pages 408-409, and the Quitclaim Deed dated January 23, 2023 per Fayette County Code requirements.
15. Approval to accept the right-of-way dedication known as "Right of Way Dedication, 0.101 Acres" shown on the Minor Final Plat for The Golden Rule Farm, recorded in Plat Book 101, Pages 392-393, and the Right-of-Way Deed dated January 25, 2023 per Fayette County Code requirements.
16. Approval to accept the right-of-way dedication known as "Right-of-Way Dedication, 0.271 Acres", as shown on the Minor Final Plat of The Johnnie K. Holland Estate, recorded in Plat Book 101, Pages 463-464, and the Quitclaim Deed dated April 28, 2023, per Fayette County Code requirements.
17. Approval to accept the right-of-way dedication known as "R/W Dedication: 0.57 Acres" shown on the Plat for Mark Anderson, recorded in Plat Book 101, Page 437, and the Quitclaim Deed dated March 29, 2023 per Fayette County Code requirements.
18. Approval to accept the right-of-way dedication known as "R/W Lot 1A 0.023 Acres" and "R/W Lot 2A 0.025 acres" as shown on the Minor Final Plat of Phillips & Suren Property, recorded in Plat Book 52, Pages 128-129, and the Right-of-Way Deed dated June 15, 2023 per Fayette County Code requirements.
19. Approval to accept the right-of-way dedication known as "R/W Lot 3A 0.022 Acres" and "R/W Lot 3B 0.024 acres" as shown on the Minor Final Plat of Phillips & Suren Property, recorded in Plat Book 52, Pages 128-129, and the Right-of-Way Deed dated June 20, 2023 per Fayette County Code requirements.
20. Approval to accept the right-of-way dedication known as "10' Additional R/W Strip to Fayette County, Area 0.70 Acres" shown on the Riverbend Overlook Phase I Plat dated August 27, 2020 and the Warranty Deed dated December 16, 2024 per Fayette County Code requirements.
21. Approval to accept the right-of-way dedication known as "R/W Tract 8 sq. ft." as shown on the Minor Final Plat of 385 Snead Road, recorded in Plat Book 102, Pages 23-24, and the Quitclaim Deed dated August 21, 2024 per Fayette County Code requirements.
22. Approval to accept the right-of-way dedication known as "R/W Tract, 0.063 Acres" as shown on the Plat Prepared for Colunteya & Oliver Weems & Geraldine Johnson, dated March 29, 2023, and the Warranty Deed dated October 9, 2023 per Fayette County Code requirements.
23. Approval to accept the right-of-way dedication known as "Right of Way Dedication 1, 0.23 Acres" as shown on the Minor Final Plat of The Alvarez Estate, recorded in Plat Book 101, Pages 482-483, and the Quitclaim Deed dated June 24, 2023 per Fayette County Code requirements.
24. Approval of the January 09, 2025, Board of Commissioners Meeting Minutes.

**OLD BUSINESS:**

**NEW BUSINESS:**

**25. Request to amend Fayette County Code, Chapter 104 – Development Regulations, Article VII. Watershed Protection.**

Vice Chairman Gibbons moved to table this item to the February 13<sup>th</sup> BOC meeting. The motion passed 3-0.

**26. Request to approve staff's recommendation to approve Contract #2000-P, Badger Meter, Change Order No. 07 Meters, Endpoints and Additional Components, with a not-to-exceed amount of \$250,790.50, to provide additional adjustments for meters, endpoints and retrofit components.**

Commissioner Oddo moved to approve Contract #2000-P, Badger Meter, Change Order No. 07 Meters, Endpoints and Additional Components, with a not-to-exceed amount of \$250,790.50, to provide additional adjustments for meters, endpoints and retrofit components. Commissioner Maxwell seconded. The motion passed 3-0.

**ADMINISTRATOR'S REPORTS:**

**ATTORNEY'S REPORTS:**

**Notice of Executive Session:** County Dennis Davenport stated that there were five items for Executive Session. Two items involving pending litigation, two item involving real estate acquisition and the review of the January 9, 2025 Executive Session Minutes.

**COMMISSIONERS' REPORTS:**

Vice Chairman Gibbons made comments.

**EXECUTIVE SESSION:**

**Two items involving pending litigation, two item involving real estate acquisition and the review of the January 9, 2025 Executive Session Minutes.** Commissioner Oddo moved to go into Executive Session. Commissioner Maxwell seconded. The motion passed 3-0.

The Board recessed into Executive Session at 6:33 p.m. and returned to Official Session at 7:03 p.m.

**Return to Official Session and Approval to Sign the Executive Session Affidavit:** Commissioner Oddo moved to return to Official Session and for the Chairman to sign the Executive Session Affidavit. Vice Chairman Gibbons seconded. The motion passed 3-0.

**Approval of the January 9, 2025 Executive Session Minutes:** Commissioner Oddo moved to approve the January 9, 2025 Executive Session Minutes. Vice Chairman Gibbons seconded the motion. The motion passed 3-0.

**ADJOURNMENT:**

Commissioner Oddo moved to adjourn the January 23, 2025 Board of Commissioners meeting. Vice Chairman Gibbons seconded. The motion passed 3-0.

The January 23, 2025 Board of Commissioners meeting adjourned at 7:03 p.m.

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Marlena Edwards, Chief Deputy County Clerk

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Lee Hearn, Chairman

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 13<sup>th</sup> day of February 2025. Attachments are available upon request at the County Clerk's Office.

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Marlena Edwards, Chief Deputy County Clerk