

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

March 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 March 27, 2025, Board of Commissioners meeting to order at 5:04 p.m. A quorum of the Board was present. Vice Chairman Edward Gibbons and Commissioner Charles Oddo were absent.

Invocation and Pledge of Allegiance by Commissioner Charles Rousseau

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

Acceptance of Agenda

Commissioner Charles Rousseau moved to accept the agenda as written. Commissioner Eric Maxwell seconded. The motion passed 3-0. Commissioners Gibbons and Oddo were absent.

PROCLAMATION/RECOGNITION: None

PUBLIC HEARING:

- 1. Consideration of a new 2025 Retail Alcohol Beer and Wine License (M25-01501) for C4Whitewater Inc, doing business as Whitewater Amoco, located at 1552 Hwy 85 S, Fayetteville, GA 30215.**

Chief Marshal Lem Miller presented this item. He stated this was a gas station that would sell alcohol at the establishment. He stated that the applicant submitted application, Planning & Zoning and Code Enforcement reviewed the application, and it met all requirements. There was no outstanding violation to prevent the applicant from being considered by the Board.

No one spoke in favor or opposition.

Commissioner Maxwell moved to approve a new 2025 Retail Alcohol Beer and Wine License (M25-01501) for C4Whitewater Inc, doing business as Whitewater Amoco, located at 1552 Hwy 85 S, Fayetteville, GA 30215. Commissioner Rousseau seconded. The motion passed 3-0. Commissioners Gibbons and Oddo were absent.

- 2. Consideration of Petition 1360-24, Brent Holdings, LLC, Applicant, Racetrac Petroleum, Inc, Owner, Daniel Fields and Steven Jones, Agents, proposes to rezone 55.800 acres from C-H Conditional to M-1 for the purpose**

of constructing a distributing warehouse; property located in Land Lot 233 of the 5th District and fronts on N. Highway 85, Corinth Road, Country Lane Road, and Carter Road.

Assistant County Attorney Ali Cox stated that it was the right of the applicant, when there was not a full Board present, to request that the item be tabled. The request to table was made before the item was read.

Steven Jones, Agent, requested the item to be tabled because there was not a full Board and to allow him time to organize a meeting with residents of homes abutting this property to discuss concerns and things that would make the residents comfortable with the project. To allow ample time to set up the meetings with residents, he requested that the item be tabled until May 22.

Commissioner Rousseau moved to table Petition 1360-24, Brent Holdings, LLC, Applicant, Racetrac Petroleum, Inc, Owner, Daniel Fields and Steven Jones, Agents, proposes to rezone 55.800 acres from C-H Conditional to M-1 for the purpose of constructing a distributing warehouse; property located in Land Lot 233 of the 5th District and fronts on N. Highway 85, Corinth Road, Country Lane Road, and Carter Road to May 22, 2025. Commissioner Maxwell seconded.

Commissioner Maxwell asked staff to get Mr. Nash a copy of his business card. He stated that he would be willing to speak to him. He stated that he would probably not attend a meeting held at his home.

Mr. Nash stated that he would like to have one member of the Board present at the meeting. He stated that since it was District 4, that maybe Commissioner Rousseau could attend.

Mrs. Cox cautioned that comments were lending toward considering the petition and there was a motion to table. She stated that a vote needed to be made on this item.

Commissioner Rousseau moved to table Petition 1360-24, Brent Holdings, LLC, Applicant, Racetrac Petroleum, Inc, Owner, Daniel Fields and Steven Jones, Agents, proposes to rezone 55.800 acres from C-H Conditional to M-1 for the purpose of constructing a distributing warehouse; property located in Land Lot 233 of the 5th District and fronts on N. Highway 85, Corinth Road, Country Lane Road, and Carter Road to May 22, 2025, Board of Commissioners meeting. Commissioner Maxwell seconded. The motion passed 3-0. Commissioners Gibbons and Oddo were absent.

3. Consideration of Petition 1361-25, Max Fuller, Applicant, After Hours Property Management, LLC, Owners, Christine Flanigan, Agent, propose to rezone 10.03 acres from A-R (Agricultural-Residential) to R-72 (Single-Family Residential) for the purpose of developing residential lots; property located in Land Lots 88 and 73 of the 5th District and fronts on John Street (abandoned) and Inman Road.

Before reading the item, the Petitioner was asked if they would like to table due to lack of a full Board present.

Max Fuller, Applicant stated that he would like to table this item until the April 22 meeting.

Commissioner Rousseau moved to table Petition 1361-25, Max Fuller, Applicant, After Hours Property Management, LLC, Owners, Christine Flanigan, Agent, propose to rezone 10.03 acres from A-R (Agricultural-Residential) to R-72 (Single-Family Residential) for the purpose of developing residential lots; property located in Land Lots 88 and 73 of the 5th District and fronts on John Street (abandoned) and Inman Road to the April 22, 2025, Board of Commissioners meeting. Commissioner Maxwell seconded. The motion passed 3-0. Commissioners Gibbons and Oddo were absent.

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 Rousseau moved to approve the Consent Agenda as presented. Commissioner Maxwell seconded. The motion passed 3-0. Commissioners Gibbons and Oddo were absent.

4. **Acknowledgment of Sheriff Barry H. Babb's decision to accept one (1) vehicle with corrected VIN from the Town of Tyrone.**
5. **Approval of an emergency Supplemental Grant Award for the DUI Accountability Court for treatment services and drug testing expenses, in the amount of \$33,180.00 with no match required.**
6. **Approval of the March 13, 2025, Board of Commissioners Meeting Minutes.**

OLD BUSINESS: None.

NEW BUSINESS:

7. **Request to enter into a Radio Communications Memorandum of Understanding (MOU) with Georgia Department of Public Safety for radio access.**

911 Director Katye Vogt stated that this agreement involved interoperability on the radio system. She stated that at any given time troopers were in the county handling business or assisting with traffic mitigation due to accidents, this agreement would allow the troopers to be on the County's system.

Chairman Hearn stated that it was essentially ensuring good communication between the Sheriff's Office, 911 and other law enforcement.

Ms. Vogt stated that was correct. Interoperability means that the officers would not have to be patched or make phone calls directly to 911. They would turn to the County's channel and would be speaking directly to the County's units.

Chairman Hearn moved to approve to enter into a Radio Communications Memorandum of Understanding (MOU) with Georgia Department of Public Safety for radio access. Commissioner Maxwell seconded.

Chairman Hearn thanked staff for being proactive and bringing this to the Board.

Chairman Hearn moved to approve to enter into a Radio Communications Memorandum of Understanding (MOU) with Georgia Department of Public Safety for radio access. Commissioner Maxwell seconded. The motion passed 3-0. Commissioners Gibbons and Oddo were absent.

8. **Request to approve Contract #2000-P, Badger Meter, Change Order No. 08 for additional meter boxes, associated labor and additional allowance for labor with a not-to-exceed amount of \$210,964.56.**

Water System Director Vanessa Tigert stated that she was requesting the Board to approve a Change Order for Contract #2000-P with Badger Meter.

Chairman Hearn asked if he was correct that this was largely due to the old meters that are deteriorated and are at a higher percentage of meters needing replacement than initially estimated.

Ms. Tigert stated yes.

Commissioner Maxwell moved to approve Contract #2000-P, Badger Meter, Change Order No. 08 for additional meter boxes, associated labor and additional allowance for labor with a not-to-exceed amount of \$210,964.56. Commissioner Hearn seconded. The motion passed 3-0. Commissioners Gibbons and Oddo were absent.

9. Discussion of the City of Peachtree City Recreation Program Intergovernmental Agreement between the City of Peachtree City and Fayette County effective October 1, 2025.

Parks and Recreation Director Anita Godbee stated that this Intergovernmental Agreement (IGA) was established in 2018 for the purpose of expanding recreation opportunities for county and city residents. The agreement was established that Peachtree City would charge the county residents, no greater program fees, than charged to city residents and in turn the County would provide Peachtree City \$150,000 annually to operate the recreation facilities. At the March 20, 2025 meeting of the Peachtree City Council, the Council approved to terminate the IGA effective October 1, 2025 to align with the City's budget year. Mrs. Godbee stated that if approved, that the termination date be revised to July 1, 2025 to align with the County's fiscal year.

County Administrator Steve Rapson stated that the change from October 1 to July 1, was because the County's fiscal year was different from the City's fiscal year.

Commissioner Rousseau asked what this was "born" out of.

Mrs. Godbee stated that it was born out of the fact that Peachtree City wanted to up the fee. The City conducted a Needs Assessment and the assessment suggested a fee increase. She stated, as well as some of the Youth Associations are already charging the county residents an additional fee.

Commissioner Rousseau stated that this led to his next question of whether there was any data to show that Peachtree City was honoring the agreement. He asked Mrs. Godbee was she saying that the City was charging excessive fees, over and beyond city residents' fees.

Mrs. Godbee stated that was her understanding for the Youth Association. She stated that the program fees that the staff coordinates, those are the same, however the Youth Associations are charging the county residents more.

Commissioner Rousseau asked if the overpayment could be tracked and should the County request a rebate for overpayment.

Mrs. Godbee stated that she did not believe we could.

Mr. Rapson stated that Peachtree City was getting ready to streamline the fee so there would be a fee for city residents and then everyone else.

Commissioner Rousseau mentioned the County's new recreation facility and out-of-county fees. He stated that he would be looking for those changes in terms of some of the internal people who have chosen not to work with the County anymore.

Commissioner Maxwell stated that he spoke with Mayor Kim Learnard, Peachtree City Mayor about this issue. He stated that he also spoke with Mr. Rapson. He continued that Mayor Learnard stated that they received the assessment, and it was about 300 pages. He stated that he remembered this being an item back in 2006. He recalled that the fee for the County may have been \$25,000 or \$50,000. He stated that around the time he was running for election, a check was delivered to the city of Peachtree City, Town of Tyrone and Fayetteville as well. He stated that he did not know when the last time was that the fee was adjusted. The fee was intended to help lower the county residents' fees. He stated that the proposed new fee was over \$800,000. To go from \$150,000 to over \$800,000 was hard for him to accept. He stated that the County had a fairly good relationship with Peachtree City on this issue for a number of years. He stated that looking at the 300-page assessment, it was no wonder a \$800,000 fee was needed. He stated that it was on the City's website. He stated that if the Board voted to terminate the agreement as of October, it would look like the County was the one forcing the issue and we were not. He stated that he was not inclined to terminate the agreement. He stated that this was Peachtree City doing this to outside families and their children. He

wanted the problem to be Peachtree City's problem and not the County's problem. He asked if there was "a new thing" in place yet.

Chairman Hearn stated no.

Commissioner Maxwell stated that the City was moving too quickly on this. He stated that there needed to be more communication regarding this item to address this. To go from \$150,000 to \$800,000 in one fall swoop, he did not feel he could support that increase. He stated that he preferred not to terminate the agreement on July 1, but to let Peachtree City be the one to stop it.

Chairman Hearn stated that he had breakfast with Mayor Learnard about once a quarter and this was a topic discussed. She mentioned the report and he knew the \$800,000 was coming. He stated that his comment to the Mayor was that if he wanted something to be really super expensive, he could set the data so that it pointed toward \$800,000 and if he wanted a more reasonable line it would be something less. He asked her to look at this because it would impact a lot of kids outside of Peachtree City. He stated that the Mayor assured him that they would take a good look at this but she did not make any commitment, nor did he ask. He stated that he had no problem voting to not terminate the agreement on July 1.

Commissioner Rousseau stated that this was the first time he had been made aware of conversations regarding this item when he was being asked to vote on it. He stated that voting on this would still leave the door open to come to some type of agreement with the City for future support and engagement. He stated that if his memory was correct, athletic associations may come under the County's banner/oversight, but they can charge fees on their own.

Mrs. Godbee stated that was correct.

Commissioner Rousseau stated that he wanted "our supposed" partner to have a wholesome relationship with serving county residents, especially since the County had been supporting with the \$150,000. He stated that he was not opposed to ending the agreement nor was he opposed to continuing discussions. He stated that he was disappointed that this came without any knowledge that this was in the hopper because that was the time to talk about negotiations. He was disturbed about dealing with an isolation posture. He stated that he had no problem ending the agreement and answering constituent's calls but for the most part, it would change programmatic fees ran by the city's staff.

Mr. Rapson stated that the report had a paradigm shift. The County's approach to the fee was that we did not want someone in unincorporated Fayette being charged differently than someone that lived within the City. He stated that it was a small segment of people that it covered. He stated that the 300-page report included how many participants did the City have and how much did it cost for the entire program. He stated that was how to get from \$150,000, small segment, to a \$820,000 contribution to support people that was within the county and participating in the City's programs. He stated that oddly enough the programs were largely successful because of the people that would be charged a different fee. He stated, to answer the question about how to negotiate the fee, the County and City were not on the same level of negotiation because we were not talking about the same type of charge that a resident would have. As Mrs. Godbee stated, some of the charges are already occurring through the associations currently. Mr. Rapson stated that he was suggesting the termination be effective July 1 instead of October 1, because it was the County's fiscal year. He stated that he could easily budget the \$37,500 one quarter payment so that it would become effective October 1. The reason for the discussion was because there was a 90-day clause in the agreement to terminate at the end of the calendar year. If the date needed to be changed, it would need to be done within the 90-day window. If the Board took no action, at all, the agreement would terminate on October 1, 2025.

Commissioner Rousseau stated yes but then staff would have to plan for the \$37,500 payment in the first quarter budget.

Mr. Rapson stated yes, and it was a simple thing to do.

Commissioner Rousseau stated that he was not in favor of that. He asked if there was data to show how \$150,000 had subsidized programs over time. He asked if there was any data that showed how many “out of Peachtree City” residents participated in programs.

Mr. Rapson stated that it was a reciprocal agreement. If there was a Peachtree City resident interested in programs at the County, they are charged the same as a county resident. The same was true for all other cities. The Town of Tyrone had a similar agreement. The County contributed \$18,000 and they charge county residents the exact same fee that a resident of the Town of Tyrone would pay.

Commissioner Rousseau stated that when contributing in this way, it was good to track impacts so when asked, there was data to point to. He asked how long the County had been subsidizing.

Mr. Rapson stated that the agreement went back almost two decades.

Mrs. Godbee stated that since 2018, the amount was \$150,000.

Commissioner Rousseau moved to accept the proposal from Peachtree City Council to terminate the agreement and in addition to have it terminate June 30. Motion died for a lack of a second.

There was no other motion.

Chairman Hearn confirmed that no action meant that the agreement would renew.

Mr. Rapson stated no. He stated that the agreement would terminate on October 1, 2025. This meant that, from a budget perspective, staff would need to budget for one quarter.

ADMINISTRATOR’S REPORTS:

Mr. Rapson stated that he sent the Board a copy of the Hot Topics. He stated that it included updates on the Stormwater projects, Parks and Recreation Multi-Purpose facility, Starrs Mill School Tunnel, Coastline Bridge Improvements, Cedar Trail Culvert Replacement, Old Ivy Stormwater Replacement and the update on the AMI Water System. He stated that in addition to these, there was a notification from Georgia Department of Transportation that there would be A traffic shift on April 9, 2025, for the temporary bridge on State Route 85 and Whitewater.

Chairman Hearn asked when the road would be closed for the tunnel on Redwine.

Public Works Director Phil Mallon made comments (inaudible). He stated that the tunnel should be open for use before the start of the next school year. However, there were utility delays that would entitle the contractors to an extension, although they have not requested one.

Chairman Hearn wanted to reiterate that he wanted staff and contractors to do everything possible to minimize the time that road was closed.

ATTORNEY’S REPORTS: None.

COMMISSIONERS’ REPORTS:

Commissioner Maxwell stated that he was contacted by Senator Ossoff’s office inquiring about the railroad crossing incident in Tyrone. He asked if anyone had additional information.

There was no other information provided.

Commissioner Rousseau commended Mr. Jones on reaching out to residents. He stated that he rarely attended meetings of that magnitude because the Board's presence tends to politicize issues. He did encourage applicants to meet with the homeowner's associations, civic groups and faith-based community. He stated that he knew the zoning signs had been increased in size, but many ignore the zoning signs.

Chairman Hearn stated that the waste being brought to the light on the national government level was unbelievable from his perspective. He stated that he spoke with a resident about the issue, and he told them that if they had the County's \$80M budget and squandered 25%, it would be \$20M and he could not image that. He stated that he appreciated staff and the way the funds are spent. He stated that all [elected officials] had to be vigilant about spending taxpayer's money.

Commissioner Rousseau stated that he normally tried not to make political statements from the dais, however, he was challenged with that statement. He stated that yes, there was probably a significant amount of waste and abuse in some areas, but when people go hunger, unsheltered, when residents lose their jobs, he took exception to that.

EXECUTIVE SESSION: None.

ADJOURNMENT:

Commissioner Rousseau moved to adjourn the March 27, 2025 Board of Commissioners meeting. Chairman Hearn seconded. The motion passed 3-0. Commissioners Gibbons and Oddo were absent.

The March 27, 2025 Board of Commissioners meeting adjourned at 5:44 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 10th day of April 2025. Attachments are available upon request at the County Clerk's Office.