

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

February 27, 2025
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 February 27, 2025, Board of Commissioners meeting to order at 5:02 p.m. A quorum of the Board was present.

Invocation and Pledge of Allegiance by Vice Chairman Edward Gibbons

Vice Chairman Edward Gibbons offered the invocation and led the audience in the Pledge of Allegiance.

Acceptance of Agenda

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

PROCLAMATION/RECOGNITION: None

PUBLIC HEARING:

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

- 1. 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 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 January 23, 2025 Board of Commissioners meeting.**

Ms. Bell stated that the first item was Petition No. 1355-24 and that this item was tabled at the January 23, 2025 Board of Commissioners meeting. She stated that the applicant proposed to rezone the property from A-R, Agricultural Residential to R-75, Single Family Residential for the purpose of developing residential neighborhoods of single-family detached homes. As defined in the Comprehensive Plan, Rural Residential II, one unit per two acres, was designated for this area so the rezoning was appropriate. Staff recommended conditional approval. The Planning Commission voted 4-0 to recommend conditional approval with amended conditions. Staff recommended the following conditions: 1) The owner/developer shall dedicate land to Fayette County as needed to provide a minimum 40-ft of right of way as measured from the existing centerline of Davis Road. 2) The owner/developer shall dedicate land to Fayette County as needed to provide a minimum 40-ft of right of way as measured from the existing centerline of Huiet Drive. 3) Submittal of all warranty deed(s) and legal descriptions for right-of-way dedications shall

be provided to the County within 90 days of the approval of the rezoning request, or prior to the final plat approval, whichever comes first. 4) The owner/developer shall improve the gravel road segments fronting the parcel and extend the improvement north on Huiet Drive to meet existing pavement. The improvement shall meet County Standards for Collector Roads and be designed and constructed in accordance with Fayette County's Development Regulations. Alternatively, the owner/developer may pay Fayette County \$1,105,000 so that Fayette County can make the improvements in the future. The work shall be completed, or the payment made, prior to Final Plat approval.

After reviewing this condition (#4), staff recognized the developer did not have the ability to improve the road in its entirety, therefore staff recommended that the condition be amended to read, "the owner or developer may pay Fayette County \$1.05M so that Fayette County can make the improvements in the future. The work should be completed or the payment made prior to the final plat approval." At the Planning Commission meeting the Planning Commission deleted this condition from their recommendation.

5.) The availability of water is conditioned upon, among other things, Fayette County, Georgia, receiving a recorded permanent easement prior to final plat approval if the Construction Plan review process determines a recorded easement is required. Alternatively, any future water infrastructure the County maintains shall be located within an accessible public right-of-way.

Condition six (6) was related to the extension of the water lines. The Planning Commission recommended that condition be omitted. After further review with legal, staff agreed with the recommendation and recommended omitting condition six.

7.) The availability of water is conditioned upon, among other things, Fayette County, Georgia, receiving a recorded permanent easement prior to final plat approval if the Construction Plan review process determines a recorded easement is required. Alternatively, any future water infrastructure the County maintains shall be located within an accessible public right-of-way.

Ms. Bell stated that if the water was extended, there were some requirements from the Water System. She stated that Staff Notes regarding Public Works, condition four (4), was related to the potential traffic load from the parcel under the existing A-R zoning, comparing that to trip estimates, if the lot yield was doubled to sixteen (16) lots. She stated that Huiet Road and Davis Road were unpaved roads, which was the reason for the condition related to the roads. She stated that much of the property to the west and south of this property was mostly A-R and PUD to the southeast. The property to the north and east was R-45. The Land Use Plan showed a combination of Rural Residential II and Rural Residential III in the general area. There are no significant environmental impacts on the property. The concept proposal showed a lot yield of sixteen (16) lots.

Randy Boyd, Agent for the Applicant stated that this property was purchased by Andrea Pope Camp's father back on September 11, 1974. He stated that Ms. Camp inherited the property when her parents passed away in 2011. She was a resident of Fayette County and would like to retire in Fayette County. He stated that the request was to rezone to R-75. He stated that he would like to make one correction. The Planning Commission vote was 3-0-1, Boris Thomas abstained, not 4-0. John Kruzan was absent. He stated that he would like for the Board to approve the conditions as stated by the Planning Commission.

No one spoke in favor or in opposition to this rezoning.

Commissioner Eric Maxwell moved to approve Petition No. 1355-24, Andrea Pope Camp & Jordan Camp, owners; 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 with conditions, excluding condition #4. Vice Chairman Gibbons seconded for discussion.

Commissioner Charles Rousseau stated that the information before him showed that #4 was originally recommended. He stated that was a material change.

Ms. Bell stated that in the original seven conditions by staff, the Planning Commission recommended deleting #4 and #6. Staff concurred with the deletion of #6 after further discussion with legal.

Vice Chairman Gibbons stated that essentially what staff was recommending was six conditions.

Ms. Bell stated yes.

Commissioner Rousseau stated that he was looking at four conditions that was in the original recommendation to the Planning Commission.

County Administrator Steve Rapson stated that there were six conditions by staff and the Planning Commission embraced four of them. He stated that staff was recommending keeping condition #4 as part of the motion.

Commissioner Maxwell stated that it was not part of his motion. He stated that three different bodies considered this petition. The staff recommended seven conditions and have since deleted the seventh condition. The Planning Commission voted to remove condition #4. He directed Commissioner Rousseau to the page to show the recommended conditions.

Commissioner Rousseau stated that it was a material change if it was not part of the original application. He stated that he also had a question because it said "may" instead of "shall". He asked if the Planning Commission recommended condition #4 in the final recommendation.

Ms. Bell stated no.

Mr. Rapson directed Commissioner Rousseau to the original seven staff recommendations. He stated that the top of the page showed what the Planning Commission recommended, which was only five conditions. There was only one item that staff and the Planning Commission disagreed with, and that was condition #4 of the original recommendations, which was the \$1.1M for the road.

Vice Chairman Gibbons stated that of the seven original conditions, five were recommended by the Planning Commission.

Commissioner Maxwell stated that he wanted to be sure that Commissioner Rousseau understood what was being recommended. He stated that his motion was to remove #4 and quite frankly, he did not care what happened with the other one (#6).

Commissioner Rousseau stated he got it.

Commissioner Oddo stated that Commissioner Maxwell's motion was to approve the petition without the developer having to pay \$1.1M for the road. Staff recommended that the developer pay the \$1.1M for the road and the Planning Commission did not.

Commissioner Maxwell stated that this was not the first time the Board had gone completely against both staff and the Planning Commission.

Mr. Rapson stated that what was before the Board was the Planning Commission's recommendation to exclude #4, which was the road. He stated that Public Works Director Phil Mallon could give clarification on the road.

Vice Chairman Gibbons asked without the rezoning, how many parcels would be allowed to be developed.

Ms. Bell stated approximately eight depending on the geometry. The max would be eight with a five-acre lot.

Vice Chairman Gibbons directed his statement to Mr. Mallon. He stated that there had to be an issue to go from eight lots to sixteen lots in order to cause staff to recommend condition #4, which was for the applicant to pave the road, or the County would have to pave the road.

Mr. Mallon stated that was correct. He stated that there was nothing magic about the number eight. He stated that all the County's gravel roads were a struggle to keep at an adequate level of service. He stated that staff learned that when there was an increase in the density on gravel roads, not only the number of vehicles, but the driveways themselves had a real burden on the maintenance. He stated that the first two years there may not be any issues, but ten, fifteen, twenty years from now it would add up. He stated that when a rezoning request like this one came to staff, it was fairly unusual to get an increase density request on a gravel road, but that tells him that an infrastructure need was there. He stated that he believed it was his responsibility to give the Board an idea of what that cost would be. He stated that if rezoned at a higher density, someone in the future would have to do the improvement. He stated that this was a very conservative estimate. He stated that staff would not pave 1,500 feet on Davis Road. It would either be the entire road project, future CIP (Capital Improvement Project) or SPLOST (Special Purpose Local Option Sales Tax) project, or just Huiet Road up to the existing asphalt.

Commissioner Maxwell asked if the neighborhood to the east and north of this property, was it in unincorporated Fayette County or city of Fayetteville.

Mr. Mallon stated that it was a county development.

Commissioner Maxwell stated that to the right of the property there was road that emptied out of Waterlace onto Davis Road. He stated that Huiet Road, to the west of the property, was also a road.

Mr. Mallon stated yes. He stated that the road was part of the Canoe Club development. The developer paved that portion of Huiet. They stopped about 300 feet from the subdivision property line, and he was not sure why.

Commissioner Maxwell stated that it appeared to be about 100 lots on the development. He asked how much that developer paid Fayette County for future pavement of the road when it was developed twenty years ago.

Mr. Mallon stated that the developer did not pay Fayette County, but they paved a lot of gravel road as part of the project. He stated that the developer installed new infrastructure and paved what was old Huiet Road and Huiet Drive. They also paved the new internal roads. Mr. Mallon stated that there was another subdivision on the south of Davis Road that had two entrances. With this project, any access, would be on gravel. With the other projects the drivers had the choice to access asphalt roads.

Commissioner Maxwell asked if the plan was divided into eight, five-acre tracts, how much was each tract worth.

Mr. Boyd responded to Commissioner Maxwell that he had not studied that on Davis Road. He stated that from experience it would be around \$200,000 per lot. If it was doubled to sixteen lots, per the request, the Huntscliff Subdivision sold twelve lots for \$160,000 each. Mr. Boyd stated that there was a subdivision to the west that also sold for \$160,000. He stated that would be the range based on the prices in the area.

Commissioner Maxwell stated that he would not have to pay the \$1.1M if he developed the property under A-R conditions.

Mr. Boyd stated that under A-R he could do the eight lots.

Commissioner Maxwell stated that if he did the sixteen lots, would having to pay the \$1.1M have a substantial impact on whether he could do the development.

Mr. Boyd stated that as an engineer, he did not understand the impact coming onto the two dirt roads, as expressed from Mr. Mallon. He stated that everyone was going to come out on those roads and that was what the roads were there for.

Commissioner Maxwell asked Mr. Mallon when the road would be paved.

Mr. Rapson stated that it was not on the County's radar to pave the road. He stated that the only reason it was before the Board was because of this development. He stated that when it would be paved would depend on the development along the road. He stated that those who lived on gravel roads do not like paved roads.

Commissioner Maxwell stated there was a different issue. The objection of those on the gravel road to have it paved. He stated that he was sure there were people on that road that did not want it paved.

Mr. Rapson stated that with every development, if it impacted infrastructure, whether a deceleration lane, intersections or roundabouts, it was handled as part of the project. This was the first one dealing with a gravel road since he had been with the County.

Commissioner Maxwell stated that Waterlace Subdivision exited onto a gravel road.

Mr. Mallon stated that the developer for that subdivision did make an improvement on Huiet with continuous asphalt up to Highway 54.

Commissioner Maxwell stated to Highway 54, but not south of Davis Road.

Mr. Mallon stated that was correct.

Mr. Rapson stated that there were gravel roads that were paved by the developer because of the development.

Mr. Mallon added that included the Morgan Falls Subdivision and others.

Commissioner Maxwell asked how much it would cost to pave Davis Road currently.

Mr. Mallon stated a lot more than \$1M.

Chairman Hearn stated that he wanted to be clear how the cost estimate was determined. He stated that because the development was half the length of the road, was the cost to pave 12 feet of the road or 24 feet of the road.

Mr. Mallon stated that the estimate was to pave the entire road to the County's standards. He stated that he did take into account that the County would have half the right-of-way along the road frontage and did a rough estimate to obtain the remaining right-of-way and determine the design cost and construction cost.

Mr. Rapson stated that for clarification, if this project was for eight lots, we would not be discussing the \$1.1M. He stated that if the developer was developing within the 40-acres there would not have a yield of sixteen and that would not necessarily trigger the road having to be increased. He stated that it was the fact that all the density was being dumped on the road.

Commissioner Maxwell stated that the Board approved a development on the end of Davis Road and the discussion about one property being built at the corner, had no condition for the developer to provide money to pave the road. He stated that now the County was asking the developer for \$1.1M because she wanted to build eight new properties. He asked what the line was. If it was four, would she be required to pay the \$1.1M.

Mr. Mallon stated that there was no magic number. He stated that the example cited was the most extreme to justify. He stated that it was one lot at the corner and the asphalt apron on Davis Road extended to the new driveway. He stated that he was trying to get a gauge from the Board what that trigger number for this type of condition would be.

Commissioner Maxwell asked what the standard in the Uniformed Traffic manual was that said the County should do what was being recommended by staff for the gravel road. He asked was there a standard in "the book."

Mr. Mallon stated no. He stated that the recommendation was based on staff's experience. When density on the gravel road was increased, the County's cost to maintain the road at a minimum level of service increased. He stated that he did not know any way to quantify that other than to say this was the cost. He stated that he did not feel it was appropriate for him, in his position, to say, "no comment" because the development on this road will have consequences.

Commissioner Maxwell stated that he emailed the Board the Georgia Superior Court decision by Judge Edwards that occurred on the TSTT Investment case, that the County lost. He stated that one of the things in the decision was that "if you take the economic value out of developing property", you lose. He asked if this rezoning request met the requirements regardless of if rezoned with or without a condition added for the road.

Mr. Rapson stated that was up to the Board. He stated that it was in the Comprehensive Plan for this rezoning. He stated that the question was, what conditions the Board wanted to approve. He stated that staff was not recommending to not rezone but was adding conditions.

Mr. Mallon stated that staff was uncomfortable on the traditional development of nonresidential and there were standards in "the book". He stated that this was not in "the book". He continued that all the departments have the responsibility to protect the area they work in, and his area was transportation. He stated that he was just raising a red flag to say, if redeveloped, it will have an impact and the perfect mitigation to the impact would be to pave the road and here was an approximate cost estimate.

Commissioner Maxwell noted that no one spoke in favor or in opposition of this request. He stated that it did not appear that the rezoning was controversial.

Mr. Rapson stated that ultimately, the residents that did not have an opinion now, would be impacted because down the road when the road would need to be paved, the money needed to pave the road would have to be paid by the citizens. He stated that it would be the developer now or the citizens later.

Commissioner Maxwell stated that no one was asking for Davis Road to be paved. He stated that he could not support extracting that kind of money from the developer to pave the road. He stated that in regard to the hypothetical given by Mr. Rapson, taxpayers pay for all the other roads in Fayette County and that was who would pay for Davis Road, when needed.

After calculating, Chairman Hearn stated that if the developer sold sixteen lots at \$160,000 that would be \$2,560,000 and if the developer sold eight lots at \$200,000 that would be \$1.6M. He stated that was roughly an increase in value for the developer of about \$1M and it would not make sense, if he was the developer, to give the County \$1M if it would only generate another \$1M by going to sixteen lots. He stated that the level of service offered on dirt roads was not the same level of service on a cul-de-sac paved street and trying to keep people satisfied as the "road guy" was not easy. He shared his appreciation for the process.

Commissioner Oddo stated that he understood the desire to do sixteen lots instead of eight lots because it was certainly more valuable. He stated that was not what the Board was here to do. He stated that he was looking at the plat and there were no internal roads so all the lots would enter the dirt road. He stated that these roads were not on any plans to be paved soon, which meant that staff would have to adjust their paving schedule and something else would go wanting. He stated that the applicant could build eight homes now without any issues. If the road had to be paved, it would be the taxpayers paying it. He stated that his question was, "Do the rest of the taxpayers pay for that road now, for this subdivision to generate sixteen homes?" He stated that even though on the Land Use Plan, was it the appropriate time to do it. He stated that Mr. Mallon advised the Board that the road would not be able to handle sixteen new homes and would need to be paved. He stated that this was not a question of the applicant not being able to do anything, they can build eight homes now. He stated that he could not justify approving this as motioned without doing something about the road situation.

Commissioner Rousseau stated that he understood the quagmire. His question was for clarity and point of order. He stated that if staff, who was hired, with the professional backgrounds and experiences was looking at the development of the County, made a recommendation to the Planning Commission, which was a citizenry advisory committee that did not have the background as

staff, and they [Planning Commission] changed it, this caused him concern. He stated, as mentioned, the requirements were not in a book somewhere, but it had an impact.

Assistant County Attorney Ali Cox stated that the staff made the recommendation to the Planning Commission, the Planning Commission made a recommendation that staff then looked over and brought to the Board. She stated that the applicant was aware of the conditions and had been from the beginning.

Vice Chairman Gibbons stated that the applicant was asking to rezone this property according to the Future Land Use Plan. He stated that it would be hard for him to say no to that. He continued that if someone wanted to buy a house on a dirt road and it was going to cause additional wear and tear by having sixteen driveways on the road, that was caveat emptor.

Commissioner Maxwell asked Commissioner Rousseau if he was requesting more time before voting.

Commissioner Rousseau stated that there was nothing in "the book". He stated that this was a test case. He stated that often time, in any jurisdiction, it was on the developer. He stated that he was amendable to Commissioner Maxwell's suggestion to bring this back. He stated that he wanted more time. He asked staff, if tabled, what could they come up with.

Mr. Rapson stated that staff could give a list of the roads that have been paved but everything discussed was all that staff had to offer. There was no standard. The standard was that when a development occurred it was reviewed based on the development and the impact.

Chairman Hearn stated that his was on the agenda for September and it is now, February. He stated that he felt the Board needed to vote on this item.

Mr. Boyd stated that they had to come up with a figure for what they believed the property would sell for. He broke down the different cost to the developer. He stated that it boiled down to, the developer could not pay to pave this road. He stated that the County had a money stream in the tax structure and grants. He continued that it was impossible for the developer to do this. As for the sixteen driveways, he stated that he spoke to Mr. Mallon and the developer could do a shared driveway. He stated that a traffic study was done, and it said that over 50% would use this section. He questioned that sixteen lots would make a difference. If the Board approved this request with the condition, it was not fair to her because she could not do this. He stated that the Planning Commission asked him if he agreed to the condition, and he said no because the developer could not do it. He stated that if condition #4 was approved, the developer would not go through with sixteen lots and R-75 was the proper zoning.

Commissioner Eric Maxwell moved to approve Petition No. 1355-24, Andrea Pope Camp & Jordan Camp, owners; 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 with conditions, excluding condition #4. Vice Chairman Gibbons seconded. The motion passed 3-2. Commissioner Rousseau and Commissioner Oddo voted in opposition.

2. Consideration of Petition No. 1359-24, Jerry M. Gable, owner, & Christine Flanigan, agent, request to rezone 31.144 acres from R-45 Conditional (Single-Family Residential) to A-R (Agricultural-Residential); property located in Land Lots 73 & 88 of the 5th District and fronts on S. Jeff Davis Drive and Dixon Circle.

Ms. Bell stated that the applicant submitted a request to withdraw Petition No. 1359-24, Jerry M. Gable, owner, & Christine Flanigan, agent, request to rezone 31.144 acres from R-45 Conditional (Single-Family Residential) to A-R (Agricultural-Residential); property located in Land Lots 73 & 88 of the 5th District and fronts on S. Jeff Davis Drive and Dixon Circle.

Commissioner Charles Rousseau moved to approve the Petitioner's request to withdraw No. 1359-24, Jerry M. Gable, owner, & Christine Flanigan, agent, request to rezone 31.144 acres from R-45 Conditional (Single-Family Residential) to A-R (Agricultural-Residential); property located in Land Lots 73 & 88 of the 5th District and fronts on S. Jeff Davis Drive and Dixon Circle. Vice Chairman Gibbons seconded. The motion passed 5-0.

3. Consideration of Petition No. RDP-021-24, Michael P. Pompeo, owner; requests to Revise the Development Plan for Brechin Park subdivision, to allow the subdivision of the 17-acre estate lot; property zoned PUD-PRD and fronts on Brechin Drive.

Ms. Bell stated that the applicant submitted a request to withdraw Petition No. RDP-021-24, Michael P. Pompeo, owner; requests to Revise the Development Plan for Brechin Park subdivision, to allow the subdivision of the 17-acre estate lot; property zoned PUD-PRD and fronts on Brechin Drive.

This request was approved by the Planning Commission. Since it was already advertised, staff was obligated to bring it before the Board.

Commissioner Rousseau moved to approve the Petitioner's request to withdraw Petition No. RDP-021-24, Michael P. Pompeo, owner; requests to Revise the Development Plan for Brechin Park subdivision, to allow the subdivision of the 17-acre estate lot; property zoned PUD-PRD and fronts on Brechin Drive. Commissioner Oddo seconded. The motion passed 5-0.

4. Consideration of Resolution 2025-01 to Transmit the Fayette County 2024 Annual Report on Fire Services Impact Fees (FY2024), including Comprehensive Plan amendments for updates to the Capital Improvements Element and Short-Term Work Program (FY2025-FY2029) to Atlanta Regional Commission for review by Department of Community Affairs (DCA).

Ms. Bell stated that this item was a requirement by the Georgia Development Impact Fee and Minimum Planning Standards and Fayette County, in collaboration with the Towns of Tyrone, Brooks and Woolsey prepared the Fayette County Annual Report on Fire Service Impact Fees, including Comprehensive Plan amendments and updates to the Capital Improvements Element (CIE) and Short-Term Work Program. This request was to present to the Board, the report for approval to submit to Atlanta Regional Commission (ARC) and Department of Community Affairs (DCA). The towns of Tyrone, Brooks and Woolsey have already approved their reports for transmittal. Once a notice of compliance was received from DCA and ARC, staff will bring it back to the Board for adoption. She stated that this was a financial report that documented that the County was spending impact fees on the approved projects and in the approved programs, as voted on.

No one spoke in favor or opposition.

Vice Chairman Gibbons moved to approve Resolution 2025-01 to Transmit the Fayette County 2024 Annual Report on Fire Services Impact Fees (FY2024), including Comprehensive Plan amendments for updates to the Capital Improvements Element and Short-Term Work Program (FY2025-FY2029) to Atlanta Regional Commission for review by Department Community Affairs (DCA). Commissioner Oddo seconded. The motion passed 5-0.

PUBLIC COMMENT: None.

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. Vice Chairman Gibbons seconded. The motion passed 5-0.

- 5. Approval of the Mid-Year Budget Adjustments to the fiscal year 2025 budget and approval to close completed Capital, Capital Improvement Plan (CIP) Projects, and Water System CIP Projects.**
- 6. Approval of the Georgia County Internship Program Grant Agreement from Association County Commissioners of Georgia (ACCG) Civic Affairs Foundation, Inc. to the Fayette County Assessor's Office for award of the General Georgia County Internship Program (GCIP) Grant in the amount of \$3,259.50 for one intern.**

7. **Approval of the Georgia County Internship Program Grant Agreement from Association County Commissioners of Georgia (ACCG) Civic Affairs Foundation, Inc. to the Solicitor General's Office for award of the General Georgia County Internship Program (GCIP) Grant in the amount of \$3,259.50 for one legal intern.**
8. **Approval of the Georgia County Internship Program Grant Agreement from Association of County Commissioners of Georgia (ACCG) Civic Affairs Foundation, Inc. to the Fayette County State Court for award of the General Georgia County Internship Program (GCIP) Grant in the amount of \$3,259.50 for one intern.**
9. **Approval to apply for FY26 Accountability Court Operating Grant in the amount of \$156,289 with a match of \$23,443.**
10. **Approval of the February 13, 2025, Board of Commissioners Meeting Minutes.**

OLD BUSINESS: None.

NEW BUSINESS:

11. **Request to approve the recommendation of the Selection Committee to appoint J.T. Rabun to the Fayette County Library Board for a four-year term beginning January 1, 2025 and expiring December 31, 2028.**

Library Director Michelle Bennett-Copeland stated that she was requesting Board's approval to appoint Mr. J.T. Rabun as a member of the library board. She stated that he had a wealth of experience as a professional, as a part-time engineer and she felt he would bring relevance to the library.

Chairman Hearn thanked Mr. Rabun for his willingness to serve.

Commissioner Oddo moved to approve the appointment of J.T. Rabun to the Fayette County Library Board for a four-year term beginning January 1, 2025 and expiring December 31, 2028. Vice Chairman Gibbons seconded. The motion passed 5-0.

12. **Request to approve the recommendation of the Selection Committee to reappoint Zulema Green to the Fayette County Library Board for a four-year term beginning January 1, 2025 and expiring December 31, 2028.**

Mrs. Bennett-Copeland stated that Ms. Green served on the library board for four years and was seeking reappointment. She stated that she was requesting the Board's approval to allow her to remain on the board.

Commissioner Oddo moved to approve the reappointment of Zulema Green to the Fayette County Library Board for a four-year term beginning January 1, 2025 and expiring December 31, 2028. Commissioner Rousseau seconded. The motion passed 5-0.

13. **Consideration of a request from the City of Fayetteville for Fayette County to serve as the local sponsor for a federally-funded path project that would extend from Tiger Trail to The Ridge Nature Preserve, with all costs for the project provided by the City of Fayetteville.**

Mr. Mallon stated that staff received notice in January of a grant opportunity through the Georgia Department of Transportation, Transportation Alternative Program. Fayette County and other local governments in the Atlanta region are normally not eligible for the program. This year there was extra money so it was made available for those that normally would not be eligible for the program. He stated that staff had two projects that they would like to submit application for. This one was a City of Fayetteville project. The application would be submitted by the City of Fayetteville and 100% paid by the City. The City was asking the County to serve as the local sponsor. This project would provide pathways to the school complex, down Highway 54, through City Center and through the land owned by the City that had a development plan in place. It would cross Grady Avenue and wrap around the school. He stated that this portion was County property and there were details to be worked out. There were concerns about watershed buffers and if it would impact the landfill and permits. The pathways would continue down First Manassas Mile Road

and tie into the Ridge Nature Preserve. He stated that it was about three-and-a-half miles at \$8M, but no money from Fayette County. He stated that he was seeking, on behalf of the City of Fayetteville, for Fayette County to serve as the local sponsor if the application was awarded to the City.

Vice Chairman Gibbons moved to approve the City of Fayetteville for Fayette County to serve as the local sponsor for a federally funded path project that would extend from Tiger Trail to The Ridge Nature Preserve, with all costs for the project provided by the City of Fayetteville. Commissioner Oddo seconded.

Commissioner Oddo asked how long and what type of path it would be.

Mr. Mallon stated that he did not have that detail. He stated that the City of Fayetteville, at a minimum, was discouraging golf carts.

Vice Chairman Gibbons moved to approve the City of Fayetteville for Fayette County to serve as the local sponsor for a federally funded path project that would extend from Tiger Trail to The Ridge Nature Preserve, with all costs for the project provided by the City of Fayetteville. Commissioner Oddo seconded. The motion passed 5-0.

14. Request to submit a Georgia Department of Transportation (GDOT) Transportation Alternatives Program (TAP) grant application for the Kenwood Road Path Project (R-6) in the amount of \$4,800,000, with a local match of \$1,200,000 and a total project cost estimate of \$6,000,000.

Mr. Mallon stated that this was the same program as item #13, but it was County staff seeking approval to submit an application. He stated that it was a SPLOST project and that a concept plan was ready. He stated that it was along Kenwood Road and was about 1.2 miles, just west of the elementary school, down to Longview Road. Staff was requesting the traditional, 80/20 match. He stated that the County already had the match through money allocated for that project. This money would allow staff to do a more elaborate project.

Vice Chairman Gibbons moved to approve to submit a Georgia Department of Transportation (GDOT) Transportation Alternatives Program (TAP) grant application for the Kenwood Road Path Project (R-6) in the amount of \$4,800,000, with a local match of \$1,200,000 and a total project cost estimate of \$6,000,000. Commissioner Rousseau seconded. The motion passed 5-0.

15. Request to submit a Georgia Department of Transportation (GDOT) Transportation Alternatives Program (TAP) grant application for the Sandy Creek Road Path Project (Project FTP-426) in the amount of \$4,000,000, with a local match of \$1,000,000, and a total project cost estimate of \$5,000,000.

Mr. Mallon stated that this was also a path project. He stated that it was in the central part of the county. The proposal was for the path to go down Sandy Creek Road to Trilith, where Sandy Creek terminated at the Veterans Parkway roundabout. Mr. Mallon stated that this project would check off a lot of boxes that would make it a strong application. It provided continuity for a bigger path network and design, and it tied into a formerly awarded federal aid roundabout project. Staff received letters of support from the Fayette County Development Authority, who may also be willing to help with funding, as well as Trilith, US Soccer, QTS and a local bike/walk advocate. The path would be approximately 1.2 miles and cost about \$5M total for the project.

Vice Chairman Gibbons asked, in relation to the other project where it was already SPLOST funded, where would the matching funding for this project come from.

Mr. Mallon stated that there was undesignated money in SPLOST for paths. He stated that the other thing that made this project attractive was that it was 55% in the unincorporated county and 45% in the City of Fayetteville. The City of Fayetteville gave a resolution stating their support of partnering and paying their prorated share for the project.

Chairman Hearn stated that it would be good to speak with the Development Authority to help with the 20%.

Mr. Rapson stated that the "seed" had been planted.

Vice Chairman Gibbons moved to approve to submit a Georgia Department of Transportation (GDOT) Transportation Alternatives Program (TAP) grant application for the Sandy Creek Road Path Project (Project FTP-426) in the amount of \$4,000,000, with a local match of \$1,000,000, and a total project cost estimate of \$5,000,000. Commissioner Oddo seconded.

Commissioner Rousseau asked staff to encourage the participants that provided the letter of support, to also assist with extending the Kenwood Park pathway system. He stated that partners are needed in that area also.

Mr. Mallon stated that he agreed.

Vice Chairman Gibbons moved to approve to submit a Georgia Department of Transportation (GDOT) Transportation Alternatives Program (TAP) grant application for the Sandy Creek Road Path Project (Project FTP-426) in the amount of \$4,000,000, with a local match of \$1,000,000, and a total project cost estimate of \$5,000,000. Commissioner Oddo seconded. The motion passed 5-0.

16. Request to approve for the Road Department to purchase new Tack Truck under Georgia State Contract 99999-SPD-SPD0000155-0007 in the amount of \$250,027, and to surplus the old Tack Truck #21814 and Dump Truck #10802.

Road Department Director Steve Hoffman briefed the Board regarding a dump truck that caught fire and spread to the tack truck. He stated that someone saw the fire and thought the building was on fire. Within ten minutes of the fire starting, two trucks were fully involved. The fire department responded, essentially saving the rest of the fleet because the fire would have continued to spread.

Vice Chairman Gibbons moved to approve for the Road Department to purchase new Tack Truck under Georgia State Contract 99999-SPD-SPD0000155-0007 in the amount of \$250,027, and to surplus the old Tack Truck #21814 and Dump Truck #10802. Commissioner Rousseau seconded. The motion passed 5-0.

17. Request to award Contract #1428-P: Fayette County Public Safety Radio System; Change Order No. 9 to E.F. Johnson Company to modify preventative maintenance payment milestones, accept the separation for ALV/ESChat, design coverage enhancements, establish warranty start dates, and formalize agreement of payment of completed deliverables, with no net change in the contract amount.

Mr. Rapson stated that this was the accumulation of roughly a year-and-a-half worth of effort working with the current vendor. He stated that this Change Order was to realign an existing contingency that was in the contract, so it was not additional money. He explained that it would fund the eleventh cell tower needed to get the 95% range. It would trigger the two-year maintenance implementation and also re-establish the acceptance and final deliverables to keep the leverage in place, to make sure it was completed in a timely manner. It would also reallocate the Peachtree City site to a different location. He stated that it would retrofit all the ten existing ones and get the system to the 95% needed.

Vice Chairman Gibbons moved to approve Contract #1428-P: Fayette County Public Safety Radio System; Change Order No. 9 to E.F. Johnson Company to modify preventative maintenance payment milestones, accept the separation for ALV/ESChat, design coverage enhancements, establish warranty start dates, and formalize agreement of payment of completed deliverables, with no net change in the contract amount. Commissioner Maxwell seconded.

In response to Commissioner Rousseau, 911 Director Katye Vogt stated that she did not have a firm completion because to add the tower, lease negotiations would be needed. It would be approximately twelve months once she received approval, and a lease agreement was in place. She stated that the location was up north Highway 85, near the old J&R building, near the county line.

Vice Chairman Gibbons moved to approve Contract #1428-P: Fayette County Public Safety Radio System; Change Order No. 9 to E.F. Johnson Company to modify preventative maintenance payment milestones, accept the separation for ALV/ESChat, design coverage enhancements, establish warranty start dates, and formalize agreement of payment of completed deliverables, with no net change in the contract amount. Commissioner Maxwell seconded. The motion passed 5-0.

18. Request to ratify the approval of Contract #2515-B Roof Repairs Fayette Community Health Building to Alpha Roofing Systems, LLC /DBA ACR Commercial Roofing in the sum of \$333,682.00.

Commissioner Rousseau moved to approve the ratification of Contract #2515-B Roof Repairs Fayette Community Health Building to Alpha Roofing Systems, LLC /DBA ACR Commercial Roofing in the sum of \$333,682.00. Vice Chairman Gibbons seconded.

Commissioner Rousseau asked if there was a timeline for starting and completion.

Project Consultant Tim Symonds stated that materials are being ordered, and he planned to meet to get the confirmed start date. He stated that the contractor stated that they would need 40 days to complete the roof.

Commissioner Rousseau stated that he was concerned about the next rain.

Mr. Symonds stated that temporary repairs had been made to stop any additional leaks. He continued that it would depend on when the materials arrived.

Commissioner Rousseau moved to approve the ratification of Contract #2515-B Roof Repairs Fayette Community Health Building to Alpha Roofing Systems, LLC /DBA ACR Commercial Roofing in the sum of \$333,682.00. Vice Chairman Gibbons seconded. The motion passed 5-0.

ADMINISTRATOR'S REPORTS:

Mr. Rapson stated that there was a resolution on the dais from the City of Fayetteville regarding the paths. He asked for prayers for County Attorney Davenport's mother.

ATTORNEY'S REPORTS:

Notice of Executive Session: Assistant County Attorney Ali Cox stated that there were four items for Executive Session. Three items involving real estate acquisition, and the review of the February 13, 2025 Executive Session Minutes.

COMMISSIONERS' REPORTS:

Commissioner Maxwell stated that he was pleased to learn that there was pig/hog at Animal Control. He stated that it came at the two-week anniversary that the Board voted to build a barn. He stated that he believed it was a sign from God that the Board made the right decision.

Commissioner Rousseau stated that he appreciated the robust discussion regarding the impact fees and things of that nature. He stated that he had a resident that lived on a gravel road, and he could not get a consist schedule. He stated that he knew the challenges that staff faced with those decisions as the county grows.

EXECUTIVE SESSION:

Three items involving real estate acquisition and the review of the February 13, 2025 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 6:31 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 5-0.

Approval of the February 13, 2025 Executive Session Minutes: Commissioner Oddo moved to approve February 13, 2025 Executive Session Minutes. Vice Chairman Gibbons seconded the motion. The motion passed 5-0.

ADJOURNMENT:

Commissioner Oddo moved to adjourn the February 27, 2025 Board of Commissioners meeting. Vice Chairman Gibbons seconded. The motion passed 5-0.

The February 27, 2025 Board of Commissioners meeting adjourned at 7:03 p.m.

Tameca P. Smith, 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 13th day of March 2025. Attachments are available upon request at the County Clerk's Office.