

## 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

April 22, 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 2<sup>nd</sup> and 4<sup>th</sup> Thursday of each month at 5:00 p.m.

### OFFICIAL SESSION:

#### **Call to Order**

Chairman Lee Hearn called the April 22, 2025 Board of Commissioners meeting to order at 5:04 p.m. A quorum of the Board was present.

#### **Invocation and Pledge of Allegiance by Commissioner Charles Oddo**

Commissioner Charles Oddo gave the Invocation and led the audience in the Pledge of Allegiance.

#### **Acceptance of Agenda**

Commissioner Oddo moved to approve the agenda as presented. Vice Chairman Edward 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 1361-25, Max Fuller, Applicant and Christine Flanigan, Agent, request 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 Lot 10 of the 5th District and fronts on John Street (abandoned) and Inman Road. This item was tabled at the March 27, 2025 Board of Commissioners Meeting.**

Mrs. Bell stated that Petition 1361-25 was tabled at the March 27, 2025 Board of Commissioners meeting due to the lack of a full Board. She stated that the applicant proposes to rezone 10.03 acres from A-R to R-72 for the purpose of developing residential, single-family residential lots. As defined in the Fayette County Comprehensive Plans/Future Land Use Plan, this area was designated as Rural Residential 2. The request was to rezone the lot to R-72, which required two acre lots, and was appropriate for the area. Staff recommended conditional approval as follows:

1. The owner/developer shall dedicate land to Fayette County as needed to provide a minimum 50-ft of right of way as measured from the existing centerline of Inman Road for the full width of the parcel. Submittal of all warranty deed(s) and legal descriptions for said right-of-way dedication(s) 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.

On March 6, 2025, the Planning Commission voted 5-0 to recommend conditional approval. There were no environmental factors that would have a substantial impact on the development.

Mr. Max Fuller, Applicant, stated that he was requesting that the lots be rezoned to R-72 to build four, 2 ½ acre homes and provide the County the 10 feet of right-of-way required.

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

Mr. Fuller agreed to the conditions as presented.

Commissioner Oddo moved to approve of Petition 1361-25, Max Fuller, Applicant and Christine Flanigan, Agent, request 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 Lot 10 of the 5th District and fronts on John Street (abandoned) and Inman Road with the one (1) condition. Vice Chairman Gibbons seconded. The motion passed 5-0.

**2. Consideration of Petition 1362-25, Cedric Johnson and Sharai Johnson, Owners, request to rezone 16.1 acres from R-70 (Single-Family Residential) to A-R (Agricultural-Residential) for the purpose of developing small farming activities; property located in Land Lot 18 of the 9th District and fronts on Jewel Bluff.**

Mrs. Bell stated that the lot was a legal lot of record and meets or exceeds all requirements of the A-R zoning district. The Future Land Use map designated this area as Rural Residential 2 with a two acre minimum. Since A-R zoning was a less intense lower density zoning the request to rezone to A-R zoning was appropriate and consistent with the Future Land Use map. Staff recommended conditional approval as follows:

1. The owner/developer shall dedicate land to Fayette County as needed to provide a minimum 30-ft of right of way as measured from the existing centerline of Jewel Bluff for the full width of the parcel. Submittal of all warranty deed(s) and legal descriptions for said right-of-way dedication(s) 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.
2. The Watershed Protection Ordinance shall apply to this property upon rezoning.

On April 3, 2025, the Planning Commission voted 5-0 to recommend conditional approval.

Mrs. Johnson stated that her husband was a third generation, and she was a first-generation farmer, and they would like to feed their community. She stated that they own chickens and would like to expand their operations for agricultural uses. She stated that it would be in a small-scale way. No commercial farming.

No one spoke in favor or opposition.

Commissioner Oddo moved to approve Petition 1362-25, Cedric Johnson and Sharai Johnson, Owners, request to rezone 16.1 acres from R-70 (Single-Family Residential) to A-R (Agricultural-Residential) for the purpose of developing small farming activities; property located in Land Lot 18 of the 9th District and fronts on Jewel Bluff with the two (2) conditions. Vice Chairman Gibbons seconded.

Commissioner Charles Rousseau commended the offer to extended services to the community. He stated that he would love to get into contact with Mr. and Mrs. Johnson in respect to the food banks to work in collaboration with them and some of the non-profits.

Mrs. Johnson stated, "Absolutely." She agreed to the two (2) conditions stated by staff.

Commissioner Oddo moved to approve Petition 1362-25, Cedric Johnson and Sharai Johnson, Owners, request to rezone 16.1 acres from R-70 (Single-Family Residential) to A-R (Agricultural-Residential) for the purpose of developing small farming activities; property located in Land Lot 18 of the 9th District and fronts on Jewel Bluff with the two (2) conditions. Vice Chairman Gibbons 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.

3. **Approval to award Bid #2546-B: 2017 SPLOST; Stormwater Category II, Tier II; 21SAL North Bend Court Culvert Replacement to the lowest responsive, responsible bidder, Crawford Grading & Pipeline, Inc., in the amount of \$230,435.02 and to transfer \$94,557.00 from 17SAS Stormwater Improvement Plans CAT IV.**
4. **Approval of an agreement with Fayetteville Main Street, a domestic nonprofit corporation of the City of Fayetteville, for lighting of trees on the Old Courthouse Square, located at 200 Courthouse Square, Fayetteville, Georgia.**
5. **Approval of April 10, 2025, Board of Commissioners Meeting Minutes.**

**OLD BUSINESS:** None.

**NEW BUSINESS:**

6. **Request to approve Contract 2506-P, MEJA Construction, Inc.; Fayette County Multi-Use Recreation Building; Change Order #1, to add the construction price of \$19,592,802.00 to the initial contract amount of \$1,047,500.00 for a total Guaranteed Maximum Price of \$20,640,302.00.**

Tim Symonds, Consultant, stated that he was requesting approval of Contract 2506-P, Change Order #1. He stated that the Board approved MEJA as the Construction Manager At-Risk. He stated that this was the Guaranteed Maximum Price (GMP) presented to the Board. He stated that the GMP was a little over the budget but was within the overall project budget. He stated that he was confident that this GMP was a good price. He stated that the demolition of the existing building was not included in the original budget because County staff were going to do it, but it did not work with their schedule, so MEJA will do that. He stated that, subject to the Board's approval, the project would start in early May and be completed by August 2026.

Chairman Hearn stated that the County's experience with MEJA had been good. He stated that he liked doing business with local people who are doing a great job.

Mr. Symonds stated that this was the third project with MEJA and they have consistently delivered the projects under budget.

Members from the Parks and Recreation Commission were also present in the audience.

Commissioner Eric Maxwell moved to approve Contract 2506-P, MEJA Construction, Inc.; Fayette County Multi-Use Recreation Building; Change Order #1, to add the construction price of \$19,592,802.00 to the initial contract amount of \$1,047,500.00 for a total Guaranteed Maximum Price of \$20,640,302.00. Commissioner Rousseau seconded.

Commissioner Maxwell stated that when he heard the phrase "Guaranteed Maximum Price" and that was what he expected the County to pay. He asked if that was correct.

Mr. Symonds stated, "Not necessarily." He stated that there were contingency funds included and if not used, those funds would be given back to the County. He stated that on the Public Health project, we were able to accomplish more scope than originally identified and there were funds handed back to the County.

Commissioner Maxwell asked if it worked both ways. He asked what were some concerns that would put the project over \$20.6M.

Mr. Symonds stated that was the beauty of the Construction Manager At-Risk. The "at-risk" part was that MEJA identified this as the not-to-exceed price under the one condition that no one from the County added to the scope or threw in work that was not in the original scope. He stated that he believed the risk of a change order was very low. If there were any funds added it would be in the furniture, fixture and equipment area.

Commissioner Rousseau thanked Anita Godbee, Parks and Recreation Director, the Parks and Recreation Commission and Mr. Symonds for getting this project to this point. He stated that this was a good amenity to the community and much needed. He thanked them for the community involvement and holding charettes. He stated that those were critical pieces to getting to this point.

Commissioner Eric Maxwell moved to approve Contract 2506-P, MEJA Construction, Inc.; Fayette County Multi-Use Recreation Building; Change Order #1, to add the construction price of \$19,592,802.00 to the initial contract amount of \$1,047,500.00 for a total Guaranteed Maximum Price of \$20,640,302.00. Commissioner Rousseau seconded. The motion passed 5-0.

#### **ADMINISTRATOR'S REPORTS:**

County Administrator Steve Rapson stated that there was a temporary closing of the Transfer Station scheduled for April 23-26, 2025. Message boards have been placed on the roads and information posted to the website.

He stated that Gary Rower of the Election Board was notifying the Election Board at a meeting happening at the same time as this meeting, that he was resigning from the Board, effective May 31, 2025. He stated that a Selection Committee of the Board was needed.

Commissioner Oddo moved to approve Chairman Hearn and Vice Chairman Gibbons to the Election Selection Committee. Commissioner Maxwell seconded. The motion passed 5-0.

Mr. Rapson wanted to notify the public that the Board and staff would be attending the Association of County Commissioners of Georgia (ACCG) Conference starting April 24 in Savannah, Georgia.

#### **ATTORNEY'S REPORTS:**

**Notice of Executive Session:** County Dennis Davenport stated that there were three items for Executive Session. One item involving real estate acquisition, one item involving pending litigation, and the review of the April 10, 2025, Executive Session Minutes.

#### **COMMISSIONERS' REPORTS:**

**Chairman Hearn** shared that he and Public Works Director Phil Mallon when to Thomaston, Georgia and had a great meeting with the Georgia Department of Transportation (GDOT) district leaders. He stated that they offered to assist with some projects. He stated that one of the conversations was related to the study of Highway 54 from Coweta County to the Fisher Road area, through Fayetteville. He stated that GDOT was interested in studying that, realizing that the County had to complete the project and Hwy 74 and 54 before looking at traffic again. He thanked Mr. Mallon and stated that he was very well respected among the GDOT leaders. He stated that it did not go unnoticed from him.

**EXECUTIVE SESSION:**

**Three items for Executive Session. One item involving real estate acquisition, one item involving pending litigation, and the review of the April 10, 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 5:26 p.m. and returned to Official Session at 6:02 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 April 10, 2025 Executive Session Minutes:** Commissioner Oddo moved to approve April 10, 2025 Executive Session Minutes. Vice Chairman Gibbons seconded the motion. The motion passed 5-0.

**ADJOURNMENT:**

Commissioner Oddo moved to adjourn the April 22, 2025 Board of Commissioners meeting. Vice Chairman Gibbons seconded. The motion passed 5-0.

The April 22, 2025 Board of Commissioners meeting adjourned at 6:03 p.m.

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Tameca P. Smith, 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 22<sup>nd</sup> day of April 2025. Attachments are available on request at the County Clerk's Office.