

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

May 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 2nd and 4th Thursday of each month at 5:00 p.m.

OFFICIAL SESSION:

Call to Order

Chairman Lee Hearn called the May 22, 2025 Board of Commissioners meeting to order at 5:01 p.m. A quorum of the Board was present. Vice Chairman Edward Gibbons was absent.

Invocation and Pledge of Allegiance by Commissioner Charles Rousseau

Commissioner Charles Rousseau offered the invocation and led the audience in the Pledge of Allegiance.

Acceptance of Agenda

Commissioner Charles Oddo moved to approve the agenda as presented. Commissioner Rousseau seconded. The motion passed 4-0. Vice Chairman Gibbons as absent.

PROCLAMATION/RECOGNITION:

1. **Request recognition of the Fire & Emergency Services Citizen Fire Academy graduates on their successful completion of the 10-week Citizen Fire Academy and presentation of certificates to the graduates.**

Fire Chief Jeff Hill presented the graduates to the Board. He gave a brief description of what the graduates learned in the 10-week program.

2. **Recognition of Fayette County Water System's 2024 Gold Awards for Crosstown and South Fayette Water Treatment Plants presented by Georgia Association of Water Professionals Executive Director, Pam Burnett.**

Water System Direct Vanessa Tigert introduced Georgia Association of Water Professionals (GAWP) Executive Director Pam Burnett. She stated that the GAWP was the organization that provided the licensing, education, and also worked with the State on legislative issues.

Ms. Burnett stated that there were over 4,000 members of the GAWP and the association represented all the companies and water industries in Georgia. She stated that the goal was to educate, support and empower those that protect Georgia's most critical nature resource, water. She gave background information about the association. Ms. Burnett stated that each year, at the annual conference, the GAWP honored those with exceptional performance. This year the conference was held in Columbus, Georgia where GAWP honored exceptional performance in the delivery of safe potable drinking water and the restoration of

wastewater. The program called the Golden Platinum Awards was presented for full compliance of the Safe Drinking Water Act and the National Pollutant Discharge Elimination Act. Full compliance meant every detail of the permit had to be in compliance. This was not an easy task. To achieve full compliance was no small feat. Fayette County's Crosstown and South Fayette Water Treatment Plants have been awarded the 2024 Gold Awards. Ms. Burnett stated that the Board was essential to providing the needs of the Water System to assist with the job that they do. Members of the Water System accepted the award.

3. Recognition of Johnny Hudson and presentation of the first Fayette County Water System Water Drop award for his tireless efforts that contributed to the success of the Advanced Metering Infrastructure project.

Ms. Tigert stated that this was the first inaugural Fayette County Water System Water Drop Award. She stated that the large Advanced Metering Infrastructure (AMI) project was one of the largest projects in the county. She stated that the project took a lot of coordination and hard work to make the project successful. The project will be completed by the end of June. Johnny Hudson, a 37-year employee was awarded the Water Drop Award. Mr. Hudson worked over 14 Saturdays to work on meters, find problems and make the project happen.

PUBLIC HEARING:

Zoning Administrator Deborah Sims read the Introduction to Public Hearings.

4. Consideration of Petition 1360-24, RaceTrac Petroleum, Inc., Owner, Brent Holdings, LLC, Applicant, propose to rezone 55.800 acres from C-H (Highway Commercial) Conditional to M-1 (Light Industrial) 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, County Lane Road, and Carter Road. This item was tabled at the March 27, 2025 Board of Commissioners Meeting.

Mrs. Sims stated that because there was not a full board present, the Petitioner could request to table the petition to the next meeting, provided that the request was made prior to hearing the petition. Only one such request could be made.

Steven Jones, Agent, on behalf of the applicant requested to table this petition to the August 28, 2025, meeting for two reasons. The first reason was lack of a full board present, and the second reason was that earlier in the month, the Petitioner held a community meeting with the residents of the adjacent residential subdivision. He stated that the Petitioner gave some commitments and was taking some time to engineer and reallocate things to fulfill the commitments. He stated that the Petitioner also wanted to follow up with the residents once done. He stated that he believed he was accurately representing the comments at the meeting, that if the commitments were fulfilled, the residents would support the application. He requested to table to the August 28, 2025 meeting.

Commissioner Rousseau moved to deny the request to table to the August 28, 2025 meeting. Commissioner Oddo seconded for discussion.

Commissioner Rousseau stated that he was prepared to hear the petition in June or July at the latest.

Commissioner Eric Maxwell confirmed that voting for the motion meant there would be a second motion to hold the hearing in June.

Commissioner Rousseau stated June or July. He stated that this was the second request to table.

Commissioner Maxwell stated that Mr. Jones represented that he spoke with the neighbors and the neighbors were interested in some accommodations. He stated that he believed that was a good idea and if more time was needed, he was not sure June would be enough time. He continued that the problem was not knowing who would be absent at a meeting. He stated that he believed August was a reasonable request.

County Attorney Dennis Davenport stated that typically when there was a request to defer it was for thirty or sixty days. He stated that if in fact the Petitioner was looking that far out, was it an option to just withdraw the petition and reapply. It would go back to the Planning Commission and then to the Board and by that time it may be August. This was a consideration for the Petitioner.

Commissioner Maxwell stated that there would be another filing fee, advertisement fee and then going back to Planning Commission. He stated that there may be a favorable vote from Planning Commission if the Petitioner was able to get things resolved.

Mr. Jones stated that the Petitioner would prefer to table. He stated that he knew staff was not planning to have a Public Hearing in July, which was why the Petitioner was asking for August. He said typically he would only ask for the sixty-days but was trying to be cognizant of the schedule.

Mrs. Sims stated that staff was not planning to have a public hearing in July because of the holidays. She stated that there would not be a Planning Commission meeting until the 17th so those meeting are being pushed to August.

Commissioner Oddo asked why June was not possible.

Mr. Jones stated because the Petitioner wanted to be sure there was enough time for all the residents to look at the revised plans. He stated that they did not want to be pressed for time.

Commissioner Rousseau moved to deny the request to table to the August 28, 2025 meeting. Commissioner Oddo seconded. The motion failed 2-2. Chairman Hearn and Commissioner Maxwell voted in opposition. Vice Chairman Gibbons was absent.

Commissioner Maxwell moved to table the request to the August 28, 2025 meeting.

Commissioner Oddo suggested, because of the 2-2 split, that the Petitioner withdraw the petition.

Commissioner Maxwell moved to table the request to the August 28, 2025 meeting. Chairman Hearn seconded for discussion.

Chairman Hearn stated that the Petitioner was trying to accommodate the residents and the staff. He stated that it was reasonable to have the hearing in August.

Commissioner Maxwell stated that he recalled a Petitioner that was putting development in North Fayette, that was going to be surrounded by all houses, and the Petitioner spoke with the residents and was able to accommodate the request. He stated that it was one of the easiest to approve. He stated that was exactly what Mr. Jones was attempting to do, work with the neighbors. He stated that it looked like everyone was trying to work together and he wanted to work with people who were trying to work together.

Commissioner Rousseau stated that he shared that sentiment, but that the Petitioner held meetings on the front end before coming to the Board. He stated that this was being done after the fact and that was the difference between the two. He stated that in addition, it was disappointing to have staff say the schedule was changing and he knew nothing about it. He stated that for an applicant to be the one to inform him of that, he had a serious issue with it. Commissioner Rousseau stated that he wanted community input, but on the front end. As for attendance, the business of the County continued when there was a quorum, so he was not buying into that as a legitimate reason to table.

Mrs. Sims stated that in July there was conflict. The Planning Commission meeting for the rezonings could not proceed due to the holiday, so it was moved to July 17. There was not enough time to get everything on the Board meeting for the end of July, so that was putting it inline with the other rezonings.

Commissioner Rousseau thanked the Petitioner for the community engagement.

Mr. Jones stated that the Petitioner made commitments to the residents and guaranteed them that they would request a table for August to give time. He stated that he understood the recommendation to withdraw but he did not want the residents to come to another public hearing. He stated that he would do his best to be ready for June 26.

Commissioner Maxwell stated that he would not be in the country.

Commissioner Maxwell moved to table the request to the August 28, 2025 meeting. Chairman Hearn seconded. The motion failed 2-2. Commissioner Oddo and Commissioner Rousseau voted in opposition. Vice Chairman Gibbons was absent.

Commissioner Rousseau asked if, procedurally it would go to the next available date.

Mr. Davenport stated that, procedurally it would be denial unless the Board did something different.

Commissioner Maxwell stated that he would make the same motion and continue to have a 2-2 all night long.

Mr. Jones stated that he did not want to cause any more consternation. He stated that he did want to give the residents time. He stated that the Petitioner would withdraw the application and go back to the Planning Commission to avoid the residents coming back out and he would get written statements from them.

Commissioner Oddo stated that he appreciated that.

Mr. Jones requested to withdraw the petition.

Mr. Davenport stated that procedurally, the Petitioner was requesting withdrawal which required approval by the Board.

Commissioner Oddo moved to withdraw the petition. Commissioner Rousseau seconded. The motion passed 3-1. Commissioner Maxwell voted in opposition. Vice Chairman Gibbons was absent.

5. Consideration of Petition 1363-25, Primitivo P. Diaz & Shawn Morales & Christian Diaz, Owners, and Damon Free, Agent, propose to rezone 2.79 acres from R-40 (Single-Family Residential) to R-70 (Single-Family Residential) for the purpose of developing residential lots, combining this parcel with an adjacent parcel; property located in Land Lot 77 of the 7th District fronting on Sandy Creek Road.

The applicant chose to continue with the hearing.

Mrs. Sims read the item into the record as written.

Damon Free, Agent, stated that he was buying the lot for pastureland and was not going to develop the lot. He stated that originally, he had 5.5 acres and had an opportunity to buy six more acres, and then the opportunity to buy another three acres.

Mrs. Sims stated that the provision was that the property be rezoned to R-70 with one condition that it be combined, within 90 days, with the other property with the same zoning. Condition: 1. Within 90 days of approval of the rezoning, the rezoned portion of Parcel #0723 028 shall be combined into a single parcel with Parcel #0723 017 with an approved recorded plat.

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

The Petitioner agreed to the condition.

Commissioner Oddo moved to approve Petition 1363-25, Primitivo P. Diaz & Shawn Morales & Christian Diaz, Owners, and Damon Free, Agent, propose to rezone 2.79 acres from R-40 (Single-Family Residential) to R-70 (Single-Family Residential) for the purpose of developing residential lots, combining this parcel with an adjacent parcel; property located in Land Lot 77 of the

7th District fronting on Sandy Creek Road with one (1) condition. Chairman Hearn seconded. The motion passed 4-0. Vice Chairman was absent.

6. First of Two Public Hearings to consider amendments to Chapter 104. Development Regulations, regarding Article XII. - DEVELOPMENT IMPACT FEE, to provide compliance with changes in the State Regulations governing Development Impact Fees.

Mrs. Sims stated that after further review there were limited legal changes. Staff was recommending keeping the existing Article XII. Development Impact Fee and Development Regulations and request withdrawal of the proposed amendments.

Commissioner Oddo to approve the withdrawal as recommended by staff. Chairman Hearn seconded. The motion passed 4-0. Vice Chairman Gibbons was absent.

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.

Keith Bardo, Fayetteville, made comments regarding the lack of recycling for residents of Fayette County that do not live in Peachtree City limits. He stated that he had a garage of cardboard, and he did not want to throw it in the trash or pay for receptables.

Mr. Rapson stated that people were getting out of the recycling business across the state and Fayette was not the only ones with this issue.

Chairman Hearn stated that it came down to dollars. If the County could make it work "dollar and cents" wise, it would work.

Alfred Jackson, Fayetteville, made comments regarding the addition of the manufacturing facility with 120 homes behind the facility. He was concerned with how it would affect the community, traffic and pollution.

Marlon Williams, Fayetteville, made comments about the rezoning presented. He stated that his concern was that he did not know what residents the Petitioner spoke with. He stated that none of them were addressed or aware of the meeting. He continued that with a facility that large, on Highway 85 and Corinth Road, it would require two entrances. Mr. Williams expressed his concerns regarding the traffic, the dangerous intersection, the waste from the facility, and how that would be increased with the rezoning.

CONSENT AGENDA:

Commissioner Oddo moved to approve the Consent Agenda as presented. Chairman Hearn seconded. The motion passed 4-0. Vice Chairman Gibbons was absent.

- 7. Approval to move funding to and from the appropriate Capital Project Contingency account and to close the projects as identified on the attached list.**
- 8. Acknowledgment of Sheriff's decision to dispose of county property.**
- 9. Approval of May 8, 2025 Board of Commissioners Meeting Minutes.**

OLD BUSINESS
NEW BUSINESS:

10. Request to approve Resolution 2025-03 to adopt and 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).

Mrs. Sims presented this item as written. She stated that each year the County prepared an update for the previous fiscal year's impact fee spending and the updates on the projects that are paid, in part or in full, with impact fees. She stated that the update was required by the Georgia Development Impact Fee Act and Minimum Planning Standards. Fayette County collaborated with the Towns of Tyrone, Brooks and Woolsey and prepared the 2024 Annual Report on Fire Services and Impact Fees, including the Comprehensive Plan amendments for updates to the Capital Improvement Element and Short-Term Work Program for FY2025 – FY2029. The request was for transmittal to Atlanta Regional Commission (ARC) and Georgia Department of Community Affairs (DCA). The Towns have all approved Resolution 2025-03. The DCA and ARC have provided notification of compliance to the County for the 2024 Fire Services and Impact Fee Report, including the amendments for updates. The Board approved the Resolution to transmit to DCA on February 27, 2025. The next was for each local government to adopt the report and for the adopting resolutions to be transmitted to ARC. The deadline to transmit to ARC was June 30, 2025 and was required to retain qualified local government status.

Commissioner Oddo moved to approve Resolution 2025-03 to adopt and 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). Chairman Hearn seconded. The motion passed 4-0. Vice Chairman Gibbons was absent.

ADMINISTRATOR'S REPORTS:

Mr. Rapson stated that he provided the Board the Hot Topics with updates to the Stormwater and Transportation projects, as well as, the Parks and Recreation Multi-Use Facility, Starrs Mill Tunnel, Coastline Bridge Improvements, Old Ivy Stormwater Replacement and the Water System AMI System.

He stated that there will be two public hearings regarding the FY2026 Budget, one on June 12 and one on June 26. He reminded everyone that Monday was Memorial Day, and the office would be closed.

Mr. Rapson stated that he made an offer for a new Assistant County Manager to Jason Tinsley from Upson County, and after the official acceptance, he would start sometime in July.

ATTORNEY'S REPORTS:

Notice of Executive Session: County Attorney Patrick Stough stated that there were three items for Executive Session. Two items involving threatened litigation, and the review of the May 8, 2025 Executive Session Minutes.

COMMISSIONERS' REPORTS:

Commissioner Oddo stated that Memorial Day was coming up and it was a day to remember those that sacrificed their lives. He reminded everyone how Memorial Day was founded.

EXECUTIVE SESSION:

Two items involving threatened litigation, and the review of the May 8, 2025 Executive Session Minutes. Commissioner Oddo moved to go into Executive Session. Chairman Hearn seconded. The motion passed 4-0. Vice Chairman Gibbons was absent.

The Board recessed into Executive Session at 6:00 p.m. and returned to Official Session at 6:10 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. Chairman Hearn seconded. The motion passed 4-0. Vice Chairman Gibbons was absent.

Approval of the May 8, 2025 Executive Session Minutes: Commissioner Oddo moved to approve May 8, 2025 Executive Session Minutes. Chairman Hearn seconded the motion. The motion passed 4-0. Vice Chairman Gibbons was absent.

ADJOURNMENT:

Commissioner Oddo moved to adjourn the May 22, 2025 Board of Commissioners meeting. Chairman Hearn seconded. The motion passed 4-0. Vice Chairman Gibbons was absent.

The May 22, 2025, Board of Commissioners meeting adjourned at 6:10 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 12th day of June 2025. Attachments are available upon request at the County Clerk's Office.